PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Bernal Landing Subdivision - SD2026-0003

The Canyon County Planning and Zoning Commission considers the following:

The applicant requests approval of the Bernal Landing Subdivision preliminary plat, a two-lot subdivision with a private road lot on Parcel R30550012. The applicant requests the waiver of city subdivision improvements per CCCO §09-11-19(6).

The subject property is located at 7218 Airport Road, Nampa, also referenced as a portion of the NE¼ of Section 20, T3N, R1W, 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 SD2026-0003.

      1. All exhibits can be found in the case staff report dated September 3, 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 §07-17-09 (Preliminary Plat Criteria), Idaho Code §67-6513 and CCCO §09-11-25 (Nampa Impact Area Agreement).

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

2. Per CCCO §07-17-09(4) - Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify: 1. The ordinance and standards used in evaluating the application; 2. Recommendations for conditions of approval that would minimize adverse conditions, if any; 3. The reasons for recommending the approval, conditional approval, modification, or denial; and 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision. B. Upon recommendation by the commission, the preliminary plat, together with the commission's recommendation, shall be transmitted to the board.

The application, SD2026-0003, was presented at a public hearing before the Canyon County Planning and Zoning Commission on September 3, 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. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**Application: The applicant shall file with DSD a copy of the completed subdivision application form as prescribed by the director and a copy of the preliminary plat with data as required in this section, including, but not limited to, preliminary irrigation plans, the availability of irrigation water to the property, and a preliminary drainage plan. All applicable fees shall be paid at this time.**

<table>
<tr><td>Analysis</td><td colspan="2">On February 19, 2026, the applicant submitted a short plat application (preliminary and final plat submitted concurrently). On August 13, 2026, a revised preliminary plat was submitted addressing staff corrections, including a road lot (Exhibits B.5 & C.4). Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit C.4 for details and condition no. 12):

<u>Summary of Review – Bernal Landing Subdivision</u>:
• <u>Total Acreage</u>: 5.38 acres.
• <u>Total Number of Lots</u>: Two (2) Lots.
• <u>Zoning</u>: "R-R" (Rural Residential, two-acre average minimum lot size).
• <u>Roads/Access</u>: Access to both lots will be provided via a private road lot (60' foot width per CCCO §07-17-31). See Condition No. 1.a.
o A draft Road Users Maintenance Agreement was submitted (Exhibit B.8).
o Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance (Exhibit D.5).
• <u>Area of City Impact</u>: The City of Nampa does not oppose the subdivision but identifies the proposed residential density as being inconsistent with the city's future land use plans for the area (Exhibit D.1). See Table 3 for more information.
• <u>Water/ Sewage Disposal</u>: Lot 2 is already served by a well and septic system. Lot 1 will require a well and septic system.
• <u>Irrigation</u>: The property has 5 acres of water rights from Nampa Meridian Irrigation District (Exhibits B.4 & 5). Gravity irrigation enters the west side of the property, bisecting proposed Lot 1. It is pumped out of an irrigation box near the front center of proposed Lot 2. A draft water users' agreement was submitted (Exhibit B.8).
• <u>Drainage</u>: Swales and vegetation filtration will continue to be used to retain storm and excess water (Exhibits B.4 & 5). The applicant submitted draft CC&Rs with drainage maintenance information (Exhibit B.9).
• <u>Hillside Development/Existing Features</u>: The northeast area of the property has slopes greater than 15% created by a decommissioned pond that is now used as a terrace landscaped area (Exhibits B.5 & C.4). The area will be part of Lot 2 and is prohibited from being developed. See condition No. 8.
The subdivision is located adjacent to an active mineral extraction and batch plant use. Condition 10 protects the adjacent use from future public nuisance concerns.
• <u>Other</u>: The subdivision places an existing detached shop accessory to the dwelling on a different lot (Lot 1). Per CCCO §07-02-03, an accessory structure is prohibited unless a primary use or structure is established/approved. The Planning and Zoning Commission added a condition requiring the shop to be removed unless the structure can qualify as an agricultural structure or a building permit for a dwelling is issued on Lot 1 within one year. See Condition No. 13.</td></tr>
<tr><td>Criteria Met?
Yes</td><td>2</td><td><u>Acknowledgment</u>: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.</td></tr>
<tr><td>Analysis</td><td colspan="2">On February 19, 2026, the application and plat were accepted by DSD (Exhibit B).</td></tr>
<tr><td>Criteria Met?
Yes</td><td>3</td><td><u>Agency Review</u>: A: The DSD shall transmit one copy of the preliminary plat to county departments and any such other agencies that may have jurisdiction or an interest in the proposed subdivision for their review and recommendation. B. If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.</td></tr>
<tr><td>Analysis</td><td colspan="2">A. Affected agencies were notified on March 5, 2026 (courtesy notice) and July 30, 2026 (hearing notice). The following agency comments were received:
• <u>City of Nampa (Exhibit D.1)</u>: See Table 3 of this report for additional information.</td></tr>
</table>

	• Idaho Dept. of Environmental Quality (**Exhibit D.2**): Informational; not project-specific. • Idaho Transportation Department (**Exhibit D.3**): The request does not meet the threshold for a traffic impact study nor pose a safety concern. • Nampa Fire District (**Exhibit D.4**): Does not oppose, subject to meeting fire hydrant and access road requirements. The development will be served by Nampa Fire Station 5, with an approximate response time of four minutes. *See condition No. 6.* • Nampa Highway District #1 (**Exhibit D.5**): Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance. Dedication along Airport Road will be required. The plat shows a 50' right-of-way dedication along Airport Road (**Exhibit B.5**). *See Condition No. 3.* • Southwest District Health (**Exhibit D.6**): A Nutrient Pathogen Study will not be required. Test holes are required to evaluate soil suitability for a subsurface sewage disposal system on each lot. The applicant provided a septic placement map and subdivision engineering report (**Exhibit B.10**). *See Condition No. 5.*

Table 2. Commission Review – CCCO §07-17-09(4)

Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for the action taken shall specify:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**The ordinance and standards used in evaluating the application.**
Analysis	A. Idaho Code Section 67-6513 (Subdivisions), B. Idaho Code Sections 50-1301 through 50-1329 (Platting), C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #12, **Exhibit B.5**), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation), and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met? **Yes**	**2**	**Recommendations for conditions of approval that would minimize adverse conditions, if any.**
Analysis	*See Order on Page 4 of this decision for all conditions of approval.*	
Criteria Met? **Yes**	**3**	**The reasons for recommending the approval, conditional approval, modification, or denial.**
Analysis	The request meets all preliminary plat requirements subject to conditions of approval. *See information in Table 1 and Sections 1 and 2 of Table 2.*	
Criteria Met? **Yes**	**4**	**If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.**
Analysis	*N/A*	

Table 3. Area of City Impact - Nampa

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**

Yes	**09-11-25(3)**	**The following procedures shall be adhered to in processing applications within the Nampa area of city impact:** **(3) Subdivision Plat Applications: All subdivision plat and irrigation plan applications shall be processed procedurally as provided for in this code, and as provided for in subsection 09-11-19 of this article.**
Analysis	The City of Nampa (Planning and Engineering divisions) was notified on March 5, 2026, and July 30, 2026. The City of Nampa - Planning Division provided a letter stating the property is located in the Nampa Impact Area. The property would be located in a 'Community Mixed Use' designation per the Nampa 2040 Comprehensive Plan if annexed into the City of Nampa. The property is also located in the Highway 16 Specific Area, which designates the property as a 'Commercial Industrial Campus'. The City of Nampa does not oppose the subdivision request but finds that the proposed residential density and housing type do not align with the Nampa 2040 Comprehensive Plan or Highway 16 Specific Area Plan, which promotes high-density residential housing types (**Exhibit D.1**). The applicant requests a waiver of city subdivision requirements per CCCO 09-11-19(6). However, no evidence was submitted demonstrating that the applicant completed a waiver review with the City of Nampa Engineering Division. However, the City of Nampa Engineering was notified on March 5, 2026, and July 30, 2026. Per CCCO §07-17-09(3)B: *If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.* Therefore, the lack of reply is considered approval of the waiver. Per CCCO 09-11-19(5), the city engineer must sign the final plat prior to the final plat being authorized and recorded. See *Condition No. 11*.	

Order

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case # SD2026-0003, the Bernal Landing Subdivision Preliminary Plat, subject to the following conditions:

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
    a. The private road lot shall be constructed to private road standards prior to the Board signing the final plat. Evidence shall be provided throughout the construction permit application process.
    b. A stormwater management plan shall be submitted prior to final plat signature by the Board. The plan shall address: Short-term construction protections (e.g., roadside swale protection during home building) and Long-term O&M (via CC&Rs or other enforceable mechanisms) to ensure the continued function of drainage systems.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Development shall comply with the requirements of the local highway district. Evidence shall include the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements. A letter from Nampa Meridian Irrigation District/Boise Project Board of Control approving the final plat shall be submitted prior to the Board of County Commissioners' signature on the final plat.
5. Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat.
6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat.
7. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
8. The final plat shall highlight areas where slopes over 15% exist and note on the final plat that all development (structures, mining, dredging, filling, grading, excavation, or drilling) on slopes 15% or greater is prohibited. Any changes requiring hillside development will be reviewed per CCCO Section 07-17-33(1) through the replat process.

