Board of County Commissioners
Hearing Date: August 6, 2026
Canyon County Development Services Department

PLANNING DIVISION ADDENDUM

CASE NUMBER:	**CR2025-0011**
APPLICANT/REPRESENTATIVE:	**Matt Wilke, White Barn Ventures, Inc.**
PROPERTY OWNER:	**Greg S Payne**
APPLICATION:	**Conditional Rezone (CR2025-0011) of 6.46 acres from "A" Agriculture to "CR-RR" (Conditional Rezone Rural Residential)**
LOCATION:	**0 Middleton Road, Middleton, Idaho Also referenced as a portion of the SW quarter of Section 20, T5N, R2W, BM, Canyon County, Idaho Parcel R37423 (+/-70.89)**
ANALYST:	**Karla Nelson**
P&Z RECOMMENDATION:	**Denial**

SUMMARY:
The applicant, Greg Payne, represented by Matt Wilke, is requesting a Conditional Rezone for a 6.46-acre portion of an approximately 70.89-acre parcel from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement to limit development to 3 buildable residential lots. If approved, a subsequent subdivision application will be applied for to create three (3) residential parcels out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.43 acres is proposed to be a non-buildable agricultural-only parcel.

The Planning & Zoning Commission heard the case at a public hearing held on May 7, 2026. After deliberation, the Planning & Zoning Commission recommended denial of the request, finding it inconsistent with the Comprehensive Plan, less appropriate than the current zoning designation, incompatible with surrounding land uses, and likely to impact essential public services and facilities (Exhibits 1 & 2).

The Staff report packet dated May 7, 2026, and all supporting materials are contained in Exhibit 3. Additional public comments received for the subject public hearing or received as a late exhibit at the previous public hearing may be found in Exhibit 5. Additional supporting documentation provided by the applicant for consideration by the Board of County Commissioners may be found in Exhibit 6.

EXHIBITS:
1. Planning & Zoning Commission FCOs Dated: May 21, 2026
2. Planning & Zoning Commission Minutes Approved: July 16, 2026
3. Staff Report Packet Dated: May 7, 2026
4. Planning and Zoning Commission Staff Presentation: May 7, 2026
5. Public Comments Received by: July 27, 2026
    a. Benoit; Received: July 14, 2026
6. Application Materials Received by Materials Deadline: July 27, 2026

EXHIBIT 1

P&Z Signed FCOs Dated: May 21, 2026

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Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

PLANNING AND ZONING COMMISSION
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of:
Greg S Payne – CR2025-0011

The Canyon County Planning and Zoning Commission considers the following:

1) Conditional Rezone of a 6.46-acre portion of Parcel R37423 from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.43 acres is proposed to be a non-buildable agricultural-only parcel.

2) Location: Case CR2025-0011: The subject property (Parcel R37423) is located at 0 Middleton Road, Middleton, also referenced as a portion of the SW ¼ of Section 20, T5N, R2W, BM, Canyon County, Idaho

Summary of the Record

1. The record is comprised of the following:

   A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0011.

      1. All exhibits can be found in the case staff report dated May 7, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), and §67-6519 (Application Granting Process).

   a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.

   b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See* CCCO §07-06-07(1).

   c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See* CCCO §07-05-01

2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act ("LLUPA") and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6511.

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.

4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.

5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2025-0011, was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 7, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

<table>
<tr><th colspan="3">Table 1. Conditional Rezone Standards of Evaluation</th></tr>
<tr><td colspan="3">Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:</td></tr>
<tr><th colspan="3">County Ordinance and Review</th></tr>
<tr><th>Criteria Met?</th><th>Code Section</th><th>Criteria</th></tr>
<tr><td>No</td><td>1</td><td>Is the proposed conditional rezone generally consistent with the comprehensive plan?</td></tr>
<tr><td>Analysis</td><td colspan="2">The proposed conditional rezone change is generally <u>not</u> consistent with the comprehensive plan.

The 2030 Comprehensive Plan designates the property for future agricultural use. Page 25 of the Plan describes the agricultural designation as follows:

"The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value."

The requested Conditional Rezone to Rural Residential "CR-RR" will apply to approximately 6.46 acres on the northeast portion of the property (Staff Report Exhibit A4). The 2030 Comprehensive Plan describes the Rural Residential District as a rural transitional area to create a boundary between agricultural and urban areas. These areas were mapped out during the 2030 Comprehensive Planning process, and the subject property was not identified for the Rural Residential designation, as the nearest urban area is found one (1) mile to the south in Middleton's Area of Impact. The nearest Rural Residential future land use designation is a half mile to the south. The property better meets the 2030 Canyon County Comprehensive Plan by remaining in its current configuration, as creating three (3) parcels, each approximately two (2) acres in size, would likely encourage more residential growth in an area that is predominantly agricultural (Staff Report Exhibits B2.1 and B2.3).

The requested rural residential zone does <u>not</u> align with the following goals and policies of the 2030 Comprehensive Plan:

Population P2.01.01: "Plan for anticipated population and households that the community can support with adequate services and amenities."</td></tr>
</table>

Exhibit 1

	• COMPASS forecasts zero (0) additional residential household growth for the associated Traffic Analysis Zone (TAZ No. 2101) between 2025 and 2050, where the subject property is located **(Staff Report Exhibit B2.11).** **Economic P3.04.01**: "Build Canyon County as the premier location for agricultural-based businesses of all sizes." • Three additional residential parcels have the potential to negatively impact existing agricultural-based businesses and operations in the surrounding area by encouraging additional residential growth. **Land Use and Community Design P4.03.01**: Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources. • Canyon County identifies the area for agricultural use not residential growth **(Staff Report Exhibits B2.4)**. **Land Use & Community Design P4.05.01**: Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators. • Three additional residential lots, each with the potential for a secondary residence, could create hardship for neighboring farmers and agricultural operators in the form of complaints about agricultural practices and operations. **Agriculture P12.01.01:** Preserve and maintain agriculturally designated lands for agricultural use. • Canyon County identifies the area for agriculture, not residential growth **(Staff Report Exhibit B2.4)**. **Agriculture P12.01.02**: Encourage non-agricultural related development in the cities, areas of city impact, and other clearly defined and planned development areas. • The request is located outside of a city impact area and is not a defined planned development area **(Staff Report Exhibits B2.4, B2.5, and B2.11)**. **Agriculture P12.01.04:** Prioritize the protection of agriculture and farmlands in Canyon County as an essential part of the County's economy, identity, and sense of place. • Approving a rezone and future 3-lot residential subdivision within the agricultural designation could encourage further division of the surrounding farmland. See criteria 07-06-07(6)A2 & A3 findings for supporting evidence.
Criteria Met? **No**	**2** **When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
Analysis	In consideration of the surrounding land uses, the proposed conditional zone change for a small portion of the property to "CR-RR" is <u>not</u> more appropriate than the current zoning designation of "A". **Existing Conditions:** The primary land use in the vicinity is agriculture. There are parcels directly to the west, southwest, south, and north in active crop production. Except for the northeast corner, the subject property is used for crop production, further demonstrating that the area is primarily agricultural. The subject property and surrounding area are not located within any city area of impact and are zoned agricultural **(Staff Report Exhibits B2.5 and B2.3)**. According to Canyon County Code of Ordinances (CCCO) §07-10-25 (1), the purposes of the existing "A" zoning district are to: A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and

Exhibit 1

E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.

The property primarily consists of class 3 and 4 moderately suited soils with some class 6 and 8 least suited soils. The parcel is considered prime farmland if irrigated (69.9%), farmland of statewide importance if irrigated (17.9%), and not prime farmland (12.2%) (**Staff Report Exhibit B2.7**). The portion of the property that will be rezoned is not currently irrigated and contains class 6 soils that are not considered prime farmland (**Staff Report Exhibit D6.2**), however before disruptions to the irrigation supply, the northeast corner was considered prime farmland with class 3 soils (**Staff Report Exhibit B.2.7 and A.3**). There are no dairies, feedlots, or gravel pits within a 2-mile radius (**Staff Report Exhibit B2.6**).

Rezoning Request

The request is to conditionally rezone 6.46 acres of the 70.89-acre property to an R-R Zone, subject to the conditions of a development agreement. According to Canyon County Code of Ordinances (CCCO) §07-10-25(2), the purposes of the "R-R" zoning district is to "*encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.*"

The applicant provided a conceptual site plan (**Staff Report Exhibit A.4**) demonstrating that the result of the rezone is to create three buildable parcels, clustered in the northeast corner of the property, each approximately 2 acres in size. The remaining 64.43 acres will retain agricultural zoning and will be non-buildable (**Staff Report Exhibit A3 and A4**). While the request is limited, it will introduce an island of rural residential zoning into an area where there are few residentially zoned properties (**Staff Report Exhibit B.2.3**). Within a one-mile radius, only five areas have been rezoned to rural residential or single-family residential zoning (**Staff Report Exhibit B.2.3**). All but one of these areas were conditionally rezoned and according to Canyon County Code §07-06-07(3), "…shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same."

Existing Conditions within One Mile:

Direction	Existing Use	Primary Zone	Other Zone
N	Residential and Agricultural	A	CR-RR
S	Agricultural with dwellings	A	
E	Residential	A	CR-R1, RR
W	Agricultural	A	CR-RR, RR

"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)

Recent Land Use Cases within a One Mile Radius:

- RZ2021-0043 (directly west of the subject property) – Rezone "A" to "RR"- Denied
- SD2020-0009 – Echo Estate Subdivision – Approved
- SD2022-0047 – Preliminary Falcon Rim Subdivision – Approved
- RZ2021-039 – Rezone "A" to "CR-R1" – Approved

See further analysis located in sections 1, 3, and 4.

Criteria Met?	3	**Is the proposed conditional rezone compatible with surrounding land uses?**
No		

Analysis

The proposed conditional rezone to "CR-RR" is not compatible with surrounding land uses, which are primarily agricultural.

Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one

Exhibit 1

	another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The proposed zoning would provide for platted lots that are smaller than the surrounding average parcel sizes. Within the 600-foot notification radius, the average parcel size is 14.66 acres, and the largest is 117.59 acres, compared to the proposed 2-acre lots (**Staff Report Exhibit B2.9**). The surrounding area is primarily active agriculture, including land directly to the north, west, and south of the property. If approved, the "CR-RR" zoning adjacent to agricultural uses, along with the subsequent subdivision, will introduce an incompatible land use (**Staff Report Exhibits B.2.3 and B.2.1**). The 2030 Canyon County Comprehensive Plan encourages the preservation of agricultural designations and zoning. See further analysis located in sections 1, 2, and 4.	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The character of the area is primarily agricultural with interspersed residential use and some residential subdivisions. The proposed conditional rezone to rural residential of the approximately 6.46-acre northeast portion of the subject property will match the character of the adjacent Pheasant Landing Subdivision. The requested rural residential zone will allow for an average lot size of two (2) acres, which is aligned with the 2.32-acre average lot size in nearby subdivisions (**Staff Report Exhibit B2.9**). Future residential use is planned within the City of Middleton and Middleton's Area of Impact, approximately 1 mile to the south (**Staff Report Exhibit B2.5**). COMPASS anticipates 869 additional households by the year 2050 within the nearby Traffic Analysis Zones 2136 and 2137 (**Staff Report Exhibit B2.11**). While the subject property is not in a planned growth area, nearby residential growth adds to the mix of agricultural and rural residential use that characterizes the area. **The following measures will be implemented to mitigate the impact** The applicant's proposed conditions include limiting the development to 3 buildable residential lots in substantial conformity with the site plan. The site plan ensures that the residential lots are adjacent to the Pheasant Landing Subdivision, and it preserves agricultural zoning and use along the western and southern property boundaries where large agricultural fields are found. With this condition of approval, the development is not anticipated to negatively impact the essential character of the area.	
Criteria Met? **Yes**	**5**	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?**
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** Per the land use worksheet, sewer will be provided with individual septic systems (**Staff Report Exhibit A5**). Southwest District Health provided comments stating that the project does not require a Nutrient Pathogen Study and that there are no concerns with the request provided all SWDH requirements are met (**Staff Report Exhibit D5**). An earlier pre-development meeting was held that envisioned two (2) rather than three (3) residential lots. Meeting notes detail that an abandoned concrete ditch is found to the south of the proposed lots and that survey data indicate silt loam with calcium carbonate soils (**Staff Report Exhibit D5.1**). All SWDH requirements will need to be met with the subdivision plat (**Staff Report Exhibit D5**). **Water:** Per the land use worksheet, water will be provided with individual domestic wells (**Staff Report Exhibit A5**). Notice was provided to the Idaho Department of Water Resources, but no comments were received. Future development shall comply with IDWR standards at the time of subdivision and or building permits.	

Exhibit 1

	The property is within a Nitrate Priority Area, the closest known well with a nitrate level elevated to the 10 milligram per liter standard is found approximately 620 feet to the north (**Staff Report Exhibit B2.10**). During the preliminary plat phase, the Planning and Zoning Commission may recommend that the applicant conduct nitrate level testing for the proposed wells before approval. **Drainage:** Per the land use worksheet, stormwater is proposed to be retained on-site (**Staff Report Exhibit A5**). **Irrigation:** Per the letter of intent, there are no surface irrigation water rights available for the northeast corner of the property where the three residential lots are proposed. Each home will be able to utilize the ½ acre domestic exemption for irrigation if the total use does not exceed 13,000 gallons per day (**Staff Report Exhibit A3**). Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed residential parcels will receive irrigation water from the district. All maintenance road right-of-way, lateral right-of-way, and drainage right-of-way will need to be protected. Any crossing agreements and or piping agreements will need to be acquired from the Bureau of Reclamation once approved by Black Canyon Irrigation District, to cross over or under any existing lateral, pipe any lateral, or encroach into the right-of-way of the District or Reclamation (**Staff Report Exhibit D1**). All irrigation district requirements will need to be met during the subdivision process. **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on September 8, 2025, and April 2, 2026. No agency comments were provided by those services at the time the staff report was written. Utility poles exist along Middleton Road (**Staff Report Exhibit C**). There are also residences in the general vicinity that are indicative of utility services being available. It is anticipated that the applicant will be able to work with utility providers to gain any needed utilities.
Criteria Met? **Yes**	**6**	**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 traffic impacts?**
Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. ITD had no concerns with the request as the property is greater than 3 miles north of SH-44 and minimal impact can be anticipated. Comments received from Highway District No. 4 detail that Middleton Road is classified as a minor arterial and Galloway as a major collector on the functional classification maps adopted by the County and Highway District. The applicant letter of intent details an expected 29 average daily trips based 9.52 average daily trips per household. During the subdivision phase of the development, the applicant will be required to meet all highway district requirements, and an approach permit with a paved apron meeting ACCHD standards will be required (**Staff Report Exhibit D2**). The proposed three additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (**Staff Report Exhibit D2**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**
Analysis	The subject property does have legal access for the conditional rezone and will have legal access at the time of the development. See the review and analysis detailed below.	

Exhibit 1

	Existing access to the subject property is via one or more unimproved agricultural approaches to Middleton Road along the property's western boundary. Comments from Highway District No. 4 state that these approaches may remain in use to serve the ongoing agricultural uses but are subject to restriction or removal if the land use changes in the future. The applicant proposes a 20-foot-wide private road within a 60-foot easement to serve three new residential lots, with an approach to Middleton Road located near the northwest property boundary (**Staff Report Exhibits A3 and A4**). Before platting, the applicant could utilize the administrative land division amendment process to separate the 6.4-acre rezone portion from the remaining agricultural-only parcel and in this situation, a 60-foot easement to Middleton Road will be permitted as depicted on the site plan. However, if all divisions occur through the subdivision process, a dedicated 60-foot private road lot will be required for the entire length of the road. During the subdivision phase of development, the applicant must meet all subdivision, private road, and highway district requirements, including the acquisition of an approach permit. Based on established private road standards, the road must be contained within a separate road lot for the portion located inside the 6.46-acre future subdivision, even if the remainder of the access to Middleton Road is secured via an easement prior to the platting process.
Criteria Met? **No**	**8**	**Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?**
Analysis	The proposed use may impact essential public services and facilities by increasing enrollment at public schools that are already over capacity. The use is not anticipated to impact police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** The subject property is within the Middleton School District #134. The school district was noticed on September 8, 2025, and April 2, 2026, but no comments were received. Publicly available data from Middleton School District #134 details that two (2) of the three (3) Elementary Schools are over capacity, as is Middleton Middle School. Middleton High School has not reached capacity, nor has Middleton Academy. Without comments from Middleton School District #134, the Planning and Zoning Commission finds insufficient evidence to determine if the proposed use will have an impact on essential public services and facilities. **Police:** The subject parcels are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on September 8, 2025, and April 2, 2026, and no comments were received by the Sheriff's Office. **Fire protection & Emergency Medical Services:** Canyon County Paramedics provided estimated response times on April 19, 2026, for three (3) nearby stations: Station M53 has an estimated response time of 6.49 minutes, Station M51 has an estimated response time of 15.6 minutes, and Station M52 has an estimated response time of 17.7 minutes. The subject property is under the jurisdiction of the Middleton Rural Fire District (MRFD). MRFD is required to provide services to this parcel, and a fire district sign-off is also required for residential building permits. Middleton Rural Fire District was provided notice of the application on September 8, 2025, and April 2, 2026, but no comments were received. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning recommends **denial** of Case # CR2025-0011, a zoning map amendment of a 6.46 portion of Parcel R37423.

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

Exhibit 1

1. The applicant may consider waiting until the area development trends and the Comprehensive Plan support residential development on the property.
2. The applicant may consider adding restrictions on secondary dwellings and strengthening conditions to ensure that the agricultural-only portion of the property remains non-buildable with agricultural zoning.

DATED this 21 day of May, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 21 day of May, in the year 2026, before me Caitlin Ross, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

CAITLIN ROSS
COMMISSION #20251885
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/07/2031

Notary: Caitlin Ross

My Commission Expires: 5/7/2031

EXHIBIT 2

P&Z Minutes Dated: July 16, 2026

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Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, May 7, 2026
6:30 P.M.
1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present:	Robert Sturgill, Chairman Brian Sheets, Vice Chairman Harold Nevill, Commission Secretary Geoff Mathews, Commissioner Holley Werhanowicz, Commissioner Anita Johnston, Commissioner
Staff Members Present:	Dan Lister, Planning Supervisor Karla Nelson, Principal Planner Arbay Mberwa, Associate Planner Amber Lewter, Associate Planner Caitlin Ross, Hearing Specialist

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

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

Item 1: Consent Agenda – Action Items

A. **March 5, 2026 MINUTES**
B. **March 26, 2026 MINUTES**
C. **Case No. CU2025-0026 – Ruff:** Approve FCOs

MOTION: Commissioner Nevill moved to approve the Consent Agenda as presented, seconded by Commissioner Sheets. Voice vote, motion carried.

Chairman Sturgill recused himself from the vote on item 1C as he was not present for that case.

Item 2A:
Case No. OR2025-0023: The applicant, Granite Companies LLC, represented by KM Engineering, requests a Comprehensive Plan Map Amendment of Parcel R29892010 from an "agriculture" future land use designation to a rural residential future land use designation. The 46.5-acre property is located at 7044 Rim Road, Nampa.

Commissioner Nevill stated that he does not request to be excused but wanted to disclose that he was on the Planning and Zoning Commission when the gravel pit was originally approved years ago. He also noted that he used to farm approximately a mile away from where the gravel pit was located. He sold the farm in 2021 but thought it was important to disclose he knows quite a bit about the area.

Chairman Sturgill affirmed the applicant to testify.

Connor Lindstrom – (Representative) IN FAVOR – 5725 N. Discovery Way, Boise, ID
Mr. Lindstrom stated they are requesting to change the future land use designation of the subject property from AG to Rural Residential. The property is 46.5 acres and is located off of Rim Road. The access for the

site is off of Rim Road, and the site has historically been a gravel pit. Mr. Lindstrom displayed the 2030 and the 2020 Comprehensive Plan Future Land Use Maps. The map also depicted the location of the site in relation to rural residential developments that have been approved over the years. The closest development being just over a mile away, Deer Sky Ranch. The developments have generally 2–4-acre average lot sizes, which is similar to what the applicant would like to see on this site. Mr. Lindstrom stated that there are difficulties with the site being productive for crops, specifically monoculture. The site contains non-prime farmland soils, with the exception of soil categorized as important, if it was irrigated. The subject property does not have water rights and is not within an irrigation district. The site also has challenges in regard to its topography. There is 70 ft. of elevation drop between the highest point of the property and the canal. Mr. Lindstrom displayed the site layout and stated that it is very conceptual at this time, but 20 rural residential lots are proposed. The average lot size is 2.27 acres, ranging in size from 1.5 to 4.58 acres. An internal private road is proposed. Mr. Lindstrom stated that the comprehensive plan supports the preservation of agriculture. The subject property does not function as productive farmland due to its history. They are looking for some other long-term solutions for the property. The proposed lot size will provide opportunities for larger lots/hobby farming. He noted that there is a lack of larger lots in the County.

Commissioner Sheets asked what the anticipated reclamation plan was for the particular site. Mr. Lindstrom stated that he does not know the ins and outs of it, but Mr. Davis can provide more information. Commissioner Sheets asked if the topsoil was maintained in the area. Mr. Lindstrom stated that the topsoil has been through mining activity as it has taken place. There is a lack of topsoil, which is another issue for active farming of the land. Commissioner Sheets stated that it may be hard for potential future owners to have a hobby farm with no topsoil. Mr. Lindstrom noted there's a multitude of different farming activities that could take place that don't necessarily require great soil or crops, such as livestock, chicken, sheep, etc.

Commissioner Nevill noted that there is no irrigation water available to the property and asked if the individual wells would be utilized to irrigate. Mr. Lindstrom stated that in Idaho you can only irrigate up to ½ acre from a domestic well. Commissioner Nevill referenced the IDWR five -year moratorium for any kind of irrigation and asked if Mr. Lindstrom stated that it may take years to get the development completed. Once lots are sold and developed, they would have to drill their own well, and five years is closer than it may seem. Commissioner Nevill stated that one of the criteria is in regard to the impact on public services and water has to be thought about.

Planning Supervisor, Dan Lister, reviewed the Staff Report for the record.

Josh Davis– IN FAVOR – 8 San Ignacio Way, Cascade, ID 83611

Mr. Davis stated they have seven other active gravel operations in various counties and are very experienced in gravel extraction. The pit has been depleted, and all the usable minerals have been extracted. Mr. Davis stated the property was purchased from Mark Tracy and the reclamation plan is vague and is a one-page document. It illustrates that they have to seed the slopes, and the slopes can be no steeper than two to one. Mr. Davis noted testimony from staff in regard to a concrete batch plant and stated that request was not on behalf of Granite Companies, but rather, another contractor who sought to purchase the ground. That being said, they are pretty limited to options available to this site due to the topsoil. There is not a great amount of loam in it, and it doesn't grow anything but weeds. They believe the proposed use would be the most compatible.

Commissioner Nevill asked if following the reclamation plan would require some leveling and reseeding. Mr. Davis stated it would. Commissioner Nevill asked if the land could be used for pasture once it was leveled and reseeded. Mr. Davis stated it couldn't be used for pasture as it does not have irrigation water rights.

Chairman Sturgill asked why a rezone wasn't applied for at the same time as the comprehensive plan map amendment. Mr. Davis deferred this question to rebuttal with Mr. Lindstrom. Chairman Sturgill asked if the

plan was to sell the land once the use is in place or to create and sell the individual lots. Mr. Davis stated they would go through the subdivision process and sell the lots individually. Chairman Sturgill asked what would happen if the request was denied and the reclamation plan was followed. Mr. Davis stated that their goal is to be the least obtrusive than they can be.

Frankie Amen- IN OPPOSITION – 9125 Sky Ranch Rd., Nampa, ID 83686

Mr. Amen stated they are about two miles away from the subject property. He is speaking on behalf of the agricultural aviation in Canyon County, and how this proposal would impact the agricultural operations for the farmers in the area. The subject property is surrounded by agricultural farm fields that use aerial spraying. Mr. Amen flies over the subject property to enter and exit the 160 acres to the south and other fields. He has been a licensed commercial ag pilot since 1985 and for the last 41 years he has personally sprayed 160 acres south of the site over 100 times. 15 of those 100 times were in the last two years because it is currently in alfalfa seed and it gets sprayed 7-8 times a season, primarily at night. A subdivision at the end of the 160-acre pivot would be a no-fly zone according to the FAA and the Department of Agriculture. There are a lot of potential problems allowing 20 homes in a very active agricultural area, which is one of the reasons for the right to farm. Mr. Amen offered to show the flight paths if the Commission would like, because he does spray a lot of other fields in the area.

Jeanie Amen- IN OPPOSITION – 9125 Sky Ranch Rd., Nampa, ID 83686

Ms. Amen stated she does advocate for the protection of agricultural operations. She felt the staff report covered it well and so did the Growing Together letter. Ms. Amen felt that the request was spot zoning. Ms. Amen stated that pathway for spraying has been north and south on the particular field to the south. Ms. Amen stated that she has seen complaints from "new" residents. She has seen complaints from well-established subdivisions, but those complaints were found to be false complaints after an investigation with the Idaho Department of Agriculture and EPA. The complaints were filed to aggravate or intimidate the aerial applicator that was operating. Ms. Amen has been in contact with Idaho Department of Water Resources about this application and the five-year moratorium and this application couldn't be feasibly processed in the time they allotted to do the studies in this area. Ms. Amen referenced the "Goldberg" application on Lewis Lane which is approximately three miles north of the property which is on hold pending a determination if there's adequate water resources. She also referenced Beaumont Farms, Sunridge Dairy, Allen Noble Farms, which are also on hold. She stated that they have documented 150 ft. water fluctuations during the ag season. Ms. Amen questioned whether this application is circumventing the IDWR process by installing individual wells vs a community system.

Connor Lindstrom – REBUTTAL – 5725 N. Discovery Way, Boise, ID

Mr. Lindstrom stated they did not apply for the rezone at the same time as the comp plan amendment based on their discussions with staff and weighing all of their options. They decided to apply for the comp plan amendment and based on the feedback/decision; they would then apply for the rezone. The subject property is not viable crop ground and that is really what the comprehensive plan is trying to protect. Mr. Lindstrom stated they are not trying to bend the rules or avoid anything. The moratorium was initiated in March of this year, but this application was submitted last October. He stated they understand there are some water source issues in the area, but they recognize they'd need to complete a nutrient pathogen study as part of the platting process. He stated there are options for the site such as more industrial type uses with the batch plant or feedlot operations. However, that may be detrimental to the neighbors to the south downwind and on Alamo Lane. They felt that rural residential lots was a good solution.

Commissioner Werhanowicz asked if there was a positive response from the neighbors in regard to putting 20 homes on the site. Mr. Lindstrom stated that seven or eight people attended the neighborhood meeting with mixed feedback. The overwhelming feedback was they were happy that the proposal was for 2.5 acre lots and not high density residential. He also mentioned one attendee that was happy the gravel extraction was complete and would rather see houses than some other industrial-scale use operated on the site.

Commissioner Werhanowicz stated she is familiar with the area and noted that a precedence may be set for more homes in the area. Mr. Lindstrom noted the unique circumstances of this property, such as being non-viable. Commissioner Werhanowicz stated that water in the area is an issue, and some people in Deer Sky Ranch lost wells a couple of years ago. Mr. Lindstrom stated that they understand, and as part of the rezone and plat process more studies would have to be done to determine what is viable and how many lots they could actually have in the area.

MOTION: Commissioner Sheets moved to close public testimony on Case No. OR2025-0023 seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Sheets considers this request to be island zoning based on the staff report and testimony received. The use is not appropriate for this area and is located far away from services. He agreed with the staff report and stated his recommendation would be for denial.

Commissioner Mathews stated he did not hear any testimony that would convince him that the applicant had met the burden of proof. The comprehensive plan is to protect ag everywhere. The neighboring properties definitely have an interest in keeping roads open for equipment and also aerial spraying. Commissioner Mathews agreed with Commissioner Sheets.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. OR2025-0023 to the Board of County Commissioners and adopting the Findings of Fact & Conclusions of Law as presented by staff. Seconded by Commissioner Nevill.

Discussion on the Motion:
Commissioner Nevill noted that there are 31 existing dwellings within a mile, adding 20 more is a 61% increase. Commissioner Nevill added that this would set a precedent for those wanting to do the same thing.

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

Item 2B:
Case No. CU2025-0014: The applicant, Billington Inspections and Services Inc., represented by Alysha & Matthew Billington is requesting a conditional use permit on Parcel R30795013, approximately 1.31 acres zoned "A" (Agricultural) for storing business equipment and inventory. The proposed use consists of a staging area for three parking spaces with a loading area, one (1) employee with hours of operations Monday to Friday 7 am to 5 pm and Saturday 8 am to 5 pm. The subject property is located at 17030 Madison Road, Nampa, ID, also referenced as Parcel R30795013.

Chairman Sturgill affirmed the applicant to testify.

Alysha Billington – (Applicant) IN FAVOR – 17080 Madison Rd., Nampa, ID 83687
Ms. Billington stated they purchased the property with the intent of storing their business equipment. They do not intend on operating the business out of it, but they have searched for land for storage. They were not aware at the time that they had to apply for a conditional use permit to store equipment. Ms. Billington stated there was access that was located on the side of the house and that had been utilized. They were not aware it was not approved at the time of property purchase. She stated they will cease usage of that access.

Matt Billington – (Applicant) IN FAVOR – 17080 Madison Rd., Nampa, ID 83687
Mr. Billington stated that they will be moving everything in the back off due to the rejection of Cherry Rd. access. He added that there will be a couple trailers up front.

Commissioner Nevill noted that the staff report indicates there is one criterion not compliant and suggested the applicant address this in rebuttal.

Commissioner Sheets asked the applicant to clarify the type of equipment that would be stored on the property. He also asked for additional information regarding access to the property.

Mr. Billington stated that the equipment stored on the property are enclosed trailers. He also noted their personal vehicles and a couple of containers on the back of the property that will be removed. He stated that the house entrance is off of Madison Rd. When they purchased the home there was access onto Cherry, that they learned was not approved. Commissioner Sheets asked what kind of business the applicant operates. Mr. Billington stated they do inspections on Idaho Power Equipment, which would be bucket trucks, cranes, etc. He added that they do not bring customers' equipment to the property. Mr. Billington stated that they sell filters and products that are stored in the containers on site. Customers do not come to the site and there are no people working at the home.

Associate Planner, Arbay Mberwa reviewed the Staff Report for the record.

Commissioner Nevill asked for explanation in regard to the three criteria found to not be compliant. He asked about the setbacks for the storage containers, since they are movable. Planner Mberwa noted they are still considered to be a structure to setbacks and floodplain requirements. Commissioner Nevill asked about the findings in regard to the character of the area as well as access. Planner Mberwa provided clarification in and stated that the future land use is residential. In regard to access, Planner Mberwa noted that Cherry is classified as a Principal Arterial Road, where access is supposed to be limited, she also stated that these roads are for traffic traveling at higher speeds, and the proposed use with trucks/equipment turning into the site was a concern for safety.

Commissioner Sheets noted that the property is zoned ag, and asked how the future land use of residential fits in. Planner Mberwa noted the residential areas and subdivisions in the area and South of the site Nampa City Limits and there is one parcel zoned industrial.

Chairman Sturgill referenced Exhibit C6 and C7 and asked Planner Mberwa to clarify why they were included. Planner Mberwa noted the exhibits were FCOs for conditional use permits recently approved within a mile radius.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Alicia and Matt Billington – REBUTTAL – 17080 Madison Rd., Nampa, ID 83687

Ms. Billington stated they realize that access on Cherry cannot be used. They have added a fence to make the property fit better with the character of the area. Ms. Billington stated that no one would be working on the site. The containers would have to be unloaded, and equipment would be needed to move them. She did not think that their proposal would impact traffic in any way. Ms. Billington noted that they have submitted the floodplain permit. They also tried to submit a building permit for the shipping containers but was told he needed to figure out the waivers first. She went back and forth with the City of Nampa and the highway district because there was confusion as to who would provide a waiver. Eventually they were told that no waiver would be given.

Chairman Sturgill asked what the waiver was for. Ms. Billington stated it was for a setback.

Commissioner Sheets asked the applicant if they'd had a chance to review the potential conditions should this be approved. Ms. Billington stated she had not, and Commissioner Sheets referred her to page 10 & 11 of the staff report.

Commissioner Nevill noted that the applicant will need to review the potential conditions. He asked Ms. Billington if they would be amenable to a condition of approval that the shipping container would be moved in six months. Ms. Billington was fine with that condition. Commissioner Nevill asked if they would be ok with requiring an approach apron. Ms. Billington believed there was already one. Mr. Billington questioned why that would be required just to store trailers on their property. Commissioner Nevill stated that this is a highway district requirement. Planner Mberwa stated the highway district requirement was to improve the current access off of Madison. Commissioner Nevill asked the applicant how much time they'd need to meet this requirement. Ms. Billington stated that it depends on what is required because the entrance is already widened.

Commissioner Werhanowicz asked if there was any way to gain access to the back of the property. Ms. Billington stated, no, there are leach lines on that side of the property so they're not able to store anything over there. There are not a lot of options except where everything was.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Sheets stated that the Commission has held a lot of hearings on this type of use, and he's never seen a recommendation for denial. He believes the proposed use is consistent with the comprehensive plan. He stated the future residential land use has no bearing on the current ag zone. He believes that the applicant does have legal access off Madison (Criteria 6). In regard to Criteria 7, the testimony is that there is very limited activity on the property consisting of one person with occasional deliveries of filters and they're not going to be keeping other types of large containers there. He is in favor of the request with the proposed conditions as well as the addition of requiring the containers to be moved within six months and adherence to highway district conditions.

Commissioner Mathews stated this is a very low impact business. He's had concerns about putting these types of uses in residential areas, but this is a very low impact, and he is in favor.

Commissioner Nevill felt this permit could be approved with a few modifications to the conditions.

Chairman Sturgill suggested taking a break to allow the applicant time to review the proposed conditions.

MOTION: Commissioner Sheets moved to re-open public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

Chairman Sturgill asked if there were any conditions that they disagree with after their review.

Alicia and Matt Billington – (Applicant) – 17080 Madison Rd., Nampa, ID 83687
Mr. Billington stated no, he stated they'd already complied.

Commissioner Nevill referenced condition no. 5 and asked if there was any concern about inserting language requiring the shipping containers to be moved within six months. Mr. Billington stated that it was fine.

Commissioner Johnston asked who informed Billington's that they couldn't do a six-foot fence. Ms. Billington stated some of the companies that came out told them the fence had to be under three or four feet in front

of the house. Planning Supervisor Lister stated those requirements were from the city, and the county does not have that requirement.

Commissioner Sheets asked about the Cherry Lane access and if the city was requiring annexation to grant access. Ms. Billington stated that she did not think they'd grant access regardless.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0014, seconded by Commissioner Nevill. Voice vote, motion carried.

MOTION: Commissioner Sheets moved to **approve** Case No. CU2025-0014 and directed staff to modify the findings for criteria 3, 6, and 7. Criteria no. 3 should state that the use is consistent with the comprehensive plplan,nd the use is allowed in the agricultural zone with a conditional use permit. Also stating that the area directly to the south is largely industrial. Criteria no. 6 should reflect that there is legal access off of Madison. Criteria no. 7, that there will be no undue interference with existing or future traffic patterns, based on testimony that there is very little traffic activity associated with the proposed use. Adding verbiage to condition no 5 that requires that the large containers be removed from the area within six months. Seconded by Commissioner Mathews.

Discussion on the Motion:
None.

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

Item 2C:
Case No. CR2025-0011: The applicant, Greg Payne, represented by Matt Wilke, is requesting a Conditional Rezone for a 6.46-acre portion of an approximately 70.89-acre parcel from an "A" (Agricultural) zone to a "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement to limit the development to 3 buildable residential lots. If approved, a subsequent subdivision application will be applied for to create three (3) residential parcels out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.48 acres is proposed to be a non-buildable agricultural-only parcel. The subject property is located at 0 Middleton Road, Middleton, also referenced as Parcel R37423.

Chairman Sturgill affirmed the applicant to testify.

Matt Wilke (Representative) IN FAVOR –P.O. Box 7, Middleton, ID 83644
Mr. Wilke stated that the project site contains 6.46 acres, and they are proposing three lots in the northeast corner of the parcel. The subject property is 70.89 acres in total. The property is contiguous to Pheasant Landing Subdivision No. 1. There was a past approval for 30 residential lots on the parcel in 2006 that did not develop due to the market downturn. A private road will serve the development and will access Middleton Road. Mr. Wilke met with the highway district, and they requested the access be curved to the south approximately 130 ft to improve site distance for southbound traffic on Middleton Rd. They are proposing an average lot size of 2.14 acres. He stated there are approximately 98 homes and five subdivisions within one mile. Mr. Wilke referenced the letter of support from Black Canyon Irrigation District and noted when the subdivision was built next door, the water delivery pipe was compromised, and water was no longer deliverable to the corner of the parcel. The usable water shares were transferred to another farm owned by Nathan McKinney in 2023. The water delivery for the center pivot is sourced from a different lateral, and that is why they're still able to irrigate the farm ground to the south. Due to the lack of water, the site has not been cultivated and over the years weeds are naturally occurring. There was a complaint from a neighbor in the fall of 2025. His client was facing a $21,265.80 charge to clean up the weeds if not complied with in seven days, so his client took his tractor over to cut down the weeds. Mr. Wilke stated that it is not economically viable to spend extra time and money to prevent the naturally occurring weeds in the dry corner. The goals

and policies of the 2030 Comprehensive Plan support the request. The development can be supported by adequate services and amenities. Fire and medical services posted appropriate response times of 6 minutes. Three homes will not affect the schools or police in any negative way. Canyon County recognizes that residential uses are a necessary component of economic stability. The proposal is to provide sufficient housing without fragmenting agricultural land and resources. Mr. Wilke note that they are not splitting up a farm to create the lots, rather, locating them on a dry corner. They are maintaining a balance that protects the rural character of the area. Mr. Wilke stated that a nutrient pathogen study would not be required because they will have less than five homes. He displayed a map that displayed monitoring wells (exhibit number not noted in testimony). Mr. Wilke stated that IDWR has shown that the monitoring well a half mile from the site has been consistent.

Commissioner Nevill asked if Mr. Wilke had an opportunity to review the recommended conditions of approval. Mr. Wilke indicated that he had and had no concerns. Commissioner Nevill asked if the ditch on the boundary line would remain. Mr. Wilke stated that it is the plan for now. Mr. Wilke noted that the split would be for the applicant's sons and potentially a neighbor interested in the 3rd lot.

Commissioner Sheets asked for more information about the water & transfer of water rights. Mr. Wilke stated that when the applicant took over farming when his father passed, he didn't have a way to deliver water to the site. It had been cut off from being delivered due to the irrigation district not wanting to deliver water and risk flooding a residential neighborhood, so it wasn't viable for them. He did continue to pay the assessments even though the water was not deliverable. Commissioner Sheets asked if there was an updated letter from the Irrigation District as there appears to be two different letters. Mr. Wilke stated the applicant did request that and noted the applicant did talk to the new superintendent and he agreed that the project made sense to him.

Commissioner Johnston stated that most people don't give their water rights up. She asked if a pipe would have fixed the delivery issue. Mr. Wilke stated the issue was going through other properties to get the water through a different route. There's no easements through the subdivision. Mr. Wilke added that pumping would have been expensive just for the dry corner that was cut off from irrigation.

Commissioner Nevill questioned why Mr. Payne didn't pursue action against the subdivision when water was denied/delivery impacted. Mr. Wilke did not know the backstory.

Commissioner Mathews asked if there would be any objection to a condition stating that the remaining 64.43-acre parcel shall be non-buildable agriculture. Mr. Wilke stated that Planner Nelson may have submitted something like that.

Planner Nelson stated that if the rezone is approved, the applicant will have the option to either do an amendment to the administrative land division that would make the 64.43 acres agricultural only and then they can come forward with the subdivision or they can include it all in the subdivision. The condition states that they have three buildable lots in substantial conformance with the site plan, which shows agricultural only and that the Commission could certainly add a condition to make it even clearer.

Principal Planner Karla Nelson reviewed the Staff Report for the record.

Commissioner Nevill asked if secondary residences would be available if approved. Planner Nelson stated yes, but the Commission could add a condition restricting them.

Chairman Sturgill stated that over the last several years, Middleton Superintendent Gee has been very responsive to applications and asked Planner Nelson if she had any insight as to why they were unresponsive in this case. Planner Nelson stated that the notification was sent to the school district, and they did not

respond. She presumed it may be due to the number of lots, but she did not know for sure. Chairman Sturgill asked what evidence was used to determine that there would be no impact to the district. Planner Nelson stated that it was based on lack of comments.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Alan Mills -IN FAVOR –P.O. Box 206, Middleton, ID 83644
Mr. Mills stated that he could clarify the difference between Black Canyon Irrigation and all of the other districts the Commission may be familiar with. None of the owners own the water, it's an unpaid project. They were very short of water in 1950 when it was created. The water was transferred to Nathan McKinney and is being used on more productive farm ground. There wasn't enough water to cover the district, so they did it by topography and whatever was below the ditches, they allotted water to. He did not see the concern of the water not being utilized on this site. Mr. Mills added that they were astounded to see the bid from weed control. Mr. Mills stated that Mr. Payne inherited the land from his father who passed away a few years ago. He added that it is amazing what you can do with ½ acre that could be irrigated from a domestic well. Mr. Mills stated that every comprehensive plan since 1979 called for a variety of homes and styles.

Chairman Sturgill asked if there was anything Mr. Wilke wished to add.

Matt Wilke (Representative) IN FAVOR –P.O. Box 7, Middleton, ID 83644
Mr. Wilke stated that Middleton City Council calculates .65 kids per home, so with three homes they are less than three kids generated and even with secondary residences they will have less than six kids. Mr. Wilke stated that the great thing about the rural residential lots they can grow a garden and have animals.

Commissioner Nevill asked Mr. Wilke if he would be opposed to a condition prohibiting secondary dwellings. Mr. Wilke stated he would hate to be limited on a county lot that is as large as two acres, and it is a nice thing to have for families. Commissioner Nevill stated his concern is setting a limit for the impact on surrounding agriculture. He also asked Mr. Wilke if he would be opposed to a condition specifically delineating the remaining 64.43-acre parcel as non-buildable. Mr. Wilke stated that he believed the applicant would be okay with that. Commissioner Nevill asked if Mr. Wilke would be amenable to a condition requiring a road user's maintenance agreement would be required. Mr. Wilke was not opposed and noted that is standard.

Commissioner Werhanowicz asked about the secondary dwelling condition and whether or not it would be implemented. Mr. Wilke stated that he didn't feel comfortable making a decision on that and he'd need to talk with the applicant before he agreed to that condition. He did not believe there would be an impact on traffic or schools and having the option for a secondary residence for the future is nice for families. He added that the subdivision to the east does not have a condition restricting secondary residences. Commissioner Werhanowicz asked if it came down to whether or not the project would be approved, if he thought that the applicant found forego the secondary dwelling in order to get the three lots. Mr. Wilke stated that he is sure they would prefer to get the three approved, but he did not understand why limiting secondary residences would be necessary. Commissioner Werhanowicz stated the concern is that three homes turns into six.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2025-0011, seconded by Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Sheets stated that the land is zoned ag and the future land use is ag. The applicant is asking for a conditional rezone to rural residential. He referenced criteria no. 2 and noted the list of subdivisions approved in the area. He added that the more approvals given, the easier it is to say that the area is moving

in a residential direction. The Comprehensive Plan states this area is to be agricultural, and for that reason he does not believe it is consistent with the plan. Commissioner Sheets did not believe that rural residential zoning in this area is supported. He added the request does not meet criteria one or two.

Commissioner Nevill concurred with Commissioner Sheets and added that the biggest problem is that this would be an island of rural residential zoning and recognized it is adjacent to a subdivision, but this is a line that needs to be drawn.

Chairman Sturgill agreed that the request is not compliant with criteria 1 and 2 and added that the proposed use is not compatible with surrounding land uses, criteria 3. He also noted that adequate evidence was not provided to support a finding in the affirmative of services for schools. Chairman Sturgill also added that in prior cases the Commission has talked about the risks of a developer attempting to skirt service issues, particularly school issues, by taking a large property and coming through with rezones piece by piece and he felt this is a precedent the Commission needs to be careful about adopting and setting.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. CR2025-0011 to the Board of County Commissioners and direct staff to provide revised Findings of Fact and Conclusions of Law. Modify criteria 1 to state that the rezone is not generally consistent with the comprehensive plan as it is designated as agriculture. A modification to criteria 2 that approval of the request could create "island zoning" in the area and the site can still have agricultural uses even though water has been voluntarily relinquished/transferred. Seconded by Commissioner Nevill.

Chairman Sturgill asked Commissioner Sheets to consider criteria 3 to include Exhibit B. 2.3 in terms of the use not being compatible with the surrounding land uses. Commissioner Sheets accepted. Chairman Sturgill also suggested that criteria 8 could not be answered in the affirmative that sufficient school resources exist to support the development. Commissioner Sheets accepted this as well.

Discussion on the Motion:
None.

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

Item 2D:
Case No. CU2025-0029: The applicant, Timothy Jackson, is requesting a Conditional Use Permit for a Livestock Trailer Washout Facility on approximately 5 acres of an approximately 16.42-acre parcel in the "A" (Agricultural) zone. The applicant proposes to have two (2) employees with the hours of operation being 24 hours, 7 days a week. The subject property is located at 24525 Boehner Rd, Wilder, ID, 83676, also referenced as Parcel R37280.

Chairman Sturgill affirmed the applicant to testify.

Matt Thompson– (Representative) IN FAVOR – 1993 Tamarack Loop, Twin Falls, ID 83301
Mr. Thompson is representing the applicant, Timothy Jackson, who is requesting a conditional use permit for a livestock truck wash facility. The facility is located off Boehner Rd. The nature of the site was predominantly agriculture and has been used as a dairy farm and most recently it was a hog farm. Mr. Jackson purchased the property with the intent of putting in a livestock truck wash. All of the hog and livestock buildings have been removed, as shown in staff's pictures of the site. The site is predominantly fields and they're not developing anything more than what the farm has been in the past. The concrete pads under the prior hog buildings would be utilized for the washout pad. The washout facility will consist of a washout pad and a pump pit. The pump pit separates solids that are washed out from the trucks. The pit will then be pumped to the storage pond and from there the liquids will be applied to the farm ground. The solids will be hauled

off site. Livestock truck wash facilities are overseen by the Idaho Department of Agriculture who have rules for this type of use. The facility will not be allowed to discharge to waters of the state and are required to have a nutrient management plan. The nutrient management plan is prepared in order to match the nutrients that are being collected out of the trucks with the farm ground and that is why solids would have to be trucked off site. Mr. Thompson stated there are some rural residential areas, however the primary land use is agricultural. There are feedlots and dairies located in the area and the washout facility is supporting ag. A commercial livestock truck wash is different than a commercial truck wash. The main difference is that they will not be washing the chassis they will be washing out the trailer. The applicant is proposing two (2) full-time employees, one for day and one for night. A neighborhood meeting was held in September and there were only three attendees including the property owner. The main issue that was brought up at that meeting was in regard to irrigation tail water and delivery. The applicant would not impede the irrigation water. Mr. Thomson noted that the applicant received all the appropriate comment letters from the Health District, Fire District, Drainage District and Irrigation District. The applicants do not have any issue with the proposed conditions. One clarification Mr. Thompson wanted to make was in regard to condition 1C, "applicant shall use non-toxic biodegradable washout chemicals." He noted that chemicals are not used in a commercial truck wash facility, and they don't use soap, it is strictly water washout. The use will follow NRCS waste containment standards, which are the standards that the dairy and beef industries have to follow in the state for containment of livestock waste and wastewater. Mr. Thompson noted there are quite a few people who are at the hearing this evening and he did want to point out Exhibit B.11, which is a traffic impact study that was completed to address traffic issues. He also referenced Exhibit E. 2.1, 2.2, and 2.3 to address those issues. He believed the highway district will require them to increase the width of the apron or the access onto the site.

Commissioner Nevill asked if Mr. Thompson wanted condition no. 1C removed? Mr. Thompson stated it can remain but wanted the Commission to know they don't use any chemicals. Commissioner Nevill asked if the 24-hour a day operation was negotiable? Mr. Thompson would need to discuss this with his client and can address it in rebuttal. Commissioner Nevill asked where the water for the facility came from. Mr. Thompson stated there were two wells on the site. They have also applied for a commercial water right to provide additional water for the truck wash. He noted they could wash one or two trucks out with their existing domestic, but in order to be able to do up to five trucks a day, they would need commercial water and that application is submitted to Idaho Department of Water Resources.

Commissioner Sheets asked why the 24-hour operation was necessary. Mr. Thompson stated the trucks don't just operate from 9-5 and they wanted to have the extended hours to have the ability to pick-up after-hours vehicles. Commissioner Sheets stated that he was trying to gauge the intensity of the use/ number of trucks daily. Mr. Thompson stated the initial purpose was to provide washout for the applicant's own trucks (10), so any day of the week it could be zero to 10 trucks. Trucks typically get washed out after three hauling cycles, so it could be 3-5 days between cycles. Most trucks are getting washed out twice a week.

