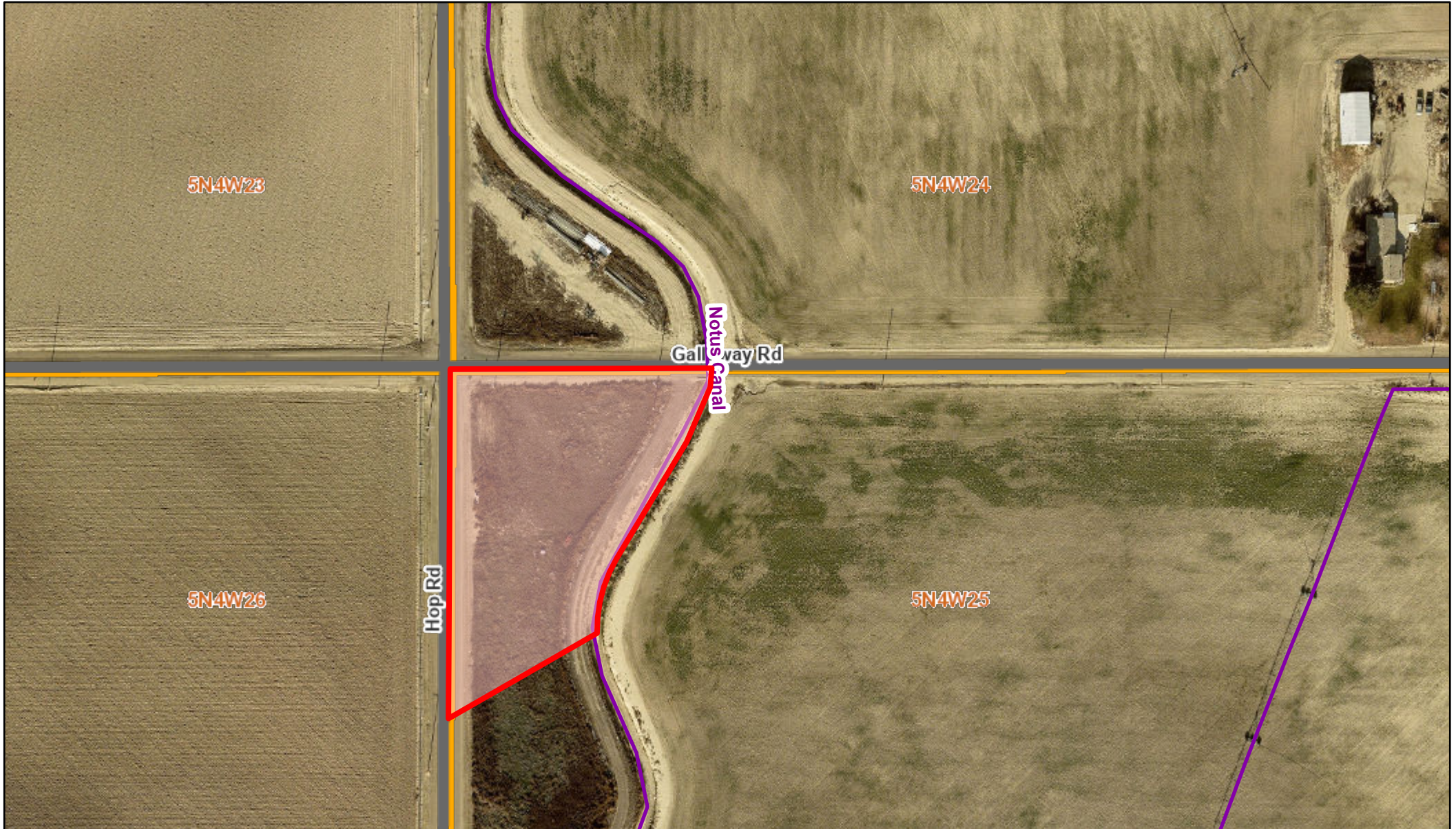


Canyon County, ID Web Map

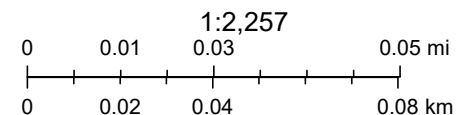


7/27/2026, 3:46:00 PM

- Multiple Parcel Search_Query result
- Hydro_NHDFlowline
- CanyonCountyRoads
- Roads
- County Boundary
- Current Impact Area
- City Limits
- Sections