9. Prior to final plat signature by the Board, water users' and road users' maintenance agreements must be recorded and added as a plat note on the final plat.
10. The final plat shall include a note that states: Current and future property owners understand and accept they live adjacent to an existing mining operation and batch plant, which may include noise, smells, dust, vibrations, traffic impacts, and lights.
11. Per CCCO §09-11-19(5): For subdivisions applied for in the Nampa area of city impact, the county will require on the face of each final plat a certification signature line for execution by the city of Nampa engineer attesting to the plat's conformance with the city standards set forth above. Also, the county will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signature being on the plat.
12. Prior to the case being heard by the Board of County Commissioners, the minor corrections stated in **Exhibit C.4** must be made and evidence submitted to DSD.
13. The detached accessory shop on Lot 1 must be removed in one year via a demolition permit unless one of the following occurs: (a) a dwelling is established on Lot 1 via an issued building permit; or (b) the shop is approved as an agricultural building per CCCO §06-01-07 via an agricultural building permit.

DATED this 17 day of September, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 17 day of September, 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

Planning and Zoning Commission
Hearing Date: September 3, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: **SD2026-0003**

APPLICANT: **Mason & Associates, Inc.**
PROPERTY OWNER: **Shaunta Bernal**

APPLICATION: **Preliminary Plat – Bernal Landing Subdivision**

LOCATION: **7218 Airport Road, Nampa**
R30550012, 5.38 acres

PLANNER: **Dan Lister, Principal Planner**

STAFF RECOMMENDATION: **Approval**

REQUEST:
The owner, Shaunta Bernal, represented by Mason & Associates, requests approval of the Bernal Landing Subdivision preliminary plat, a two-lot subdivision with a private road lot on Parcel R30550012. The parcel, approximately 5.3 acres, is zoned "R-R" (Rural Residential). The applicant requests the waiver of city subdivision improvements per CCCO §09-11-19(6). The subject property is located at 7218 Airport Road, Nampa, also referenced as a portion of the NE ¼ of Section 20, T3N, R1W, BM, Canyon County, Idaho.

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 §07-17-09 (Preliminary Plat Criteria); Idaho Code §67-6513; and CCCO §09-11-25 (Area of City Impact Agreement).

BACKGROUND:
The subject parcel is zoned "R-R" (Rural Residential). According to PI2023-0173, the subject parcel was created via a land division in 1994. The original parcel has been divided into more than four parcels. Therefore, subdivision platting is required for further division.

The subject parcel has a dwelling, garage, and sheds, all built circa 2015 (BP2015-359 & BP2015-417).

HEARING CRITERIA:

Table 1. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**<u>Application</u>: The applicant shall file with DSD a copy of the completed subdivision application form as prescribed by the director and a copy of the preliminary plat with data as required in this section, including, but not limited to, preliminary irrigation plans, the availability of irrigation water to the property, and a preliminary drainage plan. All applicable fees shall be paid at this time.**
Analysis	On February 19, 2026, the applicant submitted a short plat application (preliminary and final plat submitted concurrently). On August 13, 2026, a revised preliminary plat was submitted addressing staff corrections,	

	including a road lot (**Exhibits B.5 & C.4**). Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See **Exhibit C.4** *for details and condition no. 12 in Table 2, Criteria*): **Summary of Review – Bernal Landing Subdivision:** • Total Acreage: 5.38 acres. • Total Number of Lots: Two (2) Lots. • Zoning: "R-R" (Rural Residential, two-acre average minimum lot size). • Roads/Access: Access to both lots will be provided via a private road lot (60' foot width per CCCO §07-17-31). *See Condition No. 1.a in Table 2, Criteria 2.* o A draft Road Users Maintenance Agreement was submitted (**Exhibit B.8**). o Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance (**Exhibit D.5**). • Area of City Impact: The City of Nampa does not oppose the subdivision but identifies the proposed residential density as being inconsistent with the city's future land use plans for the area (**Exhibit D.1**). *See Table 3 for more information.* • Water/ Sewage Disposal: Lot 2 is already served by a well and septic system. Lot 1 will require a well and septic system. • Irrigation: The property has 5 acres of water rights from Nampa Meridian Irrigation District (**Exhibits B.4 & 5**). Gravity irrigation enters the west side of the property, bisecting proposed Lot 1. It is pumped out of an irrigation box near the front center of proposed Lot 2. A draft water users' agreement was submitted (**Exhibit B.8**). • Drainage: Swales and vegetation filtration will continue to be used to retain storm and excess water (**Exhibits B.4 & 5**). Draft CC&Rs were submitted with drainage maintenance information (**Exhibit B.9**). • Hillside Development/Existing Features: The northeast area of the property has slopes greater than 15% created by a decommissioned pond that is now used as a terrace landscaped area (**Exhibits B.5 & C.4**). The area will be part of Lot 2 and is prohibited from being developed. *See condition No. 8 in Table 2, Criteria 2.*
Criteria Met? **Yes**	**2**	**Acknowledgment: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.**
Analysis	On February 19, 2026, the application and plat were accepted by DSD (**Exhibit B**).	
Criteria Met? **Yes**	**3**	**Agency Review: A: The DSD shall transmit one copy of the preliminary plat to county departments and any such other agencies that may have jurisdiction or an interest in the proposed subdivision for their review and recommendation. B. If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.**
Analysis	A. Affected agencies were notified on March 5, 2026 (courtesy notice) and July 30, 2026 (hearing notice). The following agency comments were received: • City of Nampa (**Exhibit D.1**): *See Table 3 of this report for additional information.* • Idaho Dept. of Environmental Quality (**Exhibit D.2**): Informational; not project-specific. • Idaho Transportation Department (**Exhibit D.3**): The request does not meet the threshold for a traffic impact study nor pose a safety concern.	

	• Nampa Fire District (**Exhibit D.4**): Does not oppose, subject to meeting fire hydrant and access road requirements. The development will be served by Nampa Fire Station 5, with an approximate response time of four minutes. *See condition No. 6 in Table 2, Criteria 2.* • Nampa Highway District #1 (**Exhibit D.5**): Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance. Dedication along Airport Road will be required. The plat shows a 50' right-of-way dedication along Airport Road (**Exhibit B.5**). *See Condition No. 3 in Table 2, Criteria 2.* • Southwest District Health (**Exhibit D.6**): A Nutrient Pathogen Study will not be required. Test holes are required to evaluate soil suitability for a subsurface sewage disposal system on each lot. The applicant provided a septic placement map and subdivision engineering report (**Exhibit B.10**). *See Condition No. 5 in Table 2, Criteria 2.*

Table 2. Commission Review – CCCO §07-17-09(4)

Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for the action taken shall specify:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**The ordinance and standards used in evaluating the application.**
Analysis	A. Idaho Code Section 67-6513 (Subdivisions), B. Idaho Code Sections 50-1301 through 50-1329 (Platting), C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #12, **Exhibit B.5**), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation), and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met? **Yes**	**2**	**Recommendations for conditions of approval that would minimize adverse conditions, if any.**
Analysis	Should the Commission wish to approve the subject application, staff recommends the following conditions be attached: 1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat. a. The private road lot shall be constructed to private road standards prior to the Board signing the final plat. Evidence shall be provided throughout the construction permit application process. b. A stormwater management plan shall be submitted prior to final plat signature by the Board. The plan shall address: Short-term construction protections (e.g., roadside swale protection during home building) and Long-term O&M (via CC&Rs or other enforceable mechanisms) to ensure the continued function of drainage systems. 2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved. 3. Development shall comply with the requirements of the local highway district. Evidence shall include the highway district's signature on the final plat. 4. Development shall comply with irrigation district requirements. A letter from Nampa Meridian Irrigation District/Boise Project Board of Control approving the final plat shall be submitted prior to the Board of County Commissioners' signature on the final plat.	