Chairman Sturgill referenced case no. AD2019-0047 in which it was noted that a building did not meet setbacks and that it would need to be moved or torn down and asked if there was a reason that building was not torn down. Mr. Thompson believed that subsequent to that decision it was determined that it was a grandfathered building. Chairman Sturgill asked if it was found to not be grandfathered, how long it would take to move or tear down the building. Mr. Thompson stated that he believed that building to be in the northwest corner and he didn't feel it would take a ton of time to tear it down, but he did add that they would have to look at their legal avenues before tearing it down as it does serve value to the site. Chairman Sturgill stated that his concern is that if it was not grandfathered in, it was not moved or torn down within seven years, he was reluctant to accommodate a further legal process for a CUP in the interim. Mr. Tompson stated that based on Google images the structure has been there for 40 years, and depending on when setbacks / etc. came into play it would be a grandfathered structure.

Commissioner Johnston asked if the applicant and his family would be living on the site. Mr. Thompson stated that they live there now.

Associate Planner Amber Lewter reviewed the Staff Report for the record.

Commissioner Sheets asked if the nutrient application would be on this parcel or somewhere else. Planner Lewter stated she was not aware of the location.

Commissioner Nevill asked for clarification on the non-conforming structure and asked if a Variance would be required. Planner Lewter stated that the building may be considered non-conforming, however, the applicant is requesting to expand the use on the property, and due to that today's requirements would need to be met.

Planning Supervisor Lister referenced the non-conforming code and stated that a non-conforming use can remain until there's a change. In this case the use is being expanded /extended. Chairman Sturgill asked if the AD2019-0047 decision could be reviewed to determine if there was a change of use at the time of that approval.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Kasey Ketterling–IN OPPOSITION – 25044 Boehner Rd., Wilder, ID 83676

Mr. Ketterling stated that his dad's a third-generation farmer and he has lived on Boehner Rd for 24 years. He loves this area and can look over the Fargo Valley and Snake River. He stated he had submitted a letter in opposition. He is concerned about road safety and noted that Boehner Road is a series of chicane turns and during the turns you're also climbing 200 ft. He stated that the traffic study indicated that at 35 mph there is adequate site distance, but no one drives 35 mph heading west. The traffic study also shows truck-turning movements and Mr. Ketterling is concerned that trucks would have to turn into oncoming traffic to make the turn into the property. He does not have objection to what the applicant wants to do for a living but is opposed to it in this location. The proposed pond is located in a historic drainage path that runs through the site and onto the neighbor's property. If there is a major storm event the pond may be washed out, creating water quality concerns. Mr. Ketterling has lived at his home for 21 years and they have had to lower their well because they were running out of water. He is concerned about a commercial water right here that may cause more issues. He added that he does not feel this use is compatible with the surrounding land uses.

Commissioner Nevill asked if there have been a lot of accidents in the vicinity of the site. Mr. Ketterling stated the fence adjacent to his property has been rebuilt 3 times. He went on to describe accidents in the area using a displayed map.

Chairman Sturgill asked if the visibility was better during daylight or nighttime hours. Mr. Ketterling stated that the visibility may be better during nighttime hours because you can see headlights. Chairman Sturgill asked if anything could improve the situation from a traffic and risk reduction standpoint for trucks entering / leaving the facility. Mr. Ketterling stated that he did not know how it could be mitigated. He stated that if the building that doesn't meet setbacks were to be removed it may increase turning capacity, but he still did not know how trucks would get in without crossing the centerline. Chairman Sturgill asked if trucks are crossing the center line, if oncoming traffic would be able to see them. Mr. Ketterling stated that if you're headed east, you come across a bridge over a canal then you're going up a riser, and you wouldn't see a truck until you come to it.

Lois Tupyi–IN OPPOSITION – 24830 Boehner Rd., Wilder, ID 83676

Ms. Tupyi and her husband purchased their property in 1999. Boehner Rd. between Hwy 95 and Allendale

Road has sharp S Curves, one lane bridges, and steep inclines. In the 26 years they have lived at their home, they've had drivers that are unfamiliar with the road tear down their barbed wire fence, two cars have ended up in the canal, and two have driven off the ravine and flipped over by their mailbox. Ms. Tupyi felt it was dangerous to consider this stretch of Boehner Rd., for commercial traffic. Their land has a year round freshwater spring and there's others that flow through the property into a large retaining pond which they use for irrigation and recreation. The overflow then goes into another stream, drops to the neighbors below who have also built ponds, and they use it for recreation and irrigation as well. The original design for discharge from the water on Jackson's land flows under the canal directly onto Ms. Tupyi's property. Many years ago, Ms. Tupyi's husband put in three settling ponds to help reduce the amount of dirt that gets into the spring water and the larger pond. Every 3.5 years he hires someone to trench out the ponds at a cost of 5,000-10,000 every time they do it, depending on how much buildup has accumulated. Ms. Tupyi believes that the amount of water being discharged under the canal and onto their property is going to create problems she also believes that there is a high probability of organic pollutants will enter the spring water. If it is detrimental to their health, who is going to fix it?

Shelby Nicoletti–IN OPPOSITION – 24531 Boehner Rd., Wilder, ID 83676

Ms. Nicoletti has lived at their property for 7 years. She noted testimony from the applicant that he has 10-12 trucks or trailers and seems to run a successful trucking business. She stated she would be very upset if the value of one man's business was put over the quality of life for all in the area. She questioned how a domestic well could be used for a commercial washout facility if only ½ acre can be used from a domestic well. She questioned why the applicant did not choose a commercial or industrial site for his business and added there are four cattle truck washouts within a 15-mile radius that are accessible. Ms. Nicoletti has concerns about unknown drivers coming to the site at all hours of the night and not knowing who is coming in and out their community. Ms. Nicoletti pointed out that this use is not agritourism, not an event center, and not a winery or tasting room; this use will adversely affect the residents 24 hours a day, seven days a week, and 365 days a year. She referred to the criteria, whether or not the use is permitted in the zone by a conditional use permit and noted that commercially it is not. She noted that the proposed use is not consistent with the comprehensive plan, and the proposed use would impact the immediate vicinity and would negatively change the essential character of the area. She added that without question the proposed use will impact water, sewer, irrigation, drainage, etc., and stated that water is already a problem in the area.

Paul Nicoletti–IN OPPOSITION – 24531 Boehner Rd., Wilder, ID 83676

Mr. Nicoletti referenced Idaho Law and Tax Code and stated that a commercial livestock washout facility is generally regulated by the Idaho Department of Agriculture under agricultural related administrative rules. However, its status as agriculture for zoning or tax purposes often depends on whether it's considered a primary agricultural or a commercial service business. According to Idaho Law as of this month for tax and zoning considerations, it is a commercial use if a facility charges a fee for washout trucks and trailers, especially for non-owned livestock trailers, it is considered a commercial service. Agricultural exemptions do apply, but projects and CUPs may not qualify for automatic agricultural exemptions if it is treated as a commercial enterprise rather than an essential component to a specific farm operation. Mr. Nicoletti stated that according to the Idaho State Tax Commission, businesses that devote the majority of their operations to hauling or cleaning for hire, do not qualify for the farming and ranching production exemption. If a washout station is part of a larger agricultural facility such as a CAFO or dairy, and it is used primarily for the operator's vehicles, it may fall under broader agricultural zoning definitions. If it falls under the umbrella of agricultural service establishments, in many ordinances, it can provide and support agriculture, but exemptions are not permitted for personal use. If a standalone business is charging for a public wash, it is not considered land actively devoted to agriculture for tax assessment and zoning purposes. Mr. Nicoletti stated the bottom line is while the Idaho State Department of Agriculture regulates its agriculture-related facilities, based on the commercial for-profit business model presented by the application, this project is a violation of CUP standards and should be denied. Mr. Nicoletti stated that the applicant is attempting to skirt necessary commercial requirements and fees by intently purchasing ag properties at substandard rates and impacting neighbors he

does not care about for a profit. He stated that heavy equipment and cattle trucks will induce increased harm to passenger vehicle traffic and road deterioration and questioned who will cover the cost. The proposed use will negatively change the character of the area by introducing a 24/7 commercial activity into a quiet agricultural neighborhood. County maps and the applicant's map for traffic confirm that Boehner Road is a local road that is not classified. Mr. Nicoletti is not against the applicant having a cattle washout station but is against the location.

Commissioner Sheets stated that he believed that Mr. Nicoletti's testimony was in regard to an agricultural exemption from a tax assessor's point of view and also what the County has for a conditional use permit in the agricultural zone. Mr. Nicoletti stated that the proposed use does not qualify as an agricultural service

Russ Tackett–IN OPPOSITION – 25026 Boehner Rd., Wilder, ID

Mr. Tackett has lived in the area since 1978. He is concerned about safety and noted that Boehner Road is an old farm road. He stated that the tailwater from the subject property comes through the draw into the neighbor's pond. Mr. Tackett also has a pond on his property. He questioned where the water would go in case of an accident and concluded it would go down through all of the neighbors' properties. He added that this is just not a good area to locate this business.

Vicki Purdy–IN OPPOSITION – 3474 South End Rd., New Meadows, ID 83654

Ms. Purdy stated they purchased the land directly across the road from the applicant. One of the parcels she purchased is buildable, but noted that no one will want to build on it if the truck wash goes in. The entrance to her property is directly across from the entrance to the subject property. She stated she had a buyer who wanted to raise horses on the property, and she let him know about the proposed truck wash facility, and the buyer backed out. Ms. Purdy stated she lives in New Meadows but wanted to state that this use would negatively impact the neighborhood. The proposed use is being categorized as a farm implement sales or services, which according to the land use matrix is permitted with a conditional use permit but she felt it should be a trucking terminal and/or service facility. Ms. Purdy stated that semi cattle trucks do not fit the definition of farm implement. Farm implements are typically tractors, combines, sprayers, etc. for on farm work. Vehicles that are built to haul people or cargo on public highways are not farm implements. She added that the applicant does haul his cattle to other states. Ms. Purdy spoke with Jenny at Idaho State Department of Agriculture, and she stated the applicant does need a commercial use. Ms. Purdy stated that the proposed use is categorized incorrectly and due to that it is a prohibited use. She noted that this use will destroy the value of her property.

Jefferson Leach–IN OPPOSITION – 24744 Ustick Rd., Wilder, ID 83676

Mr. Leach stated that his concerns are in regard to criteria 4 and noted that the proposed use will very much affect them and their quality of life. The holding and settling pond are very similar to a dairy, and there are reasons people do not want to live right next to a dairy. He was concerned about flies from the use. He is concerned about the groundwater and contamination if the pond leaches down into the ground and the impact to wells. He noted concerns about traffic and the windy nature of Boehner Rd.

Robert Maurer- IN OPPOSITION – 25490 Hwy 19, Wilder, ID 83676

Mr. Maurer stated that he is attending this hearing representing his 86-year-old father. He noted that there were no flyers in the posting sign. He is also representing Mr. and Mrs. Morris Brown at 25931 Boehner Rd as well as Mr. and Mrs. Dan Grabber on Ustick Rd. Mr. and Mrs. Graber have all the farm ground between Boehner Rd and Ustick. He stated that this area is farm country, and not for commercial purposes. He is concerned about the traffic that will utilize Boehner Rd, which is a winding road. There is already heavy truck traffic seasonally attributed to agriculture. This use is commercial in nature and is not agriculturally related. He stated this is a right to farm state not right to commercial. Mr. Maurer stated that this is our last bit of ground in the area. His family came to this area in 1916 and had a farm on Boehner Rd. He described the businesses and farms his family have had and he intends on farming his father's farm in the future. He stated

that the Treasure Valley is named that due to agriculture. He is concerned about the opportunity for nitrates to get into the springs or shallow wells.

Matt Thompson– REBUTTAL– 1993 Tamarack Loop, Twin Falls, ID 83301

Mr. Thompson stated that the applicant spent money and completed a traffic study for the use, even though the number of trucks did not trigger the 100 trips per hour. The highway district has reviewed the study and found that there are no additional items that need to be completed on site except the approach permit. He agreed, people do speed and accidents happen, the applicant certainly doesn't want that to happen. His drivers will follow the law. Mr. Thompson stated that this is not a commercial truck wash, it is a commercial livestock wash subject to the Department of Agriculture rules. He stated it is not a trucking terminal because there is no repairing or servicing of trucks. Tax status and zoning are two different things. He stated that they may not be producing an agricultural product, but it is a business that supports agricultural uses. The rules from Department of Ag came about to support the industry because if there are not adequate truck washouts it causes full trucks to slosh out on the street. Mr. Thompson stated that the applicant's property has to allow wastewater runoff and the tailwater has to be able to go to the next user in the cycle. He stated that typically sprinkler applications match the field intake, so you don't get runoff. The livestock truck wash rules do not allow runoff. He added that they are not proposing to eliminate farm ground. The structure on the northwest corner has nothing to do with the truck wash, it is just part of the farm. They are not proposing to expand or enlarge it in any way. Mr. Thompson stated that the nutrient management process is to match the nutrients that you apply with the nutrients that are needed for the crops.

Commissioner Nevill asked if the 24/7 operations are negotiable. Mr. Thompson stated it might be a bit negotiable, but for the most part the haulers are hauling during the day, and they want to clean out at night, so nighttime operations are needed. Commissioner Nevill asked if nighttime operations could end at ten. Mr. Thompson stated they would have to go later than ten but could hold more discussion with the Commission if that is a root concern. Commissioner Nevill asked where the solid waste would go. Mr. Thompson stated it would be exported according to the nutrient management plan. Commissioner Nevill asked if it would be going to be hauled to a farmer nearby. Mr. Thompson noted that the applicant has relationships with a lot of the farms in the area and has quite a few options although at this time no contracts are in place. Commissioner Nevill referenced Exhibit C.2.11 and asked about the slopes on the property. Mr. Thompson noted that the site slopes to the northwest. Mr. Thompson added that in the scenario of a pond breach they could put secondary bur around the pond. They are anticipating an above ground pond, not in ground so no service runoff will go into the pond without it being pumped in. As far as the truck wash facility itself all the areas where trucks are going to be washed and manure will be stored, will all be collected into the containment system. There won't be any runoff from manure or contaminated surfaces that would go into the drainage. MR. Thompson stated the only water that will be going into the drainage is the drainage from the south, drainage from the house, yard, etc. Mr. Thompson stated that he understands the concerns and added that the Idaho State standard for containment requires a two-foot freeboard on a little pond like the one being proposed. They are not allowed to have truck runoff and go into the drain.

Commissioner Werhanowicz asked how the water from the trucks as they are being washed makes its way to the storage tank. Mr. Thompson stated that there is a decent slope to the site, a berm can be utilized to direct to the west and into the pump pit to be separated. Commissioner Werhanowicz asked if the five trucks included the applicants' trucks or if they were in addition. Mr. Thomson stated that it is total.

Chairman Sturgill asked if the applicant would be amenable to a condition limiting the use to five trucks a day. Mr. Thompson stated yes, on average. He stated that if it was limited to five, they would make it work but average would be more ideal. Chairman Sturgill asked if there was a hard limit what that number would be. Mr. Thompson stated that the applicant has ten trucks of his own, so if the limit was 10 that would be ideal. Commissioner Sturgill suggested an average of five but no more than 10 on any given day. Mr. Thompson states that it would be acceptable.

Commissioner Sheets asked if the liquids would be applied to the southern portion of the subject property. Mr. Thompson stated that it was correct. Commissioner Sheets asked how many times a year that happens. Mr. Thompson stated that during the frozen periods they have a pond because you can't apply when the ground is frozen due to runoff. During the summer his recommendation to the applicant is weekly or multiple times a week. From a nuisance standpoint, ponds don't smell if they're empty.

Commissioner Matthews asked if the ten trucks the applicant owns are dispatched from the subject property. Mr. Thompson replied, no. He added that sometimes the trucks get parked there but didn't believe all ten had been there at the same time. Commissioner Matthews stated he is trying to figure out if the applicant is running a business dispatch from that location. Mr. Thompson stated that he talked with the applicant and clarified that they own one tractor trailer & 10 trailers. Their drivers are independent drivers and when they're actively working their trailers come home with them and when they're not working the trailer is left at the farm. They are predominantly independent drivers and if they need to use their truck for some other use they'd bring the trailer to the site.

Chairman Sturgill asked what the maximum number of trailers would be on the site at any time. Mr. Thompson stated 10, but he doesn't anticipate that happening.

Commissioner Werhanowicz asked where they wash their trucks now and asked if there was a map of truck washes within a radius nearby. Mr. Thompson stated they don't have a map and there are a few truck washes in the area they utilize.

Planner Lewter stated the past Director deemed the structure as legal non-conforming. Because the structure is not involved in the proposed use, condition 2A could be stricken.

Planning Supervisor Lister stated that some of the testimony was based on tax code and noted that the zoning ordinance is different than Assessor's requirements. He referenced the land use matrix and noted there is not a definition for farming implementation. He added that 07-10-07 states that unspecified uses not specified are prohibited unless determined by the director to be similar or accessory to at least one of the allowed or permitted uses for that particular zone. If the proposed use is similar to our accessory , the applicant may only receive permission for the similar or accessory use through a conditional use permit. The Commission should consider if the request is truly a farm implementation sales or service or farm supply sales.

Chairman Sturgill clarified that the Commission would have to conclude, pending a director ruling, that transportation trailers for cattle is equivalent or similar to farm implements.

Planning Supervisor Lister stated that after hearing testimony, the Commission may disagree and find that the use is really a trucking terminal or something of that matter. At the same time, if the Commission cannot identify a similar or accessory use, then it is prohibited. Planning Supervisor Lister stated that a quick internet search of farm implement services bring up uses in the Caldwell and Middleton area for specialized tillage, planting and harvesting equipment. Truck wash stations that came up in a search were American Power Wash, Bluebird Truck Wash, etc.

Chairman Sturgill stated that hypothetically staff could have analyzed a truck terminal or truck wash station into the findings alternative to farm implement sales and service. Planning Supervisor Lister said that was correct. He added that even a truck terminal does not have a definition in our code. Chairman Sturgill asked if this was a truck terminal would it be an allowed use in the zone with a conditional use permit. Planning Supervisor Lister replied that it is not, it is prohibited.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CU2025-0029 seconded by

Exhibit 2

Commissioner Nevill. Voice vote, motion carried.

Deliberation:
Commissioner Mathews stated that he does not think that farm implement sales apply to this use and in his view, this is a non-specified, non-permitted use.

Commissioner Sheets asked if this would be an agriculturally related activity. Commissioner Mathews stated, yes, it is. Commissioner Sheets stated that if the use is an agriculturally related activity, it would be an allowed use in the agricultural zone. Commissioner Sheets stated that he is on the fence about the proposed use because there are potential impacts to the area, but at the same time, there are very specific rules for this kind of operation that have to be followed. If they are not followed, the conditional use permit could be revoked. He noted that there are also rules in place from Idaho Department of Agriculture. The land application is not something that they're used to in this particular area. If the land application was a longstanding process in the area and had been happening all the time, he would feel differently. Commissioner Sheets understands the traffic issues from testimony and there are concerns about the road handling this kind of activity. Commissioner Sheets added that currently the applicant himself can drive his trucks there as it is.

Commissioner Nevill stated that he has raised cattle for a long time, and this is an agriculturally related activity. CAFOs that are running lagoon systems, whether they are a feeding or dairy operation, apply liquid manure all of the time. Commissioner Nevill doesn't have problems with anything but the road and had concerns about this use at this location. He cannot support the use on the road at this time.

Commissioner Johnston believed this area is not conducive to large truck traffic on a regular basis and felt it was unsafe. There are blind corners, and she agreed with the testimony. Commissioner Johnston agreed with Commissioner Nevill as well. This use could change the character of the area and be injurious due to the constant spreading of manure and smells. This is not the correct location for this use.

Commissioner Matthews added that the road situation stuck out in his mind as the real problem with this application and the increase in use.

Commissioner Werhanowicz agreed with the concerns in regard to traffic and safety presented by the Commissioners

MOTION: Commissioner Nevill moved to **deny** Case No. CU2025-0029, and requested that staff modify the Findings of Fact, Conclusions of Law. Modify Criteria no. 7 to reflect a finding that there will be undue interference with existing and future traffic patterns noting testimony received at the public hearing. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:
Commissioner Sheets added that the applicant did perform a traffic impact study and the highway district came to the conclusion that there wouldn't be any mitigation needed.

Commissioner Johnston added that the traffic study did not look at historical accidents.

Roll call vote: 4 in favor, 2 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:
Planning Supervisor Lister stated that a Hearing Examiner will begin hearing cases in July. He then described what a Hearing Examiner does pursuant to Idaho Statue.

Exhibit 2

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 11:21 P.M.

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

Approved this 16th day of July, 2026

Brian Sheets, Acting Chairman

ATTEST

Jennifer Almeida, Office Manager

EXHIBIT 3

Staff Report Packet Dated: May 7, 2026

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Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

Exhibit 3

Planning and Zoning Commission
Hearing Date: May 7, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**CR2025-0011**
APPLICANT/REPRESENTATIVE:	**Matt Wilke, White Barn Ventures, Inc.**
PROPERTY OWNER:	**Greg S Payne**
APPLICATION:	**Conditional Rezone (CR2025-0011) from "A" Agriculture to "CR-RR" (Conditional Rezone Rural Residential)**
LOCATION:	**0 Middleton Road, Middleton, Idaho** **Also referenced as a portion of the SW quarter of Section 20, T5N, R2W, BM, Canyon County, Idaho** **Parcel R37423 (+/-70.89)**
PLANNER:	**Karla Nelson**
STAFF RECOMMENDATION:	**Approval**

REQUEST:
The applicant, Greg Payne, represented by Matt Wilke, is requesting a Conditional Rezone for a 6.46-acre portion of an approximately 70.89-acre parcel from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement to limit development to 3 buildable residential lots. If approved, a subsequent subdivision application will be applied for to create three (3) residential parcels out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.43 acres is proposed to be a non-buildable agricultural-only parcel.

PARCEL INFORMATION REPORT: *See Exhibit C.1 for information*

APPLICABLE CODE:
The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-06-07 (Conditional Rezone Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6509 (Recommendation and Adoption, Amendment and Repeal of the Plan), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), and §67-6519 (Application Granting Process).

BACKGROUND:
The subject property is not an original parcel. In 1983, parcel R37423010 (5.81 acres) was split from the original approximately 80-acre parcel. In 1985, another division occurred, creating R37423020 (3.5 acres). If the property could qualify for a non-viable land division or a building permit transfer, one additional administrative division could be allowed. An amendment to one of the previous divisions could also be pursued to create an agricultural-only parcel.

In 2007, the Board of County Commissioners approved a Conditional Use Permit to divide the entire 70.89-acre parcel into 30 residential lots with a minimum lot size of two acres. The property was not developed due to changing market conditions, and the conditional use permit has expired. The applicant is now requesting a conditional rezone for the northeast 6.46-acre portion of the property in order to create three residential parcels in that area. The property is approximately one mile north of the Middleton Area of Impact and the City of Middleton. The applicant initially applied for a comprehensive plan map amendment

(OR2025-0011) along with the conditional rezone. The comprehensive plan map amendment has been withdrawn (**Exhibit A10.2**).

HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation		
Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan?**
Analysis	The proposed conditional rezone change is generally consistent with the comprehensive plan. The subject property is approximately one mile north of the Middleton Area of Impact and the City of Middleton. The 2030 Comprehensive Plan designates the property for future agricultural use. Page 25 of the Plan describes the agricultural designation as follows: *"The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value."* The applicant requests a conditional rezone of approximately 6.46 acres on the northeast corner of the property to the Rural Residential "CR-RR" zone. The rezone will allow for three residential lots with an average lot size of at least two acres. The proposed rezone portion of the property lacks surface irrigation water rights. According to the applicant's letter of intent, when Pheasant Landing Subdivision was developed to the east, the pipe delivering water to the northeast corner was compromised, as was access to the tap on the lateral. Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed additional parcels will receive irrigation water from the district (**Exhibit D1**). The Soil Conservation District designates the soil in this non-irrigated section to be Class 6 with severe limitations, making it generally unsuitable for cultivation (**Exhibit D6.2**). The applicants' request will preserve the majority of the property with the existing pivot and irrigation rights, approximately 64.43 acres, as non-buildable land for agricultural use (**Exhibits A3 and A4**). The non-buildable portion will retain the agricultural "A" zone. The requested Conditional Rezone to Rural Residential "CR-RR" will apply to approximately 6.46 acres on the northeast portion of the property (**Exhibit A4**). The 2030 Comprehensive Plan envisions rural residential use as a boundary between agricultural and urban areas. Rural residential areas are generally conducive to small-scale farming operations and are compatible with non-agricultural uses. The 2030 Future Land Use Map depicts future rural residential use 0.50 miles to the south, demonstrating that the subject property is near an urban transition area. Per CCCO §07-06-07(3), a conditional rezone of a parcel does not set a precedent that adjacent property should be rezoned the same. The request generally complies with the following goals and policies of the 2030 Comprehensive Plan: <u>Property Rights Goals and Policies</u> The request was processed per the following laws and ordinances: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezone), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).	

	• Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." • Policy No. 1: "No person shall be deprived of private property without due process of law." <u>Economic Development Goal</u> • Goal No. 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability." <u>Land Use Policies and Goals</u>: The proposed conditional rezone applies to only 6.46 acres, preserving the remaining 64.43 acres for agricultural use. The proposed rezoned portion of the property lacks surface irrigation water rights and is adjacent to the Pheasant Landing Phase 1 and 2 subdivisions, where lot sizes are commensurate with the proposed 2-plus-acre lots. This limited scale with only three residential lots aligns with nearby development while protecting the rural character of the area and balances residential growth with nearby agricultural production. • Policy No. 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character." • Policy No. 1.2: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. " • Goal No. 2: "Ensure that growth maintains and enhances the unique character throughout the County." • Goal No. 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. " • Policy No. 3.2: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns." • Policy No. 3.3: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility." • Goal No. 7: "Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. " • Policy No. 7.1: "Plan land uses that are compatible with the surrounding community." <u>Housing Goals</u> The proposed development will place three residential lots in the northeast corner of the property, adjacent to residential development on a portion of the property that has not been farmed since approximately 2006 (**Exhibit A.3**). The proposed location for the limited residential development will not fragment agricultural or natural resources while providing housing opportunities. • Goal 1: "Encourage opportunities for a diversity of housing choices in the County." • Goal 2: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."
Criteria Met? **Yes**	**2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
Analysis	In consideration of the surrounding land uses, the proposed conditional zone change for a small portion of the property to "CR-RR" is more appropriate than the current zoning designation of "A". **Existing Conditions:**	

According to Canyon County Code of Ordinances (CCCO) §07-10-25 (1), the purposes of the existing "A" zoning district are to:

A. *Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations*
B. *Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;*
C. *Protect fish, wildlife, and recreation resources, consistent with purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;*
D. *Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and*
E. *Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.*

The surrounding area contains agricultural and residential uses with primarily agricultural zoning. Aerial and site visit photos show large agricultural properties to the west, southwest, and south with irrigated row crops (**Exhibits B2.1 and C).** The Pheasant Landing Subdivision Nos. 1 and 2 are directly to the east with an average lot size of 2.52 and 1.96 acres (**Exhibits B2.8 and B2.9**). Property to the north, leading up to Goodson Road, includes agricultural and residential uses. In this area, some of the original parcels, as well as parcels that have been divided through conditional use permits and administrative land divisions, are smaller than the proposed 2-acre lots (**Exhibit B2.12**). Rural residential zoning "CR-RR" is found approximately 560 feet north of the subject property on the west side of Middleton Road (**Exhibit B2.3**).

The property primarily consists of class 3 and 4 moderately suited soils with some class 6 and 8 least suited soils. The parcel is considered prime farmland if irrigated (69.9%), farmland of statewide importance if irrigated (17.9%) and not prime farmland (12.2%) (**Exhibit B2.7**). The portion of the property that will be rezoned is not currently irrigated and contains class 6 soils that are not considered prime farmland (**Exhibit D6.2**). There are no dairies, feedlots, or gravel pits within a 2-mile radius (**Exhibit B2.6**).

Rezoning Request

The request is to conditionally rezone 6.46 acres of the 70.89-acre property to an R-R Zone, subject to the conditions of a development agreement. According to Canyon County Code of Ordinances (CCCO) §07-10-25(2), the purposes of the "R-R" zoning district is to "*encourage and guide growth in areas where a rural lifestyle may be determined to be suitable*."

The applicant provided a conceptual site plan (**Exhibit A.4**) demonstrating that the result of the rezone is to create three buildable parcels, clustered in the northeast corner of the property, each approximately 2 acres in size. The remaining 64.43 acres will retain agricultural zoning and will be non-buildable (**Exhibit A3 and A4**). The adjacent Pheasant Landing Subdivision has shown that a rural lifestyle is suitable for the area, and the applicant's site plan will mirror these similarly sized residential lots while also preserving the productive agricultural portion of the property.

Existing Conditions within One Mile:

Direction	Existing Use	Primary Zone	Other Zone
N	**Residential and Agricultural**	**A**	**CR-RR**
S	**Agricultural with dwellings**	**A**	
E	**Residential**	**A**	**CR-R1, RR**
W	**Agricultural**	**A**	**CR-RR, RR**

"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone)

Recent Land Use Cases within a One Mile Radius:

- RZ2021-0043 (directly west of the subject property) – Rezone "A" to "RR"- Denied

	• SD2020-0009 – Echo Estate Subdivision – Approved • SD2022-0047 – Preliminary Falcon Rim Subdivision – Approved • RZ2021-039 – Rezone "A" to "CR-R1" - Approved	
Criteria Met? **Yes**	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**
Analysis	The proposed conditional rezone to "CR-RR", as restricted by the development agreement, is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The proposed conditional rezone of 6.46 acres will allow for 3 residential lots, each greater than 2 acres. The 15 subdivisions that are within a one-mile radius of the property have an average lot size of 2.32 acres (**Exhibit B2.9**). The lot classification map shows lots of 1.1 -2 acres directly east of the proposed rezone area within the Pheasant Landing Subdivision (**Exhibits B2.12 and B2.8).** The limited scale of development that will add only three residential lots is not anticipated to interfere with nearby agricultural production to the west and south, as residential uses have long been established in the area, as demonstrated by the 15 subdivisions with 151 lots within a one-mile radius (**Exhibits B2.1, B2.8, and B2.9**). Furthermore, the site plan places the residential lots adjacent to residential uses (**Exhibit A4**). The approximately 64-acre agricultural portion of the subject property will maintain agricultural zoning along Middleton and Galloway Roads and will preserve compatibility with larger agricultural fields to the west and south (**Exhibit A4 and B2.1**). See further analysis located in sections 1, 2, and 4.	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The character of the area is primarily agricultural with interspersed residential use and some residential subdivisions. The proposed conditional rezone to rural residential of the approximately 6.46-acre northeast portion of the subject property will match the character of the adjacent Pheasant Landing Subdivision. The requested rural residential zone will allow for an average lot size of two (2) acres, which is aligned with the 2.32-acre average lot size in nearby subdivisions (**Exhibit B2.9**). Future residential use is planned within the City of Middleton and Middleton's Area of Impact, approximately 1 mile to the south (**Exhibit B2.5**). COMPASS anticipates 869 additional households by the year 2050 within the nearby Traffic Analysis Zones 2136 and 2137 (**Exhibit B2.11**). While the subject property is not in a planned growth area, nearby residential growth adds to the mix of agricultural and rural residential use that characterizes the area. **The following measures will be implemented to mitigate the impact** The applicant's proposed conditions include limiting the development to 3 buildable residential lots. Staff has broadened the proposed condition of approval to detail that the 3 buildable residential lots shall be in substantial conformity with the site plan. The site plan ensures that the residential lots are adjacent to the Pheasant Landing Subdivision, and it preserves agricultural zoning and use along the western and southern	

	property boundaries where large agricultural fields are found. With this recommended condition of approval, the development is not anticipated to negatively impact the essential character of the area. The planning and zoning commission could propose additional conditions to mitigate potential impacts if deemed necessary.	
Criteria Met?	**5**	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?**
Yes		
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** Per the land use worksheet, sewer will be provided with individual septic systems (**Exhibit A5**). Southwest District Health provided comments stating that the project does not require a Nutrient Pathogen Study and that there are no concerns with the request provided all SWDH requirements are met (**Exhibit D5**). An earlier pre-development meeting was held that envisioned two (2) rather than three (3) residential lots. Meeting notes detail that an abandoned concrete ditch is found to the south of the proposed lots and that survey data indicate silt loam with calcium carbonate soils (**Exhibit D5.1**). All SWDH requirements will need to be met with the subdivision plat (**Exhibit D5**). **Water:** Per the land use worksheet, water will be provided with individual domestic wells (**Exhibit A5**). Notice was provided to the Idaho Department of Water Resources, but no comments were received. Future development shall comply with IDWR standards at the time of subdivision and or building permits. The property is within a Nitrate Priority Area, the closest known well with a nitrate level elevated to the 10 milligram per liter standard is found approximately 620 feet to the north (**Exhibit B2.10**). During the preliminary plat phase, the Planning and Zoning Commission may recommend that the applicant conduct nitrate level testing for the proposed wells before approval. **Drainage:** Per the land use worksheet, stormwater is proposed to be retained on-site (**Exhibit A5**). **Irrigation:** Per the letter of intent, there are no surface irrigation water rights available for the northeast corner of the property where the three residential lots are proposed. Each home will be able to utilize the ½ acre domestic exemption for irrigation if the total use does not exceed 13,000 gallons per day (**Exhibit A3**). Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed residential parcels will receive irrigation water from the district. All maintenance road right-of-way, lateral right-of-way, and drainage right-of-way will need to be protected. Any crossing agreements and or piping agreements will need to be acquired from the Bureau of Reclamation once approved by Black Canyon Irrigation District, to cross over or under any existing lateral, pipe any lateral, or encroach into the right-of-way of the District or Reclamation (**Exhibit D1**). All irrigation district requirements will need to be met during the subdivision process. **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on September 8, 2025, and April 2, 2026. No agency comments were provided by those services at the time the staff report was written. Utility poles exist along Middleton Road (**Exhibit C**). There are also residences in the general vicinity that are indicative of utility services being available. It is anticipated that the applicant will be able to work with utility providers to gain any needed utilities.	

Criteria Met? **Yes**	**6**	**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 traffic impacts?**
Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. ITD had no concerns with the request as the property is greater than 3 miles north of SH-44 and minimal impact can be anticipated. Comments received from Highway District No. 4 detail that Middleton Road is classified as a minor arterial and Galloway as a major collector on the functional classification maps adopted by the County and Highway District. The applicant's letter of intent details an expected 29 average daily trips based on 9.52 average daily trips per household. During the subdivision phase of the development, the applicant will be required to meet all highway district requirements, and an approach permit with a paved apron meeting ACCHD standards will be required (**Exhibit D2**). The proposed three additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (**Exhibit D2**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**
Analysis	The subject property does have legal access for the conditional rezone and will have legal access at the time of the development. See the review and analysis detailed below. Existing access to the subject property is via one or more unimproved agricultural approaches to Middleton Road along the property's western boundary. Comments from Highway District No. 4 state that these approaches may remain in use to serve the ongoing agricultural uses but are subject to restriction or removal if the land use changes in the future. The applicant proposes a 20-foot-wide private road within a 60-foot easement to serve three new residential lots, with an approach to Middleton Road located near the northwest property boundary (**Exhibits A3 and A4**). Before platting, the applicant could utilize the administrative land division amendment process to separate the 6.4-acre rezone portion from the remaining agricultural-only parcel and in this situation, a 60-foot easement to Middleton Road will be permitted as depicted on the site plan. However, if all divisions occur through the subdivision process, a dedicated 60-foot private road lot will be required for the entire length of the road. During the subdivision phase of development, the applicant must meet all subdivision, private road, and highway district requirements, including the acquisition of an approach permit. Based on established private road standards, the road must be contained within a separate road lot for the portion located inside the 6.46-acre future subdivision, even if the remainder of the access to Middleton Road is secured via an easement prior to the platting process.	
Criteria Met? **Yes**	**8**	**Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?**
Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below.	

	Schools: The subject property is within the Middleton School District #134. The school district was noticed on September 8, 2025, and April 2, 2026, but no comments were received. **Police:** The subject parcels are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on September 8, 2025, and April 2, 2026, and no comments were received by the Sheriff's Office. **Fire protection & Emergency Medical Services:** Canyon County Paramedics provided estimated response times on April 19, 2026, for three (3) nearby stations: Station M53 has an estimated response time of 6.49 minutes, Station M51 has an estimated response time of 15.6 minutes, and Station M52 has an estimated response time of 17.7 minutes. The subject property is under the jurisdiction of the Middleton Rural Fire District (MRFD). MRFD is required to provide services to this parcel, and a fire district sign-off is also required for residential building permits. Middleton Rural Fire District was provided notice of the application on September 8, 2025, and April 2, 2026, but no comments were received. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding

NOTIFICATION AND COMMENTS:
Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on September 8, 2025, and April 2, 2026. Property owners within 300 feet of the subject property boundaries were notified on April 2, 2026. Full political notice was completed on April 2, 2026. A newspaper notice was published on April 7, 2026. The subject property was posted with a notice on April 3, 2026.

Pursuant to CCCO §01-17-07B - Materials Deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

AGENCY COMMENTS
All agency comments received by the aforementioned materials deadline are located in Exhibit D.

PUBLIC COMMENTS
Staff received no written public comments by the materials deadline of April 27, 2026.

RECOMMENDATION AND DECISION OPTIONS:
In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone is compliant with Canyon County Ordinance 07-06-07. A full analysis is detailed within the staff report.

Should the Commission wish to recommend approval of the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use, including but not limited to:
    a. Comments received from Southwest District Health (Exhibit D5)
    b. Comments received from Highway District No. 4 (Exhibit D2)
    c. Comments received from Black Canyon Irrigation District (Exhibit D1).

2. The rezoned parcel shall be divided per the subdivision requirements of Chapter 7, Article 17 of the Canyon County Code of Ordinances. An administrative land division amendment

process may be utilized to divide the agricultural-only portion of the property from the rezoned portion of the property.

3. The development shall be restricted to 3 residential lots in substantial conformance with the site plan (**Exhibit A3**).

4. The developer shall comply with CCCO §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."

DECISION OPTIONS

- **Approval of the Application**: "I move to recommend approval of CR2025-0011, Payne, finding the application **does** meet the criteria for approval under Article 07-06-07 of Canyon County Zoning Ordinance, **with the conditions listed in the staff report, finding that**: [*Cite reasons for approval & Insert any additional conditions of approval*].
- **Denial of the Application**: "I move to recommend denial of CR2025-0011, Payne finding the application **does not** meet the criteria for approval under Article 07-06-07 of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].
- **Table the Application:** "I move to continue CR2025-0011, Payne to a [*date certain or uncertain*]

EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Affidavit
3. Letter of Intent
4. Site Plan (Letter of Intent "Exhibit B")
5. Land Use Worksheet
6. Neighborhood Meeting
7. Agency Acknowledgement
   - 7.1. Highway District No. 4
   - 7.2. Black Canyon Irrigation District
8. Legal Description for Rezone Parcel
9. Deed
10. Additional Supporting Materials Provided with Application
    - 10.1. 2022 Future Land Use (Letter of Intent "Exhibit A")
    - 10.2. Parcel Inquiry PI2021-0055 (Letter of Intent "Exhibit A-1")
    - 10.3. Water Right Map 9-19-24 (Letter of Intent "Exhibit C")
    - 10.4. Rezone Acreage (Letter of Intent "Exhibit D")
    - 10.5. Soil Resource Report (Letter of Intent "Exhibit E")
    - 10.6. Amended FCOs – Rob Godsill – CU2026-151 (Letter of Intent "Exhibit F")
    - 10.7. Viable definition (Letter of Intent "Exhibit G")
    - 10.8. Middleton Fire Station Photo (Letter of Intent "Exhibit H")
    - 10.9. FEMA Layer (Letter of Intent "Exhibit I")
11. Applicant Communication
    - 11.1. Email Correspondence – DA- September 4, 2025
    - 11.2. Email Correspondence – OR2025-0022 Withdrawal: February 24, 2026
    - 11.3. Email Correspondence – Easement/Private Road: April 2026
    - 11.4. Applicant PowerPoint; Received; April 24, 2026

B. Supplemental Documents

1. Parcel Information Report
2. Cases Maps/Reports

2.1. Small Air Ortho (1-Mile)
2.2. Small Vicinity Map
2.3. Zoning and Classification
2.4. Canyon County 20230 Future Land Use Map
2.5. City Future Land Use Map
2.6. Dairy, Feedlot, and Gravel Pit
2.7. Soil and Prime Farmlands Map with Report
2.8. Subdivision Map
2.9. Lot Report
2.10. Nitrate Priority Wells
2.11. TAZ Households
2.12. Lot Classification Map
2.13. Case Map (1-Mile) and Summary Report
2.14. Slope Percent Map

C. Site Visit Photos: February 23, 2026

D. Agency Comments Received by: April 27, 2026

1. Black Canyon Irrigation District; Received: October 6, 2025, and April 23, 2026
2. Highway District No. 4; Received: September 23, 2025
3. Idaho Transportation Department; Received: September 17, 2025, and April 15, 2026
4. Department of Environmental Quality; Received: September 15, 2025
5. Southwest District Health; Received: September 9, 2026
   5.1. Pre-Development Notes: August 30, 2024
6. Canyon County Soil Conservation District; Received: March 7, 2026
   6.1. Custom Soil Resource Report
   6.2. Revised comments: Received: April 15, 2026
      a. Revised Custom Soil Resources Report
7. Canyon County Paramedics; Received: April 19, 2026

E. Draft FCOS

EXHIBIT A

Application Packet & Supporting Materials

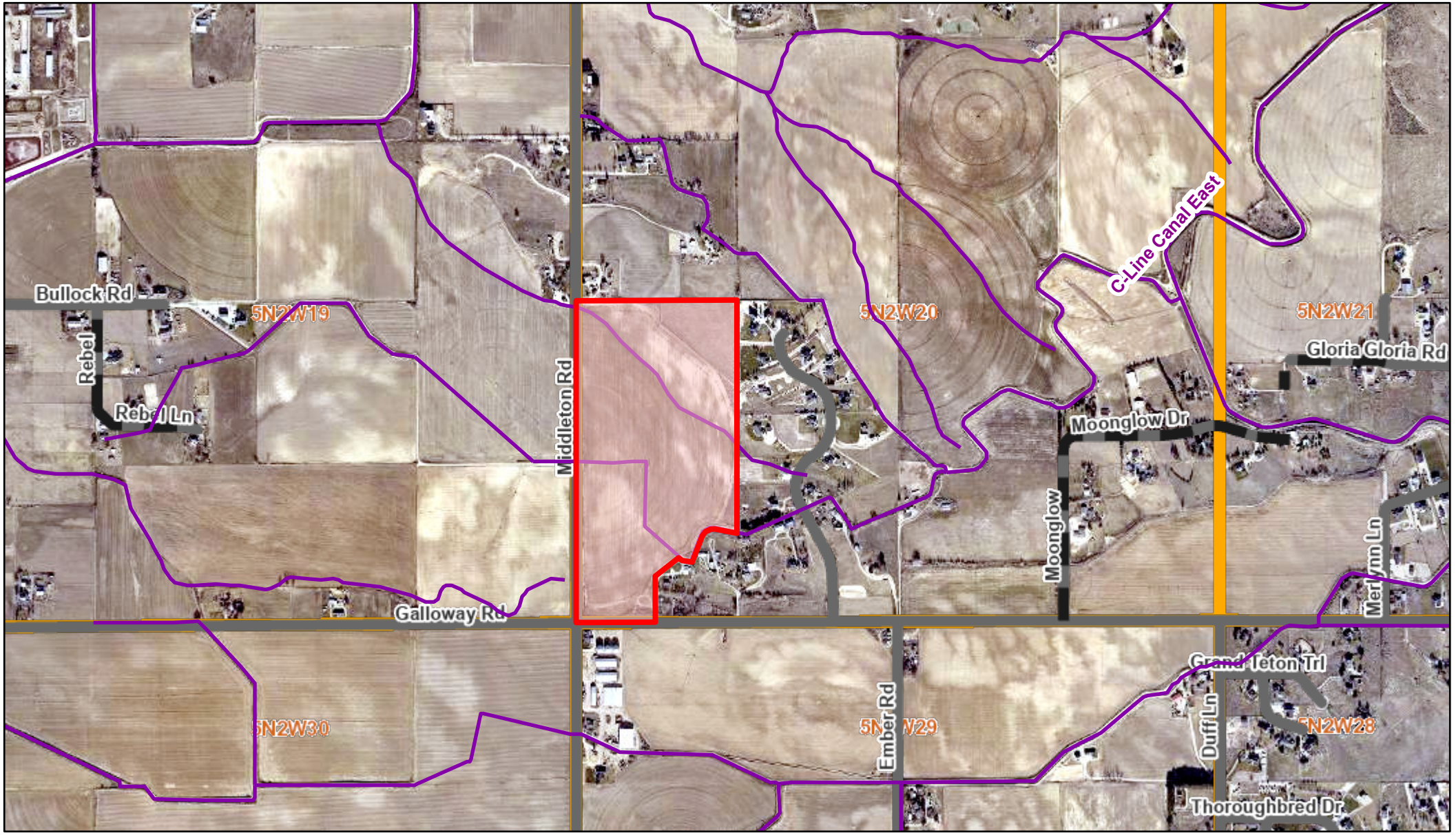
Planning & Zoning Commission

Case# CR2025-0011

Hearing date: May 7, 2026

Exhibit 3

Canyon County, ID Web Map



8/29/2025, 10:27:34 AM

Multiple Parcel Search _Query result

Hydro_NHDFlowline

CanyonCountyRoads

Roads

CC_PrivateRoads

County Boundary

Current Impact Area

City Limits

Sections

Imagery_2025_3in

Red: Band_1

Green: Band_2

1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

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

Exhibit 3

Canyon County, ID

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 | City of Nampa |

ZONING AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Greg S Payne	
	MAILING ADDRESS: 24295 Farmway Road, Caldwell, ID 83607	
	PHONE: [redacted]	EMAIL: [redacted]

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: Greg S Payne *Date:* 7/7/2025

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: Matt Wilke	
	COMPANY NAME: White Barn Ventures, Inc.	
	MAILING ADDRESS: PO Box 7, Middleton, ID 83644	
	PHONE: [redacted]	EMAIL: [redacted]

SITE INFO	STREET ADDRESS: TBD Middleton Road, Middleton, ID 83644	
	PARCEL NUMBER: R3742300000	
	PARCEL SIZE: 70.89 acres	
	CHECK THE APPLICABLE APPLICATION TYPE:	
	☐ REZONE	☒ CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
	CURRENT ZONING: Ag	PROPOSED ZONING: CR-RR
	FLOOD ZONE (YES/NO) No	ZONING DISTRICT: Ag

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER CR2025-0011	DATE RECEIVED: 9-29-25
RECEIVED BY: Emily Bunn	APPLICATION FEE: $5,600 total (with comp plan amendment) (CK) MO CC CASH

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-402-4164
Revised 3/21/23

Canyon County Development Services
111 North 11th Avenue, #310
Caldwell, Idaho 83605
www.canyoncounty.id.gov
208-454-7458

AFFIDAVIT OF LEGAL INTEREST

I, GREG PAYNE (name), 24295 FARMWAY ROAD (address)

CALDWELL (city), IDAHO (state) 83607 (zip code)

being first duly sworn upon oath, depose and say:

1. That I am the owner of record of the property described on the attached application and I grant my permission to

ALAN MILLS (name), PO BOX 206 MIDDLETON ID 83644 (address)

to submit the accompanying application pertaining to the subject property.

2. I agree to indemnify, defend and hold Canyon County and its employees harmless from any claims to liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 22nd day of October, 20 24.

Gregory Scott Payne (signature)

STATE OF IDAHO)
ss
COUNTY OF CANYON)

On this 22nd day of October, in the year 20 24, before me Kathleen Marcelletta, a notary public, personally appeared Greg Payne, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

KATHLEEN MARCELLETTA
Notary Public - State of Idaho
Commission Number 20190295
My Commission Expires Feb 14, 2025

Notary: Kathleen Marcelletta

My Commission Expires: Feb 14, 2025

Canyon County Development Services
111 North 11th Avenue, #310
Caldwell, Idaho 83605
www.canyoncounty.id.gov
208-454-7458

AFFIDAVIT OF LEGAL INTEREST

I, GREG PAYNE (name), 24295 FARNWAY ROAD (address)

CALDWELL (city), IDAHO (state) 83607 (zip code)

being first duly sworn upon oath, depose and say:

1. That I am the owner of record of the property described on the attached application and I grant my permission to
WHITE BARN VENTURES, INC
MATT WILKE (name), PO BOX 7, MIDDLETON, ID 83644 (address)
to submit the accompanying application pertaining to the subject property.

2. I agree to indemnify, defend and hold Canyon County and its employees harmless from any claims to liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 22nd day of October, 20 24.

Gregory Scott Payne (signature)

STATE OF IDAHO)
ss
COUNTY OF CANYON)

On this 22nd day of October, in the year 20 24, before me Kathleen Marcelletta, a notary public, personally appeared Greg Payne, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

KATHLEEN MARCELLETTA
Notary Public State of Idaho
Commission Number 20190295
My Commission Expires Feb 14, 2025

Notary: Kathleen Marcelletta

My Commission Expires: Feb. 14, 2025

White Barn Ventures, Inc.

Greg S Payne
24295 Farmway Rd
Caldwell, ID 83607

7/7/2025

Canyon County Development Services
111 N. 11th Avenue
Caldwell, ID 83605

Re: Letter of Intent for Conditional Rezone to Rural Residential with Comp Plan Map Amendment.