Imagery_2025_2026

- Red: Band_1
- Green: Band_2
- Blue: Band_3



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

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, EPA, USDA | City of Nampa |



APPEAL OF DECISION APPLICATION

PROPERTY OWNER	OWNER NAME: <u>Wes Freeman</u>
	MAILING ADDRESS: <u>27406 Farmway Rd Caldwell ID, 83607</u>
	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: <u>[Signature]</u> Date: <u>7/24/26</u>	

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	OWNER NAME: <u>Sid Freeman & Freeman 7/24/26</u>
	COMPANY NAME: <u>Sunny View Farms LLC</u>
	MAILING ADDRESS: <u>27406 Farmway Rd, Caldwell, ID 83607</u>
	PHONE: [REDACTED] EMAIL: [REDACTED]

SITE INFO	STREET ADDRESS: <u>Southeast corner of the intersection of Hop & Galburg Rd.</u>
	PARCEL NUMBER: <u>R38456010A</u>
	PARCEL SIZE: <u>2.65 acres</u>

CASE NUMBER OF REQUESTED APPEAL:	<u>AD 2025-~~1033~~ 0133</u>
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FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	<u>AD2025-0133APL</u>	DATE RECEIVED:	<u>7/27/26</u>
RECEIVED BY:	<u>Mg</u>	APPLICATION FEE:	<u>\$1,100</u>

☒ MO ☐ CC CASH

#1580



APPEAL OF DECISION

CHECKLIST

GENERAL APPEAL PROCEDURE CCZO - Section 07-05-05 or 07-05-07

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION TO BE DEEMED COMPLETE (PLEASE CHECK OFF THE ITEMS REQUIRED):

Description	Applicant	Staff
Master Application completed and signed		
Letter of Intent/Statement of Reason		
Fee: Per adopted fee schedule		
Fees are non-refundable		

***DISCLAIMER:** The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can accept the application.



Development Services Department

Canyon County, 111 North 11th Avenue Ste. 310, Caldwell, ID 83605

(208) 454 7458 • www.canyoncounty.id.gov

Planning Application Consent for Property Inspection

Name: Sid Freeman

Planning Application(s): appeal

Address: SE corner Hop + Holloway Rd.

Parcel Number(s): R38456010A

Relationship to Property: neighbor of on bordering property and father of owner of neighboring bordering property.

Circle any that apply:

Owner

Lessee

Authorized Agent

Other: _____

I voluntarily consent to DSD staff entering the property/premises for the limited purpose of site inspections related to this application.

This consent authorizes entry **Monday-Friday between 8 am and 5 pm**

For the following purpose: To conduct site inspection/visit related to land use application (s). Site inspection includes visual observation of the site and buildings, measurements, & site photos.

Consent to enter the property for a site inspection does not authorize searches, inspections, or surveillance beyond the scope of the application. I understand I may revoke this consent at any time, and DSD staff will promptly leave upon my or the occupant's request unless otherwise authorized by law to remain.

Signed: Sid Freeman

Date: 7/24/20

If signing as agent: [Authority/POA/Title]

father and owner neighboring property
I am acting as agent for myself and my son Miles Freeman

Planning • Zoning • Building • Code Enforcement • Engineering • GIS

While balancing diverse interests, the Canyon County Development Services Department (DSD) delivers community development services to implement the County's vision and values, provide stewardship of public resources and maintain a prosperous future for all.