	5. Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat. 6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat. 7. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service. 8. The final plat shall highlight areas where slopes over 15% exist and note on the final plat that all development (structures, mining, dredging, filling, grading, excavation, or drilling) on slopes 15% or greater is prohibited. Any changes requiring hillside development will be reviewed per CCCO Section 07-17-33(1) through the replat process. 9. Prior to final plat signature by the Board, water users' and road users' maintenance agreements must be recorded and added as a plat note on the final plat. 10. The final plat shall include a note that states: Current and future property owners understand they are choosing to live adjacent to an existing mining operation, which may include noise, smells, dust, vibrations, traffic impacts, and lights that may be a nuisance to residential uses. 11. Per CCCO §09-11-19(5): For subdivisions applied for in the Nampa area of city impact, the county will require on the face of each final plat a certification signature line for execution by the city of Nampa engineer attesting to the plat's conformance with the city standards set forth above. Also, the county will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signature being on the plat. 12. Prior to the case being heard by the Board of County Commissioners, the minor corrections stated in **Exhibit C.4** must be made and evidence submitted to DSD.	
Criteria Met? **Yes**	**3**	**The reasons for recommending the approval, conditional approval, modification, or denial.**
Analysis	The request meets all preliminary plat requirements subject to conditions of approval. *See information in Table 1 and Sections 1 and 2 of Table 2.*	
Criteria Met? **Yes**	**4**	**If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.**
Analysis	*N/A*	

Table 3. Area of City Impact - Nampa

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**09-11-25(3)**	**The following procedures shall be adhered to in processing applications within the Nampa area of city impact:** **(3) Subdivision Plat Applications: All subdivision plat and irrigation plan applications shall be processed procedurally as provided for in this code, and as provided for in subsection 09-11-19 of this article.**
Analysis	**Area of City Impact:** The City of Nampa (Planning and Engineering divisions) was notified on March 5, 2026, and July 30, 2026. The City of Nampa - Planning Division provided a letter stating the property is located in the Nampa Impact Area. The property would be located in a 'Community Mixed Use' designation per the Nampa 2040 Comprehensive Plan if annexed into the City of Nampa. The property is also located in the Highway 16	

	Specific Area, which designates the property as a 'Commercial Industrial Campus'. The City of Nampa does not oppose the subdivision request but finds that the proposed residential density and housing type do not align with the Nampa 2040 Comprehensive Plan or Highway 16 Specific Area Plan, which promotes high-density residential housing types (**Exhibit D.1**). The applicant requests a waiver of city subdivision requirements per CCCO 09-11-19(6). However, no evidence was submitted demonstrating that the applicant completed a waiver review with the City of Nampa Engineering Division. However, the City of Nampa Engineering was notified on March 5, 2026, and July 30, 2026. Per CCCO §07-17-09(3)B*: If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.* Therefore, the lack of reply is considered approval of the waiver. Per CCCO 09-11-19(5), the city engineer must sign the final plat prior to the final plat being authorized and recorded. See *Condition No. 11 in Table 2, Criteria 2*.

NOTIFICATION AND COMMENTS:
Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on July 30, 2026. Property owners within 600 feet of the subject property boundaries were notified on July 30, 2026. A newspaper notice was published on August 4, 2026. The subject property was posted with a notice on August 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
All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

RECOMMENDATION AND DECISION OPTIONS:
In consideration of the application and supporting materials, staff concludes that the proposed preliminary plat is compliant with CCCO §07-17-09 subject to the recommended conditions of approval (See Table 2, Section 2).

DECISION OPTIONS

- **Approval of the Application**: "I move to approve SD2026-0003, Bernal Landing Subdivision, finding the application **does** meet the criteria for approval under Article 07-17-09 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 deny SD2026-0003, Bernal Landing Subdivision, finding the application **does not** meet the criteria for approval under 07-17-09 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 SD2026-0003, Bernal Landing Subdivision, to a [*date certain or uncertain*]

EXHIBITS:

A. Draft FCOs

B. Application Packet & Supporting Materials

1. Master Application

2. Letter of Explanation
3. Subdivision Worksheet
4. Irrigation Plan Application
5. Preliminary Plat
6. Irrigation Plan
7. Warranty Deed
8. Draft Water Users Agreement & Road Users Agreement
9. Draft CC&Rs
10. Subdivision Engineering Report with Septic Placement Map
11. Applicant's Photo Presentation

C. Supplemental Documents

1. Parcel Information Report – R30550012
2. Aerial Map
3. Vicinity Map
4. Preliminary Plat DSD Review
5. Site Visit Photos

D. Agency Comments Received by August 24, 2026

1. City of Nampa, letter dated March 9, 2026
2. Idaho Dept. of Environmental Quality (DEQ), letter dated March 9, 2026
3. Idaho Transportation Department (ITD), email received on March 16, 2026
4. Nampa Fire District letter dated March 31, 2026
5. Nampa Highway District #1, email received on March 5, 2026
6. Southwest District Health, email received on March 6, 2026

E. Public Comments Received by August 24, 2026

1. Matthew & Esmeralda Rodriguez, email with letter submitted on August 24, 2026

EXHIBIT A

Draft FCOs

Planning & Zoning Commission

Case# SD2026-0003

Hearing date: September 3, 2026

PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:
Bernal Landing Subdivision - SD2026-0003

The Canyon County Planning and Zoning Commission considers the following:

The applicant requests approval of the Bernal Landing Subdivision preliminary plat, a two-lot subdivision with a private road lot on Parcel R30550012. The applicant requests the waiver of city subdivision improvements per CCCO §09-11-19(6).

The subject property is located at 7218 Airport Road, Nampa, also referenced as a portion of the NE ¼ of Section 20, T3N, R1W, 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 SD2026-0003.

      1. All exhibits can be found in the case staff report dated September 3, 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 §07-17-09 (Preliminary Plat Criteria), Idaho Code §67-6513 and CCCO §09-11-25 (Nampa Impact Area Agreement).

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

2. Per CCCO §07-17-09(4) - Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify: 1. The ordinance and standards used in evaluating the application; 2. Recommendations for conditions of approval that would minimize adverse conditions, if any; 3. The reasons for recommending the approval, conditional approval, modification, or denial; and 4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision. B. Upon recommendation by the commission, the preliminary plat, together with the commission's recommendation, shall be transmitted to the board.

The application, SD2026-0003, was presented at a public hearing before the Canyon County Planning and Zoning Commission on September 3, 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. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**Application: The applicant shall file with DSD a copy of the completed subdivision application form as prescribed by the director and a copy of the preliminary plat with data as required in this section, including, but not limited to, preliminary irrigation plans, the availability of irrigation water to the property, and a preliminary drainage plan. All applicable fees shall be paid at this time.**

<table>
<tr><td>Analysis</td><td colspan="2">On February 19, 2026, the applicant submitted a short plat application (preliminary and final plat submitted concurrently). On August 13, 2026, a revised preliminary plat was submitted addressing staff corrections, including a road lot (Exhibits B.5 & C.4). Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit C.4 for details and condition no. 12):

<u>Summary of Review – Bernal Landing Subdivision</u>:
• <u>Total Acreage</u>: 5.38 acres.
• <u>Total Number of Lots</u>: Two (2) Lots.
• <u>Zoning</u>: “R-R” (Rural Residential, two-acre average minimum lot size).
• <u>Roads/Access</u>: Access to both lots will be provided via a private road lot (60’ foot width per CCCO §07-17-31). See Condition No. 1.a.
o A draft Road Users Maintenance Agreement was submitted (Exhibit B.8).
o Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance (Exhibit D.5).
• <u>Area of City Impact</u>: The City of Nampa does not oppose the subdivision but identifies the proposed residential density as being inconsistent with the city's future land use plans for the area (Exhibit D.1). See Table 3 for more information.
• <u>Water/ Sewage Disposal</u>: Lot 2 is already served by a well and septic system. Lot 1 will require a well and septic system.
• <u>Irrigation</u>: The property has 5 acres of water rights from Nampa Meridian Irrigation District (Exhibits B.4 & 5). Gravity irrigation enters the west side of the property, bisecting proposed Lot 1. It is pumped out of an irrigation box near the front center of proposed Lot 2. A draft water users’ agreement was submitted (Exhibit B.8).
• <u>Drainage</u>: Swales and vegetation filtration will continue to be used to retain storm and excess water (Exhibits B.4 & 5). Draft CC&Rs were submitted with drainage maintenance information (Exhibit B.9).
• <u>Hillside Development/Existing Features</u>: The northeast area of the property has slopes greater than 15% created by a decommissioned pond that is now used as a terrace landscaped area (Exhibits B.5 & C.4). The area will be part of Lot 2 and is prohibited from being developed. See condition No. 8.</td></tr>
<tr><td>Criteria Met?
Yes</td><td>2</td><td><u>Acknowledgment</u>: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.</td></tr>
<tr><td>Analysis</td><td colspan="2">On February 19, 2026, the application and plat were accepted by DSD (Exhibit B).</td></tr>
<tr><td>Criteria Met?
Yes</td><td>3</td><td><u>Agency Review</u>: A: The DSD shall transmit one copy of the preliminary plat to county departments and any such other agencies that may have jurisdiction or an interest in the proposed subdivision for their review and recommendation. B. If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.</td></tr>
<tr><td>Analysis</td><td colspan="2">A. Affected agencies were notified on March 5, 2026 (courtesy notice) and July 30, 2026 (hearing notice). The following agency comments were received:
• <u>City of Nampa (Exhibit D.1)</u>: See Table 3 of this report for additional information.
• <u>Idaho Dept. of Environmental Quality (Exhibit D.2)</u>: Informational; not project-specific.
• <u>Idaho Transportation Department (Exhibit D.3)</u>: The request does not meet the threshold for a traffic impact study nor pose a safety concern.
• <u>Nampa Fire District (Exhibit D.4)</u>: Does not oppose, subject to meeting fire hydrant and access road requirements. The development will be served by Nampa Fire Station 5, with an approximate response time of four minutes. See condition No. 6.</td></tr>
</table>