Dear Development Services,

I am writing on behalf of my client Greg Payne. Our request is to rezone approximately 6.41 acres to a CR-RR Zoning classification, with a +/- 2.14 acre average lot size for no more than 3 residential parcels, and to amend the comprehensive plan map on the northeast corner of parcel #R3742300000, which is approximately 70.89 acres in total.

The applicant has two sons ages 25 & 30 that desire to live on the property, thus this request is for permits to facilitate both of them. One son currently farms the property, and will be able to reside on-site after building. This farm is isolated from their main farming operations, and would benefit to have an on-site manager. Both sons have never lived in the city and would much prefer to continue to live the rural lifestyle they have known their entire life. A neighbor has expressed interest in purchasing a third lot at the neighborhood meeting. There was no opposition at the neighborhood meeting held on 6-24-2025.

Zoning
The subject property is in an Agricultural zone on the current zoning map, and is contiguous Pheasant Landing #1 & #2, and in close proximity to several other County subdivisions to the south & east including Benchmark Estates, Grand Estates, Lansing Heights Estates, and Falcon Rim Subdivision that is in the process of preliminary platting, and several administrative splits. The FLUM on the past 2020 comp plan was Residential in this area. (See Exhibit "A")

Parcel Inquiry
I have attached the Parcel Inquiry dated January 27th, 2021 stating that (1) residential building permit is available. (See Exhibit "A-1".)

Matt Wilke | PO Box 7, Middleton, Idaho 83644 [redacted] | [redacted]

Conceptual Plan
We plan to place the 3 residential lots on the parcel shown as Parcel #1, #2, & #3 on the attached conceptual plan. Each buildable residential lot will be approximately 2.14 acres. The remaining irrigated portion of Parcel #4 will be non-buildable, Ag only, and will consist of approximately 64.48 acres if the request is approved. This shows as a light green non-buildable Ag area on the conceptual plan. (See Exhibit "B".)

Irrigation
There are no surface water rights available from BCID for the northeast corner of the parcel consisting of approximately 6.41 acres as shown on Exhibit "C", & Exhibit "D". When Pheasant Landing Subdivision was developed to the east and construction began in approximately 2006, the pipe delivering water to the north east corner was compromised for lateral # CE 17.2-0.9, as well as deliverable access to water from tap #2 on said lateral. Water provided for the center pivot that was installed in 1997 on the subject property is sourced from a different lateral # CE 17.2 and tap #5.

Each home will utilize a ½ acre irrigation right provided through the proposed domestic well, which also includes a stock water right of no more than 13,000 gallons per day. (Idaho Statute 42-111)

Soils
Currently, the +/- 6.41 acre northeast corner of the property is not viable farmland, consisting of 99.4% class 3 soils. Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both. (See Exhibit "E").

Previous C.U.P. approval for 30 Residential Lots. CU 2006-151.
On October 12th, 2007, the BOCC approved a Conditional Use Permit to divide the entire 70.65 acre parcel for 30 residential lots of not less than 2 acres each. These were not developed due to the market downturn shortly afterwards. The signature page of this past approval is attached as Exhibit "F".

Access
Proposed access will consist of one 20 ft private road on a 60 ft. easement onto Middleton Road, and will not negatively impact traffic flows due to the low density of the proposal. HD4 requested the private road approach be offset 130 ft. to the south for sight distance. Based on 9.52 ADT per household, daily trips are expected to be less than 29 ADT. The driveway will be constructed to county standards.

School District
The proposed home sizes and values associated with view lots like these will bring in well above median tax value to the Middleton School District, thus assuring the future homeowners will pay above their fair share.

Agencies
The applicant will work with Southwest District Health (SWDH), Highway District 4 (HD4), Middleton-Star Fire District, Idaho Power Company, and Idaho Department of Water Resources (IDWR) regarding the development of this property. Any specific requirements or conditions related to these agencies will not exceed the statutory authority of that agency or the county and must lawfully correspond and be proportionate to the impact of the development.

Non-Viabile Ag Use: 07-18-09.
The reasons listed below are applicable for non-viable Ag use in an Agricultural zone.

1. Poor soils.
2. Lack of Irrigation water.
3. Land is not being withheld from a more viable ag use for the intent of this application. The Irrigation water delivery source was eliminated around 2006 with the construction of Pheasant Landing subdivision. Because of this, water rights were transferred to be utilized on another farm owned by Nathan McKinney in another area of the Irrigation District.
4. The lot size, combined with the lack of water makes productive agriculture use prohibitive.
5. Producing cattle, or other animals for sale on this portion of the property is extremely difficult and not marketable.
6. The subdivision will not create a negative impact on surrounding agricultural uses. Lot sizes are similar to the Pheasant Landing Subdivision next door.

Many factors need to be considered for viable agricultural land. Canyon County's definition of viable farmland is "Land that is capable of producing marketable farm animals or crops."

County Code 07-18-09(5)(C) states "The parcel, in whole or in part, shall consist of land with site constraints and/or resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricultural use extremely difficult"

The definition and criteria do not consist of just the ability to grow or produce something. If the definition is only the ability to produce something that can be sold to someone you can make everything viable farmland. Economic viability is also a key component of overall viability and is reflected in the use of the terms "marketable" and "productive."

According to Merriam-Webster, "viable" means capable of living or operating successfully which includes being **financially sustainable**. See Exhibit "G".

Most industry examples of definitions of viable farmland consider economic factors as well. That said, it is highly unlikely that anyone owning this dry corner of the property can create a viable environment for any farm practice to bring animals or crops to market without irrigation water, stock water, and a way to subsidize the high infrastructure cost for agricultural uses to be established.

Adding residential uses to the property would allow the potential to subsidize future Ag uses. Uses such as"hobby farming" can be potentially established on a much smaller scale to utilize the limited irrigation water available from a domestic well. Hobby farms do not depend on the income produced from this type of operation. Residential hobby farms have the potential to produce crops, raise livestock and maintain an agricultural use that compliments the residential uses proposed on a micro scale that a commercial farm can not economically justify. These types of properties are very sought after in the residential market.

Middleton Fire Station Proximity

The site is 4 miles north of Middleton Fire Station in downtown Middleton. It is also 3 miles east of the new Middleton Fire Station 54, which is in the process of remodeling and is anticipated to be fully staffed in the near future. (see attached picture Exhibit "H")

Slope / Flood Plain

The site does not contain slopes over 15%. The property is an area of minimal flood hazard, Zone X. (See exhibit "I")

Taxes

Currently the entire parcel generates $521.56 in taxes annually (2024). Improving the north east corner of the property will create a substantial increase in tax income for the county. Typical homesites in the area generate thousands of dollars in taxes, and the money spent locally has a multiplier effect that benefits all area residents and landowners.

Summary

Rural estate properties with animal rights are in high demand and low supply in Canyon County, and we believe they will remain in demand for the foreseeable future in this area, especially with the views of Bogus Basin to the east, Squaw Butte to the northeast, the Blue mountain range to the west, and the Owyhee mountain range to the south.

These types of properties open up opportunities for young aspiring 4H and FFA students to succeed where they are not able to raise animals in a city subdivision regulated by CC&Rs with limited space.

City building lots do not have the open space and Ag potential these properties have, further increasing future demand as the neighboring cities that lack these rural qualities grow into the county which makes these properties increasingly more rare.

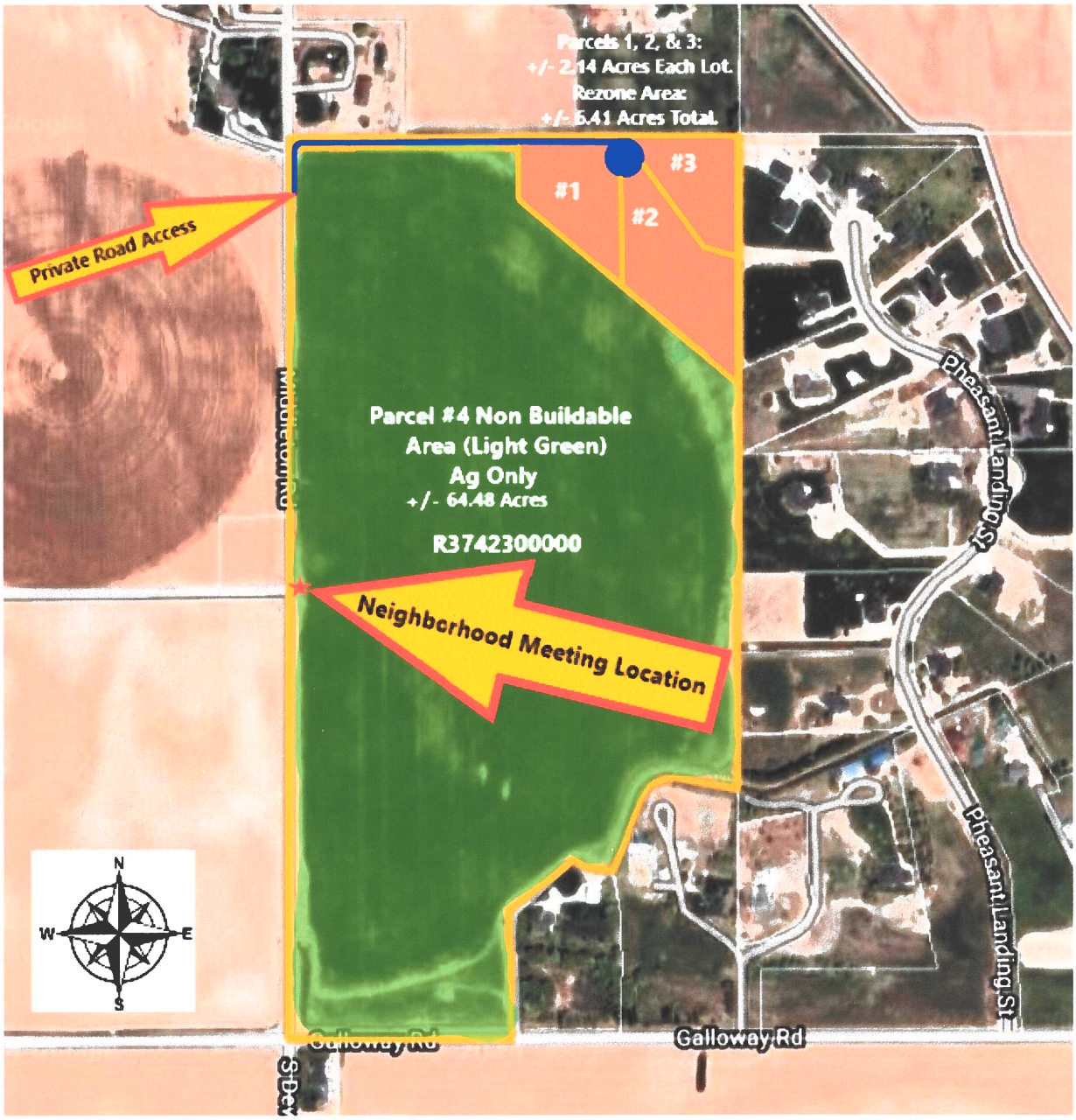
For these reasons, I respectfully request that the Staff recommend approval of my client's application to P&Z and the BOCC.

Thank you,

Matt Wilke
White Barn Ventures Inc.
Applicant Representative for Greg Payne.

Alan Mills
Mills & Company Realty
Applicant Representative for Greg Payne.

EXHIBIT "B"


Parcels 1, 2, & 3:
+/- 2.14 Acres Each Lot.
Rezone Area:
+/- 6.41 Acres Total.
#1
#2
#3
Private Road Access
Parcel #4 Non Buildable
Area (Light Green)
Ag Only
+/- 64.48 Acres
R3742300000
Neighborhood Meeting Location
Pheasant Landing St
Galloway Rd
N
W
E
S

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☒ Individual Domestic Well ☐ Centralized Public Water System ☐ City

☐ N/A – Explain why this is not applicable: _____

☒ How many Individual Domestic Wells are proposed? 3

2. **SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system

☐ N/A – Explain why this is not applicable: _____

3. **IRRIGATION WATER PROVIDED VIA:**

☐ Surface ☐ Irrigation Well ☒ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**

☐ Pressurized ☐ Gravity

5. **ACCESS:**

☒ Frontage ☒ Easement Easement width 60 feet Inst. # TBD

6. **INTERNAL ROADS:**

☐ Public ☒ Private Road User's Maintenance Agreement Inst # TBD

7. **FENCING** ☐ Fencing will be provided (Please show location on site plan)

Type: _____ Height: _____

8. **STORMWATER:** ☒ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches

☐ Other: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)

None

RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED:**

☒ Residential 3 ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable 1

2. **FIRE SUPPRESSION:**

☒ Water supply source: Proposed Domestic Well

3. **INCLUDED IN YOUR PROPOSED PLAN?**

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. **SPECIFIC USE:** _____

2. **DAYS AND HOURS OF OPERATION:**

☐ Monday _____ to _____

☐ Tuesday _____ to _____

☐ Wednesday _____ to _____

☐ Thursday _____ to _____

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

3. **WILL YOU HAVE EMPLOYEES?** ☐ Yes If so, how many? _____ ☐ No

4. **WILL YOU HAVE A SIGN?** ☐ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____Wall _____ Freestanding _____ Other

5. **PARKING AND LOADING:**

How many parking spaces? _____

Is there is a loading or unloading area? _____

ANIMAL CARE-RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** _____

2. **HOW WILL ANIMALS BE HOUSED AT THE LOCATION?**

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. **HOW DO YOU PROPOSE TO MITIGATE NOISE?**

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-402-4164

NEIGHBORHOOD MEETING SIGN UP SHEET
CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: TBD Middleton Road	Parcel Number: R3742300000	
City: Middleton	State: ID	ZIP Code: 83644
Notices Mailed Date: 6/9/2025	Number of Acres: 70.89	Current Zoning: AG
Description of the Request: Conditional Rezone to Rural Residential & Comp Plan Map Amendment for 3 Residential Building Lots and 1 Ag Only Parcel.		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Matt Wilke		
Company Name: White Barn Ventures		
Current address: PO Box 7		
City: Middleton	State: ID	ZIP Code: 83644
Phone: [redacted]	Cell: 208.412.9803	Fax:
Email: [redacted]		

MEETING INFORMATION

DATE OF MEETING: 6/24/2025	MEETING LOCATION: On Site alongside Middleton Road. See Attached Map.
MEETING START TIME: 5:58 PM	MEETING END TIME: 7:00 PM
ATTENDEES: MATT WILKE, APRIL WILKE	

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. RANDALL + MARILYN BENOIT		26485 PHEASANT LANDING RD.
2. MARK S Hulsey		26642 middleton RD
3.		
4.		
5.		
6.		
7.		
8.		
9.		

10.
11.

12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

MATT WILKE

APPLICANT/REPRESENTATIVE (Signature): 

DATE: 6 / 24 / 2025

White Barn Ventures, Inc.

6/09/2025 NEIGHBORHOOD LETTERS WERE MAILED AND POSTMARKED 6/9/2025.

Dear Neighbor,

We are in the process of submitting an application for a Conditional Rezone to Rural Residential and Comp Plan Map Amendment for 3 Residential building lots and 1 Ag Only parcel to Canyon County Development Services (DSD).

One of the requirements necessary, prior to submission, is to hold a "Neighborhood Meeting" and provide information to our surrounding neighbors about our application; Canyon County Zoning Ordinance § 07-01-15. This meeting for our surrounding neighbors is only for informational purposes. We would like to receive feedback from you, our neighbors, as we move through the land use application process with the county.

This neighborhood meeting is **not** a public hearing before a governing body of Canyon County. Once our application has been submitted to the county's Development Services Department, only then, will a public hearing date be scheduled. Also, only after our application is accepted and a public hearing is scheduled with a confirmed date by the county, will the surrounding neighbors receive an official notification from the county via postal mail. The notice will also appear in a newspaper publication and a sign will be displayed on the parcel notifying the public of a county Planning and Zoning land use hearing for our application.

The Neighborhood Meeting details are as follows:

Date: Tuesday, 6/24/2025
Time: 6 PM - 7 PM
Location: On-Site: GPS Pin Location: 26210 Middleton Road, Middleton, ID 83644
Meeting on the east side of Middleton Road. (See attached site plan)
Property description: Area to be Conditionally Rezoned Rural Residential is approximately 6.41 acres total on the northeast corner of Parcel # R3742300000. (See attached site plan)

Matt Wilke | PO Box 7, Middleton, Idaho 83644 [redacted]

The project is summarized below:

- Site Location: On the northeast corner of Middleton and Galloway Road.
- Proposed access: See Private Road Access on Site Plan, pending final highway district approval.
- Proposed Rezone Area: To encompass the northeast corner of Parcel # R3742300000.
- Approximate Total Current Acreage of Parcel: 70.89 Acres.
- Proposed Lots: 3 residential lots with an average lot size of approximately 2.14 acres, (+/- 6.41 acres total) and 1 Ag only Parcel (+/- 64.48 acres total) after final approval. (Ag only parcel to remain zoned "Agriculture".)

We look forward to our neighborhood meeting and encourage you, as our neighbor, to attend. During our meeting, we will answer any questions you may have.

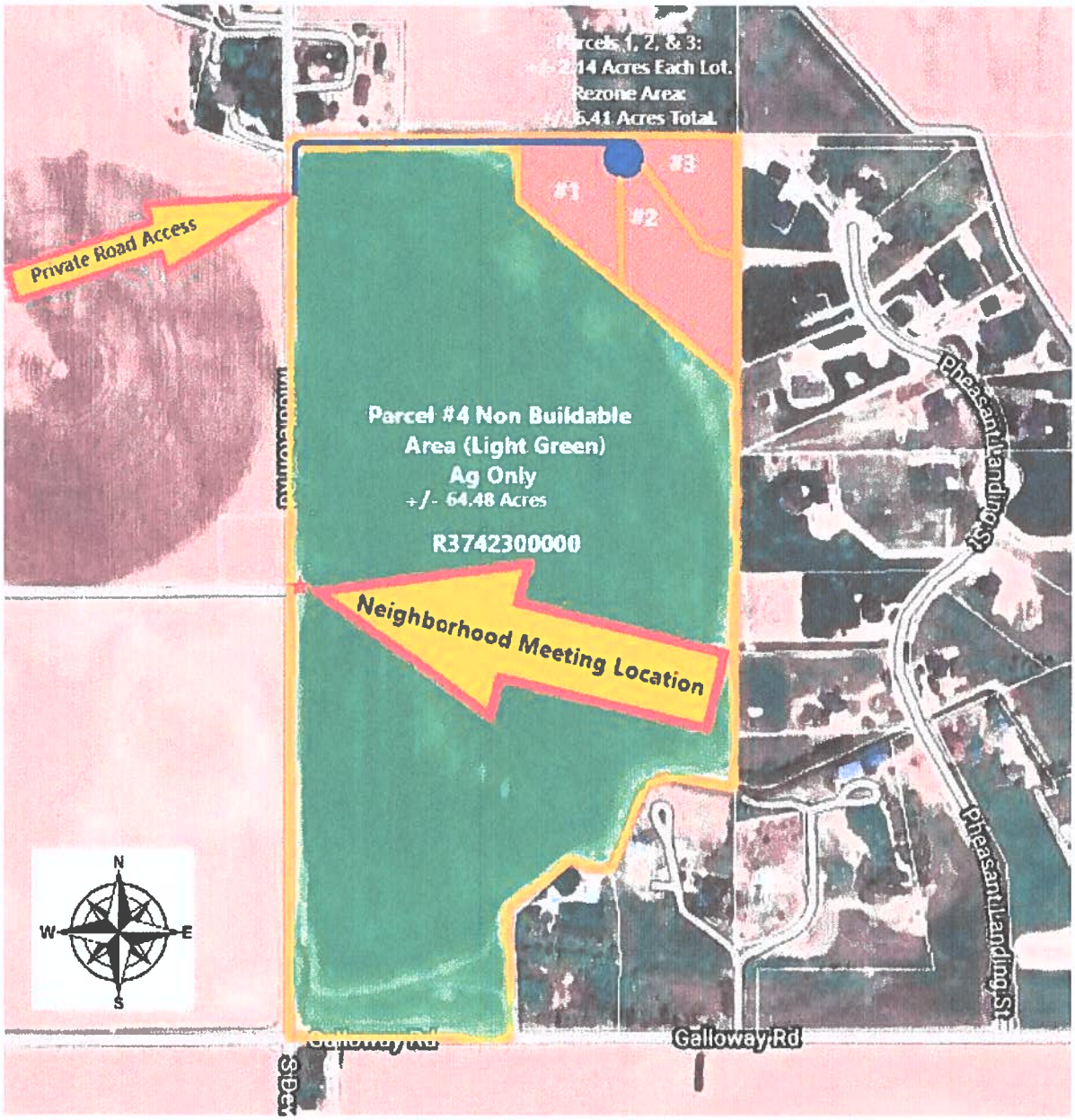
Please note, the county does not currently have any information on our project. Also, please do not call the county regarding this meeting or our application as this meeting is a PRE-APPLICATION requirement; we have not submitted the application to the county for consideration at this time.

If you have any questions prior to the meeting, please call or text me at [redacted] email [redacted] or write me @ P.O. BOX 7, Middleton, ID 83644.

Thank you,

Matt Wilke
White Barn Ventures Inc.
Applicant Representative for Greg S. Payne.

Proposed Site Plan and Meeting Location



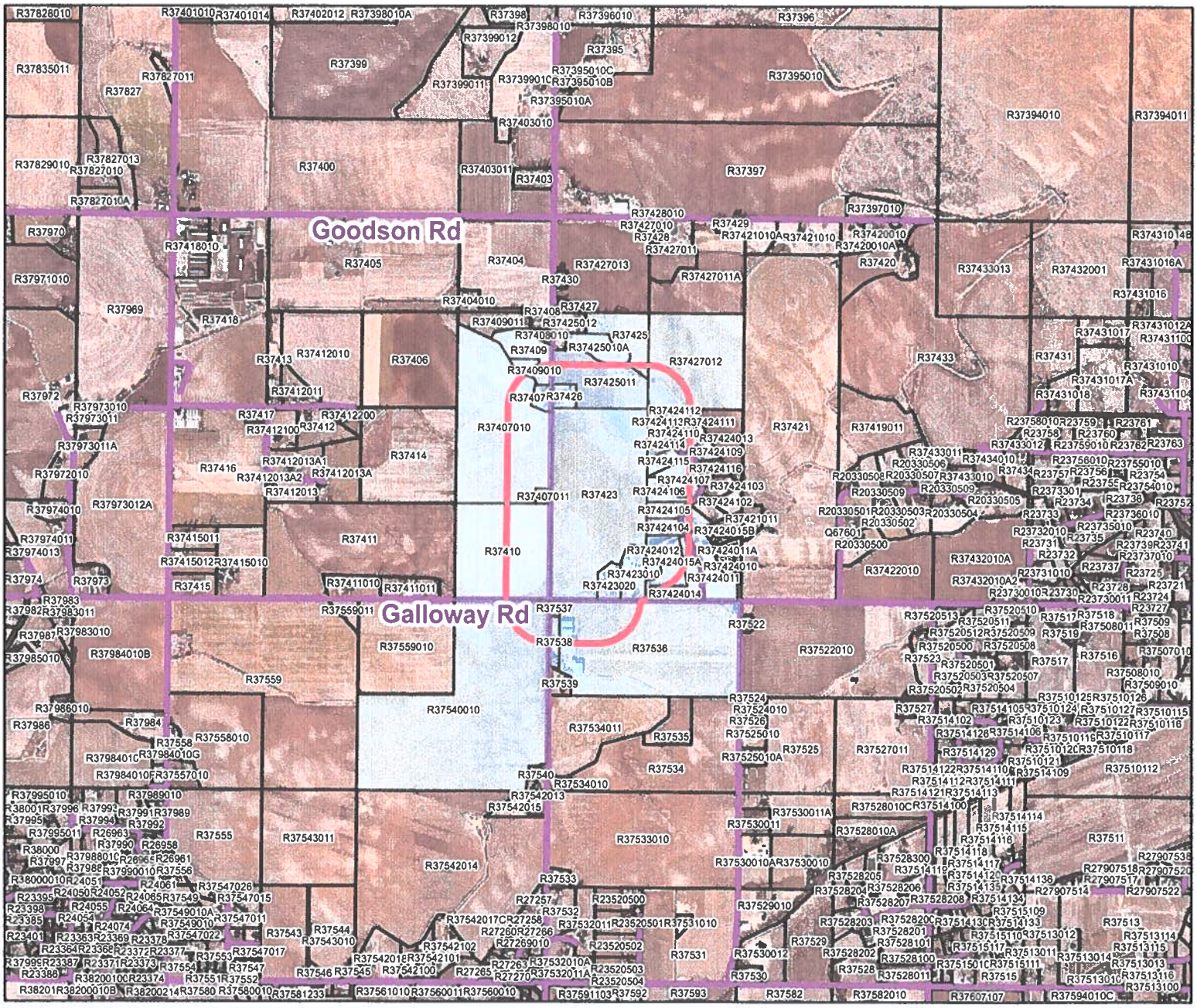
Neighborhood Notification Map Exhibit 3 Exhibit A.6
Parcel No. R37423
Buffer Distance 600 Feet

Canyon County
Development Services
111 North 11th Ave, #140
Caldwell, ID 83605

This map is for informational purposes only and does not suggest approval of the project.

Date: 4/8/2025
By: TAlmeida

The neighborhood meeting shall be conducted prior to acceptance of the application. The neighborhood meeting shall not be conducted earlier than six (6) months prior to the acceptance of the application, and shall be held no sooner than ten (10) calendar days from the mailing of the notice of the neighborhood meeting.



Legend

- NOTIFICATION BUFFER
- SUBJECT_PROPERTY
- NOTIFIED PARCELS
- TAX PARCELS
- Highway
- Interstate
- Local Road

Exhibit 3 Exhibit A.6

MAP SCALE: 1:24,615

The maps are provided "as-is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the user accessing this information. Canyon County, ID makes no warranties, express or implied, as to the use of the maps. There are no implied warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts all inherent limitations of the maps, including the act that the maps are dynamic and in a constant state of maintenance, correction and revision. The maps do not represent a survey. Neither Canyon County, ID nor its officers and employees assume any liability for the accuracy of the data delineated on any map. In no event shall the Canyon County, ID or its officers or employees be liable for any damages arising in any way out of the use of this information.

ALLRED CLINTON JAMES
1954 PLACERVILLE ST
MIDDLETON, ID 83644

ASHBY ALLEN D
10563 GOODSON RD
MIDDLETON, ID 83644

BAKER RUTH R FAMILY TRUST
26550 MIDDLETON RD
MIDDLETON, ID 83644

BENOIT FAMILY TRUST
26485 PHEASANT LANDING RD
MIDDLETON, ID 83644

BUSALACCHI FAMILY TRUST
26393 PHEASANT LANDING RD
MIDDLETON, ID 83644

CALLAHAN DANIEL J
27005 CEMETERY RD
MIDDLETON, ID 83644

COLLN JOHN VON TRUST
258 HIRAM AVE
NEWBURY PARK, CA 91320

ELLENZ FAMILY TRUST
26499 PHEASANT LANDING RD
MIDDLETON, ID 83644

FARNER FAMILY LLC
814 W 11TH ST
THE DALLES, OR 97058

GROOM DENNIS
26394 PHEASANT LANDING RD
MIDDLETON, ID 83644

HALSEY MARK S
26642 MIDDLETON RD
MIDDLETON, ID 83644

HENDERSHOTT FAMILY REVOCABLE TRUST @
26255 PHEASANT LANDING RD
MIDDLETON, ID 83644

HENRY CARL
26479 PHEASANT LANDING RD
MIDDLETON, ID 83644

HOLCOMB DENNIS K
10600 GALLOWAY RD
MIDDLETON, ID 83644

JENKINS JEREMY
26531 MIDDLETON RD
MIDDLETON, ID 83644

JONES KIM R
26216 PHEASANT LANDING RD
MIDDLETON, ID 83644

KELLY MICHAEL DAVID
10756 GALLOWAY RD
MIDDLETON, ID 83644

LAMBETH VALERY K
10752 GALLOWAY RD
MIDDLETON, ID 83644

White Barn Ventures, Inc.
PO Box 7
MIDDLETON, ID 83644

LOVE THOMAS
10726 ART ST
SUNLAND, CA 91040

MCCONNELL JOHN ALEXANDER
26486 PHEASANT LANDING RD
MIDDLETON, ID 83644

MORAN MICHAEL R
26524 MIDDLETON RD
MIDDLETON, ID 83644

NEWBERRY STEVEN E
26698 MIDDLETON RD
MIDDLETON, ID 83644

PAYNE GREG S
24295 FARMWAY RD
CALDWELL, ID 83607-8813

POST STEPHEN CODY
26239 PHEASANT LANDING RD
MIDDLETON, ID 83644

SCHWARTZ REVOCABLE LIVING TRUST
26327 PHEASANT LANDING RD
MIDDLETON, ID 83644

SHORT NICHOLAS C
6501 EASTRIDGE RD APT D6
ODESSA, TX 79762-5225

TIDERMAN-GROSS ERIN L
26489 MIDDLETON RD
MIDDLETON, ID 83644

VLCEK THOMAS E
10754 GALLOWAY RD
MIDDLETON, ID 83644

VON WOLFE TORIS
10880 GALLOWAY RD
MIDDLETON, ID 83644

WAGNER ANNE LIVING TRUST
PO BOX 1418
CALDWELL, ID 83606

WAGNER MICHAEL E
25838 MIDDLETON RD
MIDDLETON, ID 83644

WAGNER MICHAEL E
25838 MIDDLETON RD
MIDDLETON, ID 83644

ZAMBONIN ALAN R
26440 PHEASANT LANDING RD
MIDDLETON, ID 83644

AGENCY ACKNOWLEDGMENT

Date:

Applicant: GREG PAYNE

Parcel Number: R31423 00000

Site Address: TBD Middleton Rd, Middleton, ID 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: Middleton Rural Fire District

☒ Applicant submitted/met for informal review.

Date: 9/23/2024 Signed: Victor Islas, Deputy Chief

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

AGENCY ACKNOWLEDGMENT

Date:

Applicant: GREG PAINE

Parcel Number: R31423 00000

Site Address: TBD Middleton Rd, Middleton, ID 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

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Southwest District Health:

☑ Applicant submitted/met for informal review.

Date: 8/30/24 Signed:

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: Middleton Rural Fire District

☒ Applicant submitted/met for informal review.

Date: 9/23/2024 Signed: Victor Islas, Deputy Chief

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: ITD4

☒ Applicant submitted/met for informal review.

Date: 8/14/24 Signed: SEE LENNY RICCIO EMAIL

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: BCID

☒ Applicant submitted/met for informal review.

Date: 9/23/24 Signed: SEE BCID SUB24-40 EMAIL

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: N/A

☐ Applicant submitted/met for informal review.

Date: Signed:

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

Outlook

RE: Request for agency comment / Greg Payne Administrative Land Division / TBD Middleton Road, Middleton, ID 836441

From Lenny Riccio <lriccio@hwydistrict4.org>
Date Wed 8/14/2024 11:40 AM
To Matt Wilke [redacted]
Cc accesspermits <accesspermits@hwydistrict4.org>

Matt,

Given sight distance constraints you'll need to locate your proposed approach min of 130' south of your proposed approach location.

The access permit tech reviewed sight distance. When viewing SB traffic there is only 500' of sight distance. 85th percentile speed is 57 mph. Required minimum intersection sight distance is 632 feet.

Regards,

Lenny Riccio, P.E.
Transportation Planner
Assistant District Engineer

Highway District No. 4
www.hwydistrict4.org
15435 Hwy 44
Caldwell, ID 83607
Phone: (208) 454-8135
Fax: (208) 454-2008

From: Matt Wilke [redacted]
Sent: Thursday, August 8, 2024 11:12 AM
To: Lenny Riccio <lriccio@hwydistrict4.org>
Subject: Request for agency comment / Greg Payne Administrative Land Division / TBD Middleton Road, Middleton, ID 836441

Hi Lenny,

I am representing Greg Payne for his administrative land division request to create 2 residential building lots on Parcel R37423 on the northeast corner of Middleton Road and Galloway. The proposed driveway access is shown on the attached conceptual and will service 2 homes on parcels 1 & 2. The blue line on the north portion of the conceptual depicts the proposed driveway.

Could you please review the attached conceptual and let me know if you have any comments or concerns for the proposed access? If you would like me to come in to your office for a meeting I can do that as well.

Thank you,

Matt Wilke
Owner | Broker
White Barn Real Estate
White Barn Ventures
[redacted]
www.mywhitebarn.com

AGENCY ACKNOWLEDGMENT

Date: 8/30/2024

Applicant: GREG PAYNE

Parcel Number: R37423 00000

Site Address: TBD MIDDLETON RD., MIDDLETON, ID 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☒ Applicant submitted/met for informal review.

Date: 08/30/2024 Signed: Anthony Lee

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

Outlook

RE: BCID SUB24-40 Payne Lot Split

From Steve Solecki <ssolecki@rh2.com>
Date Mon 9/23/2024 10:01 AM
To Matt Wilke [redacted]
Cc Don Popoff <dpopoff@rh2.com>; Derick Corell <dcorell@rh2.com>

Hi Matt,

Thank you for sending this over. I will add it to our files, and we will start working on the application.

Thanks,
Steve

Steve Solecki
RH2 Engineering, Inc.
C: 208.740.2999

From: Matt Wilke [redacted]
Sent: Monday, September 23, 2024 9:19 AM
To: Steve Solecki <ssolecki@rh2.com>
Cc: Don Popoff <dpopoff@rh2.com>; Derick Corell <dcorell@rh2.com>
Subject: Re: BCID SUB24-40 Payne Lot Split

Good morning Steve,

I noticed I may not have signed the new project application form on page 2, so I'm attaching the fully executed copy for your records.

Thank you.

Matt Wilke

Owner | Broker

White Barn Real Estate

White Barn Ventures

[redacted]

[redacted]

www.mywhitebarn.com

From: Matt Wilke[redacted]
Sent: Friday, September 20, 2024 3:11 PM
To: Steve Solecki <ssolecki@rh2.com>
Cc: Don Popoff <dpopoff@rh2.com>; Derick Corell <dcorell@rh2.com>
Subject: Re: BCID SUB24-40 Payne Lot Split

Hi Steve,

Thank you for the reminder. Here is the site plan. We are required by canyon county to reach out to all agencies for an acknowledgement before submitting the application.

Greg is applying for a land division to create 2 residential lots on the NE corner of parcel R37423. The ground shown as light green that has access to surface water will remain a non-buildable area upon final approval.

Please let me know if you need anything else.

Thank you,

Matt Wilke

Owner | Broker

White Barn Real Estate

White Barn Ventures

[redacted]

[redacted]

www.mywhitebarn.com

From: Steve Solecki <ssolecki@rh2.com>
Sent: Friday, September 20, 2024 2:56 PM
To: Matt Wilke <[redacted]
Cc: Don Popoff <dpopoff@rh2.com>; Derick Corell <dcorell@rh2.com>
Subject: BCID SUB24-40 Payne Lot Split

Hi Matt,

We received your BCID application for the Greg Pane lot split.

Could you please provide a site plan or exhibit showing the location of proposed changes.

The District will review this and determine what will be required for approval.

Thank you,
Steve

Skinner
Land Survey
17842 Sand Hollow Road
Caldwell, Idaho 83607
(208)454-0933
WWW.SKINNERLANDSURVEY.COM
surveys@skinnerlandsurvey.com

Thomas J. Wellard, PLS
Rodney Clark, PE
Zane Laufenberg, PLS

August 25, 2025

Land Description for
Greg Payne
Job No. JY1325

Rezone Parcel

This parcel is a portion of the NW ¼ SW ¼ of Section 20 in Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northeast corner of said NW ¼ SW ¼, (CW1/16 Corner, Section 20);

thence South 00°35'03" West along the East boundary of the NW ¼ SW ¼ a distance of 708.72 feet;

thence North 50°02'06" West a distance of 802.52 feet;

thence North 1°07'55" West a distance of 197.10 feet to a point on the North boundary of the NW ¼ SW ¼;

thence South 89°38'49" East along said North boundary a distance of 626.22 feet to the **POINT OF BEGINNING**, said parcel being 281506.56 SqFt or 6.463 Acres, more or less, and being subject to any and all easements and right of way of record or implied.



2020-049216
RECORDED
08/28/2020 01:44 PM
00543622202000492160020025
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 MBROWN $15.00
DEED
PAYNE, JAMES L

QUITCLAIM DEED

JAMES L. PAYNE., an unmarried man, whose current address is 23546 Hartley Lane, Middleton, Idaho 83644 (the "**Grantor**"), does hereby convey, release, remise and forever quitclaim unto GREG S. PAYNE, married man, whose current address is 24295 Farmway Rd, Caldwell, ID 83607 (the "**Grantee**"), its interest in and to the following described property located in Canyon County, State of Idaho, more particularly described as follows, to wit:

EXHIBIT A – see attached

DATED this 28th day of August, 2020.

By James L Payne
James L. Payne

STATE OF Idaho)
: ss
COUNTY OF Canyon)

On this 28th day of August, 2020. Before me, a notary public in and for said State, personally appeared James L. Payne known to me to be the person whose name is described to the within instrument, and acknowledge to me that she executed the same.

GLENDA L HORTON
COMMISSION #8442
NOTARY PUBLIC
STATE OF IDAHO

Glenda L Horton
Notary Public
Residing at: Nampa ID
Commission Expires: 05/28/2025

EXHIBIT "A"

This parcel is the Northwest Quarter of the Southwest Quarter and a portion of the Southwest Quarter of the Southwest Quarter of Section 20, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the southwest corner of said Southwest Quarter of the Southwest Quarter; thence along the west boundary of said Southwest Quarter of the Southwest Quarter,
North 00°36'30" East, 1320.15 feet to the southwest corner of said Northwest Quarter of the Southwest Quarter; thence along the west boundary of said Northwest Quarter of the Southwest Quarter,
North 00°36'49" East, 1320.05 feet to the northwest corner of said Northwest Quarter of the Southwest Quarter; thence along the north boundary of said Northwest Quarter of the Southwest Quarter,
South 89°39'00" East, 1322.72 feet to the northeast corner of said Northwest Quarter of the Southwest Quarter; thence along the east boundary of said Northwest Quarter of the Southwest Quarter,
South 00°35'15" West, 1320.04 feet to the northeast corner of said Southwest Quarter of the Southwest Quarter; thence along the east boundary of said Southwest Quarter of the Southwest Quarter,
South 00°36'58" West, 593.07 feet to a point which lies 727.50 feet north of the southeast corner of said Southwest Quarter of the Southwest Quarter, said point also marking the northeast corner of a parcel described in Instrument No. 9121347; thence along the north boundary of said Instrument No. 9121347,
North 78°43'26" West, 184.69 feet (of record 185.1 feet); thence,
South 88°08'23" West, 34.40 feet; thence,
South 65°58'53" West, 46.95 feet; thence,
South 38°32'53" West, 42.00 feet; thence,
South 21°40'46" West, 233.30 feet to the northeast corner of a parcel described in Instrument No. 9224676; thence along the northerly of said Instrument No. 9224676,
North 79°35'58" West, 86.07 feet; thence,
North 52°37'43" West, 34.79 feet; thence,
South 52°34'10" West, 219.26 feet to the northeast corner of Quitclaim deed Instrument No. 200621396; thence along the north boundary of said Instrument No. 200621396,
South 52°34'10" West, 25.22 feet to the northwest corner of said Instrument No. 200621396; thence along the west boundary of said Instrument No. 200621396,
South 00°22'03" West, 377.44 feet to a point on the south boundary of said Southwest Quarter of the Southwest Quarter; thence along said south boundary,
North 89°37'57" West, 651.31 feet to the POINT OF BEGINNING.

Exhibit "A"
Legal Description

EXHIBIT A

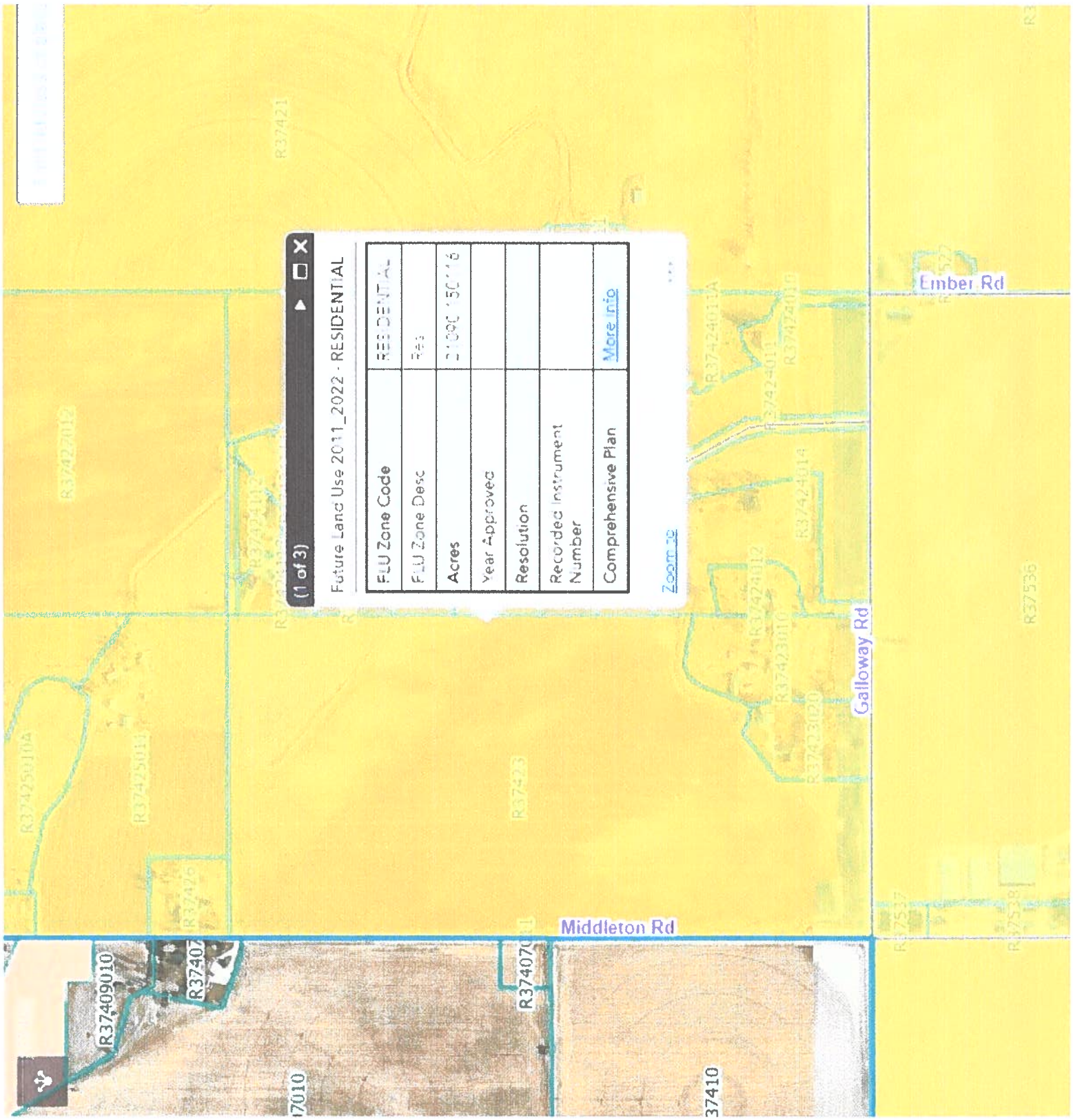

(1 of 3)
Future Land Use 2011_2022 - RESIDENTIAL
FLU Zone Code
RESIDENTIAL
FLU Zone Desc
Acres
Year Approved
Resolution
Recorded Instrument Number
Comprehensive Plan
More Info
Zoom to
Ember Rd
Galloway Rd
Middleton Rd
R3740
R37409010
R3740701
R37410

EXHIBIT "A-1"

Canyon County
Development Services Department

111 North 11th Ave., Suite 140, Caldwell, ID 83605
Phone 454-7458 Fax 454-6633
www.canyoncounty.org/dsd

Tracking Number:
PI2021-0055

Office Visit Date:
1/27/2021

Parcel Inquiry/Research Summary

Site Address: 0 MIDDLETON RD
Middleton ID 83644

Assessor Account #: 37423000 0

Property Owner: PAYNE GREG S
CALDWELL ID 83607-8813

Person Inquiring: WILKE MATT

Phone Number:

Section:	20	City Impact Area:	
Township:	5N	Flood Zone:	Zone X – Outside SFHA,
Range:	2W	Subdivision:	
1/4 Sec:	SW	Lot:	Staff Member:
Acres:	70.89	Block:	KELLIE GEORGE
Zone:	A		

Discussion Summary

Specific Question Detail: inquiry on how many bp's are available on this parcel?

Specific Answer Detail: According to CU2006-158 the subject Parcel (R37423) was split in 1983 to create a 5.81 acre parcel (R37423010). In 1985 there was a lot split from the 74 acre R37423 Parcel, creating R37423020 (approximately 3.5 acres). In 2007 CUP2006-158 was approved to split up the 3.50 acre parcel into two; however, it appears this was never completed as the parcel is still 3.50 acres. Parcels are allowed a one-time administrative split after 9/6/79. As a result, there are no more administrative split available. To split up the parcel any further would require a rezone ($850). However, the subject parcel (R37423) would have one building permit available. The County does allow a secondary residence as long as the property owner lives on site.

The property research information presented today by the Development Service Department (DSD) is based on the current ordinance and policies, in effect on the date of the summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of the inquiry and may change when the subject property, ordinances, or policies change. Then information becomes certain, and not subject to change, when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Director/Staff: Randall Falkner Date: February 17, 2021

EXHIBIT "C"

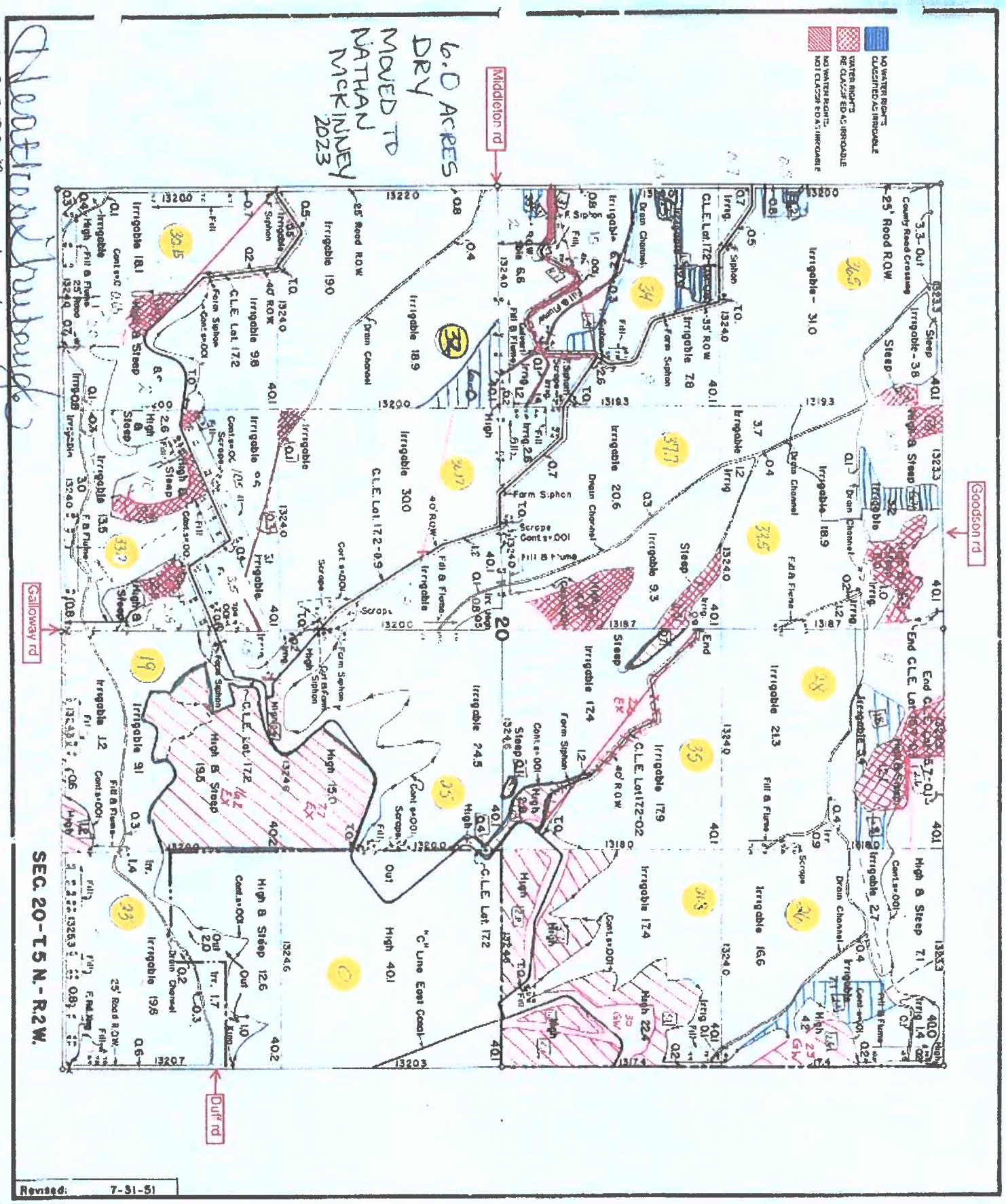

6.0 ACRES DRY MOVED TO NATHAN MCKINNEY 2023
Middleton rd
Goodson rd
Galloway rd
Duff rd
SEC. 20-T5N.-R2W.
Revised: 7-31-51
TRACED G.L.B. 12-27-49
CHECKED R.W.H. 2-9-51
9/19/24

EXHIBIT "D"


Sasquatch Tool Corporation
Line Path Polygon Circle 3D path 3D polygon
Measure the distance or area of a geometric shape on the ground
Perimeter: 2,332.03 Feet
Area: 6.41 Acres
Mouse Navigation
Save
Clear
Image © 2024 Airbus

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.