NOTICE OF APPEAL

Director's approval of administrative division of an alleged nonviable parcel in an Agricultural zone

TO	Canyon County Board of County Commissioners
FILED WITH	Canyon County Development Services Department
FROM	Sid Freeman and Wes Freeman, affected adjoining agricultural landowners
RE	Appeal of Director's Decision AD2025-0133; Don Stine; Parcel R38456010A (TBD Hop Road)
DATE	July 27, 2026

Decision appealed: Director's Decision AD2025-0133, signed July 10, 2026, approving with conditions the division of the approximately 2.65-acre Agricultural-zoned parcel into two residential parcels.

Timeliness: This notice is submitted under Canyon County Code § 07-05-07 on July 27, 2026. The Director's decision is dated July 10, 2026. Under Idaho Code § 73-109, the day of the decision is excluded when computing the period: July 11 is day one and July 25 is day fifteen. July 25, 2026 fell on a Saturday, when Canyon County Development Services was not open to accept an in-person filing. This appeal is therefore being submitted on Monday, July 27, 2026, the first business day on which the office reopened. The appellants respectfully request that the County accept and process the appeal as timely.

Requested action: Sid Freeman and Wes Freeman respectfully ask the Board to reverse the Director's approval. In the alternative, they ask the Board to modify the decision or remand the matter for findings supported by evidence addressing every requirement of Canyon County Code § 07-18-09.

Standing and affected interests

We are affected persons aggrieved by the approval. Sid Freeman owns and farms the property directly north of the subject parcel, across Galloway Road. Wes Freeman owns and farms the property directly east of the subject parcel, across the Black Canyon Irrigation District Unit 1 canal (also known locally as the Notus Canal). Our adjoining agricultural operations may be affected by the division and any resulting nonagricultural use.

Reasons for appeal

1. The application's central claim that the parcel lacks irrigation water rights is contradicted by the agency evidence in the record. The original applicants' letter of intent (Exhibit A2) states that the property is nonviable because it "lacks water rights necessary for irrigation." Their November 20, 2025 clarification (Exhibit A2.1) repeats that the parcel has "no deliverable irrigation water rights" and that the absence of water eliminates its agricultural utility. But the Director's own decision reports that Black Canyon Irrigation District stated the parcel has water rights amounting to one acre. The decision imposed conditions protecting irrigation facilities and requiring the applicant to resolve BCID's concerns, but it did not reconcile this direct contradiction before finding the applicant met the burden of proof.

The parcel is served from a headgate in the canal at the south end of the property and can be irrigated with a sprinkler system.

2. The decision substitutes commercial or economic efficiency for the ordinance's actual standard. The clarification argues that 2.65 acres is insufficient for "commercial agriculture," cannot support an "economically viable farming operation," and would be more marketable as two residential lots. Section 07-18-09 does not require proof that the parcel independently supports a commercial farming business or qualifies for the County Assessor's minimum agricultural exemption. It requires proof that identified site constraints or resource issues make productive

agricultural use extremely difficult; this proof was not included in the record. Increased marketability, residential value, and preference for two houses are not evidence of agricultural nonviability.

3. Parcel size and configuration were accepted without measurements or analysis showing that productive agricultural use is extremely difficult. The decision describes the parcel as long, narrow, irregular, and approximately 2.65 acres. It does not quantify the allegedly unusable area, equipment limitations, setbacks, or the acreage remaining for crops, pasture, storage, or other agricultural functions. Nor does it explain why division into two still-smaller residential parcels establishes that the existing parcel cannot productively serve the adjoining farm. A parcel characteristic listed in § 07-18-09(5)(C) is not automatically disqualifying; the applicant must prove that it makes productive agricultural use extremely difficult. Proof of this is not included in the record.