Exhibit A

	• Nampa Highway District #1 (**Exhibit D.5**): Airport Road is classified as a Rural Principal Arterial. No direct access to arterial roadways is permitted without a variance. Dedication along Airport Road will be required. The plat shows a 50' right-of-way dedication along Airport Road (**Exhibit B.5**). *See Condition No. 3.* • Southwest District Health (**Exhibit D.6**): A Nutrient Pathogen Study will not be required. Test holes are required to evaluate soil suitability for a subsurface sewage disposal system on each lot. The applicant provided a septic placement map and subdivision engineering report (**Exhibit B.10**). *See Condition No. 5.*

Table 2. Commission Review – CCCO §07-17-09(4)

Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for the action taken shall specify:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**1**	**The ordinance and standards used in evaluating the application.**
Analysis	A. Idaho Code Section 67-6513 (Subdivisions), B. Idaho Code Sections 50-1301 through 50-1329 (Platting), C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #12, **Exhibit B.5**), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation), and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met? **Yes**	**2**	**Recommendations for conditions of approval that would minimize adverse conditions, if any.**
Analysis	*See Order on Page 4 of this decision for all conditions of approval.*	
Criteria Met? **Yes**	**3**	**The reasons for recommending the approval, conditional approval, modification, or denial.**
Analysis	The request meets all preliminary plat requirements subject to conditions of approval. *See information in Table 1 and Sections 1 and 2 of Table 2.*	
Criteria Met? **Yes**	**4**	**If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.**
Analysis	*N/A*	

Table 3. Area of City Impact - Nampa

County Ordinance and Review		
Criteria Met?	**Code Section**	**Criteria**
Yes	**09-11-25(3)**	**The following procedures shall be adhered to in processing applications within the Nampa area of city impact:** **(3) Subdivision Plat Applications: All subdivision plat and irrigation plan applications shall be processed procedurally as provided for in this code, and as provided for in subsection 09-11-19 of this article.**
Analysis	**Area of City Impact:** The City of Nampa (Planning and Engineering divisions) was notified on March 5, 2026, and July 30, 2026. The City of Nampa - Planning Division provided a letter stating the property is located in the Nampa Impact Area. The property would be located in a 'Community Mixed Use' designation per the Nampa 2040 Comprehensive Plan if annexed into the City of Nampa. The property is also located in the Highway 16	

	Specific Area, which designates the property as a 'Commercial Industrial Campus'. The City of Nampa does not oppose the subdivision request but finds that the proposed residential density and housing type do not align with the Nampa 2040 Comprehensive Plan or Highway 16 Specific Area Plan, which promotes high-density residential housing types (**Exhibit D.1**). The applicant requests a waiver of city subdivision requirements per CCCO 09-11-19(6). However, no evidence was submitted demonstrating that the applicant completed a waiver review with the City of Nampa Engineering Division. However, the City of Nampa Engineering was notified on March 5, 2026, and July 30, 2026. Per CCCO §07-17-09(3)B*: If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, approval of the preliminary plat by such department or agency will be considered to be granted.* Therefore, the lack of reply is considered approval of the waiver. Per CCCO 09-11-19(5), the city engineer must sign the final plat prior to the final plat being authorized and recorded. See *Condition No. 11*.

Order

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case # SD2026-0003, the Bernal Landing Subdivision Preliminary Plat, subject to the following conditions:

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
    a. The private road lot shall be constructed to private road standards prior to the Board signing the final plat. Evidence shall be provided throughout the construction permit application process.
    b. A stormwater management plan shall be submitted prior to final plat signature by the Board. The plan shall address: Short-term construction protections (e.g., roadside swale protection during home building) and Long-term O&M (via CC&Rs or other enforceable mechanisms) to ensure the continued function of drainage systems.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Development shall comply with the requirements of the local highway district. Evidence shall include the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements. A letter from Nampa Meridian Irrigation District/Boise Project Board of Control approving the final plat shall be submitted prior to the Board of County Commissioners' signature on the final plat.
5. Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat.
6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat.
7. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
8. The final plat shall highlight areas where slopes over 15% exist and note on the final plat that all development (structures, mining, dredging, filling, grading, excavation, or drilling) on slopes 15% or greater is prohibited. Any changes requiring hillside development will be reviewed per CCCO Section 07-17-33(1) through the replat process.
9. Prior to final plat signature by the Board, water users' and road users' maintenance agreements must be recorded and added as a plat note on the final plat.
10. The final plat shall include a note that states: Current and future property owners understand they are choosing to live adjacent to an existing mining operation, which may include noise, smells, dust, vibrations, traffic impacts, and lights that may be a nuisance to residential uses.
11. Per CCCO §09-11-19(5): For subdivisions applied for in the Nampa area of city impact, the county will require on the face of each final plat a certification signature line for execution by the city of Nampa engineer attesting to the

plat's conformance with the city standards set forth above. Also, the county will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signature being on the plat.

12. Prior to the case being heard by the Board of County Commissioners, the minor corrections stated in **Exhibit C.4** must be made and evidence submitted to DSD.

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: _____

EXHIBIT B

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# SD2026-0003

Hearing date: September 3, 2026

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov Phone: 208-402-4164

PROPERTY OWNER	OWNER NAME: Shaunta Bernal
	MAILING ADDRESS: 7218 Airport Road Nampa Id 83687
	PHONE: 208-[redacted] EMAIL: [redacted]@gmail.com

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

Signature: _____ Date: 12/22/2025

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: Will Mason
	COMPANY NAME: Mason & Associates, In
	MAILING ADDRESS: 924 3rd Street S.
	PHONE: 208-[redacted] EMAIL: [redacted]@masonandassociates.us

SITE INFO	STREET ADDRESS: 7218 Airport Rd
	PARCEL #: R30550012 LOT SIZE/AREA: 5.38 acres
	LOT: BLOCK: SUBDIVISION:
	QUARTER: SW 1/4 SECTION: 20 TOWNSHIP: 3N RANGE: 1W
	ZONING DISTRICT: RR FLOODZONE (YES/(NO))

HEARING LEVEL APPS	_____CONDITIONAL USE _____COMP PLAN AMENDMENT _____CONDITIONAL REZONE
	_____ ZONING AMENDMENT (REZONE) DEV. AGREEMENT MODIFICATION _____VARIANCE > 33%
	_____MINOR REPLAT _____VACATION _____APPEAL
	X SHORT PLAT SUBDIVISION _____ PRELIMINARY PLAT SUBDIVISION _____FINAL PLAT SUBDIVISION

Bernal Landing

DIRECTORS DECISION APPS	_____ ADMINISTRATIVE LAND DIVISION _____EASEMENT REDUCTION SIGN PERMIT
	_____PROPERTY BOUNDARY ADJUSTMENT _____HOME BUSINESS _____VARIANCE 33% >
	_____PRIVATE ROAD NAME _____TEMPORARY USE _____DAY CARE
	_____OTHER_____

CASE NUMBER: SD2026-0003 DATE RECEIVED: 2-19-26

RECEIVED BY: Emily Bunn APPLICATION FEE: 2,290 (CK) MO CC CASH

pd. 2-26-26

Revised 3/1/22

Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Ste B, Nampa, ID 83651
Ph (208) [redacted]
Email: [redacted]@masonandassociates.us

LETTER OF EXPLANATION
BERNAL LANDING
SHORT PLAT

This is a request for a short plat for the subdivision of Bernal Landing. Per the report provided by County Staff the property can be subdivided as long as both properties are at a 2 acre minimum.

This parcel is zoned rural residential. The Bernal's would like to subdivide their property to create an additional lot for another home.

Irrigation on the property is proposed to remain the same. It has existing gravity irrigation with a pump system in an irrigation box that is centrally located front center of the property. This system currently serves the entire property and the Bernal's wish to keep this system as is. It will be governed by a shared water users agreement between lot 1 and lot 2. The property appears to have been terraced around 2016. (per google maps)

The Bernal's will be donating 50 feet of their property to Nampa Highway District for future Right-Of-Way. They propose to access both properties through a shared driveway easement as it is currently accessed, keeping the existing ingress/egress access location in place. The existing driveway will need to be widened 3-12 feet when future Right-Of-Way is taken. If required the gravel driveway can be widened now. In the future this common shared ingress/egress will be governed by a driveway users agreement between lot 1 and lot 2.

Fire truck turnaround will be kept at it's existing location, the circular drive around the flag pole on future lot 2.

The property will remain largely as is. There will be a future home on lot 1. There are no proposed berms, retaining walls or water features to be added. There will be no public outdoor activities, only personal/private property use. The adding of one additional lot does not pose significant increased traffic patterns. There will be no phasing of this development. Impact on neighbors should be minimal as only one more residential home will be built.

This property is consistent with the comprehensive plan as it abides by the rural residential County code.

The City of Nampa was contacted about a waiver of curb, gutter and sidewalk as this project is in the City of Nampa's impact area. As of this submission the City has not responded back. The Bernal's request a waiver of curb, gutter and sidewalk on this project.