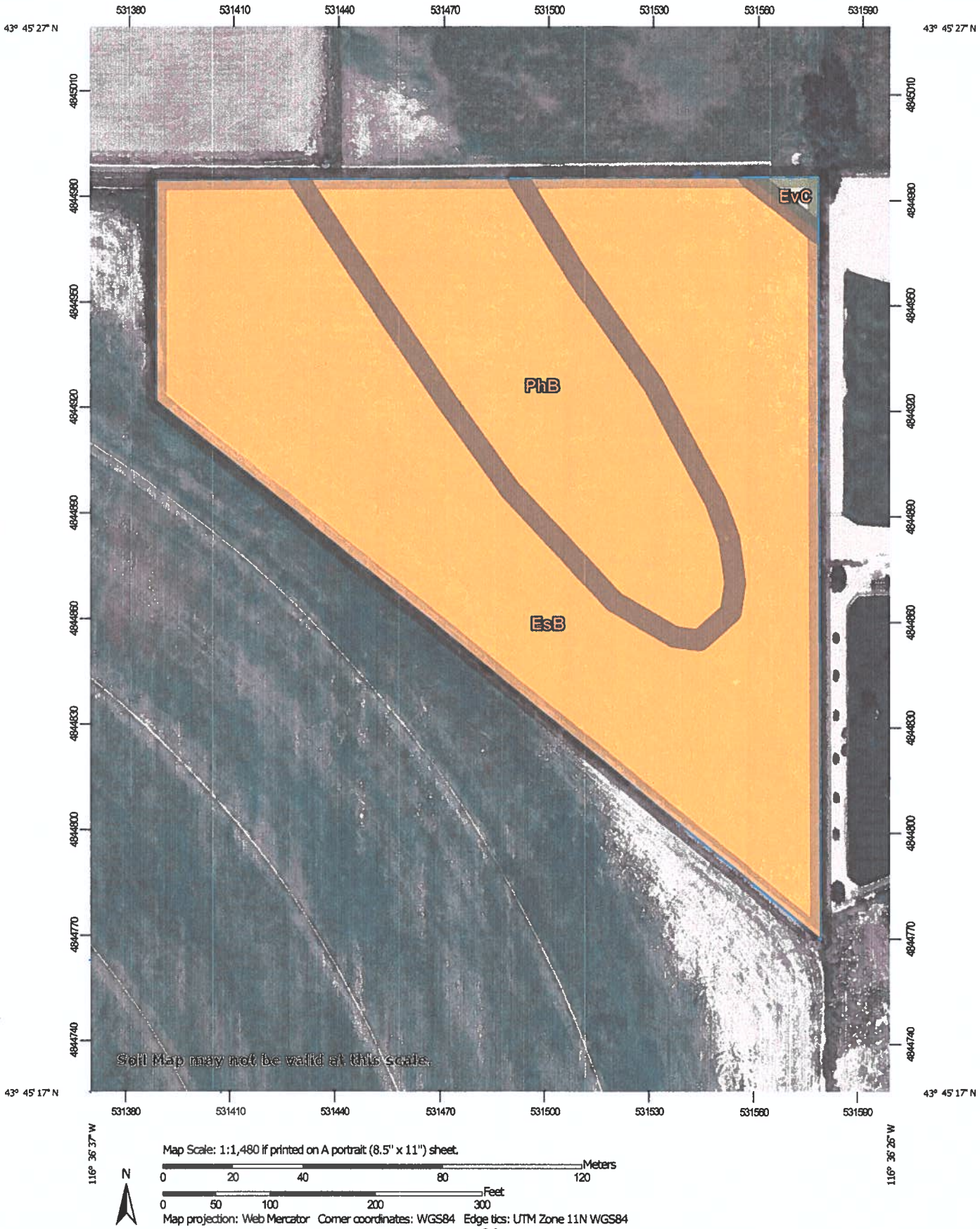
Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

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



~~20~~ 2

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Soil Rating Lines
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Soil Rating Points
- Capability Class - I
- Capability Class - II
- Capability Class - III
- Capability Class - IV
- Capability Class - V
- Capability Class - VI
- Capability Class - VII
- Capability Class - VIII
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

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 20, Aug 31, 2023

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.

Exhibit 3 Exhibit A.10.5

Exhibit 3 Exhibit A.10.5

Table—Irrigated Capability Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	3	4.8	72.4%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	4	0.0	0.6%
PhB	Power silt loam, 1 to 3 percent slopes	3	1.8	27.0%
Totals for Area of Interest			**6.6**	**100.0%**

Rating Options—Irrigated Capability Class

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

EXHIBIT "F"

ORDER

Based upon the Findings of Fact and Conclusions of Law, reviewed above, the Board hereby **reverses** the decision of the Canyon County Planning & Zoning Commission and hereby

APPROVES Rob Godsill's request for a Conditional Use Permit to divide approximately 70.65 acres into 30 residential lots of not less than two (2) acres each in an "A" Agricultural Zone, **subject to the CONDITIONS OF APPROVAL, affixed hereto as ATTACHMENT "A."**

IT IS SO ORDERED this 12 day of ~~September~~ October, 2007.

BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

Commissioner Matt Beebe, Chairman

Commissioner David J. Ferdinand, II

Commissioner Steven J. Rule

ATTEST: William H. Hurst, CLERK

By: Deputy

EXHIBIT "G"

viable adjective

vi·a·ble 'vī-ə-bəl

Synonyms of *viable* >

1 **a** : capable of living
a viable skin graft
viable offspring

b of a fetus : having attained such form and development of organs as to be normally capable of surviving outside the uterus
a 26-week old *viable* fetus

c : capable of growing or developing
viable seeds
viable eggs

2 **a** : capable of working, functioning, or developing adequately
viable alternatives

b : capable of existence and development as an independent unit
The colony is now a *viable* state.

c (1) : having a reasonable chance of succeeding
a *viable* candidate

(2) : financially sustainable
a *viable* enterprise

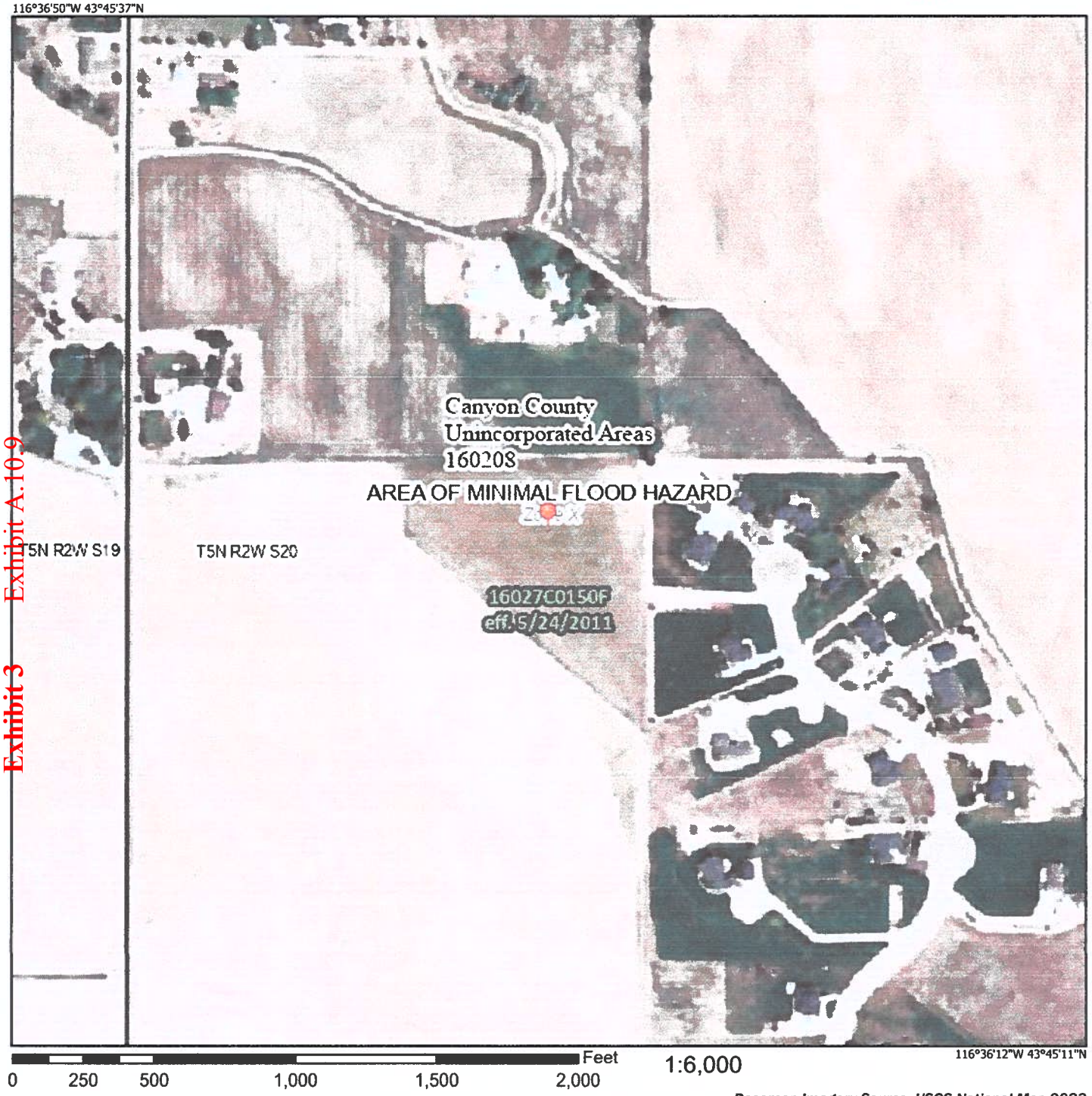
'vī-ə-blē **adverb**

EXHIBIT "H"
COMING SOO
STATIC
4

EXHIBIT "I"

National Flood Hazard Layer FIRMette

FEMA



Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/12/2024 at 4:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Exhibit 3 Exhibit A.10-9

Exhibit A.10-9 Exhibit 3

Karla Nelson

From: Matt Wilke <[redacted]
Sent: Thursday, September 4, 2025 2:26 PM
To: Karla Nelson
Subject: [External] Re: CR2025-0011 & OR2025-0022

Hi Karla,

Thanks for reaching out!

You are correct, we only intend to rezone the ±6.463 acres in the northeast corner to CR-RR.

We do not have any conditions to propose in the DA, other than to "Limit the development to 3 buildable residential lots."

Thank you,

Matt Wilke
Owner | Broker
White Barn Real Estate
White Barn Ventures
[redacted]

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Wednesday, September 3, 2025 3:14 PM
To: Matt Wilke <[redacted]>
Subject: CR2025-0011 & OR2025-0022

Hello Matt,
I've been assigned to the conditional rezone and comprehensive plan map amendment for Parcel R3742300000. I'm working on our initial agency notice and want to confirm that the intent is to amend the comprehensive plan map from the 'Agricultural' designation to the 'Rural Residential' designation for just the 6.463 acres on the NE corner of the property?

I can see that for the conditional rezone part of the application, the intent is just to rezone the 6.463 acres from "A" to "CR-RR".

Also, is the applicant proposing any conditions for the Development Agreement?

Thank you,

Karla Nelson

From: Matt Wilke <[redacted]>
Sent: Wednesday, March 4, 2026 4:04 PM
To: Karla Nelson
Cc: Alan Mills
Subject: Re: [External] Re: CR2025-0011/OR2025-0022

Sounds good, thanks Karla.

Get Outlook for Android

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Wednesday, March 4, 2026 3:52:59 PM
To: Matt Wilke <matt@mywhitebarn.com>
Cc: Alan Mills <millscorealty@msn.com>
Subject: RE: [External] Re: CR2025-0011/OR2025-0022

I'll let you know when I get confirmation on the date. We will go forward with just the conditional rezone piece.

Thanks!

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Matt Wilke <matt@mywhitebarn.com>
Sent: Wednesday, March 4, 2026 3:51 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Cc: Alan Mills <millscorealty@msn.com>
Subject: Re: [External] Re: CR2025-0011/OR2025-0022

Hi Karla,

This is great news! Please set the date for the hearing for May 7th, and please feel free to use my email however you would like to ask the Commission for forgiveness on the refund.

Maybe they will reconsider Hibbard's refund as well.

Thank you!
Matt Wilke

Get Outlook for Android

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Wednesday, March 4, 2026 3:12:24 P[redacted]
[redacted]>
Cc: Alan Mills <[redacted]>
Subject: RE: [External] Re: CR2025-0011/OR2025-0022

Hi Matt,
Some of the other cases before yours have issues that are causing delays. Are you comfortable moving forward with just the conditional rezone before the comp plan refund is decided by the board? If so, I'm hoping to schedule this case for May 7. Also, are you ok with me using the email chain below as your comp plan amendment withdrawal for the case file that will go to the Planning and Zoning Commission, or would you prefer to send a separate email?

Thanks,

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Matt Wilke <[redacted]>
Sent: Wednesday, February 25, 2026 4:35 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Cc: Alan Mills <[redacted]>
Subject: Re: [External] Re: CR2025-0011/OR2025-0022

Thanks so much Karla, I really appreciate your help!

Have a great evening.

Thank you,

Matt Wilke
Owner | Broker
White Barn Real Estate
White Barn Ventures
208.412.9803
matt@mywhitebarn.com
www.mywhitebarn.com

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Wednesday, February 25, 2026 8:57 AM
To: Matt Wilke <[redacted]>
Cc: Alan Mills <[redacted]>
Subject: RE: [External] Re: CR2025-0011/OR2025-0022

Hi Matt,
I've sent this request and email chain to Jennifer Almeida. She will prepare the refund request for the board. I've indicated that I haven't spent any time on the comprehensive plan map amendment portion so I'm hopeful that they will approve the refund.

I'll let you know what the Board decides.

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Matt Wilke <[redacted]>
Sent: Tuesday, February 24, 2026 10:31 AM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Cc: Alan Mills <[redacted]>
Subject: Re: [External] Re: CR2025-0011/OR2025-0022

Thanks for the feedback Karla,

I would like to get the refund and withdraw the comp plan amendment if at all possible. Is there any way to ask for the refund without going through the application process since you just got started? I have a more than a full plate.

Here's a little feedback from a recent case.

> The last refund request I applied for Eric Hibbard was denied. To add insult to injury, we were told apply for that comp plan amendment 501 days after submitting for just the conditional rezone by staff, so they could make a positive finding for the comp plan amendment on the staff report. The staff report did not find the comp plan amendment favorable in that case either. Waste of time and money.
>
> Commissioner Van Beek even stating during our Hibbard rezone we should ask for a refund. They approved the Hibbard rezone but denied the comp plan amendment. I don't know why we are being asked to submit for a comp plan amendment, when the Commission doesn't seem to ever amend the comp plan. This was mentioned by the Commissioners as well during the Hibbard rezone.
>
> I don't agree that they didn't give Eric a refund. It's a huge disservice to him as a customer. It was a lot of extra work that cost me and my clients time and money, just to get a denial. See the email from Dan below, and the attached resolution.

Sorry for the long reply, I am not upset with you in any way, and I know this is not your fault, but this county is a hot mess! Please help!! Who's in charge?? Send me to the top so I can rattle their chain! Thanks Karla!

> **From:** Dan Lister <Dan.Lister@canyoncounty.id.gov>
> **Sent:** Tuesday, November 25, 2025 1:41 PM
> **To:** Matt Wilke <[redacted]>
> **Cc:** Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
> **Subject:** RE: [External] CR2023-0013 / Eric and Sarah Hibbard Rezone / PowerPoint email 1 of 2
>
> Matt,
>
> Today, the Board denied the fee waiver and refund request regarding OR2025-0016. See attached resolution.
>
> Sincerely,
>
> **Dan Lister, Planning Supervisor**

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday, and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

**We will not be closed during lunch hour **

Respectfully,

Matt Wilke
Owner | Broker
White Barn Real Estate
White Barn Ventures
[redacted]
www.mywhitebarn.com

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Tuesday, February 24, 2026 8:30 AM
To: Matt Wilke <[redacted]>
Cc: Alan Mills <[redacted]>
Subject: RE: [External] Re: CR2025-0011/OR2025-0022

Hi Matt,
I was able to get out to the site to take photos. I think the rezone request, in its limited nature, makes sense. I'm not as comfortable with the comprehensive plan map amendment. At this point, I'll most likely be recommending approval on the rezone but denial on the comprehensive plan map amendment. Of course, know that additional information from agencies, the applicant, and neighbors could change that assessment.

If you want to withdraw the comprehensive plan map amendment portion, you can, and since I really haven't spent any time on that piece of the request, you could request a refund from the board. If you want to go forward with the comprehensive plan map amendment, that is ok, but I wanted to give you the option.

The attached agency comments are the ones we have received so far.

Thanks,

Karla Nelson

From: Karla Nelson
Sent: Monday, April 13, 2026 3:07 PM
To: Matt Wilke
Subject: RE: [External] Re: CR2025-0011

Hi Matt,
Sure, we can talk tomorrow. If it is all done through the subdivision process, that is ok; in that case, the easement will need to become a private road lot, but the road can retain agricultural zoning. The remaining agricultural piece will also need to be included in the plat and the zoning designations noted. You don't need to change the legal description for the rezone. Happy to talk tomorrow if that helps. If you wanted to keep the agricultural portion and road easement outside of the subdivision, you would need to do an administrative division first and then apply for the subdivision.

Thanks,

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Matt Wilke [redacted]>
Sent: Monday, April 13, 2026 2:56 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: [External] Re: CR2025-0011

Good afternoon Karla,

Sorry for the delayed response on the emails. I received the agency input from the soil conservation district you sent also.

Would you have time for a quick call tomorrow afternoon to discuss the options?

I was assuming this would all been done as part of the platting process after a rezone was approved and was not planning to administratively split off the separate Ag portion. We submitted a legal description just for the rezone portion, that excludes the Ag only pivot ground.

Thank you,

Matt Wilke
Owner | Broker
White Barn Real Estate
White Barn Ventures
[redacted]
www.mywhitebarn.com

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Thursday, April 9, 2026 10:31 AM
To: Matt Wilke <[redacted]
Subject: CR2025-0011

Hi Matt,
If the conditional rezone for Parcel R37423 is approved, is the intent to first administratively divide off the agriculturally zoned property and then apply for the subdivision for the rezoned corner piece? If you do it all through the subdivision process, the 60' easement to Middleton road will need to be in its own 60' wide private road lot.

Thanks,

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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CR2025-0011 / Greg Payne

Applicant Representatives / Alan Mills & Matt Wilke

Intro

CR2025-0011



Project Overview:

- Total Current Parcel Size: ± 70.89 acres.
- CR-RR Rezone Area: ± 6.46 acres.
- Private Road proposed to access Middleton Road.
- Contiguous to Pheasant Landing Subdivision #1 & #2 on east side of property.
- Current “Ag” zone was shown as Residential on the 2020 Future Land Use Map.
- Past Approval on entire Parcel for 30 Residential Lots has expired. (CU 2006-151)

Site Plan

Exhibit A.11.4

CR2025-0011

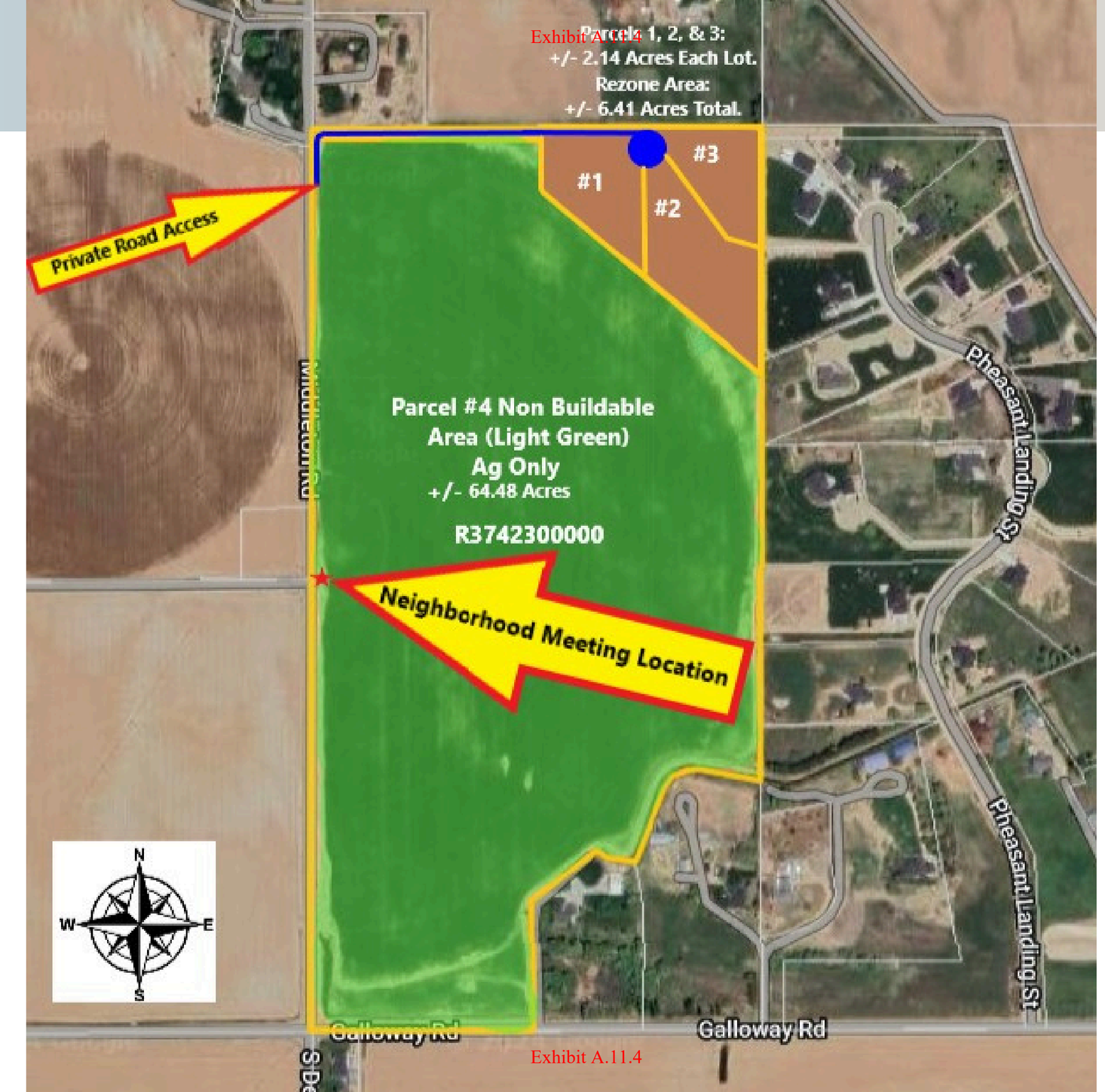


Exhibit 3

Exhibit A.11.4

Exhibit 3
Exhibit A 11.4

98 Homes & 5 Subdivisions within 1 mile.

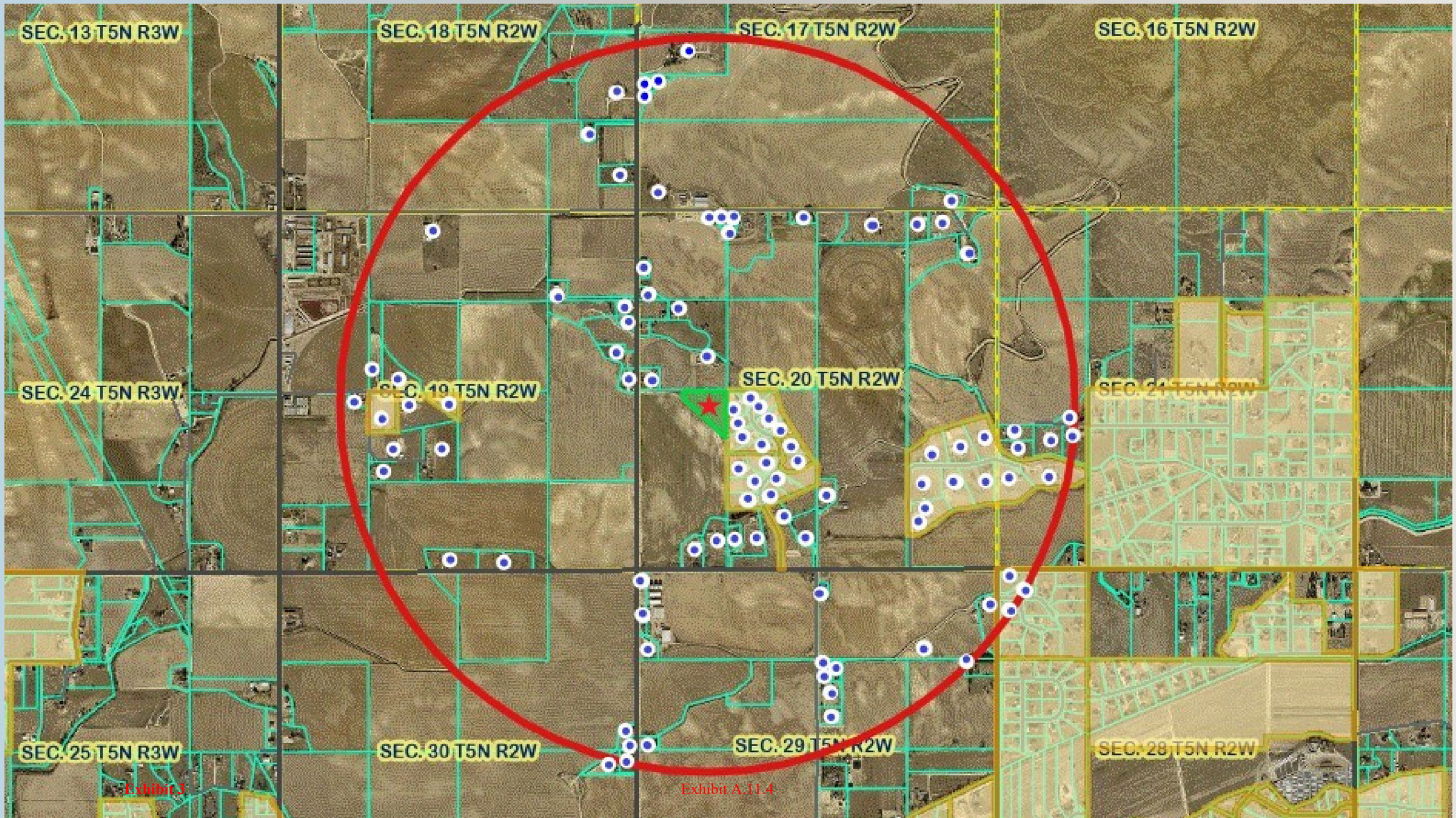


Exhibit 3
Exhibit A 11.4

Exhibit 3

Exhibit A.11.4

5 Subdivisions & 1 Subdivision in Final Plat Within 1 Mile

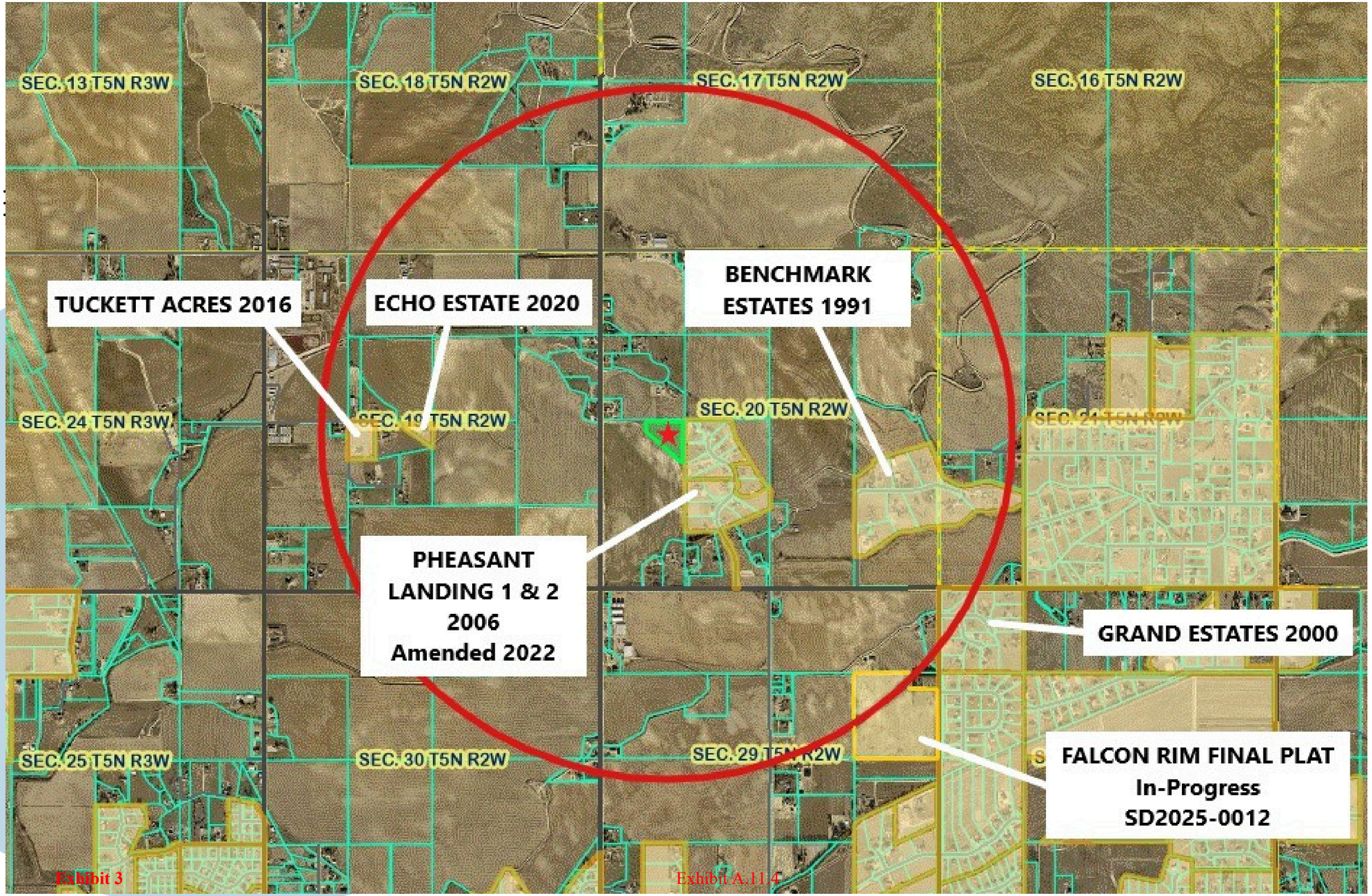


Exhibit 3

Exhibit A.11.4

6



Exhibit 3

April 23, 2026

Karla Nelson
Canyon County Development Services Department
111 N. 11th Ave. #310
Caldwell ID 83605
Karla.nelson@canyoncounty.id.gov

Dear Karla Nelson,

Black Canyon Irrigation District (BCID) has reviewed the proposed Conditional Rezone for applicant Greg Payne (Case No. CR2025-0011). BCID supports the rezone. The parcel being considered in the rezone has no surface water attached to it and is non-viable farm ground. Feel free to reach out if you have any questions.

Thank-you,

Mike Meyers

Manager
Black Canyon Irrigation District
mikem@blackcanyonirrigation.com

CC: Greg Payne

Exhibit 3

Exhibit A.11.4

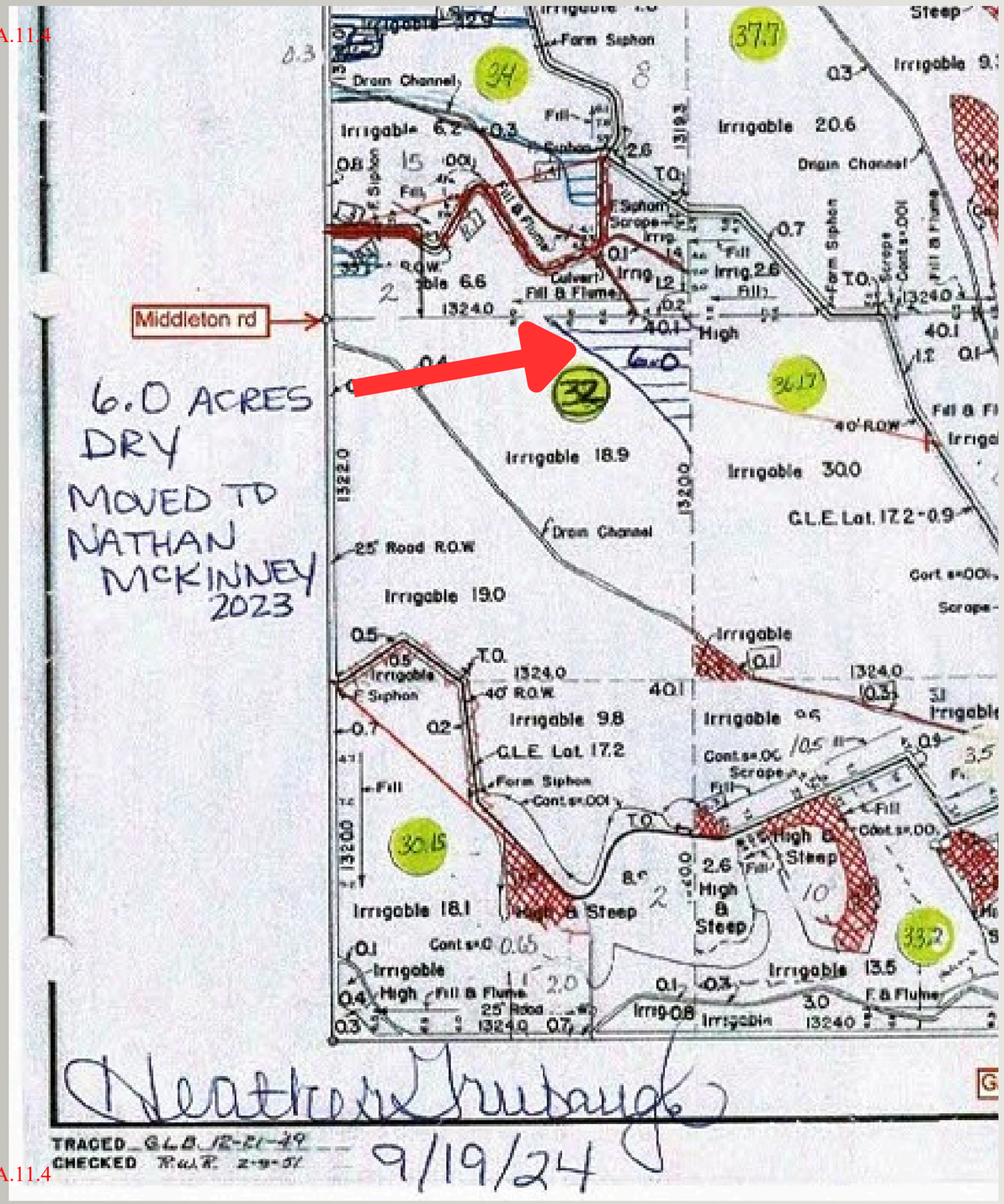


Exhibit A.11.4

SOIL MAP

Exhibit 3



Exhibit A.11.4

Custom Soil Resource Report

Table—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	6	4.8	71.9%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	6	0.1	0.9%
PhB	Power silt loam, 1 to 3 percent slopes	6	1.8	27.2%
Totals for Area of Interest			**6.7**	**100.0%**

Rating Options—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

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.

.

Exhibit 3

Exhibit A.11.4

8

Exhibit 3

Exhibit A.11.4

Notice of Weed Height Violation Letter

CANYON COUNTY WEED & PEST DEPARTMENT
15435 HWY 44, BLDG A *CALDWELL, ID* 83607

NOTICE OF WEED HEIGHT VIOLATION

PAYNE GREG S
24295 FARMWAY ROAD
CALDWELL, ID 83607

VIOLATION DATE:	**09/15/2025**
VIOLATION NUMBER:	**2025-V177**

The Canyon County Weed & Pest Department has determined that tall grass and/or weeds present on this property are a violation of the Canyon County Code, Chapter 2, Article 13, Section 9 PROHIBITION ON NUISANCE GRASS AND WEEDS.

Description of violation:	Parcel number(s): R3742300000
TALL WEEDS. SEE ATTACHED AREA OF CONCERN.	Address: 0 MIDDLETON RD., MIDDLETON, ID 83644

YOU MUST CREATE A CONTROL PLAN APPROVED BY CANYON COUNTY WEED CONTROL WITHIN (7) DAYS
Please call or email your weed control inspector: HAYLI MARCILLIAT (208) 459-0510
HAYLI.MARCILLIAT@CANYONCOUNTY.ID.GOV

All identified tall grass and/or weeds must be mowed or removed from the property within (7) days of date of notice.
A courtesy letter with the same date as this notice will also be mailed to the address on file with the County Assessor.

A follow-up site inspection will be conducted to verify compliance. If the Violation is not remedied **within seven (7) days** from the date of notice, the Enforcement Official, shall have the authority to enter upon the land to cause the nuisance to be abated. Canyon County Code, Chapter 2, Article 13, Section 10.

Estimated Assessment of Abatement Costs for Failure to Comply:

$21,265.80

All expenses of such abatement shall be paid by the owner of such land plus an administrative charge of fifteen percent (15%) per parcel, per abatement. Payment will be due in thirty (30) days. If payment is not received within thirty (30) days, it shall become an automatic lien upon the property and will be placed on the property tax roll for payment.

Our department desires that property owners voluntarily correct all violations. If you have questions or concerns please contact our office at (208) 459-0510 or 15435 HWY 44, BLDG A Caldwell, ID 83608. If you plan to visit, please call ahead to ensure that someone is available to meet with you.

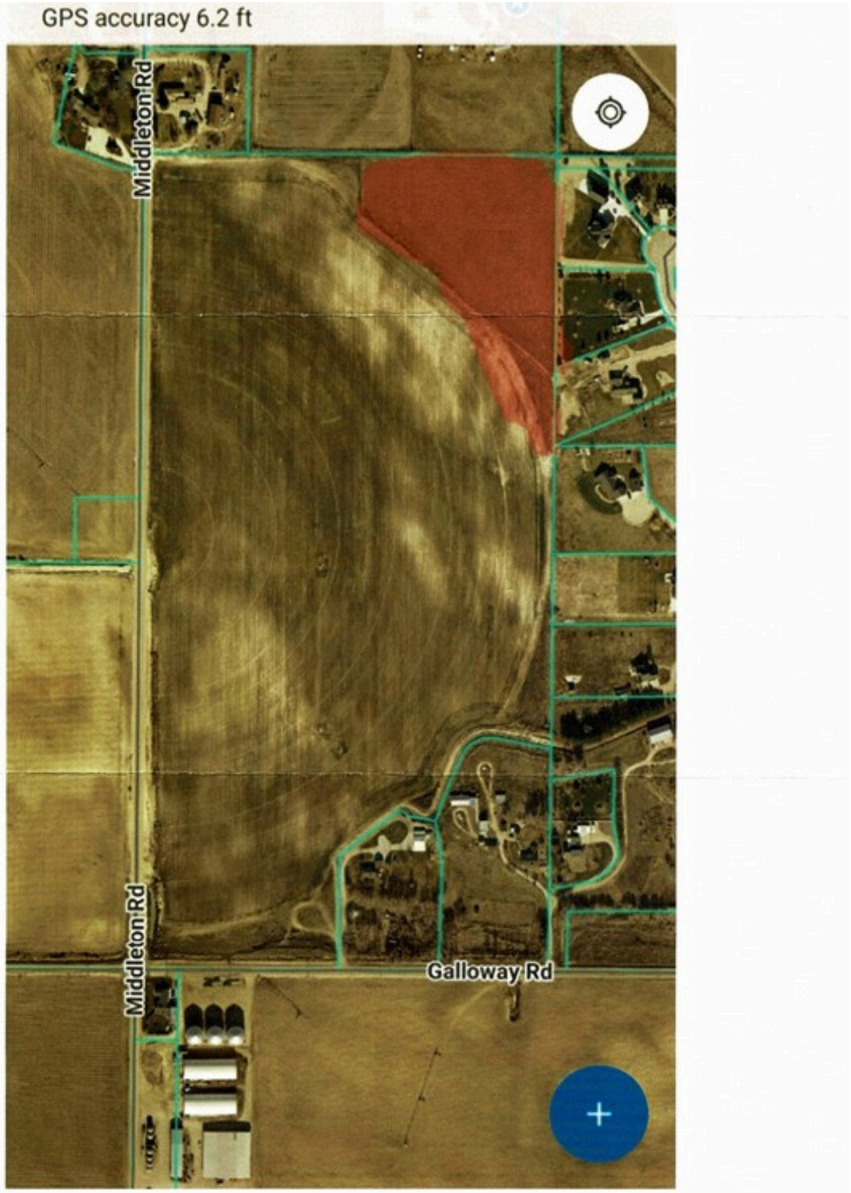


Exhibit 3

Exhibit A.11.4

SITE DISCING 4/3/2026





Exhibit 3

Exhibit A.11.4



Exhibit 3

Exhibit A.11.4

Exhibit A.11.4

2030 Comp Plan Analysis

The following goals and policies in the Canyon County 2030 comprehensive plan support the request:

Property Rights

- P1.01.03 Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.

Population

- P2.01.01 **Plan for anticipated population and households that the community can support with adequate services and amenities.**

Economic Development

- G3.05.00 **Support a diverse economy** in Canyon County and **recognize that residential**, commercial, and industrial **uses are necessary components of overall economic stability**.

Housing

- G11.01.00 **Encourage opportunities for a diversity of housing choices** in the County.
- P11.01.01 **Encourage a variety of housing sizes that meet the needs of families**, various age groups, and incomes.
- G11.02.00 **Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.**
- P11.02.01 **Encourage subdivisions to locate where adequate services and infrastructure exists** or can be provided.

Agriculture

- P12.01.05 **Direct development to land with lower irrigatable soil classifications** as determined by Canyon Soil Conservation District or by the USDA Natural Resources Conservation Service.
- P12.03.01 Restrict residential development that impacts aerial application flight patterns and operations.
- P12.03.02 **Place new structures appropriately to minimize disruption to aerial application** flight patterns.

Exhibit A.11.4

Exhibit A.11.4

2030 Comp Plan Analysis

Land Use Community and Design

- G4.01.00 **Support livability and high quality of life** as the community changes over time
- P4.01.01 **Maintain a balance between residential growth and agriculture that protects the rural character**.
- P4.01.02 Planning, zoning, and **land-use decisions should balance the community's interests and protect private property rights.**
- G4.02.00 Ensure that **growth maintains and enhances the unique character** throughout the County.
- P4.03.02 **Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.**
- P4.04.01 **Support development in locations where services, utilities, and amenities are or can be provided.**
- P4.05.01 Promote future development and land-use decisions that **do not create hardship for farmers** and agricultural operators.
- P4.05.02 Consider **development on poor soils** (Class 4 or higher) that **will not interfere with viable agricultural operations** in the area.
- P4.06.02 Encourage development **design that accommodates topography and promotes conservation of agricultural land.**
- G4.07.00 Protect **rural qualities that make the County distinct** and **conserve and enhance the elements contributing to a good quality of life.**

Exhibit A.11.4

Subject Property is Not Viable for Agricultural Use

07-02-03: DEFINITIONS ENUMERATED:

VIABLE FARMLAND: Land that is capable of producing marketable farm animals or crops.

Non-Viable Ag Use: 07-18-09.

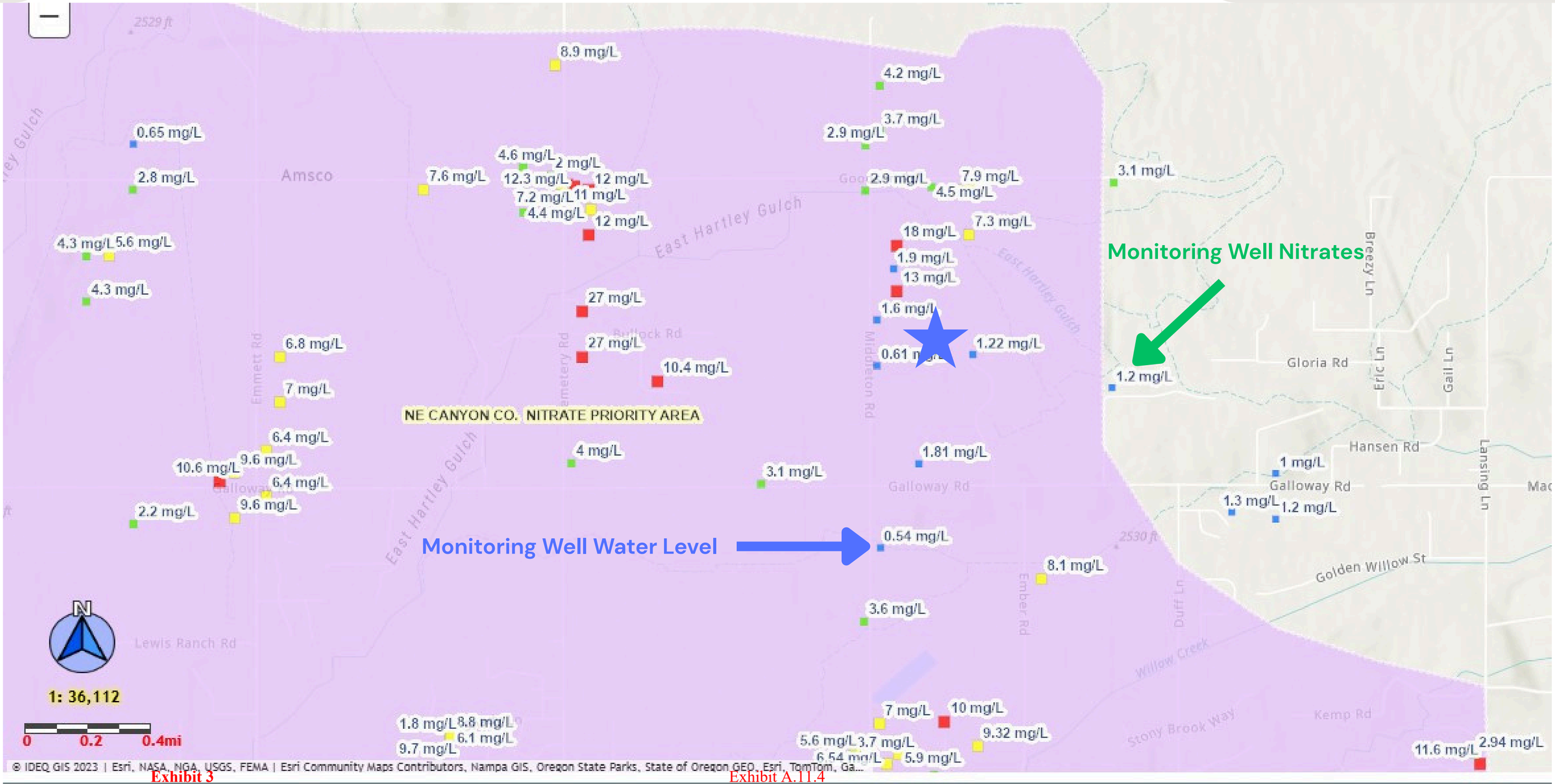
The reasons listed below are applicable for non-viable Ag use in an Agricultural zone:

1. **Poor soils. (Class 6 Non-Irrigated Capabilty Classification)**
2. **Lack of Irrigation water.**
3. **Land is not being withheld from a more viable ag use** for the intent of this application.
4. The lot size, combined with the lack of water makes **productive agriculture use prohibitive.**
5. **Producing cattle, or other animals for sale on this property is extremely difficult** and not marketable.
6. **The subdivision will not create a negative impact on surrounding agricultural uses.** Lot sizes are similar or larger than the many lots in the Subdivisions and Residential lots next door.