4. The parcel's agricultural history and continuing operational value were not evaluated. Irrigation water has been delivered to this land since the canal system began operating in the late 1940s. The parcel historically produced seed crops, wheat, hay, and pasture. It has also supported the adjoining farm through the storage and handling of potatoes, sprinkler-irrigation pipe, fertilizer, and wheat. The decision relies on historical satellite images suggesting that the parcel has not been cropped since at least 2004, but non-cropping does not establish that physical constraints make agricultural use extremely difficult. It also does not address these other productive agricultural uses.

5. The generalized soil-map finding does not resolve the contrary site-specific evidence. The decision cites a County soil-suitability map classifying the property as Least Suited Class V. It does not identify a site-specific soil evaluation, explain what agricultural uses remain possible, or reconcile the map with the parcel's history of irrigated crop and pasture use. A generalized mapping classification, standing alone, does not answer whether productive agricultural use of this particular parcel is extremely difficult.

6. The findings on impacts to surrounding agriculture are incomplete and internally inconsistent. The decision treats the Notus Canal as a separation expected to prevent impacts to the farm east of the parcel. Yet the same record identifies a 100-foot BCID easement, a one-acre water right, possible encroachment, and unresolved irrigation-district requirements. It also reports that the Notus-Parma Highway District initially found that legal access did not exist for the intended use. Conditions defer resolution of access, irrigation, fire, septic, and easement issues until after approval. The decision does not analyze the added conflicts reasonably associated with two residential parcels beside active farms, including irrigation access, farm traffic, dust, noise, odors, chemical applications, livestock, and complaints about normal agricultural practices.

7. The applicant did not carry the burden imposed by § 07-18-09(6). The application's water-right premise is contradicted by BCID; its claimed parcel-size and shape constraints are largely conclusory; and its stated purpose includes improving residential utility, marketability, land value, and development pattern. The decision's statement that there was no deliberate withholding of agricultural land contains no supporting analysis and does not address the parcel's longstanding non-crop use or its demonstrated value to the adjoining farm operation. On this record, the mandatory findings are not supported by substantial, reconciled evidence.

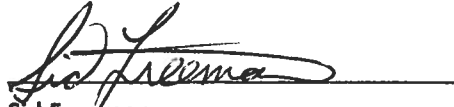
Requested relief

For these reasons, we respectfully request that the Board:

- accept and process this notice of appeal as timely filed on the first business day after the fifteenth calendar day fell on Saturday;
- review the Director's decision and all additional evidence offered at the public hearing under § 07-05-07(2) (B);
- reverse the approval because the applicant did not carry the burden imposed by § 07-18-09; or
- alternatively, modify or remand the decision with directions requiring complete findings and conditions that protect surrounding agricultural uses.

We reserve the right to supplement this appeal with the Director's decision, application materials, maps, irrigation records, photographs, testimony, and other evidence at the public hearing.

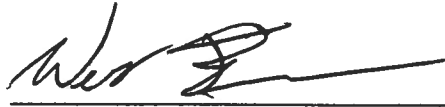
Respectfully submitted,



Sid Freeman

[MAILING ADDRESS] 27406 Farmway Rd
[PHONE / EMAIL] Caldwell, ID 83607

[REDACTED]



Wes Freeman

[MAILING ADDRESS] 27406 Farmway Rd
[PHONE / EMAIL] Caldwell ID 83607

[REDACTED]

Canyon County Development Services

111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Divsn Email: buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

Receipt Number: 88988

Date: 7/27/2026

Date Created: 7/27/2026

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Pamela L Freeman

Comments: AD2025-0133-APL

Site Address: 0 HOP RD, Caldwell ID 83607 / Parcel Number: 38456010 0

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Appeal to the Board of County Commissioners	AD2025-0133-APL	\$750.00	\$0.00	\$0.00
Planning - Notification - Public Hearing Level Cases (1 Hearing)	AD2025-0133-APL	\$350.00	\$0.00	\$0.00

Sub Total: \$1,100.00

Sales Tax: \$0.00

Total Charges: \$1,100.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Check	1580	\$1,100.00

Total Payments: \$1,100.00

ADJUSTMENTS

Receipt Balance: \$0.00