SUBDIVISION WORKSHEET

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

GENERAL

1. **HOW MANY LOTS ARE YOU PROPOSING?**
   Residential 2 Non-buildable 0 Common 0

2. **AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS**
   2.38 ACRES

IRRIGATION

1. **IRRIGATION WATER IS PROVIDED VIA:**
   ☐ Irrigation Well ☒ Surface Water

2. **WHAT PERCENTAGE OF THE PROPERTY HAS WATER?** 100 %

3. **HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY?** _____

4. **HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?**
   As it is now - Property maintains and retains excess water. It will continue through swales.

5. **HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?**
   filtration through vegitation

ROADS

1. **ROADS WITHIN THE DEVELOPMENT WILL BE:**
   ☐ Public ☐ Private ☒ N/A

*** Private Road names must be approved by the County and the private road application submitted with the Preliminary Plat***

HILLSIDE DEVELOPMENT

1. **OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?**
   Residential 0 Non-Buildable 0 Common 0

2. **WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?**
   ☐ YES ☒ NO NA

***If YES, a grading plan is required.**

Revised 5/2/22

SUBDIVISION WORKSHEET

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

SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

1. **WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?**
   [X] YES [ ] NO — Request has been submitted to City

2. **IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?**
   [X] CURBS [X] GUTTERS [X] SIDEWALKS [X] STREETLIGHTS [X] LANDSCAPING

IRRIGATION PLAN APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty id.gov Phone: 208-402-4164

Applicant(s)

Shawita Bernal — 208- [redacted]
Name — Daytime Telephone Number

7218 airport Rd. — Nampa ID — 83687
Street Address — City, State — Zip

Representative Name

Mason & Associates Inc
Daytime Telephone Number / E-mail Address

924 3rd street S — Nampa ID — 83651
Street Address — City, State — Zip

Location of Subject Property: _____
Two Nearest Cross Streets or Property Address — City

Assessor's Account Number(s): R 30550012 Section 20 Township 3N Range 1W

This land:

☒ Has water rights available to it.

☐ Is dry and has no water rights available to it. If dry, please sign this document and return to the Development Services Department representative from whom you received it.

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

a. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or

b. The owner, person, firm, or corporation filing the subdivision plat or amendment to a subdivision plat or map has provided underground tile or conduit for lots of one (1) acre or less, or a suitable system for lots of more than one (1) acre which will deliver water to those land owners within the subdivision who are also within the irrigation entity with the appropriate approvals:

1. For proposed subdivisions located within negotiated area of city impact, both city and county zoning authorities must approve such irrigation system in accordance with Idaho Code Section 50-1306. In addition, the irrigation entity charged with the delivery of water to said lands must be advised regarding the irrigation system.

Revised 5/2/22

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

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

1. Are you within an area of negotiated City Impact? X Yes _____ No
   If yes, please include a copy of approvals by the City Planning & Zoning Commission and City Council of your Irrigation Plan. - To remain as is.

2. What is the name of the irrigation and drainage entities servicing the property?

   Irrigation: Nampa & Meridian Irrigation District

   Drainage: _____

3. How many acres is the property being subdivided? 5.38

4. What percentage of this property has water? 100% - 5 arcers of water rights per 1455D

5. How many inches of water are available to the property? _____

6. How is the land currently irrigated?
   ☒ Surface ☐ Irrigation Well
   ☐ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe

7. How is the land to be irrigated after it is subdivided?
   ☒ Surface ☐ Irrigation Well
   ☐ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe

8. Please describe how the head gate/pump connects to the canal and irrigated land and where ditches and/or pipes go.
   gravity irrigation enters on west side of property it is pumped out at gravity irrigation box near front center of property - when not in use water continues along

9. Are there irrigation easement(s) on the property? ☒ Yes ☐ No

10. How do you plan to retain storm and excess water on each lot?
    Through swales and how it has been historically retained

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

Revised 5/2/22

Exhibit B.4

Irrigation Plan Map Requirements

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

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

Also, provide the following documentation:

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

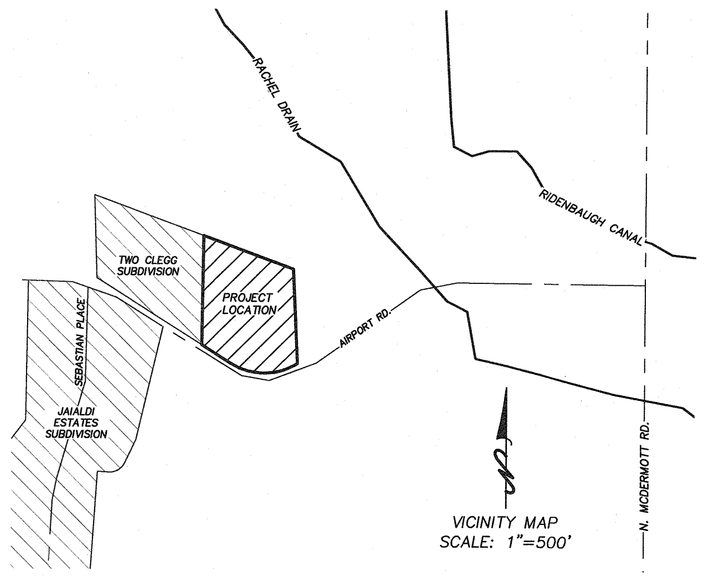
Revised 5/2/22

Exhibit B.4

BERNAL LANDING
PRELIMINARY PLAT

A PART OF THE NW 1/4 , NE 1/4 AND A PART OF THE SW 1/4, NE 1/4,
SECTION 20, T. 3N, R. 1W, B.M.
CANYON COUNTY, IDAHO
2026

This Document, and the Concepts, Ideas and Design Incorporated herein are an instrument of professional services and are the Property of Mason and Associates, Inc., therefore they are not to be used in whole or part for any other project without the express Written Authorization of Mason and Associates, Inc.©



VICINITY MAP
SCALE: 1"=500'

OWNER/ DEVELOPER

IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID 83687
[redacted]

ENGINEER/SURVEYOR

MASON & ASSOCIATES, INC.
924 3rd ST. SOUTH
NAMPA, ID 83651
[redacted]