07-18-09(5)(C) states "The parcel, in whole or in part, shall consist of land with site constraints and/or resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricultural use extremely difficult"

14

EDGE OF NP AREA



15

IDWR 6" MONITORING WELLS



IDWR 6" WATER LEVEL WELL 1/2 MILE SOUTH

05N 02W 29BBC2

Site Name: CANYON
Station Type: Water Levels
Depth: 180 (ft BGS)

Latitude: 43.74766
Longitude: -116.61236
Elevation: 2505.0 ← Surface Elevation 2505'

Primary Water Use: Domestic



Time Series | Water Quality

800.Transducer

Multiple Timeseries

Compiled Depth To Water

800.Transducer

Discrete Depth to Water

USGS Depth To Water

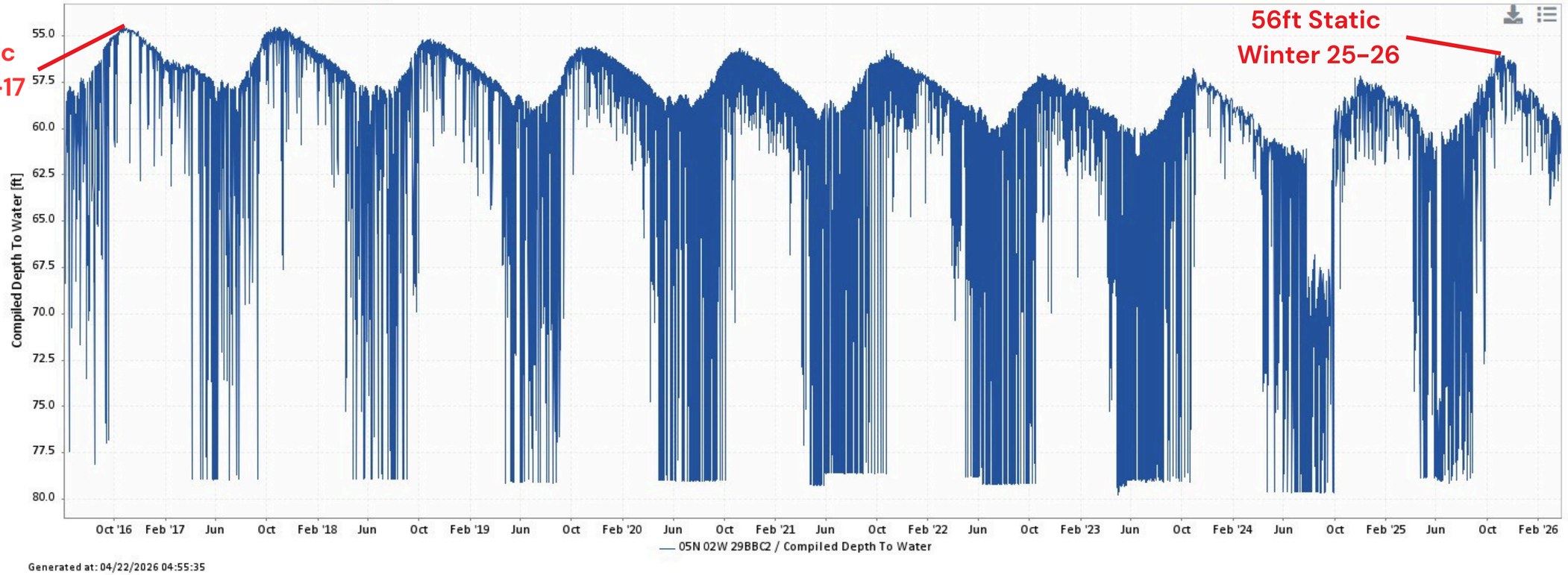
Documents

3 d | 10 d | 1 m | 3 m | 1 y

06/03/2016 – 03/26/2026

55ft Static
Winter 16-17

56ft Static
Winter 25-26



Generated at: 04/22/2026 04:55:35

IDWR 6" NITRATE LEVEL WELL 1/2 MILE EAST

05N 02W 20DAC1

Site Name: CANYON
Station Type: Water Quality
Depth: 215 (ft BGS)

Latitude: 43.75461
Longitude: -116.59703
Elevation: 2545.0 ← Surface Elevation 2545'

Primary Water Use: Domestic



Time Series | Water Quality

Nitrate as N

- Ammonia as N
- Ammonia as NH4
- Ammonium ion
- Nitrate as N
- Nitrate as NO3
- Nitrite as N
- Nitrite as NO2
- Phosphate, ortho
- Phosphate, ortho as PO4

Nutrients;Nutrients;Nutrients;Nutrien

Organics

Pesticides/Herbicides

Pharmaceuticals

Physical Properties

3 d | 10 d | 1 m | 3 m | 1 y | ∞

07/11/2001 – 07/12/2021

Graph | Table

Timestamp	Nitrate as N [mg/l]	Sign	Unit Symbol	Station Name	Measuring Program	Parameter	Sample Number	Method
07/12/2021 7:15 AM	1.6	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2021-0063	EPA 353.2
07/11/2016 9:06 AM	1.2	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2016-128	EPA 353.2
07/20/2011 7:45 AM	1.07	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2011-124	USGS NUTRIENTS
07/17/2006 5:35 AM	1.14	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2006-109	USGS NUTRIENTS
07/11/2001 5:15 AM	1.14	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2001-224	USGS NUTRIENTS

Nitrates
1.07 – 1.6 mg/L 2001 – 2021

10 milligrams per liter (mg/L), or 10 parts per million (ppm), is the maximum contaminant level (MCL) set by both the EPA and the Idaho Department of Environmental Quality.

Exhibit 3

REPORT OF WELL DRILLER
State of Idaho

Received 3-10-69 by Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Elmer Klaha
Address Rt 7
Caldwell Idaho
Owner's Permit No.
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: Domestic
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other
(explain)
CASING SCHEDULE: Threaded — Welded —
6 "Diam. from +1 ft. to 164 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .250 Material:
Steel ☒ concrete ☐ wood ☐ other ☐
(explain)
PERFORATED? Yes ☐ No ☒ Type of perforator used:
Size of perforations: " by "
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☒ No ☐ To what depth? ft. Material used in seal: clay
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section

LOCATION OF WELL: County Canyon
NW¼ NW¼ Sec. 29 T. 5 N/S R. 2 E/W

Size of drilled hole: 6½ inch Total depth of well: 168ft. Standing water level below ground: Temp. Fahr. ° Test delivery: 30 gpm or cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test: 2 HP C.M. air compressor
Length of time of test: 3 Hrs. 3 Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☐

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	32017 WATER YES OR NO
0	5	Top soil & Hardpan	No
5	8	sandy clay	No
8	59	sand & gravel	No
59	68	sandy clay	No
68	72	sand clay streaks	Yes
72	75	sand	Yes
75	109	sand & Gravel	Yes
109	118	clay	No
118	125	sand	Yes
125	143	sand & clay streaks	Yes
143	146	sandy clay	No
146	163	sand & clay streaks	Yes
163	167	clay	No
167	180	sand & clay streaks	Yes

Work started: 9-3-68
Work finished: 9-13-68
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: William E. Doty
Address: Caldwell Rt 7
Signed by:
License No. 42 Date: 11-12-68

Use other side for additional remarks

63

RECEIVED

Exhibit 3

Exhibit A.11.4

Water Level Test Well Drilled 1968

180 feet deep
56' Static Water Level
Unknown Static Water Level
(when drilled)

Well Surface Elevation 2505'

Nitrate Level Test Well Drilled 1994

215 feet deep
96' Static Water Level

Well Surface Elevation 2545'

*There is a 40 ft Surface Elevation difference between these two wells. This corresponds with the 40 ft difference in Static water level between them both.

Exhibit A.11.4

Form 238-7 4/92

C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Location Corrected by IDWR To:
T05N R02W Sec. 20 SWNESE
By: segbert 2012-04-20

1. WELL OWNER
Name Richard Shockey
Address 26173 Moon Glow Dr Middleton
Drilling Permit No. 63-94-W-0035-000
Water Right Permit No.

2. NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE
☒ Domestic ☐ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type)

4. METHOD DRILLED
☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION
Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.250 inches	6 inches	+ 2 feet	205 feet
.250 inches	5 inches	200 feet	205 feet
inches	inches	feet	feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? inches by inches

Number	From	To
perforations	feet	feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? ☒ Yes ☐ No
Manufacturer Johnson Type stainless
Top Packer or Headpipe 200
Bottom of Tailpipe 215

Diameter 5 Slot size 20 Set from 205 feet to 215 feet
Diameter Slot size Set from feet to feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel
Placed from feet to feet

Surface seal depth 25 Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐
Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port alum well seal

6. LOCATION OF WELL
Sketch map location must agree with written location.
Subdivision Name Benchmark Estates
Lot No. 9 Block No. 1
County Canyon
Address of Well Site 26173 Moonglow Dr (give at least name of road)
T. 5 N ☒ or S ☐
S/E ¼ S/E ¼ Sec. 20, R. 2 E ☐ or W ☒

7. WATER LEVEL
Static water level 96 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow
Artesian closed-in pressure p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature °F. Quality
Describe artesian or temperature zones below.

8. WELL TEST DATA
☐ Pump ☒ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
40	112	1

89890

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	4	topsoil		X
6	4	25	soil & hardpan		X
	25	60	brown sandy clay		X
	60	71	cemented sand & gravel		X
	71	81	clean gravel & sand		X
	81	104	brown sandy clay		X
	104	126	gravel & sand	X	
	126	153	brown sandy clay		X
	153	155	brown cemented sand	X	
	155	156	brown clay		X
	156	165	fine brown sand	X	
	165	186	brown sandy clay		X
	186	200	fine brown sand	X	
	200	204	brown silty clay		X
	204	215	clean brown sand	X	
	215		brown sandy clay		X

RECEIVED
MAR 10 1994
WATER RESOURCES
WESTERN REGION

10.
Work started 1/17/94 finished 2/1/94

11. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name STEVENS & SONS Firm No. 153
Address 3709 Hawthorne Dr Date 2/1/94
Signed by Drilling Supervisor
and
(Operator) Clint Perry
(If different than the Drilling Supervisor)

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

Exhibit A.11.4

Site Pictures taken 4/6/2026

Exhibit A.11.4

Exhibit 3

Exhibit A.11.4

South



Exhibit 3

Exhibit A.11.4


West
SITE

Exhibit 3

Exhibit A.11.4

North



Exhibit 3

Exhibit A.11.4

Exhibit 3

Exhibit A.11.4

East



Exhibit 3

Exhibit A.11.4

East



Exhibit 3

Exhibit A.11.4



Exhibit 3

Exhibit A.11.4

South West



West



(208) 412-9803 www.mywhitebarn.com matt@mywhitebarn.com

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# CR2025-0011

Hearing date: May 7, 2026

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

Exhibit 3

R37423 PARCEL INFORMATION REPORT

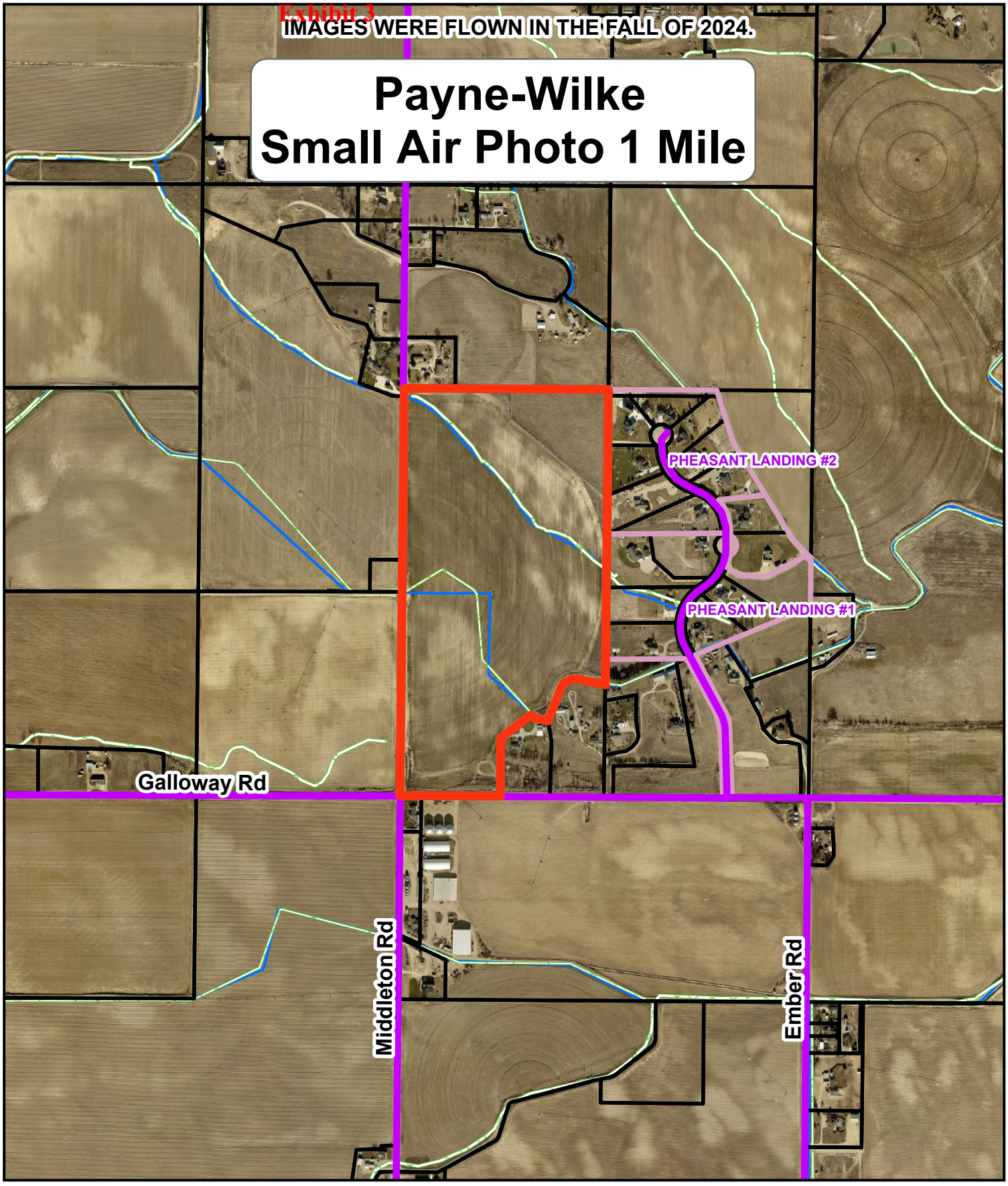
4/27/2026 4:11:13 PM

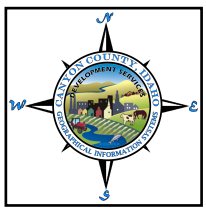
PARCEL NUMBER:	R37423
OWNER NAME:	PAYNE GREG S
CO-OWNER:	
MAILING ADDRESS:	24295 FARMWAY RD CALDWELL ID 83607-8813
SITE ADDRESS:	0 MIDDLETON RD
TAX CODE:	0310000
TWP:	5N **RNG:** 2W **SEC:** 20 **QUARTER:** SW
ACRES:	70.89
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	Yes
DRAIN DISTRICT:	NOT In Drain Dist
ZONING DESCRIPTION:	AG / AGRICULTURE
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	MIDDLETON FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	NOT In Impact Area
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	AGRICULTURE
IRRIGATION DISTRICT:	BLACK CANYON IRRIGATION DIST
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0150F
WETLAND:	Freshwater Emergent Wetland / Riverine / Riverine
NITRATE PRIORITY:	NE CANYON CO.
FUNCTIONAL Classification:	COLLECTOR
INSTRUMENT NO. :	2020049216
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	20-5N-2W SW TX 20468 IN W1/2 SW
PLATTED SUBDIVISION:	
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.


Exhibit 3
IMAGES WERE FLOWN IN THE FALL OF 2024.
Payne-Wilke
Small Air Photo 1 Mile
PHEASANT LANDING #2
PHEASANT LANDING #1
Galloway Rd
Middleton Rd
Ember Rd




City_Limits
Wetlands
Exhibit 3

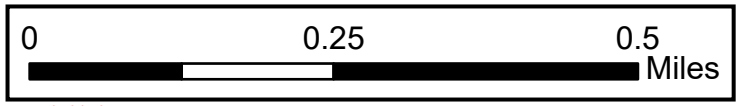

0
0.25
0.5
Miles

Exhibit B.2.2

Exhibit 3

Payne-Wilke Small Vicinity Map

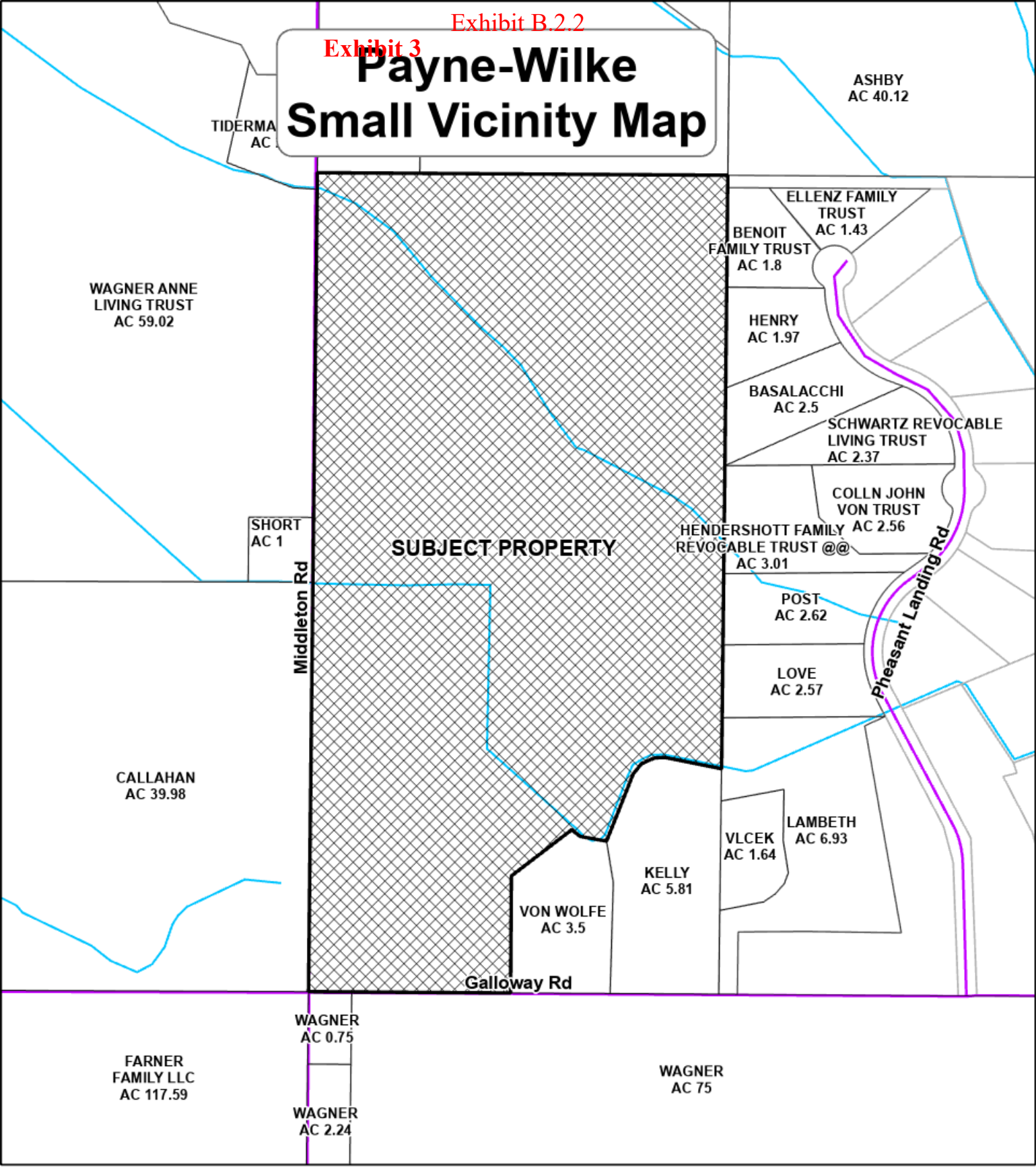


Exhibit 3

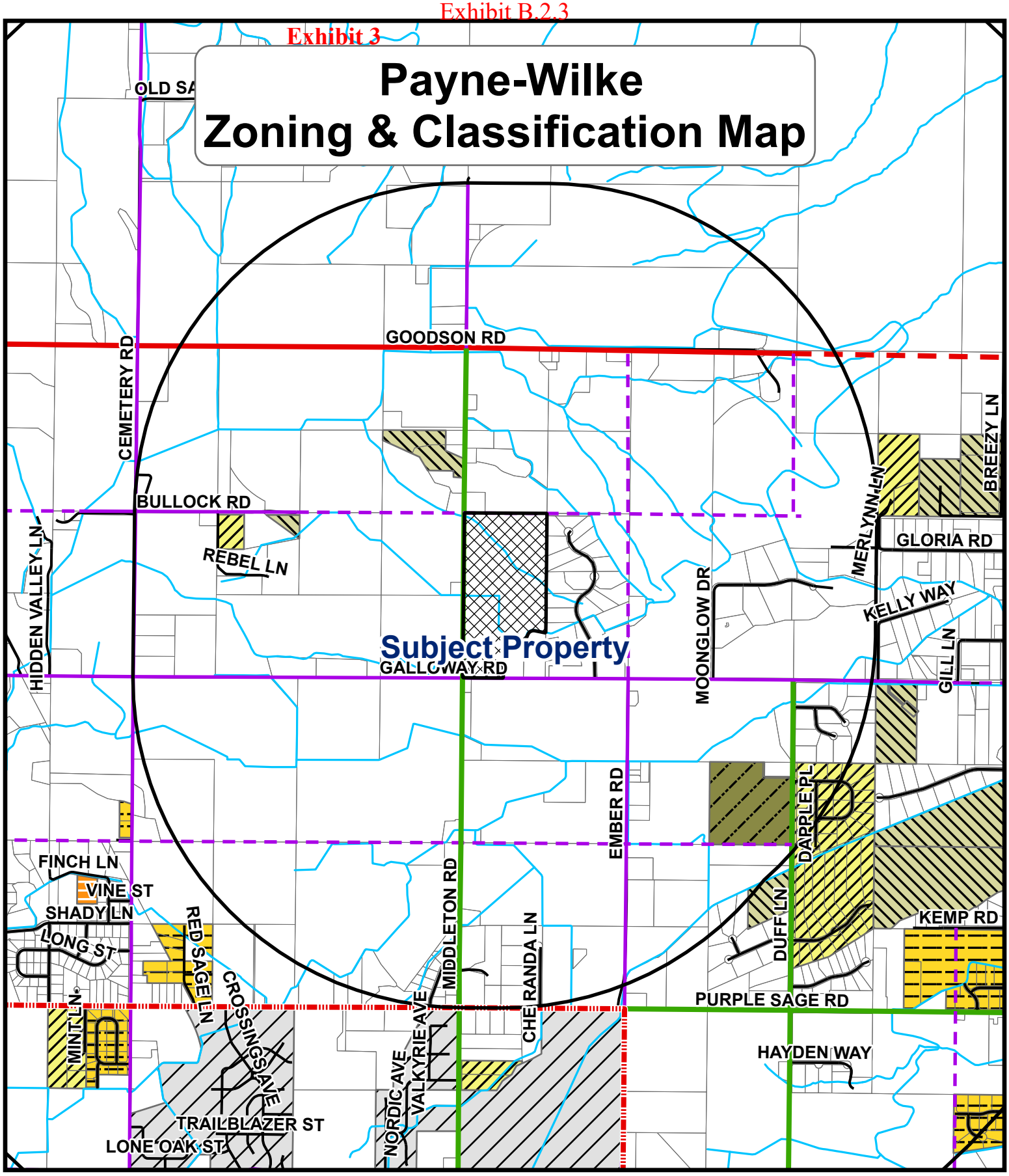
0 0.13 0.25 Miles

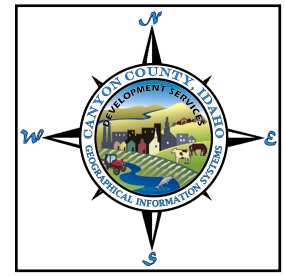
Exhibit B.2.2

Exhibit B.2.3

Exhibit 3

Payne-Wilke
Zoning & Classification Map





RR
CR-RR
R1
CR-R1
R2
C
C1
CR-C1

C2
CR-C2
M1
CR-M1
M2
AG
INTERSTATE

OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL

PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR

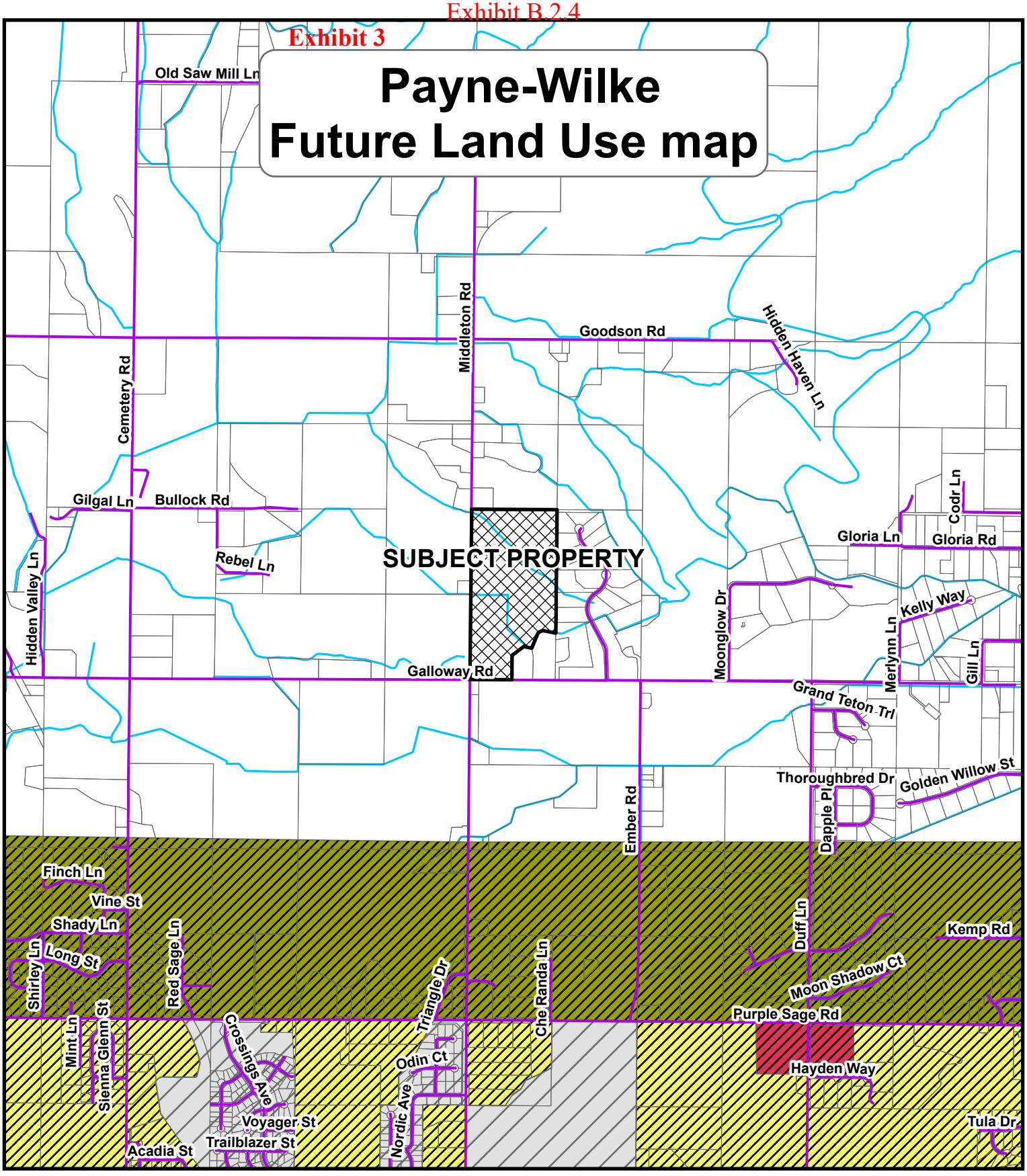
0 0.25 0.5 Miles

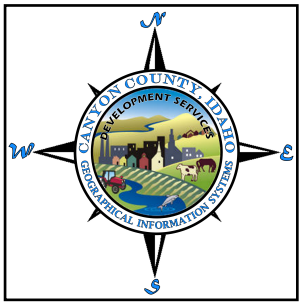
Exhibit 3

Exhibit B.2.3

Exhibit B.2.4

Exhibit 3





Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- RURAL RESIDENTIAL

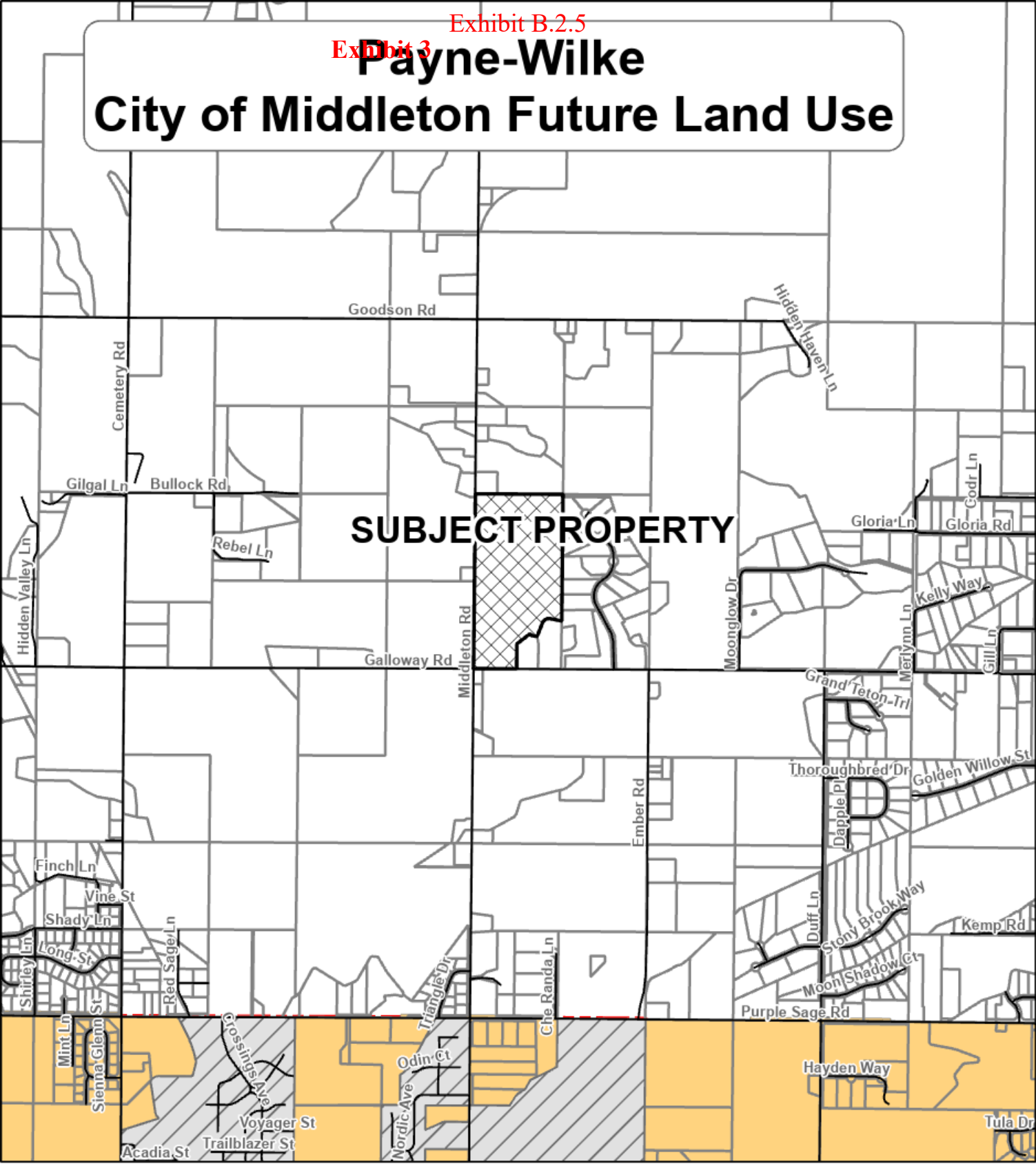
0 0.5 1 Miles

Exhibit 3

Exhibit B.2.4

Exhibit 3

Payne-Wilke
City of Middleton Future Land Use



MiddletonCompPlan
- Commercial
- Industrial
- Mixed Use
- Public
- Residential
- Residential Special Areas
- Transit Oriented

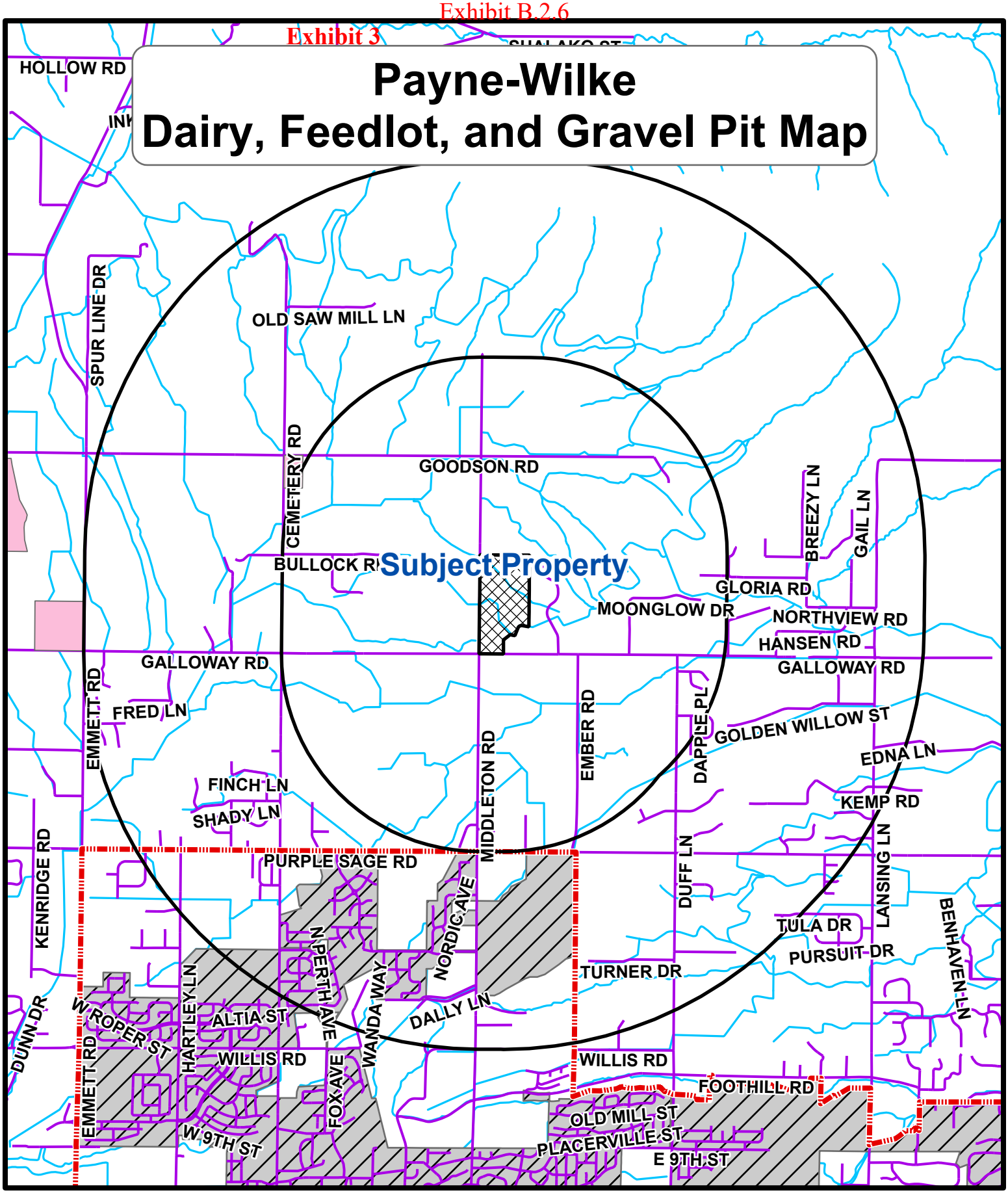
0 0.25 0.5 Miles

Exhibit 3

Exhibit B.2.5

Exhibit 3

Payne-Wilke
Dairy, Feedlot, and Gravel Pit Map



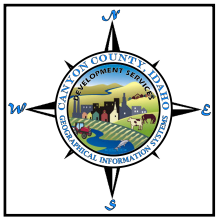




Exhibit 3

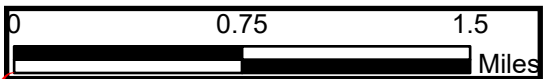
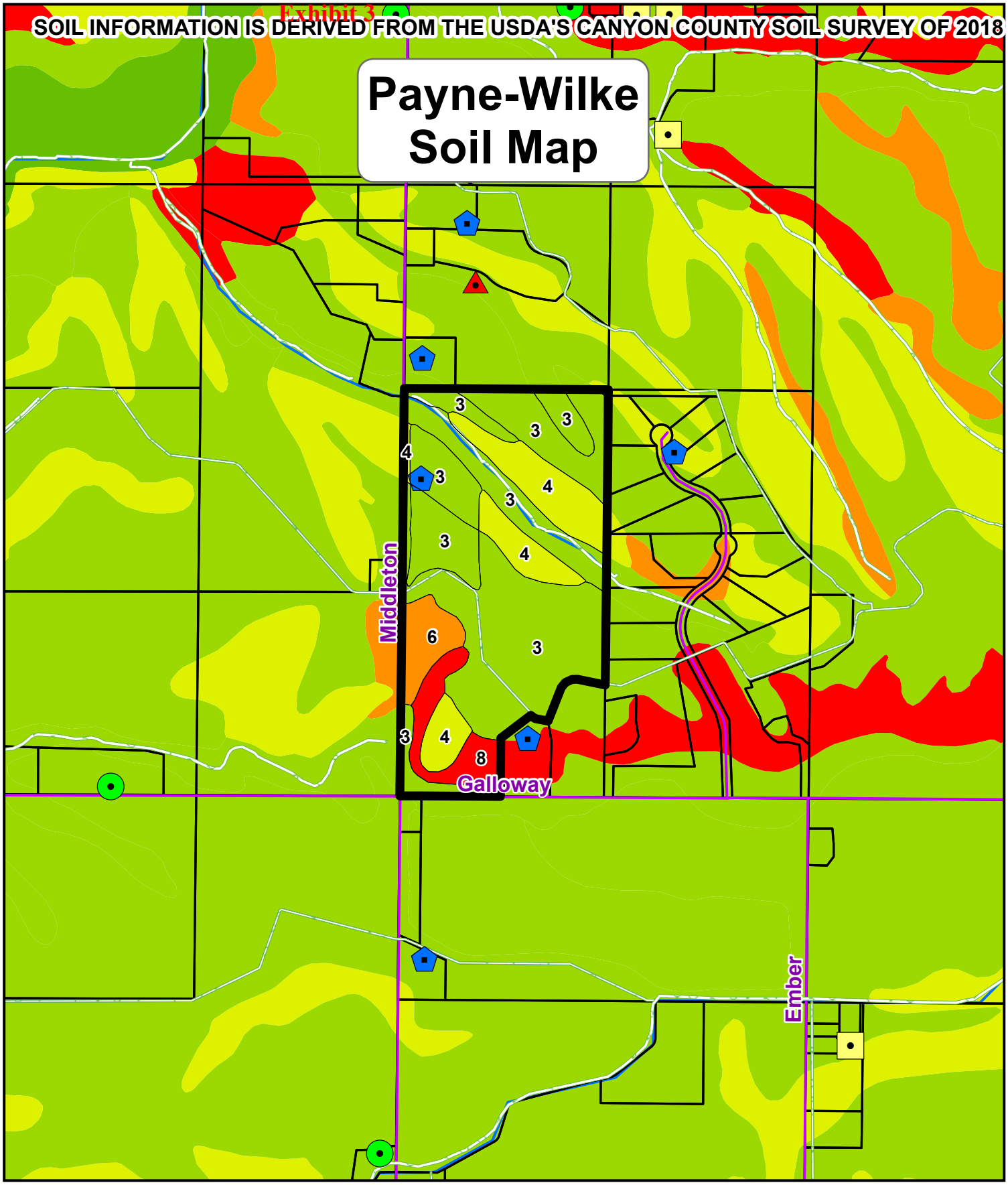


Exhibit 3

SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Payne-Wilke Soil Map



Nitrate Priority Wells

- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- 10.000001 - 43.300000

IDWR_2C_Geothermal_

Wetlands

0 0.25 0.5 Miles

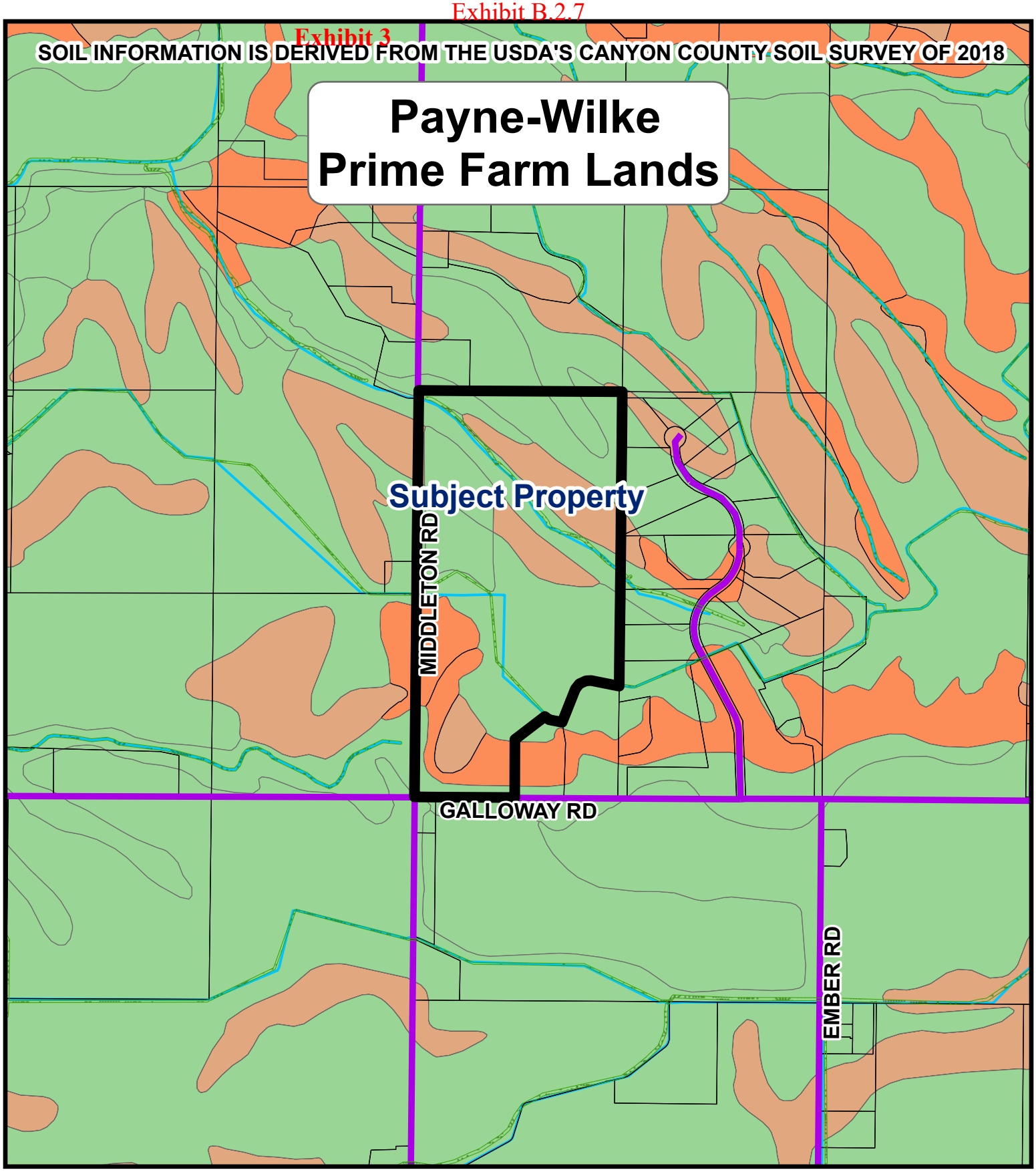
Exhibit 3

Exhibit B.2.7

Exhibit 3

SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Payne-Wilke Prime Farm Lands



TAXLOTS
City_Limits
WETLANDS
2C_Hydro

FARMLAND
- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Not prime farmland
- Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
- Prime farmland if irrigated
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and reclaimed of excess salts and sodium

0 0.125 0.25 Miles

Exhibit 3

Exhibit B.2.7

Exhibit 3

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
4	MODERATELY SUITED SOIL	552657.97	12.69	17.90%
3	MODERATELY SUITED SOIL	454026.22	10.42	14.70%
3	MODERATELY SUITED SOIL	173318.88	3.98	5.61%
3	MODERATELY SUITED SOIL	1256582.95	28.85	40.70%
6	LEAST SUITED SOIL	174427.14	4.00	5.65%
3	MODERATELY SUITED SOIL	199636.01	4.58	6.47%
3	MODERATELY SUITED SOIL	75507.80	1.73	2.45%
8	LEAST SUITED SOIL	201613.61	4.63	6.53%
		3087770.60	70.89	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
EvC	Farmland of statewide importance, if irrigated	552657.97	12.69	17.90%
PhB	Prime farmland if irrigated	454026.22	10.42	14.70%
DuC	Prime farmland if irrigated	173318.88	3.98	5.61%
EsB	Prime farmland if irrigated	1256582.95	28.85	40.70%
EvD	Not prime farmland	174427.14	4.00	5.65%
DuB	Prime farmland if irrigated	199636.01	4.58	6.47%
EsA	Prime farmland if irrigated	75507.80	1.73	2.45%
LhE	Not prime farmland	201613.61	4.63	6.53%
		3087770.60	70.89	100%

SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

Exhibit 3

Exhibit B.2.7

Exhibit 3

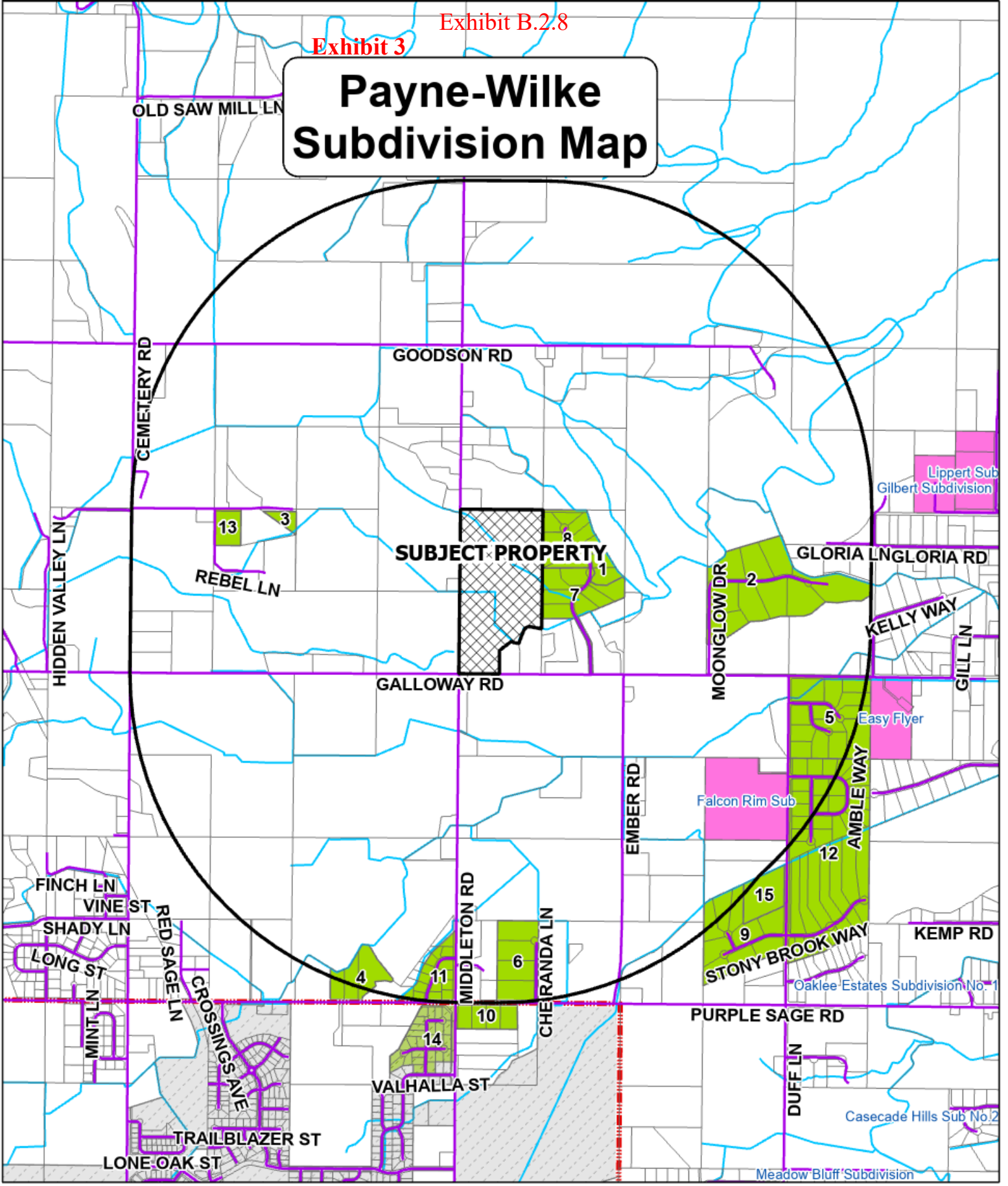
GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

Exhibit 3

Exhibit B.2.7

Exhibit 3

Payne-Wilke Subdivision Map



SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Final,Pending
MOBILE HOME PARKS

0 0.5 1 Miles

Exhibit 3

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
15	350.62	151	2.32

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
1	37.81	26	1.45

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
35	14.66	2.62	0.75	117.59

NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
AMENDED PLAT OF PHEASANT LAND	1	5N2W20	4.27	2	2.14	COUNTY (Canyon	2022
BENCHMARK ESTATES	2	5N2W20	53.74	10	5.37	COUNTY (Canyon	1991
ECHO ESTATE SUBDIVISION	3	5N2W19	2.35	1	2.35	COUNTY (Canyon	2020
FACER SUBDIVISION	4	5N2W30	12.00	3	4.00	COUNTY (Canyon	2006
GRAND ESTATES	5	5N2W28	40.05	14	2.86	COUNTY (Canyon	2000
KY-ODY ACRES	6	5N2W32	19.94	5	3.99	COUNTY (Canyon	1994
PHEASANT LANDING #1	7	5N2W20	20.19	8	2.52	COUNTY (Canyon	2006
PHEASANT LANDING #2	8	5N2W20	17.63	9	1.96	COUNTY (Canyon	2006
STONY BROOK SUB	9	5N2W29	31.30	9	3.48	COUNTY (Canyon	2009
SUMMERSAGE ESTATES SUBDIVISIO	10	5N2W32	9.71	4	2.43	COUNTY (Canyon	2008
SUNRISE SUB	11	5N2W30	13.04	17	0.77	COUNTY (Canyon	1972
THOROUGHBRED ESTATES SUBDIVI	12	5N2W28	91.62	40	2.29	COUNTY (Canyon	2014
TUCKETT ACRES SUBDIVISION	13	5N2W19	5.83	1	5.83	COUNTY (Canyon	2016
VALHALLA COUNTRY ESTATES NO. 5	14	5N2W31	19.15	27	0.71	MIDDLETON	2021
WHITE RANCH ESTATES	15	5N2W29	9.77	1	9.77	COUNTY (Canyon	2019

SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Falcon Rim Sub	37.81	26	1.45

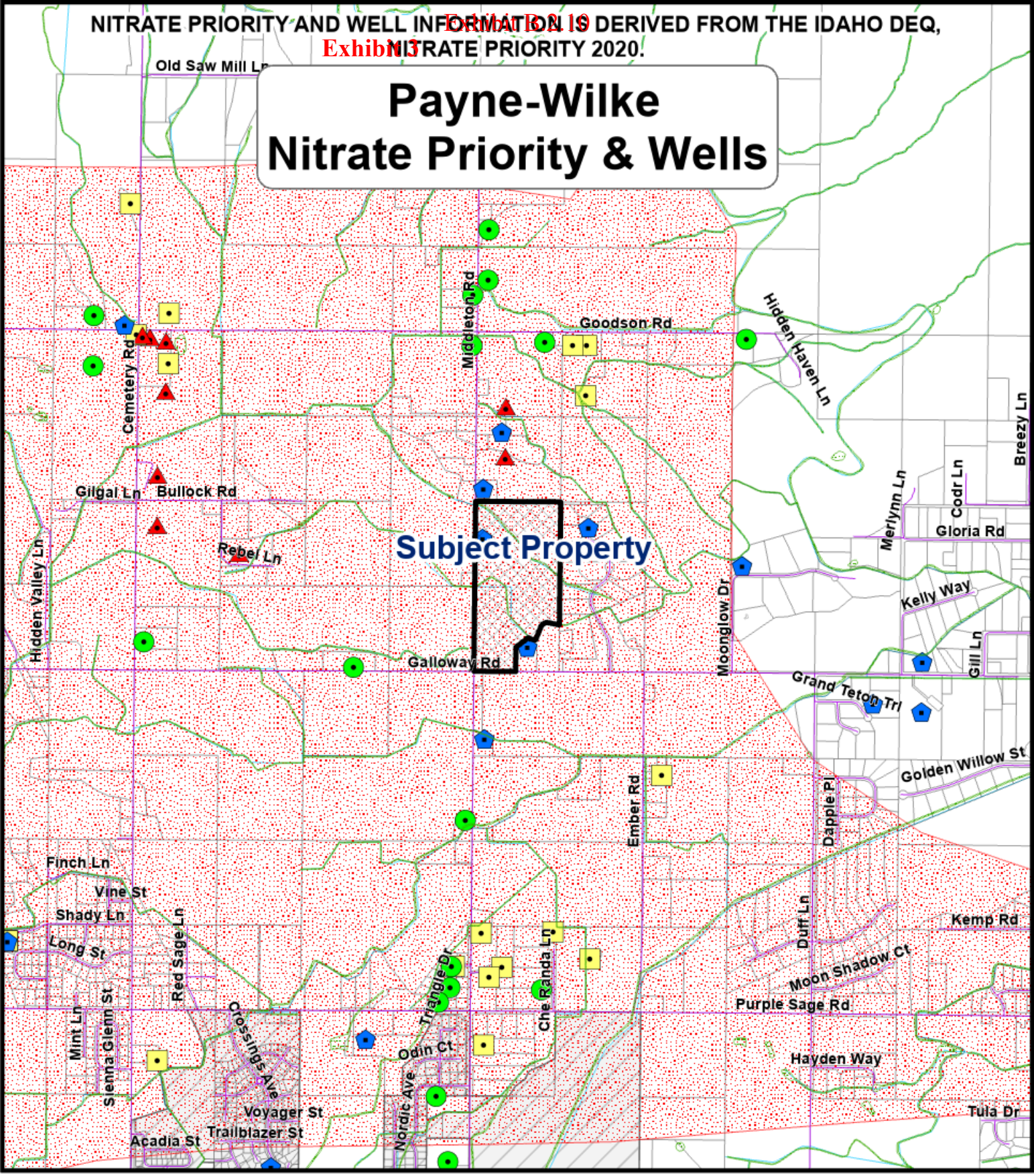
MOBILE HOME & RV PARKS

SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...

Exhibit B 2.10
Exhibit 3

NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM THE IDAHO DEQ, NITRATE PRIORITY 2020.

Payne-Wilke Nitrate Priority & Wells



GEO-THERMAL LOCATIONS

WETLANDS

NITRATE_PRIORITY

DEQ WELLS
N03_MGL

0.005 - 2.00

2.000001 - 5.00

5.0000001 - 10.00

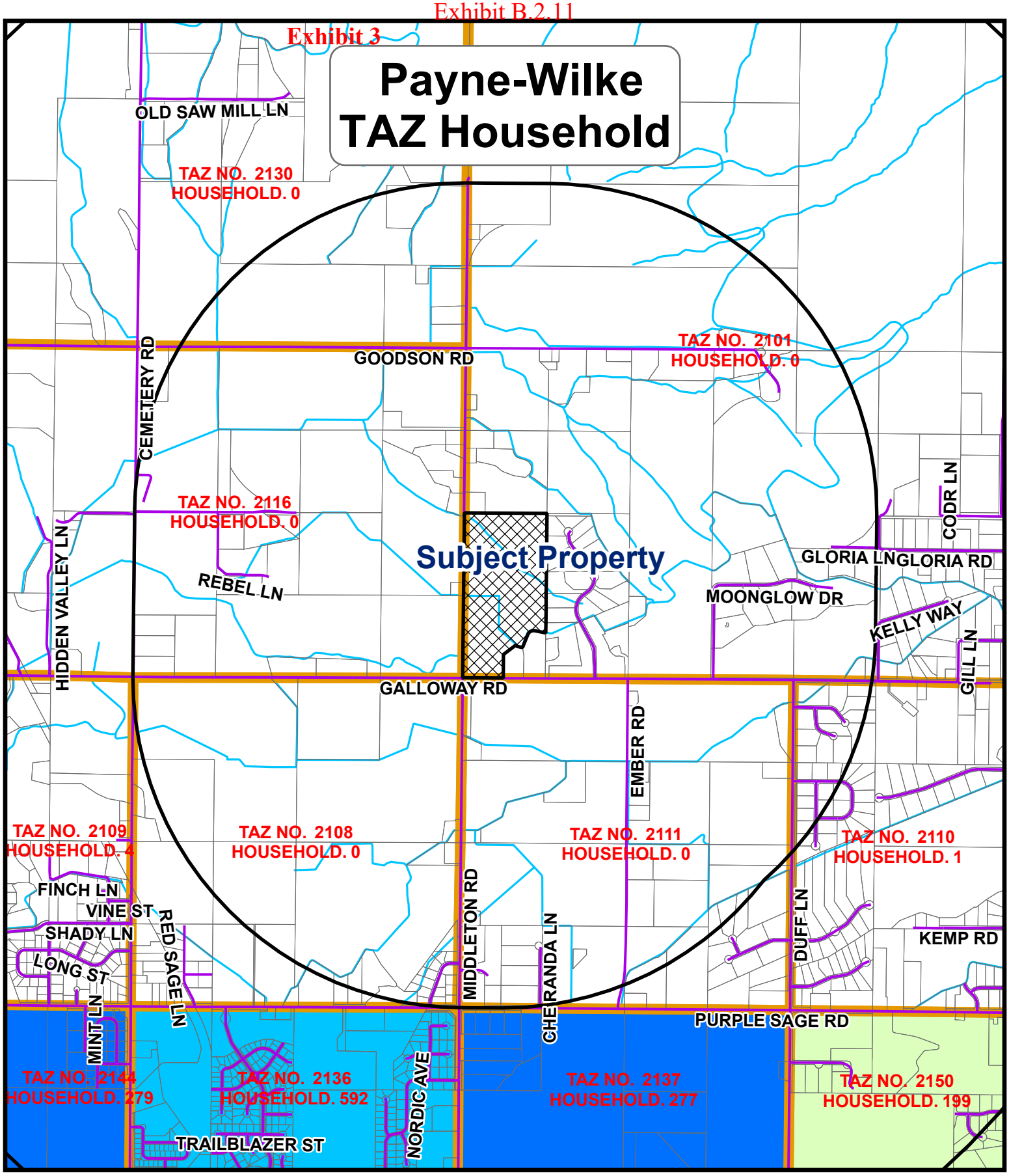
10.000001 - 49.90

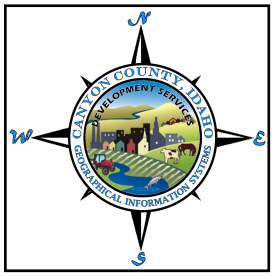
0 0.5 1 Miles

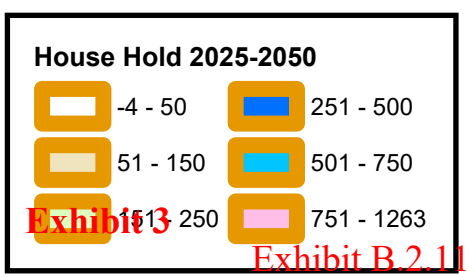
Exhibit 3
Exhibit B 2.10

Exhibit 3

Payne-Wilke TAZ Household







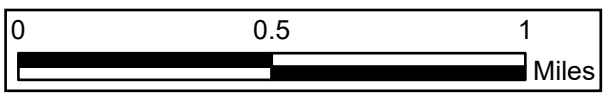
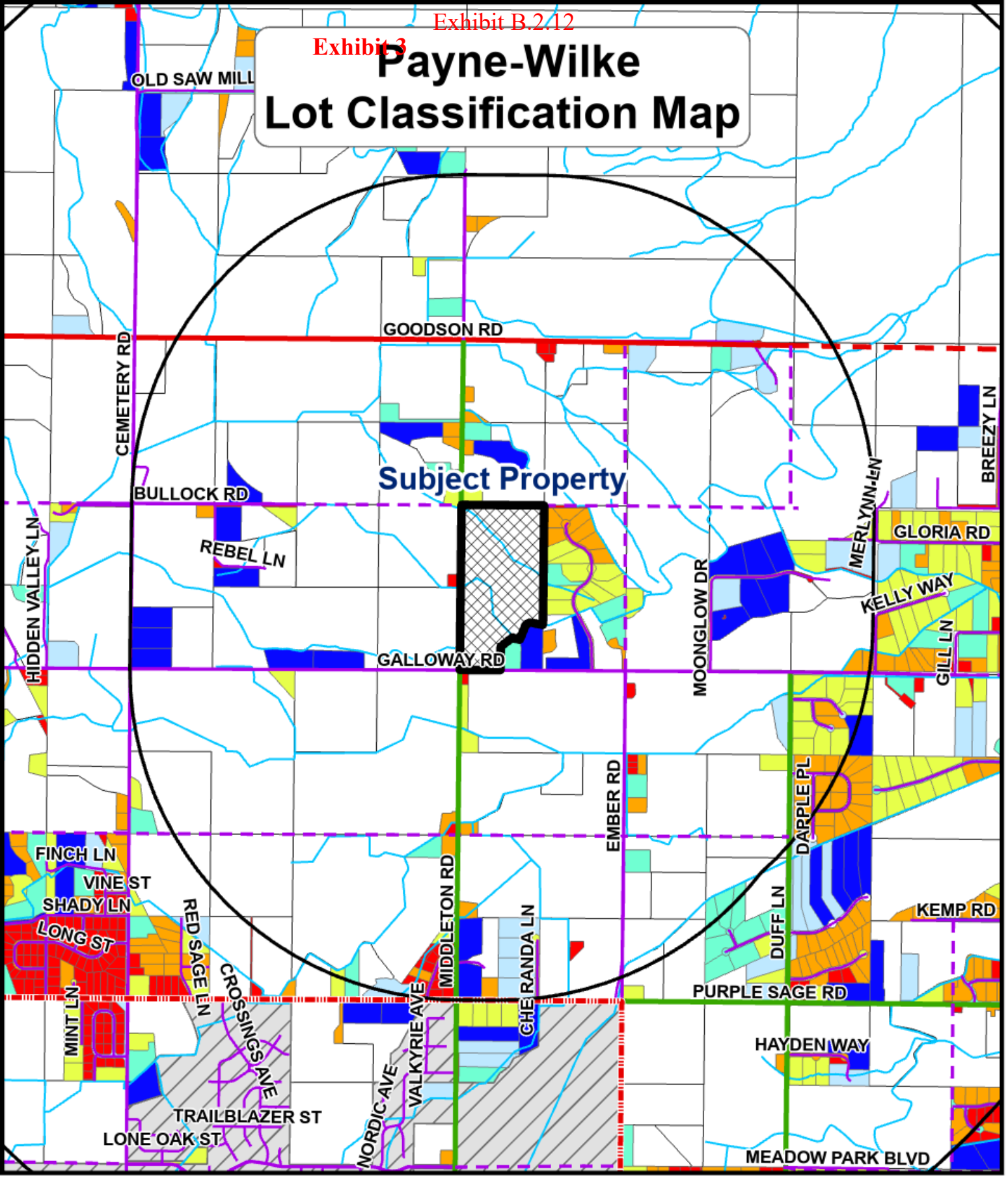


Exhibit 3

Exhibit 3

Payne-Wilke Lot Classification Map



Lot Size

- 0.0 - 1.0
- 1.1 - 2.0
- 2.1 - 3.0
- 3.1 - 4.0
- 4.1 - 5.0
- 5.1 - 6.0

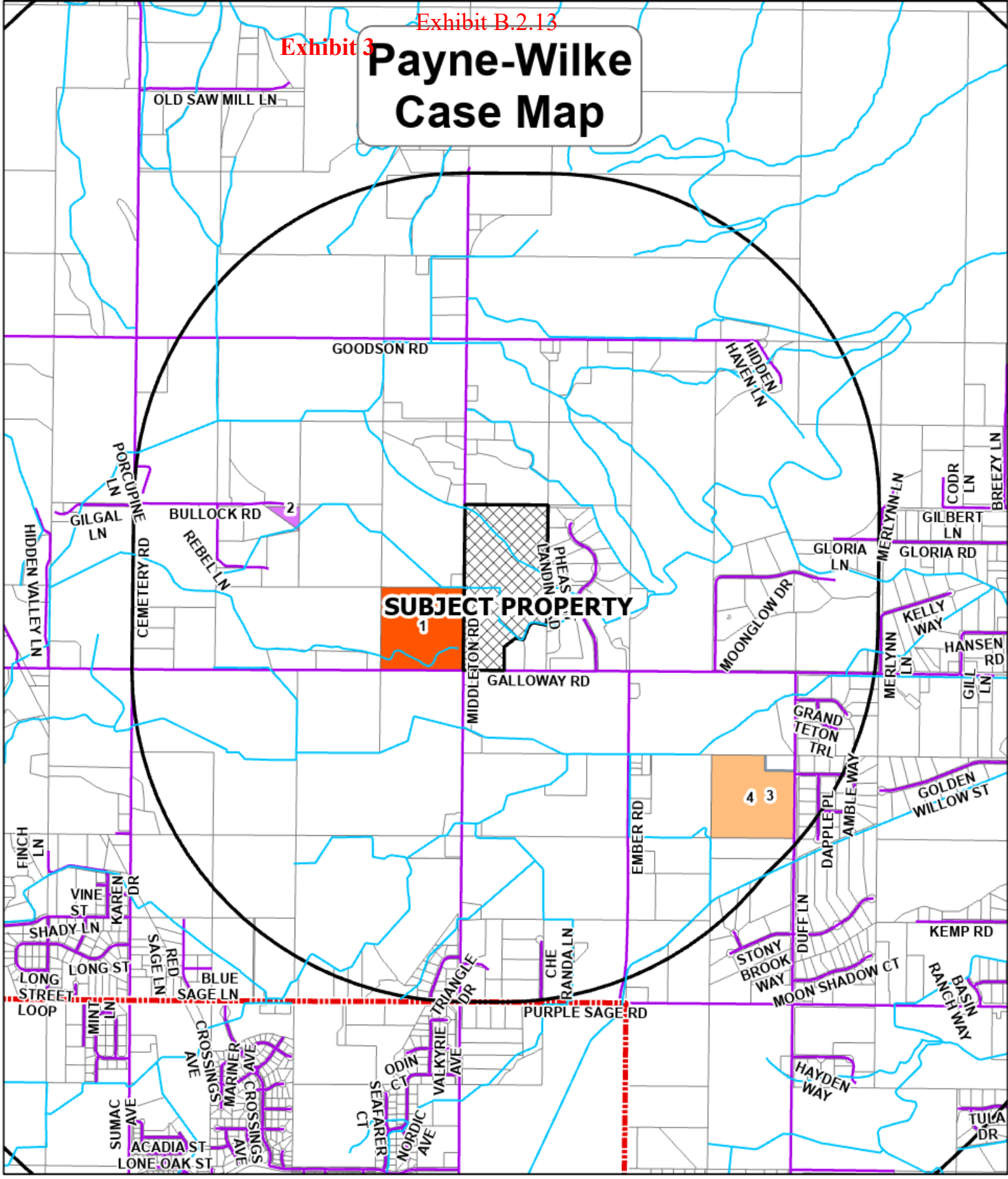
- INTERSTATE
- OTHER FREEWAY/ EXPRESSWAY
- PROPOSED OTHER FREEWAY/ EXPRESSWAY
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

0 0.25 0.5 Miles

Exhibit B.2.13

Exhibit 3

Payne-Wilke Case Map



Year
2020
2021
2022
2023
2024
2025

Exhibit 3

0 0.5 1 Miles

Exhibit B.2.13

Exhibit 3

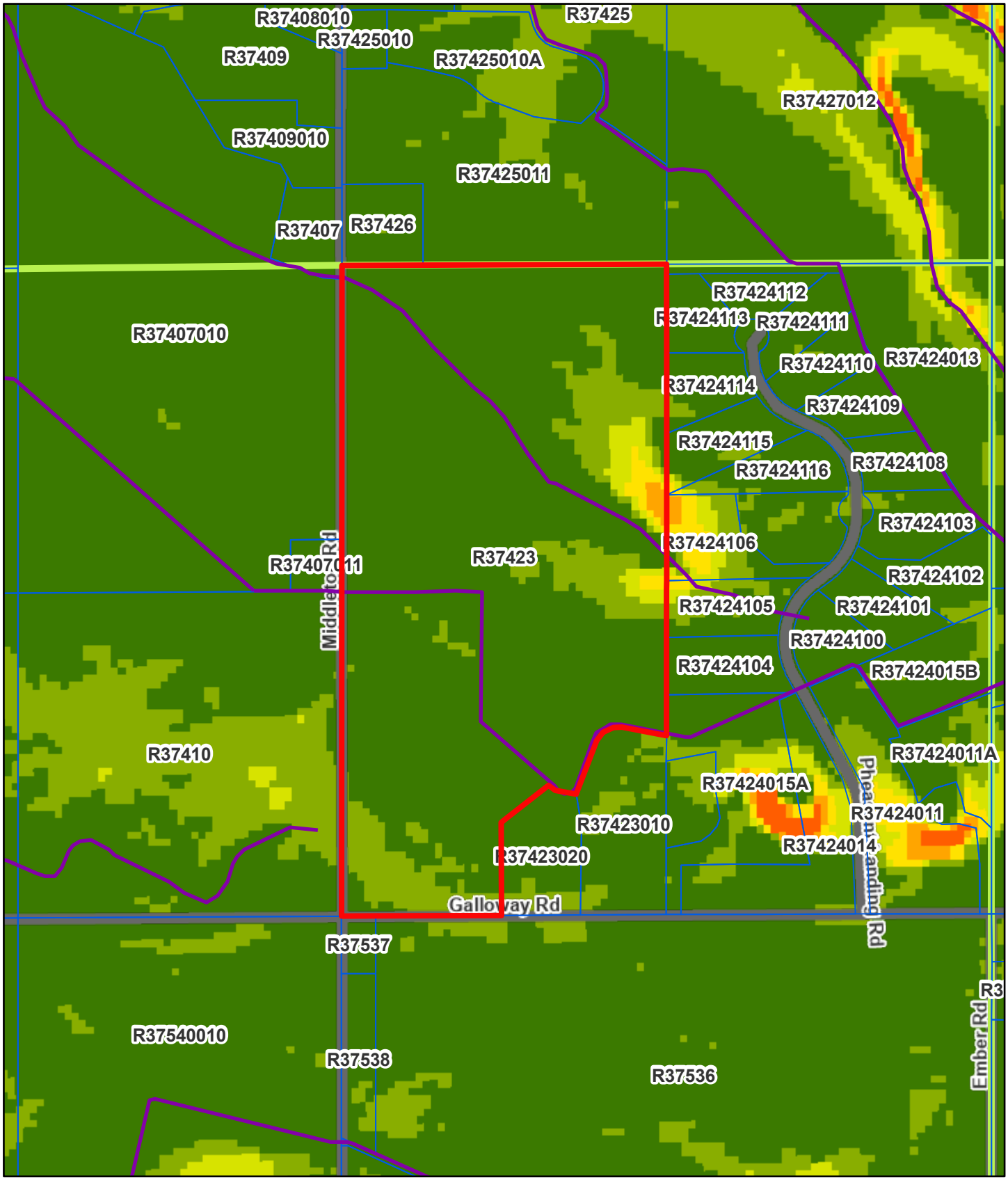
CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2021-0043	Rezone AG to RR	Callahan	DENIED
2	SD2020-0009	Echo Estate Sub	Echo Estate Sub	APPROVED
3	SD2022-0047	Preliminary Falcon Rim Sub	Falcon Rim Sub	APPROVED
4	RZ2021-039	Rezone AG to CR-R1	Kelley	APRPOVED

Exhibit 3

Exhibit B.2.13

Exhibit 3

Canyon County, ID Web Map



4/28/2026, 8:25:24 AM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Parcel Number Search _Query result

Hydro_NHDFlowline

Quarter Line

CanyonCountyRoads

Roads

SlopePercent_USGS

0 to 3

3 to 6

6 to 9

9 to 12

12 to 14.99

15 to 202.717

County Boundary

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

Exhibit 3

Canyon County, ID

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

EXHIBIT C

Site Visit Photos: February 23, 2026

Planning & Zoning Commission

Case# CR2025-0011

Hearing date: May 7, 2026

KEY	NAME: Greg Payne	CASE #:	CR2025-0011

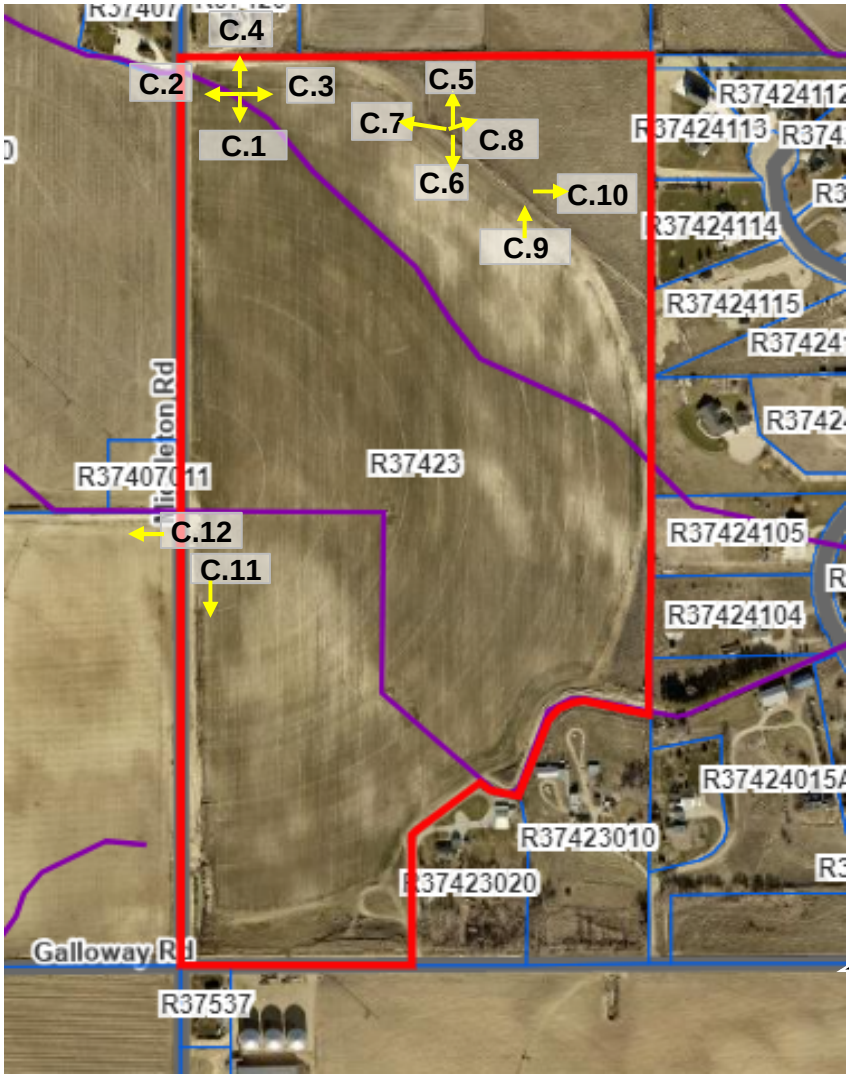


Exhibit: C
CR2025-0011
Site Visit Photos:
February 23, 2026

EXHIBIT: C.1



Middleton Rd., Facing South

EXHIBIT: C.2



Middleton Rd., and West Near Access

EXHIBIT: C.3

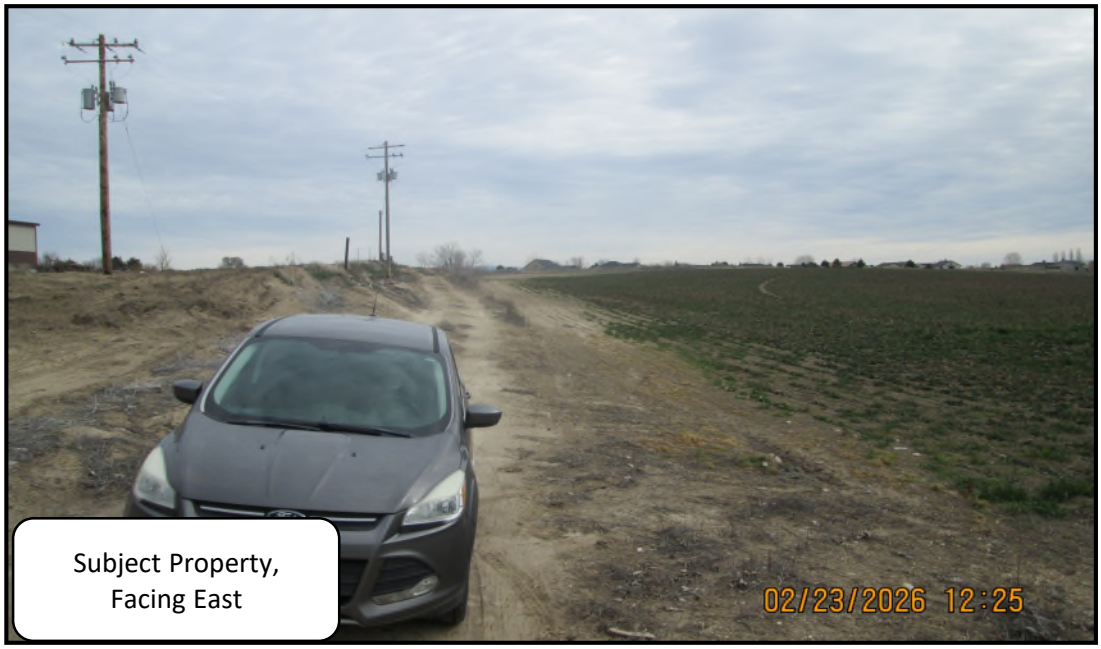


EXHIBIT: C.4



EXHIBIT: C.5



EXHIBIT: C.6



EXHIBIT: C.7



EXHIBIT: C.8



EXHIBIT: C.9



EXHIBIT: C.10



EXHIBIT: C.11



EXHIBIT: C.12



EXHIBIT D

Agency Comments Received by: April 27, 2026

Planning & Zoning Commission

Case# CR2025-0011

Hearing date: May 7, 2026



October 6, 2025

Canyon County Development Services Department
111 North 11th Ave. Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Comprehensive Plan Map Amendment/ Conditional Rezone. Parcel R37423
Case No. CR2025-0011/ OR2025-0022
Applicant: Matt Wilke
Property Owner: Greg Payne
Planner: Karla Nelson

The property is located at the northeast corner of Middleton Road and Galloway Road in Middleton, Idaho. (Parcel R37423). According to existing records, the parcel is within the Black Canyon Irrigation District (District) service area boundary and receives water from the District. The C.E. 17.2 pipeline and C.E. 17.2 lateral are owned and operated by the District. The pipeline extends across the southern area of the property, where it connects to the lateral, which runs along a portion of the southern property boundary. The District has the following comments.

1. The applicant made a permanent water rights transfer to remove six acres of irrigation water from the Northeast corner of the property back in 2023 as shown in Exhibit "C". Therefore, none of the proposed additional parcels will receive irrigation water from the District.
2. If at any point the applicant wishes to develop the remaining 64.48 acres the applicant will need to apply with the District and go through the District's development review process. The District has infrastructure on the south end of the parcel as identified above and delivers irrigation water to the property out of the C.E. 17.2 Tap #5.
3. **Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways** will need to be protected (including the restriction of all encroachments and including any proposed overlapping rights of ways). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or Reclamation.

Please let us know if there are any further questions regarding the application.

Thank You,

Mike Meyers
District Manager
Black Canyon Irrigation District



April 23, 2026

Karla Nelson
Canyon County Development Services Department
111 N. 11th Ave. #310
Caldwell ID 83605
Karla.nelson@canyoncounty.id.gov

Dear Karla Nelson,

Black Canyon Irrigation District (BCID) has reviewed the proposed Conditional Rezone for applicant Greg Payne (Case No. CR2025-0011). BCID supports the rezone. The parcel being considered in the rezone has no surface water attached to it and is non-viable farm ground. Feel free to reach out if you have any questions.

Thank-you,

Mike Meyers

Manager
Black Canyon Irrigation District
mikem@blackcanyonirrigation.com

CC: Greg Payne

HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

September 23, 2025

Canyon County Board of Commissioners and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Karla Nelson, Planner

RE: CR2025-0011 Rezone from Agricultural to CR-RR Rural Residential
Canyon County Parcel R37423 aka 0 Middleton Rd

Dear Commissioners:

Highway District No. 4 has reviewed the application for Conditional Rezone of the above described parcel from Agricultural to CR-RR Rural Residential and offers the following comments on the proposed use:

General
The subject property consists of approximately 70.9 acres located at the northeast corner of Middleton Rd and Galloway Rd in the SW 1/4 Sec 20 T5N R2W. The subject property has approximately 2,630-feet of frontage on Middleton Rd along the westerly boundary, and 653-feet of frontage on Galloway Rd along the southerly boundary. Middleton Rd is classified as a minor arterial, and Galloway Rd as a major collector on the functional classification maps adopted by the County and HD4. Existing right-of-way width is a 25-ft prescriptive easement measured from each existing roadway centerline. Ultimate right-of-way width for a minor arterial is 50-ft half-width measured from the section line, and a 50-ft half width for a major collector within 600-ft of the Middleton/Galloway intersection.

The application materials indicate the applicants are requesting a conditional rural residential zoning to allow development of up to three residential lots, to be clustered at the un-farmed northeast corner of the parcel, with the remaining 64.5 acres retained as a non-buildable agricultural parcel.

Access
Existing access to the subject property is via one or more unimproved agricultural approaches to Middleton Rd along the west boundary. These approaches may remain in use to serve the ongoing agricultural uses, but are subject to restriction or removal if the land use changes in the future.

A private road approach to Middleton Rd near the northwest parcel boundary is proposed to serve the three new residential lots. This is acceptable subject to the following conditions:

1. Access to arterial roads such as Middleton Rd is typically limited to the greatest extent practical to promote safety and mobility along the arterial corridor. The proposed access location is located at or near the 1/4 section line for Section 20, which meets the recommended 1/2 mile spacing for a future collector roadway.

2. The approach should be located to provide adequate intersection sight distance (555-feet) for both north- and south-bound Middleton Rd traffic.
3. An approach permit from HD4 is required for each new residence.
4. The approach shall be improved with a paved apron to meet ACCHD Standard Drawing 106 for a commercial approach with the 3rd residential access permit.
5. The private road approach may be relocated or combined with other access to the subject property if the remainder 65-acre parcel is developed in the future.

Transportation Impacts:
The proposed 3 additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by collection of transportation impact fees at the time of building permit issuance.

HD4 does not opposed the requested zoning changes, but requests the Commission make these comments conditions of any approved land use action. Please feel free to contact me with any questions on this matter.

Respectfully,

Chris Hopper, P.E.
District Engineer

File: Middleton Rd- CR2025-0011 Payne Rezone

Karla Nelson

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Wednesday, September 17, 2025 2:24 PM
To: Karla Nelson
Cc: Caitlin Ross
Subject: [External] RE: Agency Notice CR2025-0011/OR2025-0022 / Payne

Hello Karla –

After careful review of the transmittal submitted to ITD on September 8, 2025, regarding CR2025-0011/OR2025-0022 / Payne, the Department has no comments or concerns to make at this time. This application is a greater than 3 miles north of SH-44, therefore, minimal impact can be anticipated.

Thank you,

Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

Book a Meeting with Me!

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, September 8, 2025 10:12 AM
To: '[redacted]

Subject: Agency Notice CR2025-0011/OR2025-0022 / Payne

Karla Nelson

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Wednesday, April 15, 2026 7:01 PM
To: Karla Nelson
Subject: [External] RE: Agency Notice CR2025-0011/OR2025-0022 / Payne

Hello,

After careful review of the transmittal submitted to ITD on April 02, 2026, regarding, 0 Middleton Rd/Payne, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study, nor does it pose any safety concerns. If you have any questions, please contact Kendra Conder at 208-334-8377 /Kendra.Conder@itd.idaho.gov

Thank you
Mila Kinakh
D3 Planning and Development

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, April 2, 2026 11:07 AM
To: [redacted]
Subject: Agency Notice CR2025-0011/OR2025-0022 / Payne

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,

1445 N Orchard St
Boise, ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

September 15, 2025

Karla Nelson, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
karla.nelson@canyoncounty.id.gov

Subject: Agency Notice CR2025-0011/OR2025-0022 / Payne

Dear Ms. Nelson:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review every project 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://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083.

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), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

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

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

  For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

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 local public health district.
- 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 potential for development of a community treatment system along with best management practices for communities to protect groundwater.
- 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 plan 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.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (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.
- 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.
- If any private wells will be 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 plan 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 Emily Montague, IPDES Compliance Supervisor, at (208) 373-0433.

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best 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 GROUNDWATER 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 Conservations 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 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases 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.

- **Groundwater 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, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both 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 land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. 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,



Troy Smith
Regional Administrator

Karla Nelson

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Tuesday, September 9, 2025 7:52 AM
To: Karla Nelson
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice CR2025-0011/OR2025-0022 / Payne
Attachments: Pre.Development.Notes.Signed.08.30.2024.pdf

Hi Karla,

1.) Will a Nutrient Pathogen Study be required? **As proposed, this project does not require a Nutrient Pathogen Study.**
2.) Will adequate sanitary systems be provided to accommodate the use? **Subsurface sewage disposal systems have not been determined at this time.**
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? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements.**

Please see the attached pre-development notes.

Please let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

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 | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, September 8, 2025 10:12 AM
To: 'l[redacted]

SOUTHWEST DISTRICT HEALTH

Pre-Development Meeting

Name of Development: Grand Payne Middleton Land Division
Applicant: Mike Wilkes, w/White Barn Venues
P.E./P.G.:
All others in Attendance:

EHS #'s 035 Date 08/30/24

Number of Lots or Flow: 2 Acreage of Proposed Development: 70.98
Location of Development: Middleton Rd & Galloway Rd
Middleton, ID 83644

Project in Area of Concern: In a N-P area Groundwater/Rock <10' >10 groundwater
Level 1 NP Necessary for N: No

LSAS/CSS Proposed: No
BRO meeting for P or above: No
Proposed Drinking Water: Individual ☑, City ☐, Community ☐, Public Water Supply ☐ Pending ☐
BRO meeting for PWS, Com: No

Information Distributed: SER ☐, NP Guidance ☐, Non-Domestic WW ap. ☐

Additional Comments: Applicant discussed with SWDH the proposal to split 70.98 acres into 2 (two) 3.25 acre parcels. There are no future plans of subdividing the 70.98 acres. Both the parcels are proposing individual septic systems & private wells. There is an abandoned concrete ditch to the south of the proposed split parcels. Websoil survey data indicated silt loam with calcium carbonate. No other concerns were discussed during the meeting

Anthony Lee

Attach conceptual plan, if provided, or any other correspondence, and create a file for this information. The information will be helpful when responding to the county about permitting requirements and should be maintained with the subdivision file or commercial permit file when completed, for a complete written history of the project and SWDH involvement.

1008 E. Locust
Emmett 83617
365-6371
FAX 365-4729

1155 Third Ave., N.
Payette 83661
642-9321
FAX 642-5098

46 W. Court
Weiser 83672
549-2370
FAX 549-2371

824 S. Diamond St.
Nampa 83686
465-8402
FAX 442-2809

Richard Sims
Associate Supervisor
Canyon County Soil Conservation District
2208 E. Chicago Ste A, Caldwell Idaho 83605
[redacted]
March 7, 2026

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

RE: Case No. CR2026-0002 Harold Lincoln and CR2025-0011 Payne.

Attention: Karla Nelson
Karla.nelson@canyoncounty.id.gov

Thank you for sending Canyon County Soil Conservation District (SCD) two zoning requests. The acreage amounts on the map is an estimate. Percentages of soils are rounded to a whole number.

CR2026-0002 is 28 percent Irrigated Capability Class 2. This is the most productive soil in Canyon County with few limitations. It is 72 percent Irrigated Class 3 with moderate limitations and appropriate management practices can make any irrigated Class 3 productive.

CR2025-0011 is 99 percent Class 3 with moderate limitations and appropriate management practices can make any Irrigated Class 3 productive. We do NOT recommend a land use change.

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

CR2025-0011 Greg Payne



April 3, 2026

Preface

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).

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

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....2
Soil Information for All Uses.....5
Suitabilities and Limitations for Use.....5
Land Classifications.....5
Irrigated Capability Class (CR2025-0011 Greg Payne).....5

Soil Information for All Uses

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 (CR2025-0011 Greg Payne)

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:

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 (CR2025-0011 Greg Payne)



Map Scale: 1:1,520 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 20 40 80 120

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Lines
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Points
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

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 22, Aug 27, 2025

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 (CR2025-0011 Greg Payne)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	3	4.7	72.8%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	4	0.0	0.5%
PhB	Power silt loam, 1 to 3 percent slopes	3	1.7	26.7%
Totals for Area of Interest			**6.5**	**100.0%**

Rating Options—Irrigated Capability Class (CR2025-0011 Greg Payne)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Richard Sims
Associate Supervisor
Canyon County Soil Conservation District
2208 E. Chicago Ste A, Caldwell Idaho 83605
[redacted]
April 15, 2026

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

RE: Case No. CR2025-0011 update

Attention: Karla Nelson
Karla.Nelson@canyoncounty.id.gov

After receiving additional maps, reviewed a Web Soil Survey Report and a phone conversation with Mr. Wilke I am revising the Capability Class from irrigated to non-irrigated. Since the 6 acres is non-irrigated the new non-Irrigated Capability Class is 6. Canyon County Soil Conservation District has no comments on this case.

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



Preface

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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).

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alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....2
How Soil Surveys Are Made.....5
Soil Map.....8
Soil Map.....9
Legend.....10
Map Unit Legend.....11
Map Unit Descriptions.....11
Canyon Area, Idaho.....13
EsB—Elijah-Chilcott silt loams, 1 to 3 percent slopes.....13
EvC—Elijah-Vickery silt loams, 3 to 7 percent slopes.....14
PhB—Power silt loam, 1 to 3 percent slopes.....16
Soil Information for All Uses.....18
Suitabilities and Limitations for Use.....18
Land Classifications.....18
Nonirrigated Capability Class ((CR2025-0011 Greg Payne)).....18
References.....23

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:1,500 if printed on A portrait (8.5" x 11") sheet.

N

0 20 40 80 120 Meters

0 50 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- 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
- Spoil Area
- Stony Spot
- Very Stony Spot
- 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 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 22, Aug 27, 2025

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.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	4.8	71.9%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	0.1	0.9%
PhB	Power silt loam, 1 to 3 percent slopes	1.8	27.2%
Totals for Area of Interest		**6.7**	**100.0%**

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 class rarely, if ever, can be mapped without including areas of other 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.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Canyon Area, Idaho

EsB—Elijah-Chilcott silt loams, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2q0v
Landscape: Valleys
Elevation: 2,300 to 5,300 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 45 to 54 degrees F
Frost-free period: 90 to 170 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Elijah and similar soils: 55 percent
Chilcott and similar soils: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Elijah

Setting

Landscape: Valleys
Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Lacustrine deposits and/or loess and/or alluvium

Typical profile

Ap - 0 to 9 inches: silt loam
Bt - 9 to 19 inches: silty clay loam
Bk - 19 to 22 inches: silt loam
Bkqm - 22 to 40 inches: cemented material
C - 40 to 65 inches: very gravelly sand

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

Description of Chilcott

Setting

Landscape: Valleys
Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Volcanic ash and/or mixed alluvium and/or loess

Typical profile

A - 0 to 10 inches: silt loam
Bt - 10 to 26 inches: silty clay
Bk - 26 to 31 inches: loam
Bkqm - 31 to 46 inches: cemented material
2C - 46 to 60 inches: very gravelly sand

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: 3 to 19 inches to abrupt textural change; 20 to 40 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 2.0 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: D
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

EvC—Elijah-Vickery silt loams, 3 to 7 percent slopes

Map Unit Setting

National map unit symbol: 2q0w
Landscape: Valleys
Elevation: 2,000 to 5,200 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 45 to 54 degrees F
Frost-free period: 100 to 160 days
Farmland classification: Farmland of statewide importance, if irrigated

Map Unit Composition

Elijah and similar soils: 60 percent

Vickery and similar soils: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Elijah

Setting

Landscape: Valleys
Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Lacustrine deposits and/or loess and/or alluvium

Typical profile

Ap - 0 to 9 inches: silt loam
Bt - 9 to 19 inches: silty clay loam
Bk - 19 to 22 inches: silt loam
Bkqm - 22 to 40 inches: cemented material
C - 40 to 65 inches: very gravelly sand

Properties and qualities

Slope: 3 to 7 percent
Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

Description of Vickery

Setting

Landscape: Valleys
Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loess and/or volcanic ash and/or alluvium derived from igneous rock

Typical profile

A - 0 to 4 inches: silt loam
Bw - 4 to 17 inches: silt loam
Bk - 17 to 34 inches: loam
Bkqm - 34 to 47 inches: cemented material
2C - 47 to 60 inches: coarse sand

Properties and qualities

Slope: 3 to 7 percent

Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)

Interpretive groups
Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

PhB—Power silt loam, 1 to 3 percent slopes

Map Unit Setting
National map unit symbol: 2q3h
Landscape: Valleys
Elevation: 2,000 to 4,600 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 45 to 52 degrees F
Frost-free period: 100 to 170 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition
Power and similar soils: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Power

Setting
Landscape: Valleys
Landform: Stream terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium and/or loess

Typical profile
Ap - 0 to 9 inches: silt loam
Btk - 9 to 17 inches: silt loam
Bk - 17 to 60 inches: silt loam

Properties and qualities
Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

Soil Information for All Uses

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.

Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

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:

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—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Lines
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Soil Rating Points
- Capability Class - 1
- Capability Class - 2
- Capability Class - 3
- Capability Class - 4
- Capability Class - 5
- Capability Class - 6
- Capability Class - 7
- Capability Class - 8
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

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 22, Aug 27, 2025

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—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	6	4.8	71.9%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	6	0.1	0.9%
PhB	Power silt loam, 1 to 3 percent slopes	6	1.8	27.2%
Totals for Area of Interest			**6.7**	**100.0%**

Rating Options—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

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Karla Nelson

From: Keaton Massie <kmassie@ccparamedics.com>
Sent: Sunday, April 19, 2026 12:21 PM
To: Karla Nelson
Subject: [External] Re: CR2025-0011
Attachments: R37423 Response Times 2.pdf; R37423 Response Times.pdf

Hello Karla!

I have attached the response times for that particular plot. https://arcg.is/iWqnX Additionally, I have attached two PDF files of the times as well.

Please let me know if there is anything else I can help with!

Thank you,
Capt. Keaton Massie

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Tuesday, April 14, 2026 3:43 PM
To: Michael Stowell <mstowell@ccparamedics.com>; Keaton Massie <kmassie@ccparamedics.com>
Subject: CR2025-0011

Hello,

I have a conditional rezone going before the Planning and Zoning Commission on May 7. They really appreciate having emergency response comments on the record regarding any necessary conditions of approval and/or response times. This conditional rezone will rezone the north east corner of Parcel R37423 to the Rural Residential zone and, if approved, will allow for that portion of the property to be subdivided into 3 lots. The agency comment packet is attached. If you can provide comments before the hearing materials deadline of April 27, the commission will be grateful for your insight!

Thank you for your consideration!