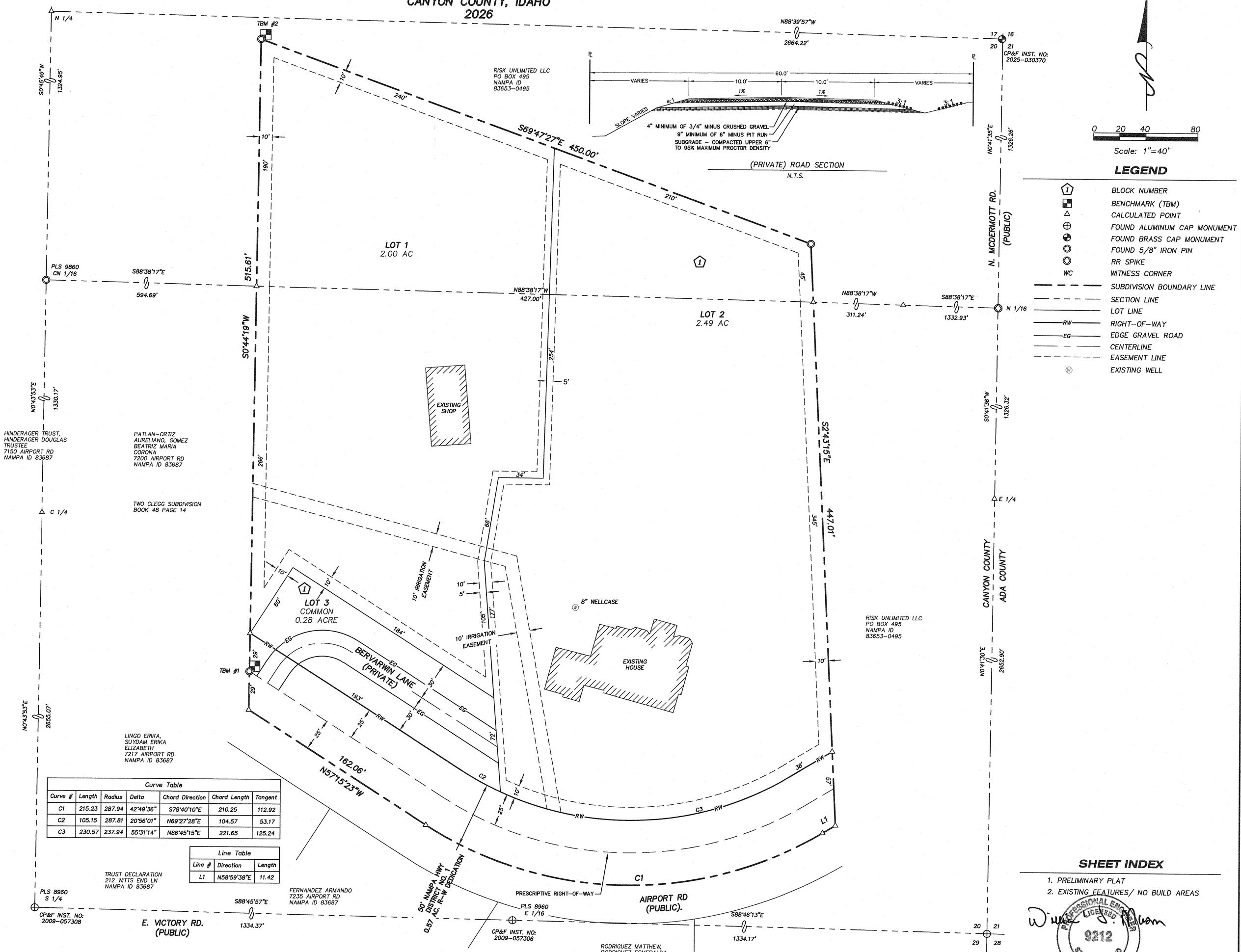
PROJECT NARRATIVE

1. CURRENT CANYON COUNTY ZONE RURAL RESIDENTIAL.
2. SITE LOCATED WITHIN CITY OF NAMPA IMPACT AREA.
3. NO. OF RESIDENTIAL LOTS IS 2.
   NO. OF COMMON LOTS IS 1.
   TOTAL NUMBER OF LOTS IS 3.
4. AREA: ±5.38 ACRES.
5. MINIMUM LOT SIZE: 2.00 ACRES
6. INDIVIDUAL PRIVATE WELL WILL BE INSTALLED BY HOMEOWNER.
7. INDIVIDUAL SEPTIC SYSTEM WILL BE INSTALLED BY HOMEOWNER.
8. PROJECT IS IN FLOOD ZONE X, AREA OF MINIMAL FLOOD HAZARD. MAP NUMBER 16027C0403F.
9. AN IRRIGATION SYSTEM EXISTS. IT WILL CONTINUE TO FUNCTION AS IS SERVING BOTH PROPERTIES FROM THE GRAVITY IRRIGATION BOX USING EXISTING IRRIGATION PUMP. IT WILL BE OWNED BY THE HOME OWNERS ASSOCIATION. WATER SHALL BE PROVIDED BY NAMPA & MERIDIAN IRRIGATION DISTRICT FROM WATER ASSESSMENT 1455 D.
10. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH CANYON COUNTY STANDARDS FOR THE APPLICABLE ZONE.
11. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
12. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE -- EXCEPTION. NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
13. IRRIGATION, DRAINAGE AND PUBLIC UTILITY EASEMENTS TO BE PROVIDED UNLESS OTHERWISE SHOWN
    SUBDIVISION BOUNDARY : 10 FEET
    STREET FRONTAGE : 10 FEET
    REAR LOTS : 10 FEET
    SIDE LOTS : 5 FEET
14. STORM WATER RUNOFF ON PRIVATE ROAD WILL BE RETAINED IN SWALES. INDIVIDUAL LOTS ARE RESPONSIBLE FOR THEIR STORM WATER RETENTION. ALL STORM WATER WILL BE RETAINED ON SITE.
15. THE UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ROUTINE AND HEAVY MAINTENANCE. .
16. A WAIVER FOR CURB, GUTTER AND SIDEWALK HAS BEEN REQUESTED FROM THE CITY OF NAMPA.
17. LOTS 1 AND 2, BLOCK 1 CONTAIN AREAS WITH SLOPES GREATER THAN 15%, NO CONSTRUCTION SHALL OCCUR WITHIN NON-BUILDABLE AREAS AS SHOWN ON SHEET 2.
18. LOT 3 BLOCK 1 IS A COMMON ROAD LOT, SUBJECT TO A BLANKET INGRESS/EGRESS, PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENT AND SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

PROJECT BENCHMARKS

TBM #1
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9895" 29.48' WITNESS CORNER TO THE SOUTHWEST PROPERTY CORNER. 1.5' SOUTHEAST OF SOUTHWESTERN FENCE CORNER.
NAVD88 ELEVATION=2626.44'

TBM #2
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9895" ON THE NORTHWEST PROPERTY CORNER.
NAVD88 ELEVATION=2633.11'



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	215.23	287.94	42°49'36"	S78°40'10"E	210.25	112.92
C2	105.15	287.81	20°56'01"	N69°27'28"E	104.57	53.17
C3	230.57	237.94	55°31'14"	N86°45'15"E	221.65	125.24

Line Table		
Line #	Direction	Length
L1	N58°59'38"E	11.42

SHEET INDEX

1. PRELIMINARY PLAT
2. EXISTING FEATURES/ NO BUILD AREAS

PROFESSIONAL ENGINEER LICENSED 9212 STATE OF IDAHO WILLIAM J. MASON
August 11, 2026

NO	BY	DATE	DESCRIPTION
1	MT	8/6/26	COUNTY COMMENTS AND REDLINES

REVISIONS

DESIGNED BY:
DRAWN BY: BP 8/25
CHECKED BY:
APP'D BY:

Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651 (208)

Mason & Associates

CLIENT:
IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID, 83687
(208) [redacted]
(208)

JOB NO. JY0825
DWG NO. JY0825PP
SCALE: Vert: N/A Horz: 1"=40'
FIELD BOOK NO.

DRAWING TITLE:
BERNAL LANDING
7218 AIRPORT ROAD
PRELIMINARY PLAT

Rev

SHEET NO. 1 OF 2 SHEETS

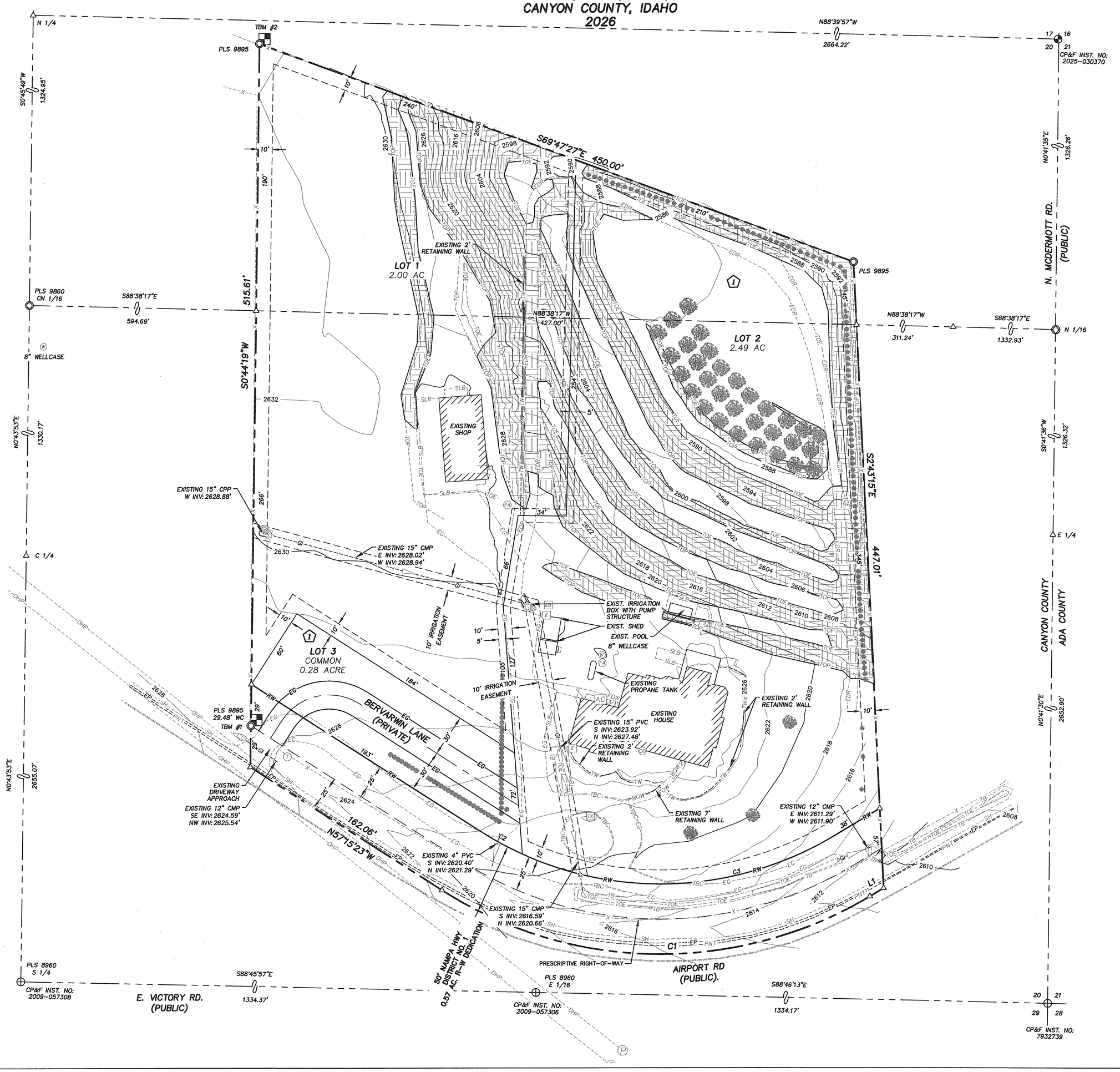
Exhibit B.5

Exhibit B.5

BERNAL LANDING
EXISTING FEATURES/ NO BUILD AREAS

A PART OF THE NW 1/4 , NE 1/4 AND A PART OF THE SW 1/4, NE 1/4,
SECTION 20, T. 3N, R. 1W, B.M.
CANYON COUNTY, IDAHO
2026

This Document, and the Concepts, Ideas and Design Incorporated herein are an instrument of professional services and are the Property of Mason and Associates, Inc., therefore they are not to be used in whole or part for any other project without the express Written Authorization of Mason and Associates, Inc.©



0 20 40 80

Scale: 1"=40'

LEGEND

- BLOCK NUMBER
- BENCHMARK (TBM)
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- RR SPIKE
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PROFESSIONAL ENGINEER
LICENSED
9212
STATE OF IDAHO
WILLIAM J. MASON

August 11, 2026

NO	BY	DATE	DESCRIPTION
1	MT	8/6/26	COUNTY COMMENTS AND REDLINES

REVISIONS

DESIGNED BY: BP 8/25
DRAWN BY:
CHECKED BY:
APPVD BY:

Mason & Associates
Professional Engineers, Land Surveyors & Planners
324 3rd St. South Nampa, ID 83651
(208) 468-0748

CLIENT: IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID. 83687
(208) [redacted]
(208)

JOB NO. JY0825
DWG NO. JY0825PP
SCALE: Vert: N/A Horiz: 1"=40'
FIELD BOOK NO.