Karla Nelson, AICP
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6036
Email: Karla.Nelson@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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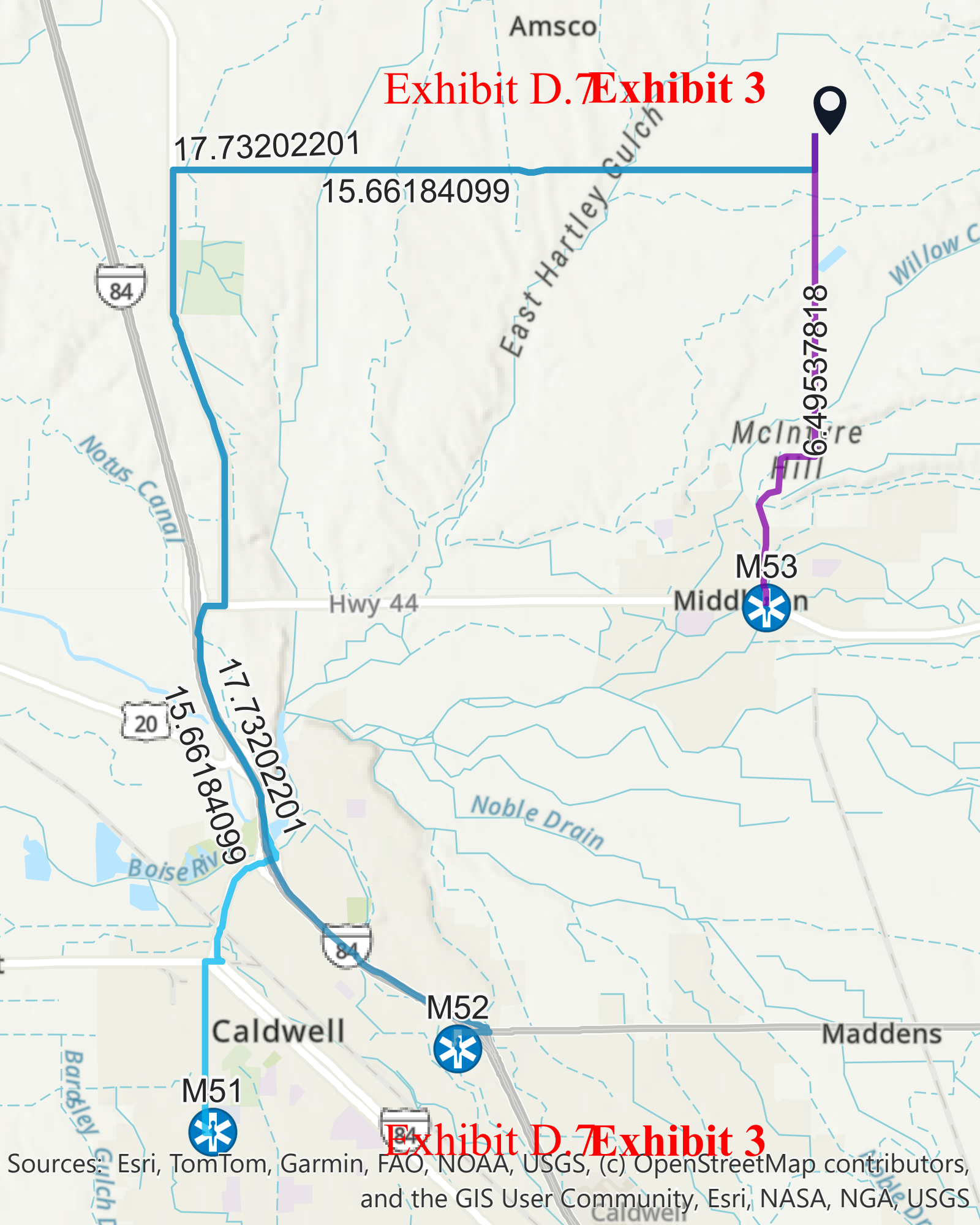
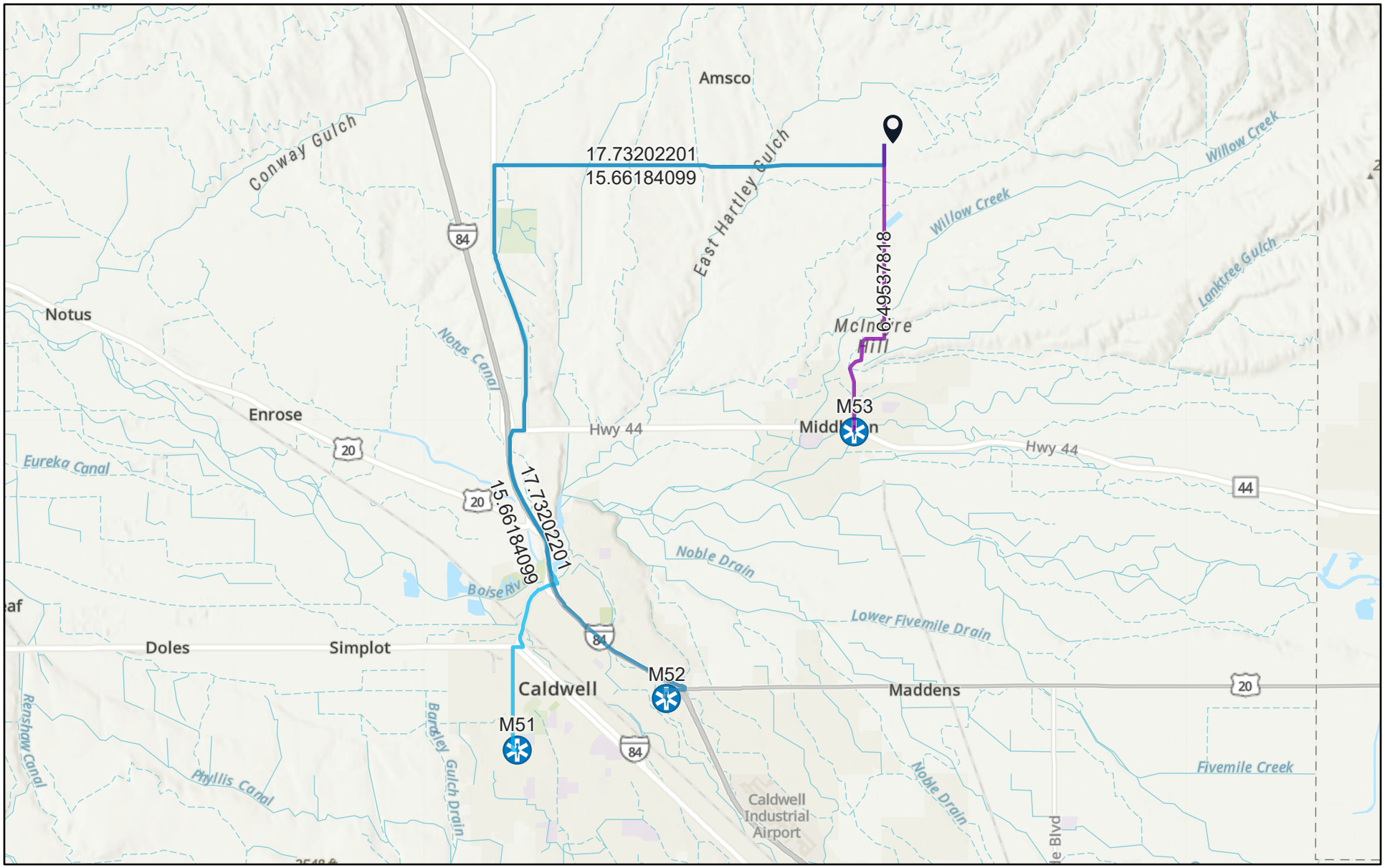

Exhibit D.7Exhibit 3
17.73202201
15.66184099
6.495378
Amsco
East Hartley Gulch
Willow C
McIntire Hill
Notus Canal
Hwy 44
M53
Middleton
17.73202201
15.66184099
Noble Drain
Boise Riv
Caldwell
M52
Maddens
M51
Barsley Gulch
Exhibit D.7Exhibit 3
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS

Exhibit 3 Exhibit D.7

R37423 Response Times



4/19/2026

1:139,103

0 0.75 1.5 3 mi

0 1.25 2.5 5 km

Route 1 - 1 - 1

Route 1 - 1 - 1

Route 1 - 1 - 1

M51 station

M52 station

M53 station

R37423 Response Times

World_Hillshade

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Esri, NASA, NGA, USGS

Exhibit 3 Exhibit D.7

EXHIBIT E

DRAFT – Findings of Fact, Conclusions of Law & Order (FCOs)

Planning & Zoning Commission

Case# CR2025-0011

Hearing date: May 7, 2026

In the matter of the application of:
Greg S Payne – CR2025-0011

The Canyon County Planning and Zoning Commission considers the following:

1) Conditional Rezone of a 6.46-acre portion of Parcel R37423 from the "A" (Agricultural) zone to the "CR-RR" (Conditional Rezone-Rural Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots out of the 6.46-acre portion in the northeast corner of the 70.89-acre parcel. The remaining 64.43 acres is proposed to be a non-buildable agricultural-only parcel.
2) Location: Case CR2025-0011: The subject property (Parcel R37423) is located at 0 Middleton Road, Middleton, also referenced as a portion of the SW ¼ of Section 20, T5N, R2W, BM, Canyon County, Idaho

Summary of the Record

1. The record is comprised of the following:

   A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0011.

      1. All exhibits can be found in the case staff report dated May 7, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), and §67-6519 (Application Granting Process).

   a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.

   b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See* CCCO §07-06-07(1).

   c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See* CCCO §07-05-01

2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act ("LLUPA") and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6511.

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.

4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.

5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2025-0011, was presented at a public hearing before the Canyon County Planning and Zoning Commission on May 7, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

Table 1. Conditional Rezone Standards of Evaluation		
Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan?**
Analysis	The proposed conditional rezone change is generally consistent with the comprehensive plan. The subject property is approximately one mile north of the Middleton Area of Impact and the City of Middleton. The 2030 Comprehensive Plan designates the property for future agricultural use. Page 25 of the Plan describes the agricultural designation as follows: "The agricultural designation is the base designation throughout the County. It contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production, and ground of lesser agricultural value." The applicant requests a conditional rezone of approximately 6.46 acres on the northeast corner of the property to the Rural Residential "CR-RR" zone. The rezone will allow for three residential lots with an average lot size of at least two acres. The proposed rezone portion of the property lacks surface irrigation water rights. According to the applicant's letter of intent, when Pheasant Landing Subdivision was developed to the east, the pipe delivering water to the northeast corner was compromised, as was access to the tap on the lateral. Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed additional parcels will receive irrigation water from the district (**Staff Report Exhibit D1**). The Soil Conservation District designates the soil in this non-irrigated section to be Class 6 with severe limitations, making it generally unsuitable for cultivation (**Staff Report Exhibit D6.2**). The applicants' request will preserve the majority of the property with the existing pivot and irrigation rights, approximately 64.43 acres, as non-buildable land for agricultural use (**Staff Report Exhibits A3 and A4**). The non-buildable portion will retain the agricultural "A" zone. The requested Conditional Rezone to Rural Residential "CR-RR" will apply to approximately 6.46 acres on the northeast portion of the property (**Staff Report Exhibit A4**). The 2030 Comprehensive Plan envisions rural residential use as a boundary between agricultural and urban areas. Rural residential areas are generally conducive to small-scale farming operations and are compatible with non-agricultural uses. The 2030 Future Land Use Map depicts future rural residential use 0.50 miles to the south, demonstrating that the subject		

property is near an urban transition area. Per CCCO §07-06-07(3), a conditional rezone of a parcel does not set a precedent that adjacent property should be rezoned the same.

The request generally complies with the following goals and policies of the 2030 Comprehensive Plan:

Property Rights Goals and Policies

The request was processed per the following laws and ordinances: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezone), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).

- Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."
- Policy No. 1: "No person shall be deprived of private property without due process of law."

Economic Development Goal

- Goal No. 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."

Land Use Policies and Goals:

The proposed conditional rezone applies to only 6.46 acres, preserving the remaining 64.43 acres for agricultural use. The proposed rezoned portion of the property lacks surface irrigation water rights and is adjacent to the Pheasant Landing Phase 1 and 2 subdivisions, where lot sizes are commensurate with the proposed 2-plus-acre lots. This limited scale with only three residential lots aligns with nearby development while protecting the rural character of the area and balances residential growth with nearby agricultural production.

- Policy No. 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character."
- Policy No. 1.2: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. "
- Goal No. 2: "Ensure that growth maintains and enhances the unique character throughout the County."
- Goal No. 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning. "
- Policy No. 3.2: "Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns."
- Policy No. 3.3: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility."
- Goal No. 7: "Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. "
- Policy No. 7.1: "Plan land uses that are compatible with the surrounding community."

Housing Goals

The proposed development will place three residential lots in the northeast corner of the property, adjacent to residential development on a portion of the property that has not been farmed since approximately 2006 (**Staff Report Exhibit A.3**). The proposed location for the limited residential development will not fragment agricultural or natural resources while providing housing opportunities.

- Goal 1: "Encourage opportunities for a diversity of housing choices in the County."
- Goal 2: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."

Criteria Met?	**2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**

Exhibit 3 Exhibit E

Yes		

Analysis

In consideration of the surrounding land uses, the proposed conditional zone change for a small portion of the property to "CR-RR" is more appropriate than the current zoning designation of "A".

Existing Conditions:
According to Canyon County Code of Ordinances (CCCO) §07-10-25 (1), the purposes of the existing "A" zoning district are to:

A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations
B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan;
C. Protect fish, wildlife, and recreation resources, consistent with purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65;
D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and
E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.

The surrounding area contains agricultural and residential uses with primarily agricultural zoning. Aerial and site visit photos show large agricultural properties to the west, southwest, and south with irrigated row crops (**Staff Report Exhibits B2.1 and C).** The Pheasant Landing Subdivision Nos. 1 and 2 are directly to the east with an average lot size of 2.52 and 1.96 acres (**Staff Report Exhibits B2.8 and B2.9**). Property to the north, leading up to Goodson Road, includes agricultural and residential uses. In this area, some of the original parcels, as well as parcels that have been divided through conditional use permits and administrative land divisions, are smaller than the proposed 2-acre lots (**Staff Report Exhibit B2.12**). Rural residential zoning "CR-RR" is found approximately 560 feet north of the subject property on the west side of Middleton Road (**Staff Report Exhibit B2.3**).

The property primarily consists of class 3 and 4 moderately suited soils with some class 6 and 8 least suited soils. The parcel is considered prime farmland if irrigated (69.9%), farmland of statewide importance if irrigated (17.9%) and not prime farmland (12.2%) (**Staff Report Exhibit B2.7**). The portion of the property that will be rezoned is not currently irrigated and contains class 6 soils that are not considered prime farmland (**Staff Report Exhibit D6.2**). There are no dairies, feedlots, or gravel pits within a 2-mile radius (**Staff Report Exhibit B2.6**).

Rezoning Request
The request is to conditionally rezone 6.46 acres of the 70.89-acre property to an R-R Zone, subject to the conditions of a development agreement. According to Canyon County Code of Ordinances (CCCO) §07-10-25(2), the purposes of the "R-R" zoning district is to "*encourage and guide growth in areas where a rural lifestyle may be determined to be suitable*."

The applicant provided a conceptual site plan (**Staff Report Exhibit A.4**) demonstrating that the result of the rezone is to create three buildable parcels, clustered in the northeast corner of the property, each approximately 2 acres in size. The remaining 64.43 acres will retain agricultural zoning and will be non-buildable (**Staff Report Exhibit A3 and A4**). The adjacent Pheasant Landing Subdivision has shown that a rural lifestyle is suitable for the area, and the applicant's site plan will mirror these similarly sized residential lots while also preserving the productive agricultural portion of the property.

Existing Conditions within One Mile:

Direction	Existing Use	Primary Zone	Other Zone
N	Residential and Agricultural	A	CR-RR
S	Agricultural with dwellings	A	
E	Residential	A	CR-R1, RR
W	Agricultural	A	CR-RR, RR

	"A" (Agricultural), "R-R" (Rural Residential), "R-1" (Single-Family Residential), "C-1" (Neighborhood Commercial), "C-2" (Service Commercial), "M-1" (Light Industrial), "CR" (Conditional Rezone) **Recent Land Use Cases within a One Mile Radius:** • RZ2021-0043 (directly west of the subject property) – Rezone "A" to "RR"- Denied • SD2020-0009 – Echo Estate Subdivision – Approved • SD2022-0047 – Preliminary Falcon Rim Subdivision – Approved • RZ2021-039 – Rezone "A" to "CR-R1" - Approved
Criteria Met? **Yes**	**3** **Is the proposed conditional rezone compatible with surrounding land uses?**
Analysis	The proposed conditional rezone to "CR-RR", as restricted by the development agreement, is compatible with surrounding land uses. Pursuant to Canyon County Ordinance 07-02-03, land uses are compatible if: a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The proposed conditional rezone of 6.46 acres will allow for 3 residential lots, each greater than 2 acres. The 15 subdivisions that are within a one-mile radius of the property have an average lot size of 2.32 acres (**Staff Report Exhibit B2.9**). The lot classification map shows lots of 1.1 -2 acres directly east of the proposed rezone area within the Pheasant Landing Subdivision (**Staff Report Exhibits B2.12 and B2.8).** The limited scale of development that will add only three residential lots is not anticipated to interfere with nearby agricultural production to the west and south, as residential uses have long been established in the area, as demonstrated by the 15 subdivisions with 151 lots within a one-mile radius (**Staff Report Exhibits B2.1, B2.8, and B2.9**). Furthermore, the site plan places the residential lots adjacent to residential uses (**Staff Report Exhibit A4**). The approximately 64-acre agricultural portion of the subject property will maintain agricultural zoning along Middleton and Galloway Roads and will preserve compatibility with larger agricultural fields to the west and south (**Staff Report Exhibits A4 and B2.1**). See further analysis located in sections 1, 2, and 4.
Criteria Met? **Yes**	**4** **Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area:** The character of the area is primarily agricultural with interspersed residential use and some residential subdivisions. The proposed conditional rezone to rural residential of the approximately 6.46-acre northeast portion of the subject property will match the character of the adjacent Pheasant Landing Subdivision. The requested rural residential zone will allow for an average lot size of two (2) acres, which is aligned with the 2.32-acre average lot size in nearby subdivisions (**Staff Report Exhibit B2.9**). Future residential use is planned within the City of Middleton and Middleton's Area of Impact, approximately 1 mile to the south (**Staff Report Exhibit B2.5**). COMPASS anticipates 869 additional households by the year 2050 within the nearby Traffic Analysis Zones 2136 and 2137 (**Staff Report Exhibit B2.11**). While the subject property is not in a planned growth area, nearby residential growth adds to the mix of agricultural and rural residential use that characterizes the area. **The following measures will be implemented to mitigate the impact** The applicant's proposed conditions include limiting the development to 3 buildable residential lots. The Commission has broadened the proposed condition of approval to detail that the 3 buildable residential lots shall be in substantial conformity with the site plan. The site plan ensures that the residential lots are

	adjacent to the Pheasant Landing Subdivision, and it preserves agricultural zoning and use along the western and southern property boundaries where large agricultural fields are found. With this recommended condition of approval, the development is not anticipated to negatively impact the essential character of the area. The planning and zoning commission could propose additional conditions to mitigate potential impacts if deemed necessary.	
Criteria Met? **Yes**	**5**	**Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?**
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** Per the land use worksheet, sewer will be provided with individual septic systems (**Staff Report Exhibit A5**). Southwest District Health provided comments stating that the project does not require a Nutrient Pathogen Study and that there are no concerns with the request provided all SWDH requirements are met (**Staff Report Exhibit D5**). An earlier pre-development meeting was held that envisioned two (2) rather than three (3) residential lots. Meeting notes detail that an abandoned concrete ditch is found to the south of the proposed lots and that survey data indicate silt loam with calcium carbonate soils (**Staff Report Exhibit D5.1**). All SWDH requirements will need to be met with the subdivision plat (**Staff Report Exhibit D5**). **Water:** Per the land use worksheet, water will be provided with individual domestic wells (**Staff Report Exhibit A5**). Notice was provided to the Idaho Department of Water Resources, but no comments were received. Future development shall comply with IDWR standards at the time of subdivision and or building permits. The property is within a Nitrate Priority Area, the closest known well with a nitrate level elevated to the 10 milligram per liter standard is found approximately 620 feet to the north (**Staff Report Exhibit B2.10**). During the preliminary plat phase, the Planning and Zoning Commission may recommend that the applicant conduct nitrate level testing for the proposed wells before approval. **Drainage:** Per the land use worksheet, stormwater is proposed to be retained on-site (**Staff Report Exhibit A5**). **Irrigation:** Per the letter of intent, there are no surface irrigation water rights available for the northeast corner of the property where the three residential lots are proposed. Each home will be able to utilize the ½ acre domestic exemption for irrigation if the total use does not exceed 13,000 gallons per day (**Staff Report Exhibit A3**). Comments from Black Canyon Irrigation District detail that the applicant made a permanent water rights transfer to remove six acres of irrigation water from the northeast corner of the property in 2023, and therefore, none of the proposed residential parcels will receive irrigation water from the district. All maintenance road right-of-way, lateral right-of-way, and drainage right-of-way will need to be protected. Any crossing agreements and or piping agreements will need to be acquired from the Bureau of Reclamation once approved by Black Canyon Irrigation District, to cross over or under any existing lateral, pipe any lateral, or encroach into the right-of-way of the District or Reclamation (**Staff Report Exhibit D1**). All irrigation district requirements will need to be met during the subdivision process. **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on September 8, 2025, and April 2, 2026. No agency comments were provided by those services at the time the staff report was written. Utility poles exist along Middleton Road (**Staff Report Exhibit C**). There are also residences in the general vicinity that are indicative of utility services being available. It is anticipated that the applicant will be able to work with utility providers to gain any needed utilities.	
Criteria Met?	**6**	**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**

DRAFT

Yes		**with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**
Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. ITD had no concerns with the request as the property is greater than 3 miles north of SH-44 and minimal impact can be anticipated. Comments received from Highway District No. 4 detail that Middleton Road is classified as a minor arterial and Galloway as a major collector on the functional classification maps adopted by the County and Highway District. The applicant letter of intent details an expected 29 average daily trips based 9.52 average daily trips per household. During the subdivision phase of the development, the applicant will be required to meet all highway district requirements, and an approach permit with a paved apron meeting ACCHD standards will be required **(Staff Report Exhibit D2**). The proposed three additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (**Staff Report Exhibit D2**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**
Analysis	The subject property does have legal access for the conditional rezone and will have legal access at the time of the development. See the review and analysis detailed below. Existing access to the subject property is via one or more unimproved agricultural approaches to Middleton Road along the property's western boundary. Comments from Highway District No. 4 state that these approaches may remain in use to serve the ongoing agricultural uses but are subject to restriction or removal if the land use changes in the future. The applicant proposes a 20-foot-wide private road within a 60-foot easement to serve three new residential lots, with an approach to Middleton Road located near the northwest property boundary (**Staff Report Exhibits A3 and A4**). Before platting, the applicant could utilize the administrative land division amendment process to separate the 6.4-acre rezone portion from the remaining agricultural-only parcel and in this situation, a 60-foot easement to Middleton Road will be permitted as depicted on the site plan. However, if all divisions occur through the subdivision process, a dedicated 60-foot private road lot will be required for the entire length of the road. During the subdivision phase of development, the applicant must meet all subdivision, private road, and highway district requirements, including the acquisition of an approach permit. Based on established private road standards, the road must be contained within a separate road lot for the portion located inside the 6.46-acre future subdivision, even if the remainder of the access to Middleton Road is secured via an easement prior to the platting process.	
Criteria Met? **Yes**	**8**	**Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?**
Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** The subject property is within the Middleton School District #134. The school district was noticed on September 8, 2025, and April 2, 2026, but no comments were received.	

	Police: The subject parcels are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on September 8, 2025, and April 2, 2026, and no comments were received by the Sheriff's Office. **Fire protection & Emergency Medical Services:** Canyon County Paramedics provided estimated response times on April 19, 2026, for three (3) nearby stations: Station M53 has an estimated response time of 6.49 minutes, Station M51 has an estimated response time of 15.6 minutes, and Station M52 has an estimated response time of 17.7 minutes. The subject property is under the jurisdiction of the Middleton Rural Fire District (MRFD). MRFD is required to provide services to this parcel, and a fire district sign-off is also required for residential building permits. Middleton Rural Fire District was provided notice of the application on September 8, 2025, and April 2, 2026, but no comments were received. The use is not anticipated to be significant enough to cause a negative impact or require additional public funding

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning recommends **approval** of Case # CR2025-0011, a zoning map amendment of a 6.46 portion of Parcel R37423.

DATED this _____ day of _____, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

_____
Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____day of _____, in the year 2026, before me_____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____

DRAFT

ATTACHMENT A

DRAFT CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use, including but not limited to:
    a. Comments received from Southwest District Health (Exhibit D5)
    b. Comments received from Highway District No. 4 (Exhibit D2)
    c. Comments received from Black Canyon Irrigation District (Exhibit D1).

2. The rezoned parcels shall be divided per the subdivision requirements of Chapter 7, Article 17 of the Canyon County Code of Ordinances. An administrative land division amendment process may be utilized to divide the agricultural-only portion of the property from the rezoned portion of the property.

3. The development shall be restricted to 3 residential lots in substantial conformance with the site plan (**Exhibit A3**).

4. The developer shall comply with CCCO §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."

DRAFT

EXHIBIT 4

Planning and Zoning Commission Staff Presentation: May 7, 2026

-

Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

CR2025-0011
Payne

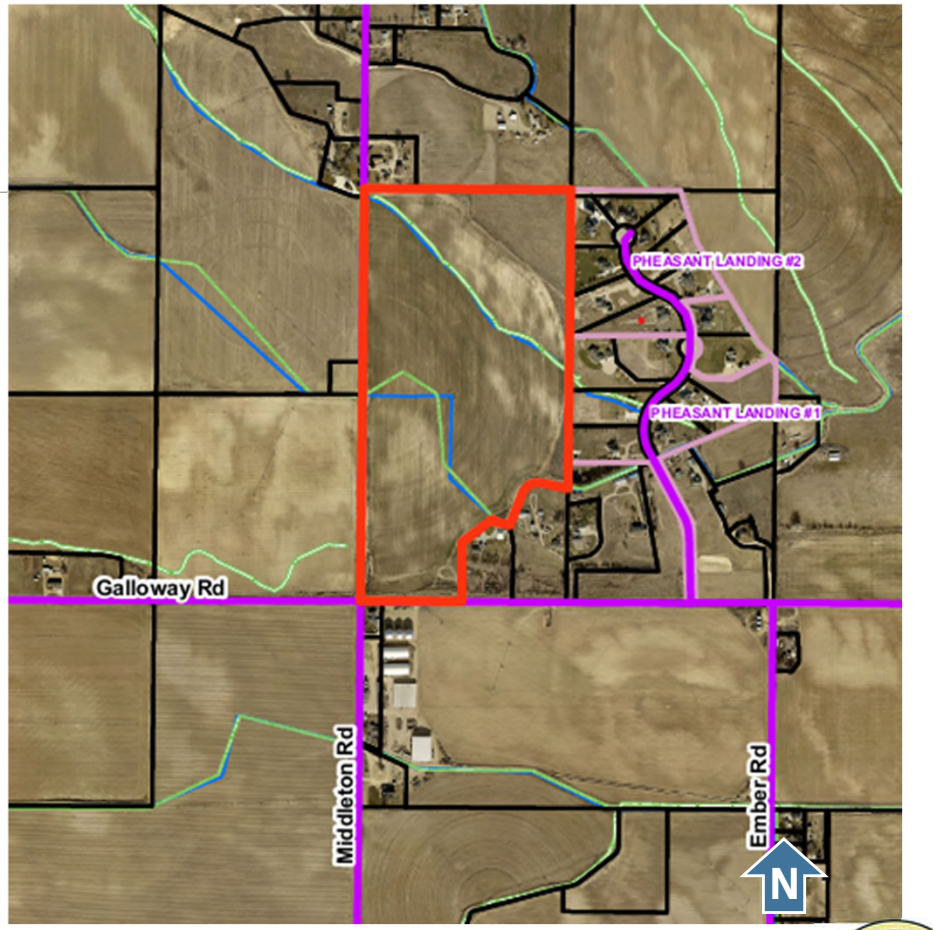
PROPERTY OWNER: GREG S PAYNE

REPRESENTATIVE: MATT WILKE

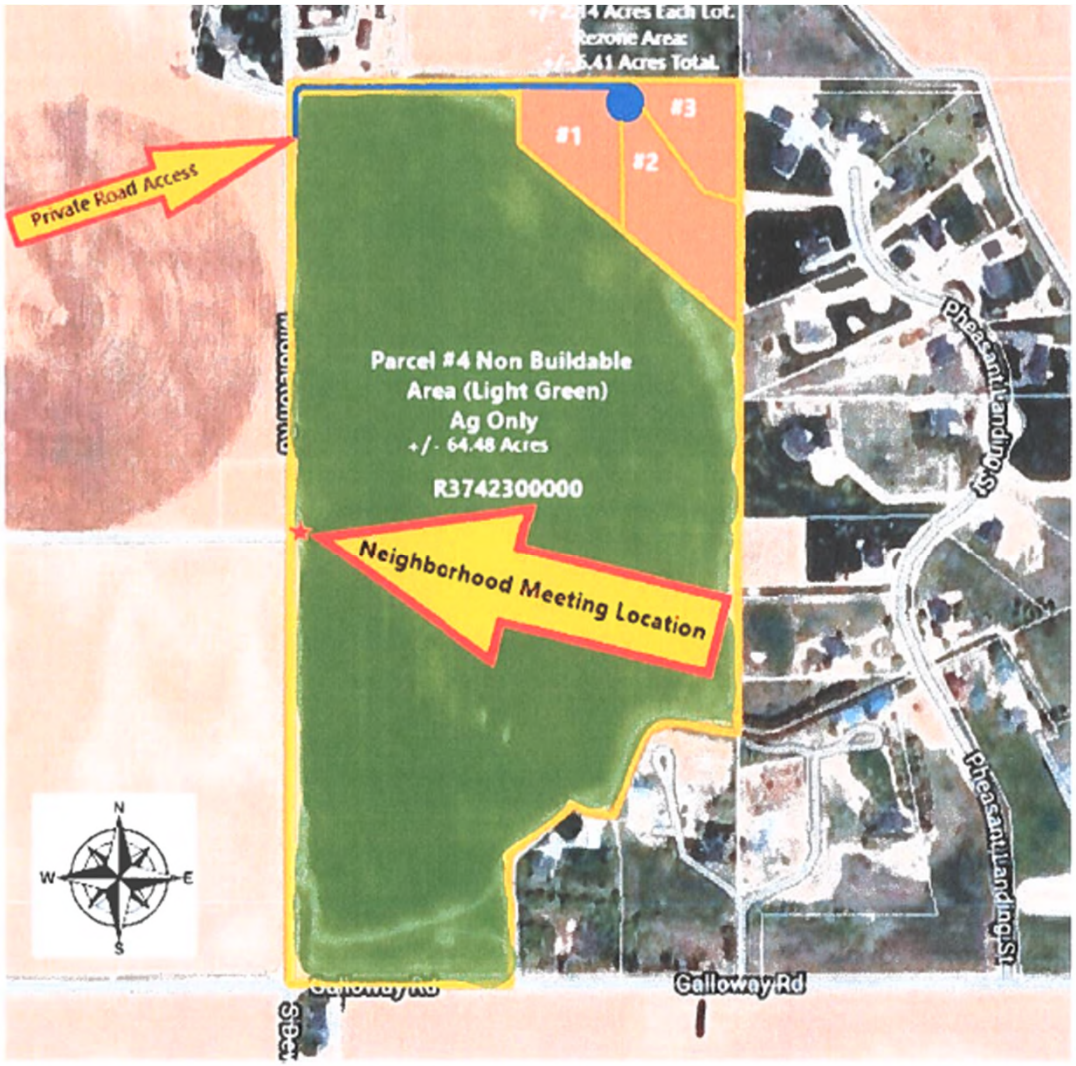
Exhibit 4

REQUEST:

- Conditional Rezone of a 6.46-acre portion of Parcel R37423 from “A” (Agricultural) zone to a “**CR-R-R**” (Conditional Rezone-Rural Residential) zone.
- Development Agreement limiting development to 3 buildable residential lots.



SITE PLAN

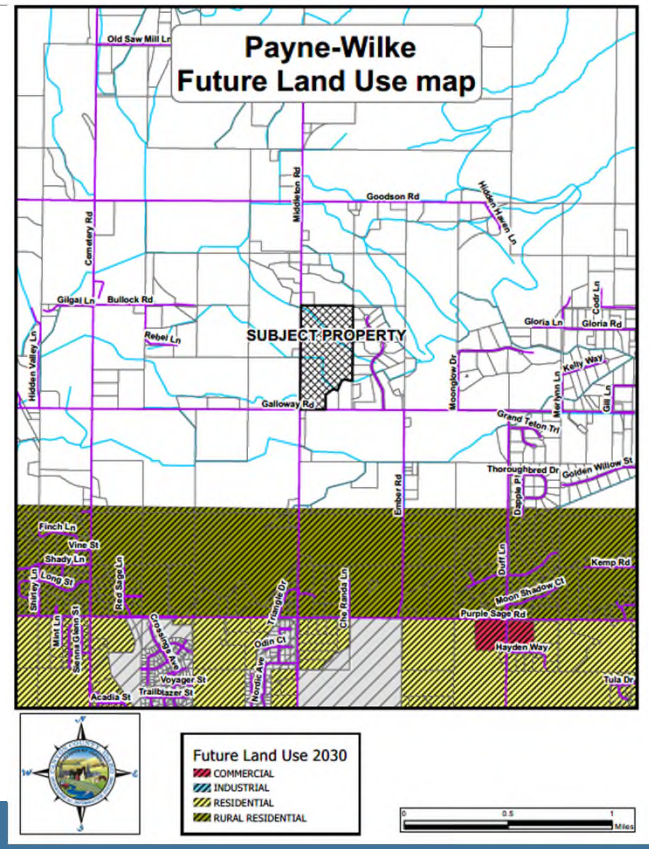

Private Road Access
#1
#2
#3
Parcel #4 Non Buildable
Area (Light Green)
Ag Only
+/- 64.48 Acres
R3742300000
Neighborhood Meeting Location
Pheasant Landing St
Galloway Rd
N
W
E
S

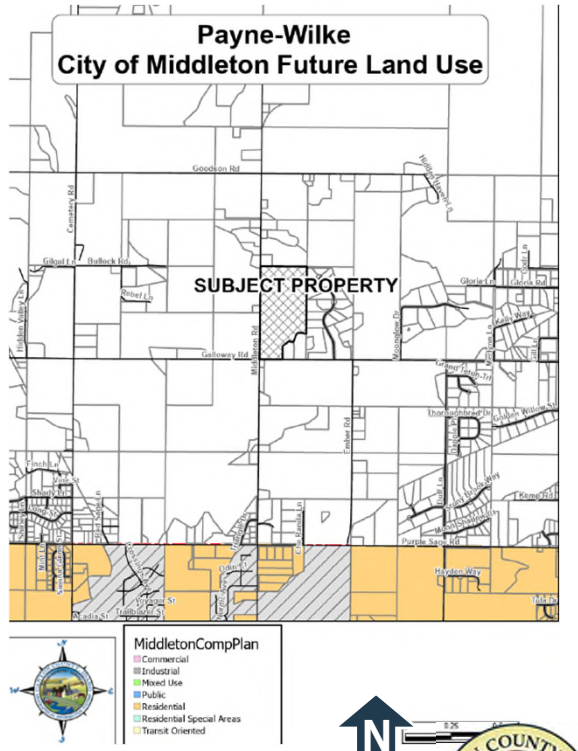
CONDITIONAL REZONE CRITERIA (07-06-07(6)A):

1. Is the proposed conditional rezone **generally consistent with the comprehensive plan**;
2. When considering the surrounding land uses, is the proposed conditional rezone **more appropriate than the current zoning designation**;
3. Is the proposed conditional rezone **compatible** with surrounding land uses;
4. Will the proposed conditional rezone negatively affect the **character of the area**? What measures will be implemented to **mitigate impacts**?
5. Will **adequate facilities and services** including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone;
6. 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 traffic impacts**?
7. Does **legal access** to the subject property for the conditional rezone exist or will it exist at time of development; and
8. Will the proposed conditional rezone amendment **impact essential public services and facilities**, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? (Ord. 16-007, 6-20-2016)

CONDITIONAL REZONE CRITERIA 1: COMPREHENSIVE PLAN CONSISTENCY

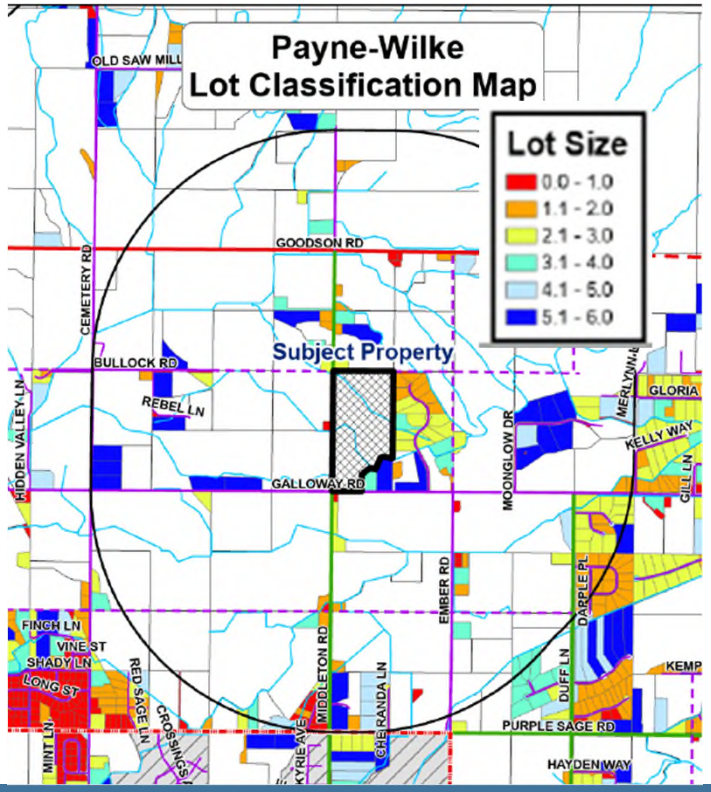
- 2030 Plan “Agriculture” designation for the property.
- Consistent with at least 6 goals and 6 policies of the 2030 Comprehensive Plan.

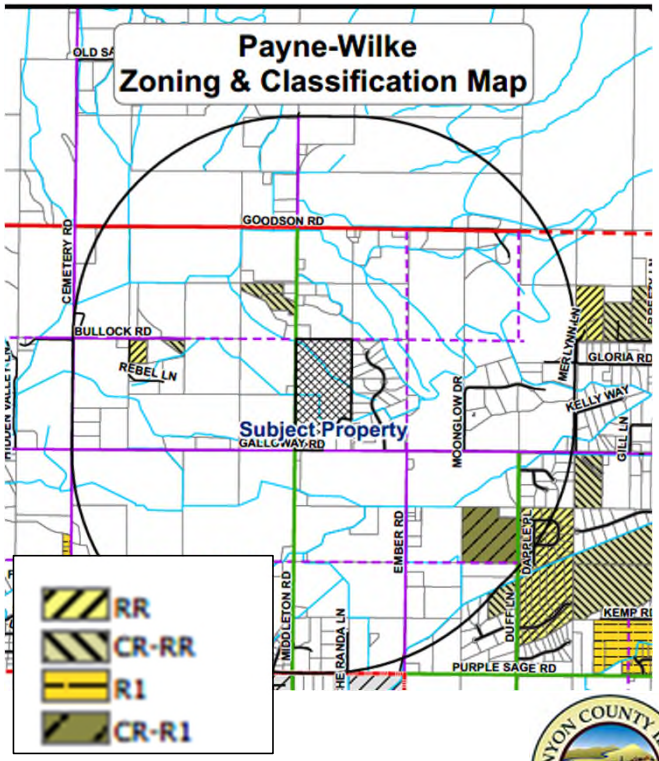




CONDITIONAL REZONE CRITERIA 2-4:APPROPRIATE ZONING, COMPATIBILITY & CHARACTER

- Agricultural and Rural Residential zoning and uses in the surrounding area.
- 15 nearby platted subdivisions with a 2.32-acre average lot size.
- 3 additional residential lots and preservation of agriculturally productive land.

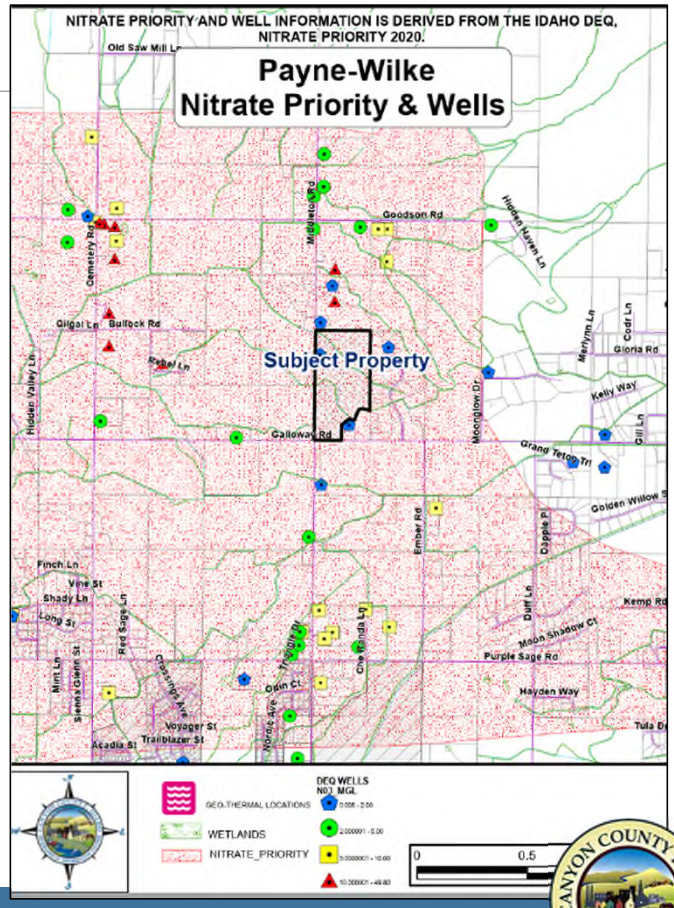




CONDITIONAL REZONE CRITERIA 5: ADEQUATE FACILITIES AND SERVICES

- **Sewer**: Individual Septic Systems
- **Water**: Individual Wells
- **Drainage**: Retained on Site
- **Irrigation**: Domestic exemption
- **Utility** Poles along Frontage





CONDITIONAL REZONE CRITERIA 6-7: PUBLIC STREET IMPROVEMENTS, TRAFFIC, ACCESS

- ITD did not have concerns.
- HD4 –paved apron meeting adequate intersection sight distances (555-feet).
- Private Road requirements



Exhibit 4

CONDITIONAL REZONE CRITERIA 8:PUBLIC SERVICES AND FACILITIES

- **Schools:** Middleton School District #134 – No comments
- **Police**: No comments were received
- **Fire Protection**: Middleton Rural Fire District – No Comments
- **Canyon County Paramedics**: Response times of 6.49 to 17.7 minutes

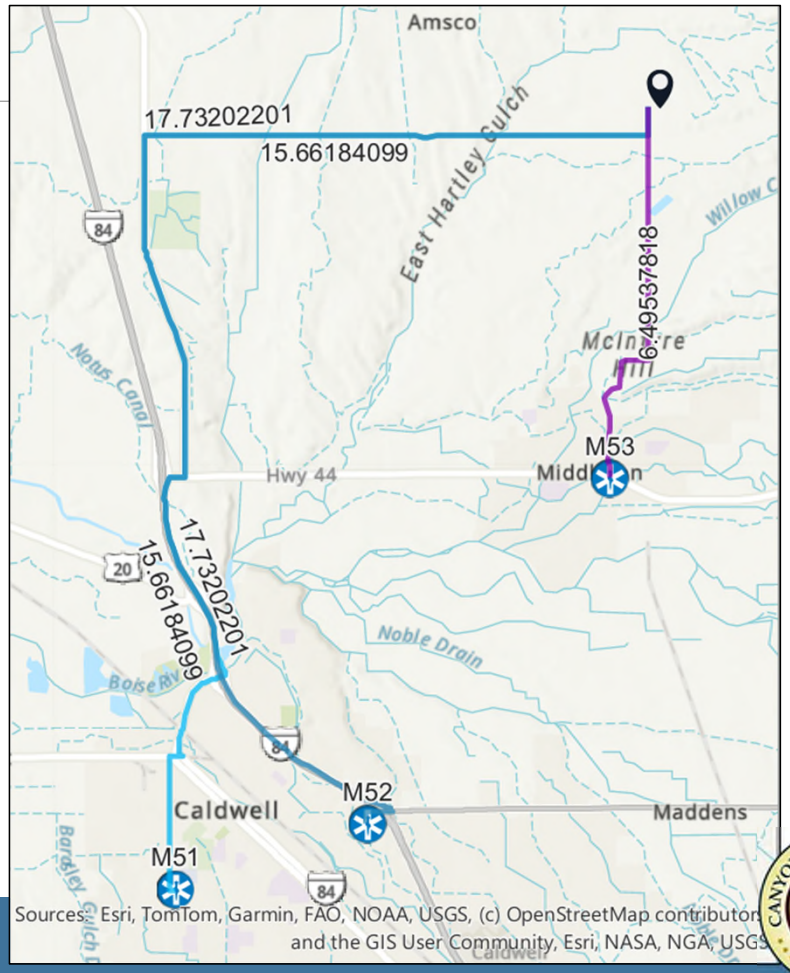


Exhibit 4





Exhibit 4


Proposed Rezoned Area
– Facing West
02/23/2026 12:30


CONDITIONAL
REZONE AREA
Facing Southwest
02/23/2026 12:29

Exhibit 4

Exhibit 4





Exhibit 4

NOTIFICATION (07-05-01) & COMMENTS:

Neighbors within 600' were notified on May 7, 2026 for the P&Z Hearing:

- No public comments were received

Initial agency noticing was sent on September 8, 2025. Agencies and a Full Political was sent out on April 2, 2026 with a materials deadline of April 27, 2026. Staff received comments from the following agencies:

Highway District No. 4, Idaho Transportation Department, Southwest District Health, Idaho Department of Environmental Quality, Canyon County Soil Conservation District, Black Canyon Irrigation District, Canyon County Paramedics.

RECOMMENDATION & CONDITIONS:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use, including but not limited to:
   - Comments received from Southwest District Health (Exhibit D5)
   - Comments received from Highway District No. 4 (Exhibit D2)
   - Comments received from Black Canyon Irrigation District (Exhibit D1).
2. The rezoned parcel shall be divided per the subdivision requirements of Chapter 7, Article 17 of the Canyon County Code of Ordinances. An administrative land division amendment process may be utilized to divide the agricultural-only portion of the property from the rezoned portion of the property.
3. The development shall be restricted to 3 residential lots in substantial conformance with the site plan (**Exhibit A3**).
4. The developer shall comply with CCCO §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."

DECISION OPTIONS:

The Planning and Zoning Commission may recommend **approval of** the conditional rezone;

The Planning and Zoning Commission may recommend **denial of** the conditional rezone and direct staff to make findings of fact to support this decision; or

The Planning and Zoning Commission may **table or continue** the hearing to a later date and request additional information on specific items.

Questions?

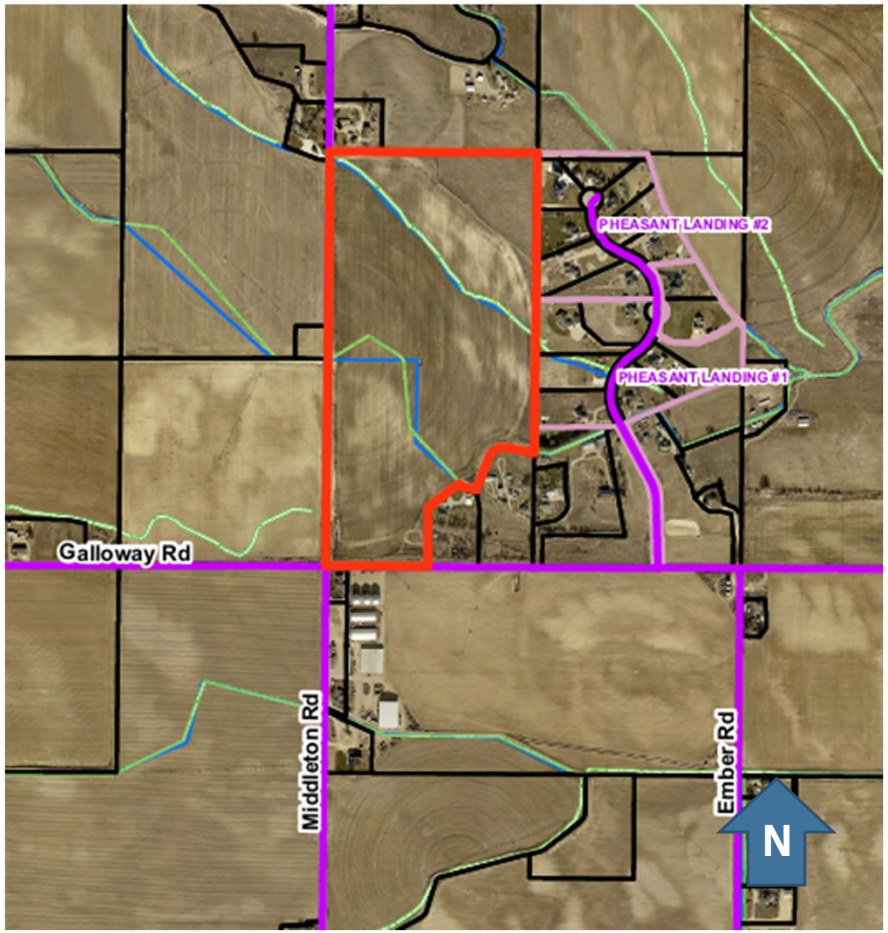


Exhibit 4

CR2025-0011

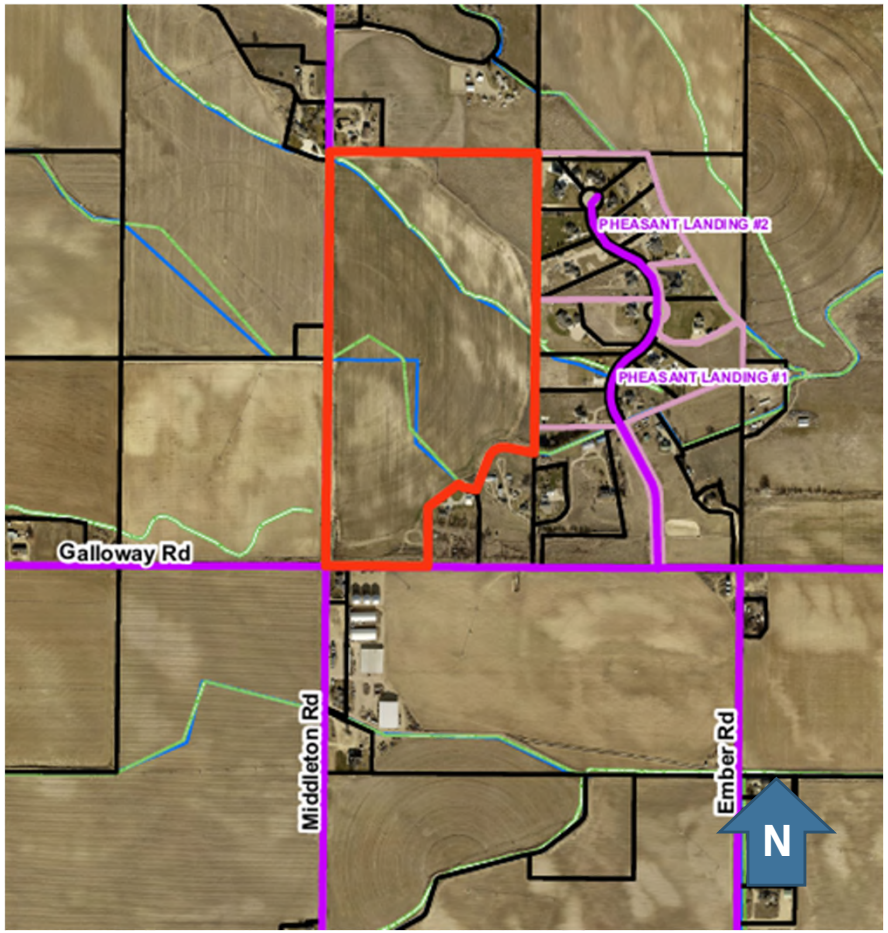


Exhibit 4

EXHIBIT 5

Public Comments Received by: July 27, 2026

-

Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

Karla Nelson

From: Marilyn Benoit <[redacted]>
Sent: Tuesday, July 14, 2026 5:51 PM
To: Karla Nelson
Subject: [External] Case # CR2025-0011

Payne Case

Case No. CR2025-011

To the Canyon County Planning and Zoning Commission:

Thank you for allowing us the opportunity to present our concerns regarding this application.

We own the property located directly behind the northeast corner of Parcel No. R37423. The legal description of our property is:

Lot 6 of Pheasant Landing Subdivision No. 2, according to the plat thereof, filed in Book 38 of Plats, Page 41, Records of Canyon County, Idaho.

Our concern is not simply whether the proposed three-lot development can obtain domestic wells. Our concern is whether the applicant has demonstrated compliance with Idaho law and Canyon County's subdivision requirements regarding irrigation water.

At the May 7, 2026, hearing, it was stated that this proposal mirrors the existing Pheasant Landing Subdivision. However, there is a significant distinction.

When Pheasant Landing was approved, an irrigation delivery system was required as part of the subdivision approval. The proposed development appears to consist of three parcels exceeding two acres each without any identified irrigation delivery system.

Idaho Code § 67-6537 requires applicants proposing land use changes to use **surface water, where reasonably available, as the primary water source for irrigation.** Surface water is considered reasonably available when the property is capable of receiving irrigation water through an irrigation district, canal company, ditch users association, or other irrigation delivery entity.

In addition, **Idaho Code § 31-3805** provides that when surface irrigation water is reasonably available, a subdivision plat may not be approved unless irrigation water is provided through that available surface water source. The law further requires that the subdivision include a description of the irrigation delivery system and that the system be approved by the County with the advice of the irrigation entity serving the property.

These same requirements are incorporated into the **Canyon County Unified Development Code, Section 07-17-29(2)**, which requires the developer to submit evidence with the preliminary plat that an **adequate irrigation supply and distribution system** will be provided. The Code specifically requires plans for the proposed irrigation distribution system and consideration of the existing water rights associated with the property being subdivided.

Furthermore, **Section 07-17-33** of the Canyon County Unified Development Code requires applicants to provide a statement describing the proposed irrigation system as part of the subdivision application.

Exhibit 5.a

If no irrigation system is proposed, the lots would appear to depend solely upon domestic groundwater wells.

Under **Idaho Code § 42-111**, the domestic exemption generally limits irrigation from a domestic well to **one-half acre**, subject to the statute's flow and volume limitations. Any irrigation beyond that exemption generally requires an authorized water right issued through the Idaho Department of Water Resources.

For these reasons, we respectfully request that the Commission require the applicant to provide:

1. Documentation demonstrating compliance with Idaho Code §§ 31-3805, 42-111, and 67-6537.
2. Evidence that surface irrigation water is or is not reasonably available to these parcels.
3. If surface water is reasonably available, an irrigation supply and distribution plan approved by the appropriate irrigation entity.
4. If the applicant intends to rely on groundwater beyond the domestic exemption, documentation from the Idaho Department of Water Resources demonstrating that the appropriate water rights have been obtained.

Pheasant Landing was required to meet these standards when our subdivision was approved. We respectfully request that the same legal standards be applied consistently to this proposed development.

We appreciate the Commission's careful consideration of these concerns and respectfully request that this application not be approved until the applicant has demonstrated full compliance with both Idaho law and Canyon County's subdivision requirements.

Thank you, Randy and Marilyn Benoit

[redacted]

Sent from my iPad

EXHIBIT 6

Application Materials Received by: July 27, 2026

-

Board of County Commissioners

Case# CR2025-0011

Hearing Date: August 6, 2026

Exhibit 6



CR2025-0011 / Greg Payne

Applicant Representatives / Alan Mills & Matt Wilke

Exhibit 6

Intro

CR2025-0011



Project Overview:

- Total Current Parcel Size: ± 70.89 acres.
- CR-RR Rezone Area: ± 6.46 acres.
- Private Road proposed to access Middleton Road.
- Contiguous to Pheasant Landing Subdivision #1 & #2 on east side of property.
- Current “Ag” zone was shown as Residential on the 2020 Future Land Use Map.
- Past Approval on entire Parcel for 30 Residential Lots has expired. (CU 2006-151)
- 1 Building Permit Available (PI2021-0055)

Exhibit 6

Parcel Inquiry 1/27/2021

Exhibit 6

Canyon County
Development Services Department
111 North 11th Ave., Suite 140, Caldwell, ID 83605
Phone 454-7458 Fax 454-6633
www.canyoncounty.org/dsd

Tracking Number:
PI2021-0055

Office Visit Date:
1/27/2021

Parcel Inquiry/Research Summary

Site Address: 0 MIDDLETON RD
Middleton ID 83644

Assessor Account #: 37423000 0

Property Owner: PAYNE GREG S
CALDWELL ID 83607-8813

Person Inquiring: WILKE MATT

Phone Number:

Section: 20
Township: 5N
Range: 2W
1/4 Sec: SW
Acres: 70.89
Zone: A

City Impact Area:
Flood Zone: Zone X – Outside SFHA,
Subdivision:
Lot:
Block:

Staff Member:
KELLIE GEORGE

Discussion Summary

Specific Question Detail: inquiry on how many bp's are available on this parcel?

Specific Answer Detail: According to CU2006-158 the subject Parcel (R37423) was split in 1983 to create a 5.81 acre parcel (R37423010). In 1985 there was a lot split from the 74 acre R37423 Parcel, creating R37423020 (approximately 3.5 acres). In 2007 CUP2006-158 was approved to split up the 3.50 acre parcel into two; however, it appears this was never completed as the parcel is still 3.50 acres. Parcels are allowed a one-time administrative split after 9/6/79. As a result, there are no more administrative split available. To split up the parcel any further would require a rezone ($850). However, the subject parcel (R37423) would have one building permit available. The County does allow a secondary residence as long as the property owner lives on site.

The property research information presented today by the Development Service Department (DSD) is based on the current ordinance and policies, in effect on the date of the summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of the inquiry and may change when the subject property, ordinances, or policies change. Then information becomes certain, and not subject to change, when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Director/Staff: Randall Falkner

Date: February 17, 2021

Exhibit 6

11/15/24 DSD Letter

November 15, 2024

Greg S. Payne
Caldwell, ID 83607
mintroots@gmail.com

Matt Wilke
PO Box 7
Middleton, ID 83644
matt@mywhitebarn.com

RE: Parcel R37423 Non-Viable Land Division

Mr. Payne and Mr. Wilke,

I have reviewed the application for a non-viable land division of parcel R37423 and note that you are requesting two residential parcels in the northeast corner of the 70.89 acres. There are not two parcel divisions available to the subject property.

During my review I found that PI2021-0446 indicates that the land division approved for parcel R37423020 via CU2006-158 is an active approval with the survey being recorded to commence the project as required. Therefore, there are currently four approved parcels (one not currently deeded separately) on the original 80± acres. Canyon County Code does not allow for more than four total parcels on the original for a non-viable land division:

CCZO §07-18-09 (7):
A. If the application meets the requirements of this section, the director may approve the division into fewer than five (5) parcels from the original parcel. The director may attach conditions to the approval which limits the division or use.

Options:

1. You may reapply for an after the fact land division §07-18-07 (B) and create one residential parcel on the 70.89 acres at least one acre or greater in size and designate the remainder of the property as "Agricultural Only-no building permits available without further jurisdictional approval".

2. Request staff to process the application as submitted and if denied, then appeal the decision of the director to the Board of County Commissioners in accordance with CCZO §07-05-07.

Planning • Zoning • Building • Code Enforcement
Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

3. You may seek approval for additional development rights by applying for a comprehensive plan map amendment and rezone/conditional rezone and if approved a subdivision plat would be required.

Respectfully,

Deb Root, Principal Planner
Canyon County Development Services
208-455-6034
debbie.root@canyoncounty.id.gov

Exhibit 6

Site Plan

CR2025-0011

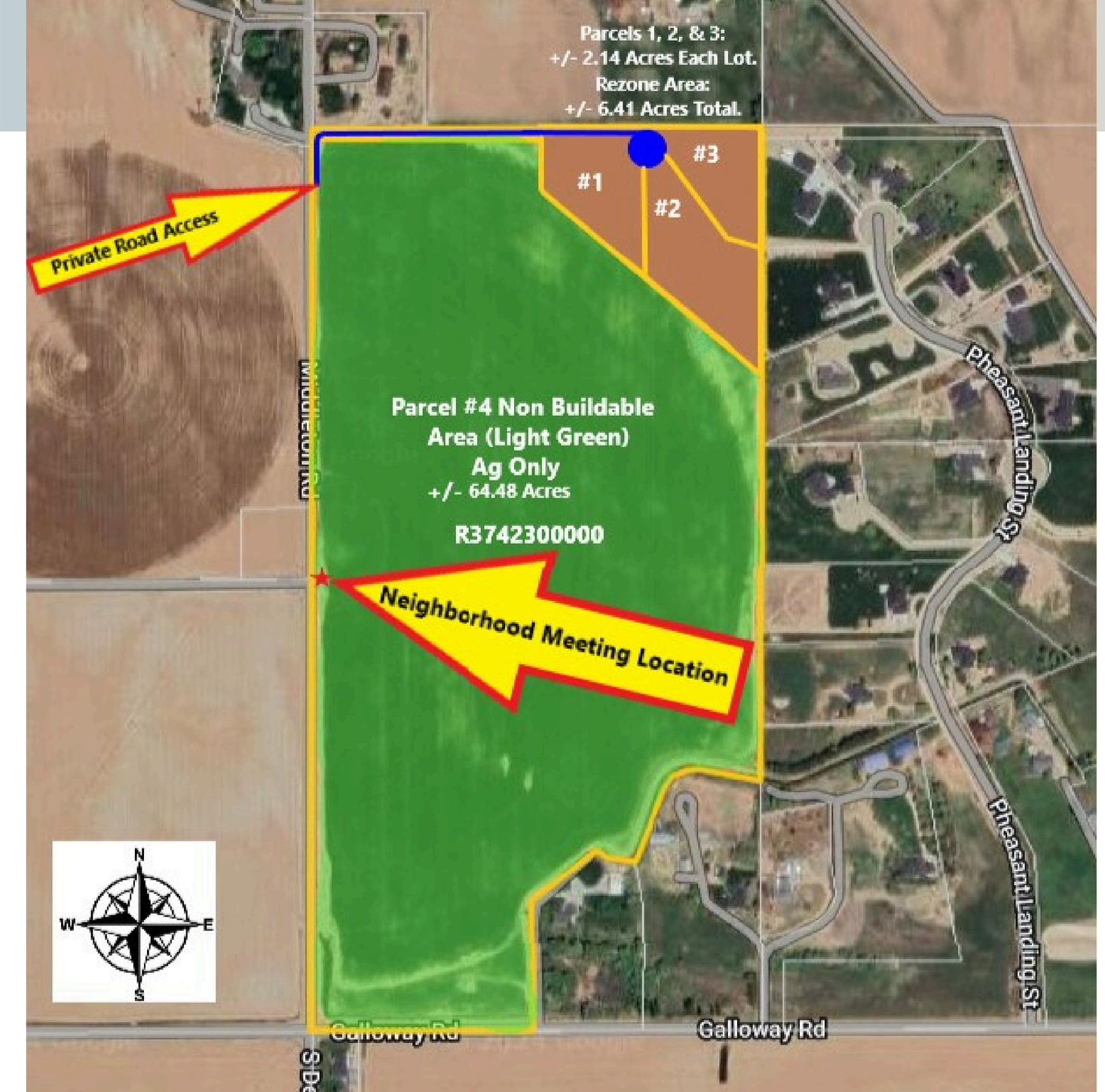


Exhibit 6

Exhibit 6

98 Homes & 5 Subdivisions within 1 mile.

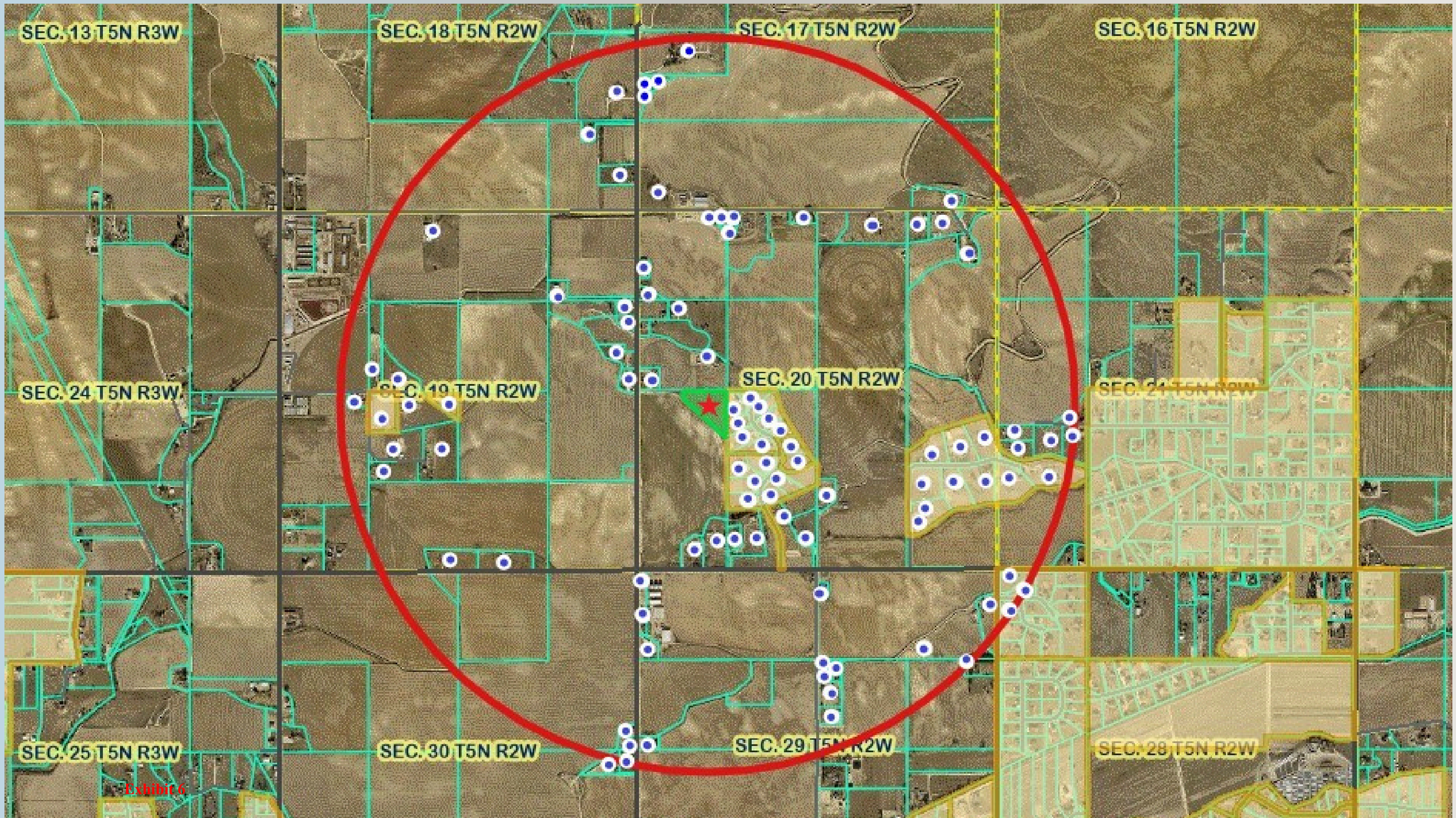


Exhibit 6

Exhibit 6

5 Subdivisions & 1 Subdivision in Final Plat Within 1 Mile

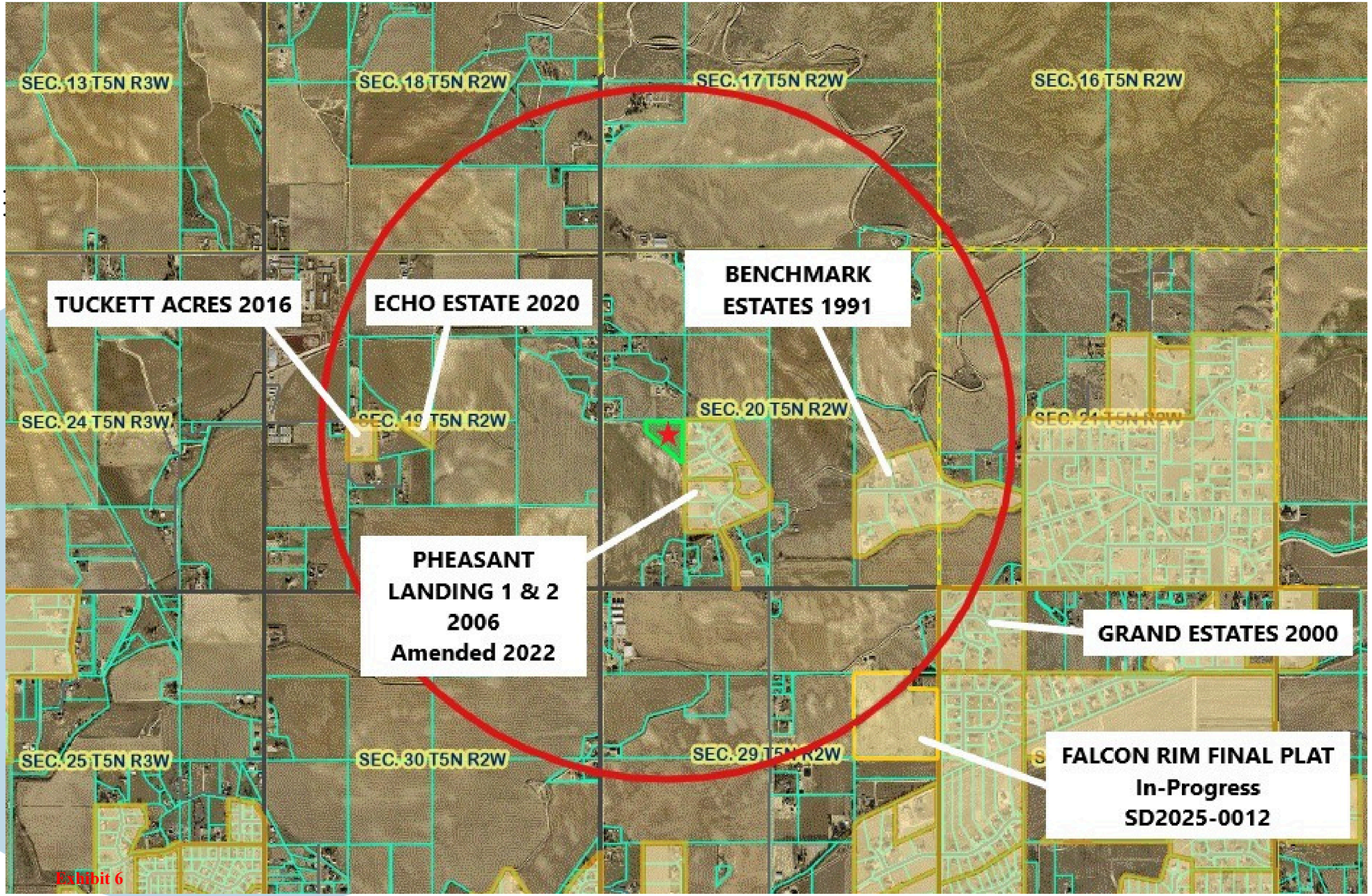


Exhibit 6

7

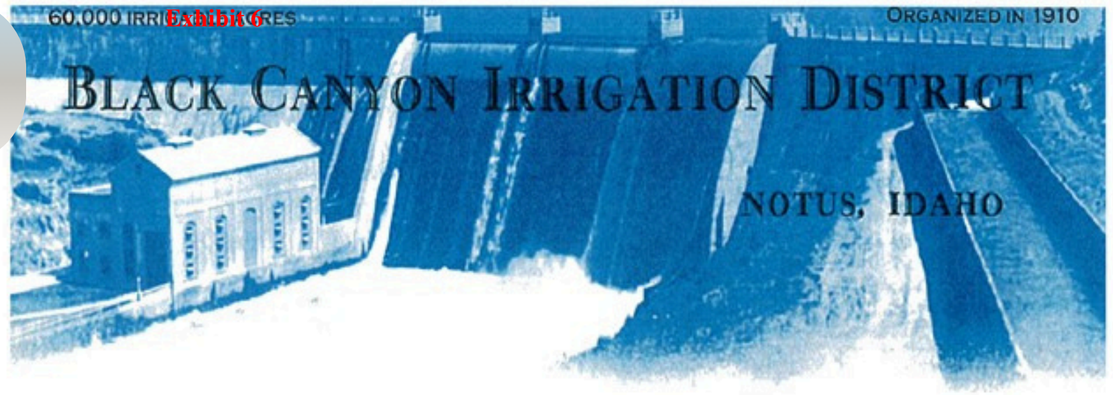


Exhibit 6

April 23, 2026

Karla Nelson
Canyon County Development Services Department
111 N. 11th Ave. #310
Caldwell ID 83605
Karla.nelson@canyoncounty.id.gov

Dear Karla Nelson,

Black Canyon Irrigation District (BCID) has reviewed the proposed Conditional Rezone for applicant Greg Payne (Case No. CR2025-0011). BCID supports the rezone. The parcel being considered in the rezone has no surface water attached to it and is non-viable farm ground. Feel free to reach out if you have any questions.

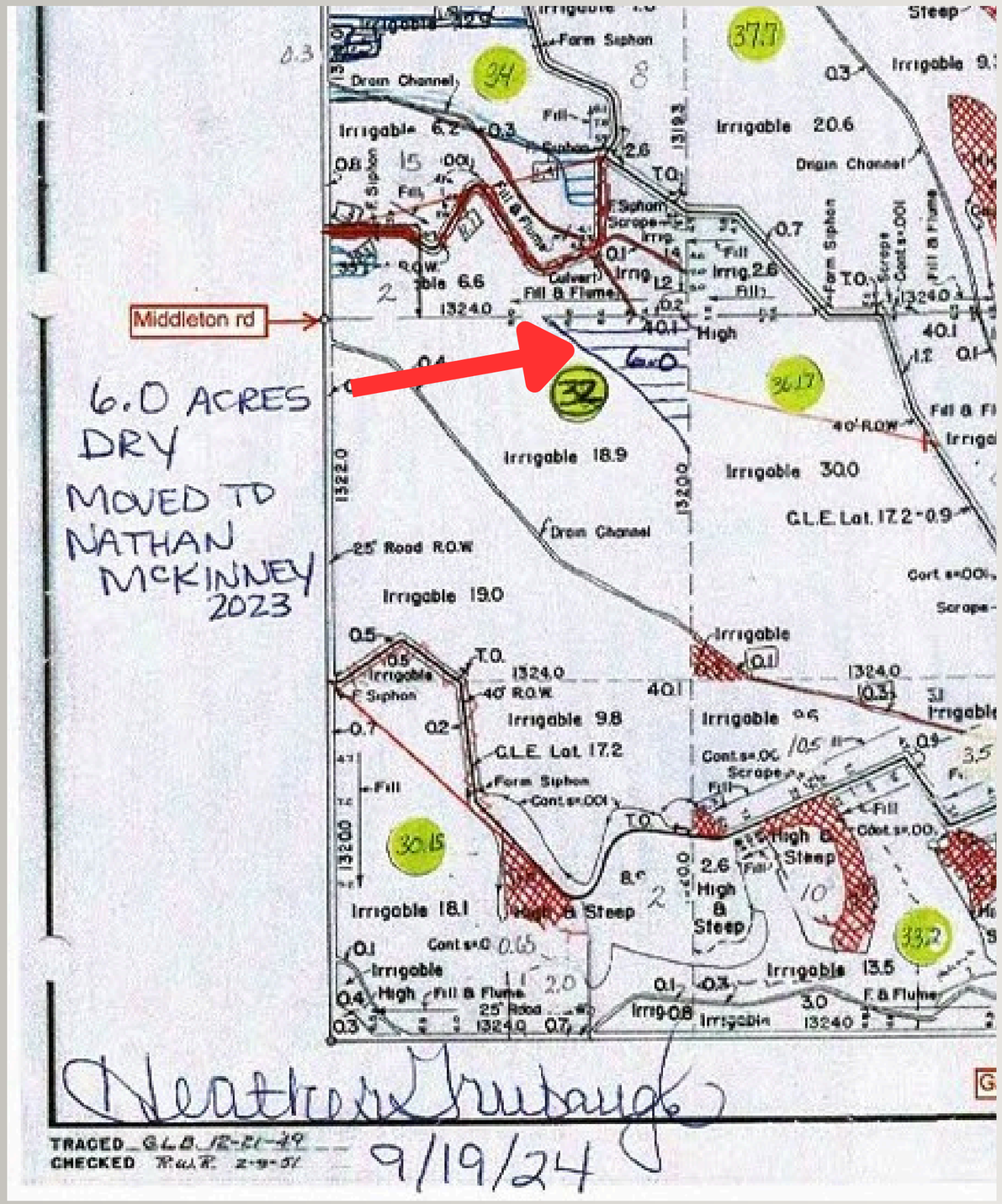
Thank-you,

Mike Meyers

Manager
Black Canyon Irrigation District
mikem@blackcanyonirrigation.com

CC: Greg Payne

Exhibit 6



SOIL MAP

Exhibit 6



Exhibit 6

Custom Soil Resource Report

Table—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	6	4.8	71.9%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	6	0.1	0.9%
PhB	Power silt loam, 1 to 3 percent slopes	6	1.8	27.2%
Totals for Area of Interest			**6.7**	**100.0%**

Rating Options—Nonirrigated Capability Class ((CR2025-0011 Greg Payne))

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.

9

Exhibit 6

Notice of Weed Height Violation Letter

CANYON COUNTY WEED & PEST DEPARTMENT
15435 HWY 44, BLDG A *CALDWELL, ID* 83607

NOTICE OF WEED HEIGHT VIOLATION

PAYNE GREG S
24295 FARMWAY ROAD
CALDWELL, ID 83607

VIOLATION DATE:	**09/15/2025**
VIOLATION NUMBER:	**2025-V177**

The Canyon County Weed & Pest Department has determined that tall grass and/or weeds present on this property are a violation of the Canyon County Code, Chapter 2, Article 13, Section 9 PROHIBITION ON NUISANCE GRASS AND WEEDS.

Description of violation:	Parcel number(s): R3742300000
TALL WEEDS. SEE ATTACHED AREA OF CONCERN.	Address: 0 MIDDLETON RD., MIDDLETON, ID 83644

YOU MUST CREATE A CONTROL PLAN APPROVED BY CANYON COUNTY WEED CONTROL WITHIN (7) DAYS
Please call or email your weed control inspector: HAYLI MARCILLIAT (208) 459-0510
HAYLI.MARCILLIAT@CANYONCOUNTY.ID.GOV

All identified tall grass and/or weeds must be mowed or removed from the property within (7) days of date of notice.
A courtesy letter with the same date as this notice will also be mailed to the address on file with the County Assessor.

A follow-up site inspection will be conducted to verify compliance. If the Violation is not remedied **within seven (7) days** from the date of notice, the Enforcement Official, shall have the authority to enter upon the land to cause the nuisance to be abated. Canyon County Code, Chapter 2, Article 13, Section 10.

Estimated Assessment of Abatement Costs for Failure to Comply:

$21,265.80

All expenses of such abatement shall be paid by the owner of such land plus an administrative charge of fifteen percent (15%) per parcel, per abatement. Payment will be due in thirty (30) days. If payment is not received within thirty (30) days, it shall become an automatic lien upon the property and will be placed on the property tax roll for payment.

Our department desires that property owners voluntarily correct all violations. If you have questions or concerns please contact our office at (208) 459-0510 or 15435 HWY 44, BLDG A Caldwell, ID 83608. If you plan to visit, please call ahead to ensure that someone is available to meet with you.

Exhibit 6

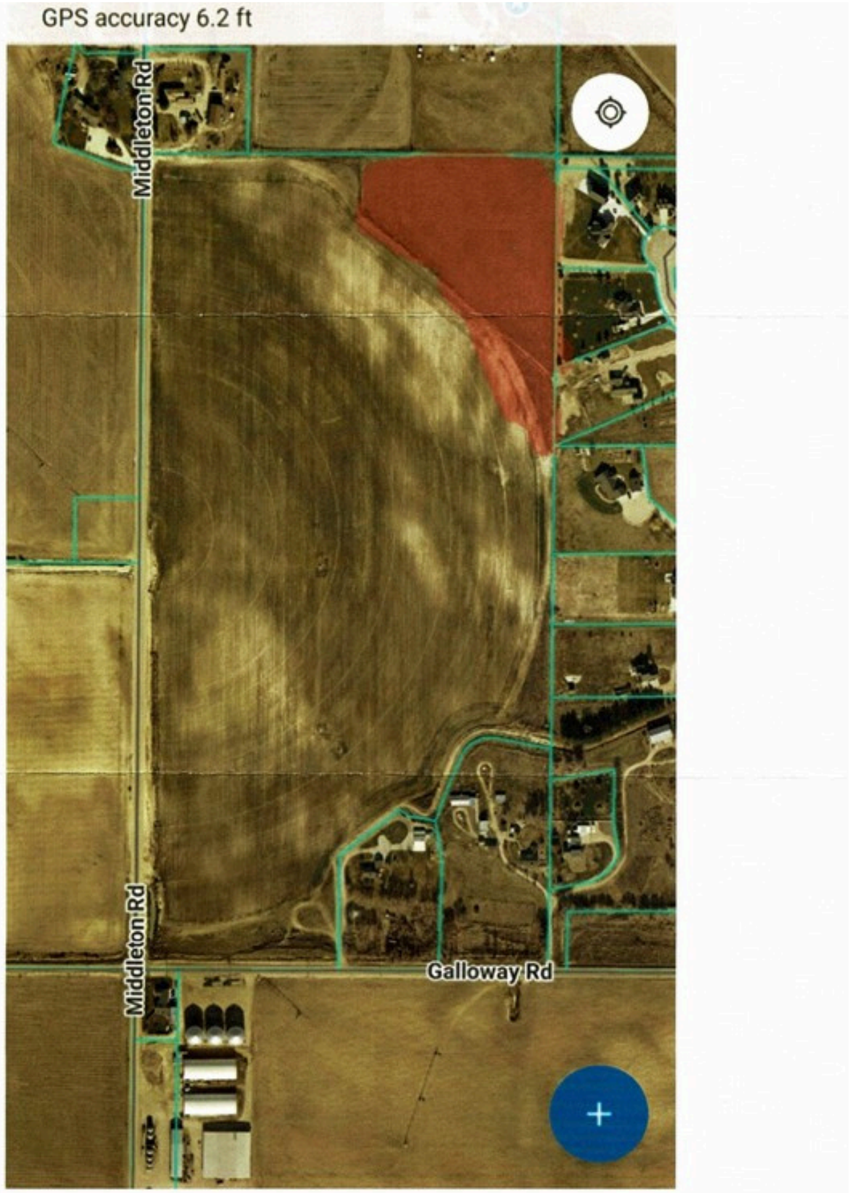


Exhibit 6

SITE DISCING 4/3/2026





Exhibit 6

Exhibit 6



Exhibit 6

Exhibit 6

2030 Comp Plan Analysis

The following goals and policies in the Canyon County 2030 comprehensive plan support the request:

Property Rights

- P1.01.03 Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.

Population

- P2.01.01 **Plan for anticipated population and households that the community can support with adequate services and amenities.**

Economic Development

- G3.05.00 **Support a diverse economy** in Canyon County and **recognize that residential**, commercial, and industrial **uses are necessary components of overall economic stability**.

Housing

- G11.01.00 **Encourage opportunities for a diversity of housing choices** in the County.
- P11.01.01 **Encourage a variety of housing sizes that meet the needs of families**, various age groups, and incomes.
- G11.02.00 **Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural land and natural resources.**
- P11.02.01 **Encourage subdivisions to locate where adequate services and infrastructure exists** or can be provided.

Agriculture

- P12.01.05 **Direct development to land with lower irrigatable soil classifications** as determined by Canyon Soil Conservation District or by the USDA Natural Resources Conservation Service.
- P12.03.01 Restrict residential development that impacts aerial application flight patterns and operations.
- P12.03.02 **Place new structures appropriately to minimize disruption to aerial application** flight patterns.

Exhibit 6

Exhibit 6

2030 Comp Plan Analysis

Land Use Community and Design

- G4.01.00 **Support livability and high quality of life** as the community changes over time
- P4.01.01 **Maintain a balance between residential growth and agriculture that protects the rural character**.
- P4.01.02 Planning, zoning, and **land-use decisions should balance the community's interests and protect private property rights.**
- G4.02.00 Ensure that **growth maintains and enhances the unique character** throughout the County.
- P4.03.02 **Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.**
- P4.04.01 **Support development in locations where services, utilities, and amenities are or can be provided.**
- P4.05.01 Promote future development and land-use decisions that **do not create hardship for farmers** and agricultural operators.
- P4.05.02 Consider **development on poor soils** (Class 4 or higher) that **will not interfere with viable agricultural operations** in the area.
- P4.06.02 Encourage development **design that accommodates topography and promotes conservation of agricultural land.**
- G4.07.00 Protect **rural qualities that make the County distinct** and **conserve and enhance the elements contributing to a good quality of life.**

Exhibit 6

Exhibit 6

Subject Property is Not Viable for Agricultural Use

07-02-03: DEFINITIONS ENUMERATED:

VIABLE FARMLAND: Land that is capable of producing marketable farm animals or crops.

Non-Viable Ag Use: 07-18-09.

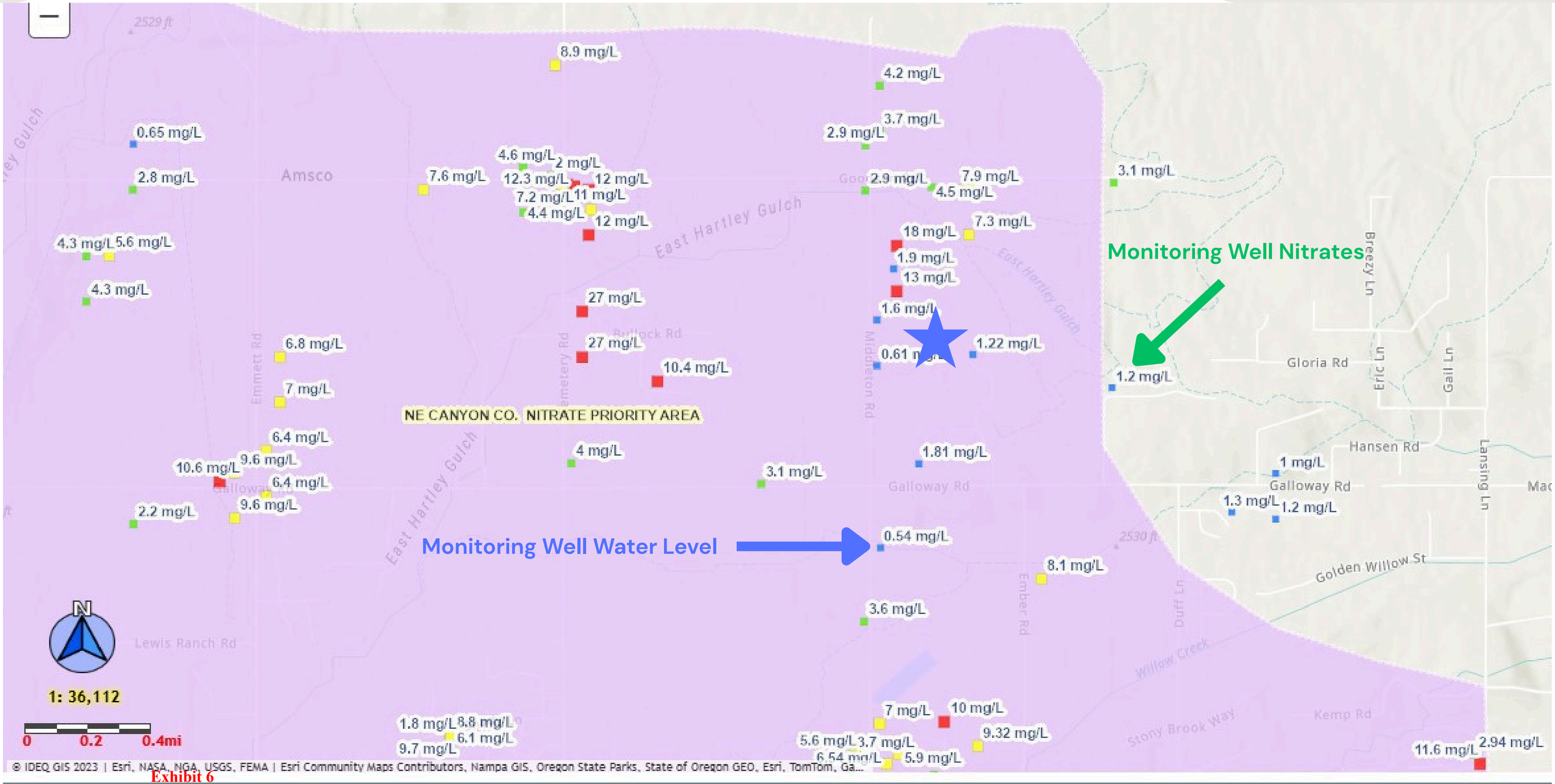
The reasons listed below are applicable for non-viable Ag use in an Agricultural zone:

1. **Poor soils. (Class 6 Non-Irrigated Capabilty Classification)**
2. **Lack of Irrigation water.**
3. **Land is not being withheld from a more viable ag use** for the intent of this application.
4. The lot size, combined with the lack of water makes **productive agriculture use prohibitive.**
5. **Producing cattle, or other animals for sale on this property is extremely difficult** and not marketable.
6. **The subdivision will not create a negative impact on surrounding agricultural uses.** Lot sizes are similar or larger than the many lots in the Subdivisions and Residential lots next door.

07-18-09(5)(C) states "The parcel, in whole or in part, shall consist of land with site constraints and/or resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricultural use extremely difficult"

Exhibit 6

EDGE OF NP AREA



IDWR 6" MONITORING WELLS



Exhibit 6

IDWR 6" WATER LEVEL WELL 1/2 MILE SOUTH

05N 02W 29BBC2

Site Name: CANYON
Station Type: Water Levels
Depth: 180 (ft BGS)

Latitude: 43.74766
Longitude: -116.61236
Elevation: 2505.0 ← Surface Elevation 2505'

Primary Water Use: Domestic



Time Series | Water Quality

800.Transducer

Multiple Timeseries

Compiled Depth To Water

800.Transducer

Discrete Depth to Water

USGS Depth To Water

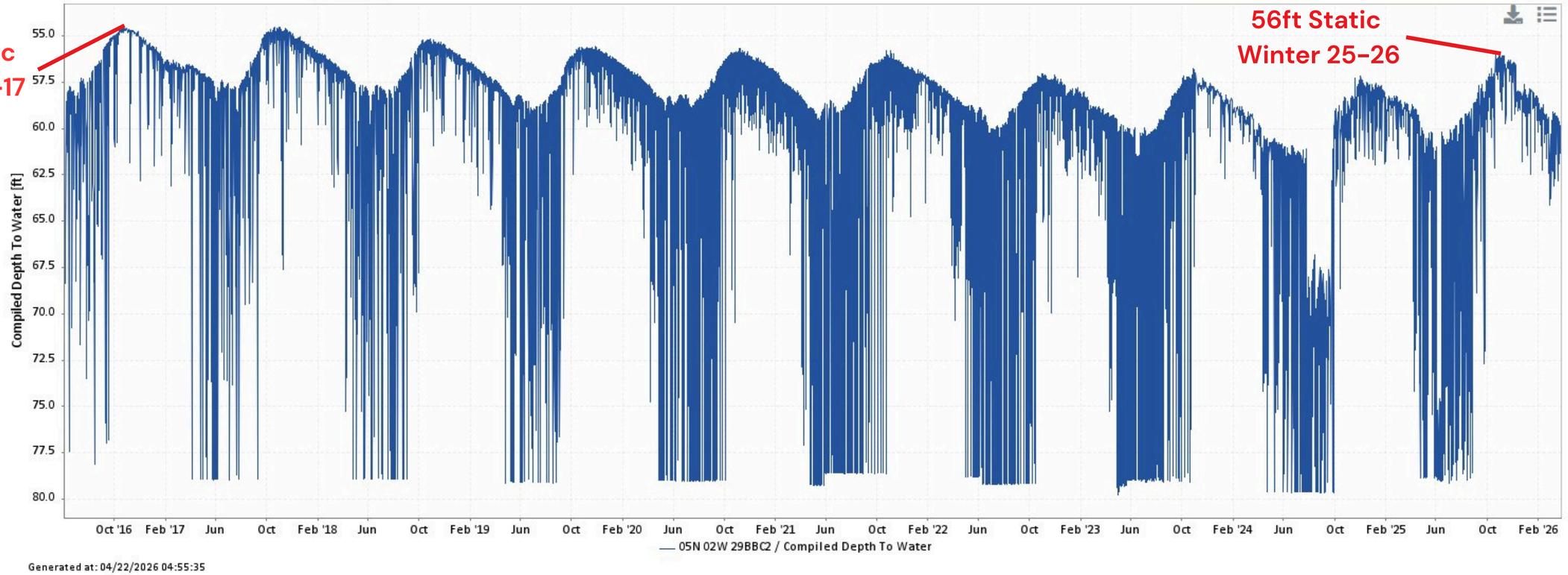
Documents

3 d | 10 d | 1 m | 3 m | 1 y

06/03/2016 – 03/26/2026

55ft Static
Winter 16-17

56ft Static
Winter 25-26



Generated at: 04/22/2026 04:55:35

Exhibit 6

IDWR 6" NITRATE LEVEL WELL 1/2 MILE EAST

05N 02W 20DAC1

Site Name: CANYON
Station Type: Water Quality
Depth: 215 (ft BGS)
Latitude: 43.75461
Longitude: -116.59703
Elevation: 2545.0 ← Surface Elevation 2545'
Primary Water Use: Domestic



Time Series | Water Quality

Nitrate as N

- Ammonia as N
- Ammonia as NH4
- Ammonium ion
- Nitrate as N
- Nitrate as NO3
- Nitrite as N
- Nitrite as NO2
- Phosphate, ortho
- Phosphate, ortho as PO4

Nutrients;Nutrients;Nutrients;Nutrien

Organics

Pesticides/Herbicides

Pharmaceuticals

Physical Properties

3 d | 10 d | 1 m | 3 m | 1 y | ∞

07/11/2001 – 07/12/2021

Graph | Table

Timestamp	Nitrate as N [mg/l]	Sign	Unit Symbol	Station Name	Measuring Program	Parameter	Sample Number	Method
07/12/2021 7:15 AM	1.6	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2021-0063	EPA 353.2
07/11/2016 9:06 AM	1.2	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2016-128	EPA 353.2
07/20/2011 7:45 AM	1.07	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2011-124	USGS NUTRIENTS
07/17/2006 5:35 AM	1.14	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2006-109	USGS NUTRIENTS
07/11/2001 5:15 AM	1.14	---	mg/l	05N 02W 20DAC1	Statewide Ground...	Nitrate as N	GWQM-2001-224	USGS NUTRIENTS

Nitrates
1.07 – 1.6 mg/L 2001 – 2021

10 milligrams per liter (mg/L), or 10 parts per million (ppm), is the maximum contaminant level (MCL) set by both the EPA and the Idaho Department of Environmental Quality.

Exhibit 6

Exhibit 6

REPORT OF WELL DRILLER
State of Idaho

Received 3-10-69 Dept of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Elmer Klahn
Address Rt 7
Caldwell Idaho
Owner's Permit No.
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: Domestic
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other
(explain)
CASING SCHEDULE: Threaded — Welded —
6 "Diam. from +1 ft. to 164 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .250 Material:
Steel ☒ concrete ☐ wood ☐ other ☐
(explain)
PERFORATED? Yes ☐ No ☒ Type of perforator used:
Size of perforations: " by "
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☒ No ☐ To what depth? ft. Material used in seal: clay
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No. ☒
Cemented in place? Yes ☐ No ☐

Locate well in section

LOCATION OF WELL: County Canyon
NW¼ NW¼ Sec. 29 T. 5 N/S R. 2 E/W

Size of drilled hole: 6½ inch Total depth of well: 168 ft. Standing water level below ground: Temp. Fahr. ° Test delivery: 30 gpm or cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test: 2 HP C.M. air compressor
Length of time of test: 3 Hrs. 3 Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☐

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	32017 WATER YES OR NO
0	5	Top soil & Hardpan	No
5	8	sandy clay	No
8	59	sand & gravel	No
59	68	sandy clay	No
68	72	sandy clay streaks	Yes
72	75	sand	Yes
75	109	sand & Gravel	Yes
109	118	clay	No
118	125	sand	Yes
125	143	sand & clay streaks	Yes
143	146	sandy clay	No
146	163	sand & clay streaks	Yes
163	167	clay	No
167	180	sand & clay streaks	Yes

Work started: 9-3-68
Work finished: 9-13-68
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: William E. Roby
Address: Caldwell Rt 7
Signed by:
License No. 42 Date: 11-12-68

Use other side for additional remarks

63

Exhibit 6

Water Level Test Well Drilled 1968

180 feet deep
56' Static Water Level
Unknown Static Water Level
(when drilled)

Well Surface Elevation 2505'

Nitrate Level Test Well Drilled 1994

215 feet deep
96' Static Water Level

Well Surface Elevation 2545'

*There is a 40 ft Surface Elevation difference between these two wells. This corresponds with the 40 ft difference in Static water level between them both.

Form 238-7 4/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Location Corrected by IDWR To:
T05N R02W Sec. 20 SWNESE
By: segbert 2012-04-20

1. WELL OWNER
Name Richard Shockey
Address 26173 Moon Glow Dr Middleton
Drilling Permit No. 63-94-W-0035-000
Water Right Permit No.

2. NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE
☒ Domestic ☐ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type)

4. METHOD DRILLED
☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION
Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.250 inches	6 inches	+ 2 feet	205 feet
.250 inches	5 inches	200 feet	205 feet
inches	inches	feet	feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? inches by inches

Number	From	To
perforations	feet	feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? ☒ Yes ☐ No
Manufacturer Johnson Type stainless
Top Packer or Headpipe 200
Bottom of Tailpipe 215

Diameter 5 Slot size 20 Set from 205 feet to 215 feet
Diameter Slot size Set from feet to feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel
Placed from feet to feet

Surface seal depth 25 Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐
Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port alum well seal

6. LOCATION OF WELL
Sketch map location must agree with written location.
Subdivision Name Benchmark Estates
Lot No. 9 Block No. 1
County Canyon
Address of Well Site 26173 Moonglow Dr (give at least name of road)
T. 5 N ☒ or S ☐
S/E ¼ S/E ¼ Sec. 20, R. 2 E ☐ or W ☒

7. WATER LEVEL
Static water level 96 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow
Artesian closed-in pressure p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature °F. Quality
Describe artesian or temperature zones below.

8. WELL TEST DATA
☐ Pump ☒ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
40	112	1

89890

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	4	topsoil		X
6	4	25	soil & hardpan		X
	25	60	brown sandy clay		X
	60	71	cemented sand & gravel		X
	71	81	clean gravel & sand		X
	81	104	brown sandy clay		X
	104	126	gravel & sand	X	
	126	153	brown sandy clay		X
	153	155	brown cemented sand	X	
	155	156	brown clay		X
	156	165	fine brown sand	X	
	165	186	brown sandy clay		X
	186	200	fine brown sand	X	
	200	204	brown silty clay		X
	204	215	clean brown sand	X	
	215		brown sandy clay		X

RECEIVED
MAR 10 1994
WATER RESOURCES
WESTERN REGION

10.
Work started 1/17/94 finished 2/1/94

11. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name STEVENS & SONS Firm No. 153
Address 3709 Hawthorne Dr Date 2/1/94
Signed by Drilling Supervisor
and
(Operator) Clint Perry
(If different than the Drilling Supervisor)

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

Site Pictures taken 4/6/2026

Exhibit 6

South



Exhibit 6

Exhibit 6

West



Exhibit 6

Exhibit 6



Exhibit 6

Exhibit 6

East



Exhibit 6

Exhibit 6

East



Exhibit 6

Exhibit 6



Exhibit 6

South West



Exhibit 6

Exhibit 6

West



(208) 412-9803 www.mywhitebarn.com matt@mywhitebarn.com

Exhibit 6