DRAWING TITLE:
BERNAL LANDING
7218 AIRPORT ROAD
EXISTING FEATURES/NO BUILD AREAS

Rev

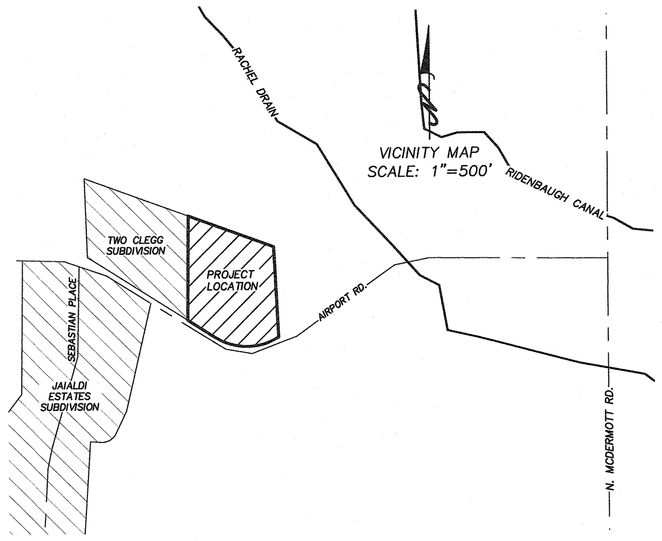
SHEET NO. 2 OF 2 SHEETS

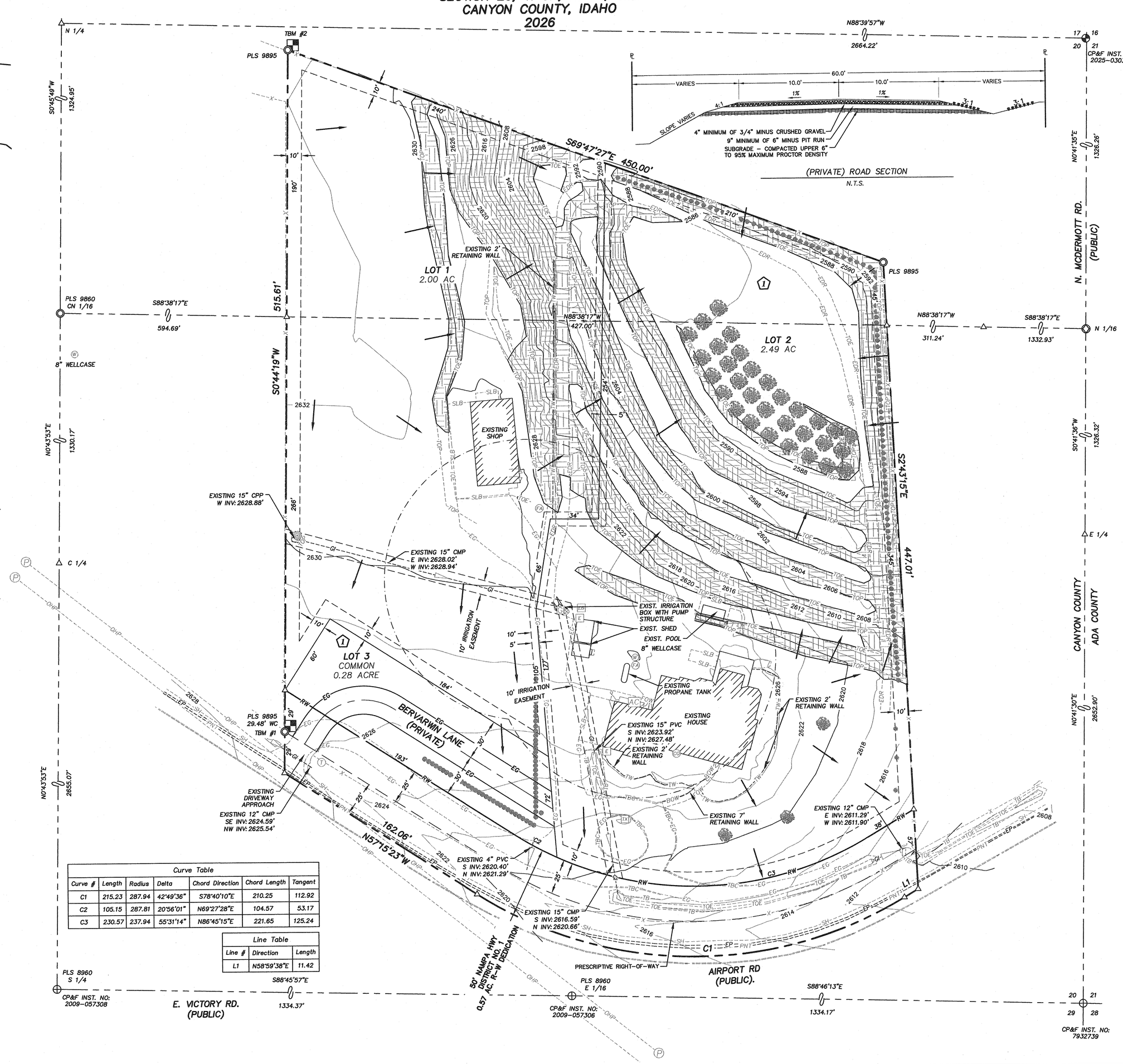
Exhibit B.5

BERNAL LANDING
DRAINAGE AND IRRIGATION PLAN

A PART OF THE NW 1/4 , NE 1/4 AND A PART OF THE SW 1/4, NE 1/4,
SECTION 20, T. 3N, R. 1W, B.M.
CANYON COUNTY, IDAHO
2026

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Line Table		
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OWNER/ DEVELOPER

IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID 83687
[redacted]

ENGINEER/SURVEYOR

MASON & ASSOCIATES, INC.
924 3rd ST. SOUTH
NAMPA, ID 83651
[redacted]

PROJECT NARRATIVE

1. IRRIGATION PROVIDED BY BLACK CANYON IRRIGATION DISTRICT.

2. A PRESSURE IRRIGATION SYSTEM SHALL BE PROVIDED PER IDAHO CODE, SECTION 31-3805. IRRIGATION WATER SHALL BE PROVIDED BY BLACK CANYON IRRIGATION DISTRICT. IRRIGATION SYSTEM SHALL BE MAINTAINED BY BERNAL LANDING SUBDIVISION WATER USER'S AGREEMENT INSTRUMENT #_____.

3. INDIVIDUAL PRIVATE WELLS WILL BE INSTALLED BY HOMEOWNER.

4. INDIVIDUAL SEPTIC SYSTEMS WILL BE INSTALLED BY HOMEOWNER.

5. IMPROVEMENTS SHOULD NOT SIGNIFICANTLY INCREASE STORM WATER RUNOFF. PUBLIC STREET STORM DRAINAGE SHALL BE CONVEYED VIA ROADSIDE BORROW DITCHES INTO STORM DRAINAGE DISPOSAL FACILITIES. STORM DRAINAGE FACILITIES SHALL BE LOCATED WITHIN AN EASEMENT, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY. THE HOMEOWNERS ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE, INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR THE APPLICATION OF PERIMETER LOT BERMING TO PREVENT DIRECT LOT STORMWATER DISCHARGE INTO IRRIGATION FACILITIES.

6. HISTORIC IRRIGATION DRAIN AND DITCH FLOW PATTERNS SHALL BE MAINTAINED UNLESS APPROVED IN WRITING BY THE LOCAL IRRIGATION DISTRICT OR DITCH COMPANY.

7. FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON THE SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.

PROJECT BENCHMARKS

TBM #1
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9895" 29.48' WITNESS CORNER TO THE SOUTHWEST PROPERTY CORNER. 1.5' SOUTHEAST OF SOUTHWESTERN FENCE CORNER.
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- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- DRAINAGE FLOW ARROW

PROFESSIONAL ENGINEER LICENSED 9212 STATE OF IDAHO WILLIAM J. MASON
August 11, 2026

NO	BY	DATE	DESCRIPTION
1	MT	8/6/26	COUNTY COMMENTS AND REDLINES

REVISIONS

DESIGNED BY:
DRAWN BY: BP 8/25
CHECKED BY:
APPVD BY:

Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651 (208) [redacted]
Mason & Associates

JOB NO. JY0825
DWG NO. JY0825PP
SCALE: Vert: N/A Horz: 1"=40'
FIELD BOOK NO.

CLIENT: IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID, 83687 [redacted]
(208)
(208)

DRAWING TITLE:
BERNAL LANDING
7218 AIRPORT ROAD
DRAINAGE AND IRRIGAITON PLAN

SHEET NO. 1 OF 1 SHEETS | Rev

Exhibit B.6

Exhibit B.6

Fidelity National Title

Escrow No.: 34602441638-PJN

2024-034475
RECORDED
10/24/2024 12:47 PM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=3 JWINSLOW $15.00
TYPE: DEED
VCR
ELECTRONICALLY RECORDED

WARRANTY DEED

FOR VALUE RECEIVED

James D. Clegg and Mary M. Clegg, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

Shaunta Bernal and Irene Bernal, a married couple

GRANTEE(S), whose current address is: **7218 Airport Road, Nampa, ID 83687-9539**

the following described real property in Canyon County, Idaho, more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Effective this 24th day of October, 2024.

James D. Clegg

Mary M. Clegg

STATE OF Idaho, COUNTY OF Ada, -ss.

On this 23 day of Oct, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared James D. Clegg and Mary M. Clegg known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Signature: _____
Name: _____
Residing at: _____
My Commission Expires: _____

(SEAL)

ZAC TURNER
COMMISSION #20203695
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 09/22/2026

Fidelity National Title

Electronically Recorded
Stamped First Page Now
Incorporated As Part of
The Original Document

Escrow No.: 34602441638-PJN

WARRANTY DEED

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Name: _____
Residing at: _____
My Commission Expires: _____

(SEAL)

ZAC TURNER
COMMISSION #20203695
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 09/22/2026

Exhibit B.7

EXHIBIT "A"
Legal Description

A parcel of land located in the North half of the Northeast Quarter of Section 20, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

Basis of Bearings:

The South line of the North half of the Northeast Quarter of Section 20, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as South 89°22'59" East.

Beginning at a point on the South line of the North half of the Northeast Quarter of Section 20, from which the center North 1/16 corner of said Section 20 bears North 88°22'59" West a distance of 594.52 feet; thence leaving said South line
North 00°00'18" West a distance of 190.18 feet; thence
South 70°32'04" East a distance of 450.00 feet; thence
South 03°27'52" East to a point on the centerline of Airport Road a distance of 447.01 feet; thence along said centerline the following four (4) courses:
South 58°15'01" West a distance of 11.42 feet, from a tangent which bears South 58°14'53" West, along a curve to the right with a radius of 287.81 feet and a central angle of 20°55'57" an arc length of 105.15 feet (with a chord bearing of South 68°42'52" West, and a chord distance of 104.57 feet); from a tangent which bears South 79°10'26" West, along a curve to the right with a radius of 287.94 feet and a central angle of 42°49'35" an arc length of 215.22 feet (with a chord bearing North 79°24'47" West, and a chord distance of 210.25 feet); thence North 58°00'00" West a distance of 162.06 feet; thence leaving said centerline
North 00°00'18" West a distance of 325.43 feet to the Point of Beginning.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mason and Associates, Inc
924 3rd Street South Ste. B
Nampa, Idaho 83651

(Space Above For Recorder's Use)

WATER USERS AGREEMENT
of the
BERNAL LANDING SUBDIVISION LOT 1 BLOCK 1 AND LOT 2 BLOCK 1 PROPERTY OWNERS

OWNERSHIP OF THE GRAVITY IRRIGATION

It is agreed by the parties that each of said parties shall be and is hereby granted an undivided interest in and to the use of the gravity irrigation system to be constructed. Each party shall be entitled to receive a supply of irrigation water for one residential dwelling. Lot 1 and Lot 2 Block 1 within Bernal Landing Subdivision will have the right of usage of this water source provided through Nampa & Meridian Irrigation District, water assessment 1455 D.

COST OF MAINTENANCE OF WATER SYSTEM WITHIN COMMON LOT AREAS

Each party hereto covenants and agrees that they shall equally share the maintenance and operational costs of the irrigation system herein described. Improvements to the gravity irrigation system shall be the responsibility of the Homeowners of Lot 1 Block 1 and Lot 2 Block 1 for maintenance and repairs within common lot areas.

UTILITY & IRRIGATION EASEMENT IS PRESENT FOR THE ACCESS AND REPAIR OF THE GRAVITY IRRIGATION SYSTEM.

There shall be an easement for the purpose of maintaining or repairing the service lines comprising the system and structures for the gravity irrigation system.

MAINTENANCE AND REPAIR OF PIPELINES

All pipelines in the water system shall be maintained so that there will be no leakage or seepage, or other defects which may cause contamination of the water, or injury, or damage to persons or property. Material used in repairs shall confirm to the Nampa & Meridian Distict Standards and Specifications. Cost of repairing or maintaining distribution pipelines within common lots shall be born by owners of Lot 1 Block 1 and Lot 2 Block 1. Distribution lines within individually owned lots shall be the responsibility of individual lot owner(s).

HEIRS, SUCCESSORS AND ASSIGNS

These covenants and agreements shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in this land described herein or any part hereof, and it shall pass to and be for the benefit of each owner thereof.

ENFORCEMENT OF AGREEMENT ON NON-CONFORMING PARTIES AND PROPERTIES

The parties herein agree to establish the right to make reasonable regulations for the operation of the system, such as the termination of service if bills are not paid within forty-five days of the due date, additional charges for disconnection, reconnection, etc. Parties not conforming with the provisions of this agreement shall be subject to interest charges of ____% per annum together with all collection fees.

Dated this _____ day of _____, 20___

_____ _____

Ship Done Right, LLC owners' representative

State of Idaho)
County of _____)ss

I, The undersigned, A notary Public in and for the above named County and State, do hereby certify that on this _____ day of _____, 20____, personally appeared before me _____ to me known to be the current owners' representative for all Lot and Blocks of Bernal Landing Subdivision as described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

_____

Notary Public in and for the State of Idaho, residing at

_____

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Mason and Associates, Inc
924 3rd Street South Ste. B
Nampa, Idaho 83651

(Space Above For Recorder's Use)

DRIVEWAY USERS AGREEMENT
of the
BERNAL LANDING SUBDIVISION LOT 1 BLOCK 1 AND LOT 2 BLOCK 1 PROPERTY OWNERS

OWNERSHIP OF THE INGRESS/EGRESS/DRIVEWAY

It is agreed by the parties that each of said parties shall be and is hereby granted an undivided interest in and to the use of common ingress/egress/driveway that exists. Each party shall be entitled to ingrees/egress to their residential dwelling. Lot 1 and Lot 2 Block 1 within Bernal Landing Subdivision will have the right to use the common ingress/egress/driveway.

COST OF MAINTENANCE OF THE INGRESS/EGRESS

Each party hereto covenants and agrees that they shall equally share the maintenance costs of the ingress/egress access herein described. Improvements to the ingress/egress access shall be the responsibility of the Homeowners of Lot 1 Block 1 and Lot 2 Block 1 for maintenance and repairs within common lot area.

MAINTENANCE AND REPAIR OF INGRESS/EGRESS

The ingress/egress common area shall be maintained so that there will be no ruts or blockages, or other defects which may cause a safety issue, or injury, or damage to persons or property. Material used in repairs shall confirm to the Nampa Highway District Standards and Specifications. Cost of repairing or maintaining the ingress/egress easement within the shared common area shall be born by owners of Lot 1 Block 1 and Lot 2 Block 1. Repair and maintanence of non shared driveways, lanes or other areas on each property are the reesponsibility of the individually owned lots and responsibility of individual lot owner(s).

HEIRS, SUCCESSORS AND ASSIGNS

These covenants and agreements shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in this land described herein or any part hereof, and it shall pass to and be for the benefit of each owner thereof.

ENFORCEMENT OF AGREEMENT ON NON-CONFORMING PARTIES AND PROPERTIES

The parties herein agree to establish the right to make reasonable regulations for the operation of the system, such as the termination of service if bills are not paid within forty-five days of the due date, additional charges for disconnection, reconnection, etc. Parties not conforming with the provisions of this agreement shall be subject to interest charges of ____% per annum together with all collection fees.

Dated this _____ day of _____, 20___

_____ _____

Ship Done Right, LLC owners' representative

State of Idaho)
County of _____)ss

I, The undersigned, A notary Public in and for the above named County and State, do hereby certify that on this _____ day of _____, 20____, personally appeared before me _____ to me known to be the current owners' representative for all Lot and Blocks of Bernal Landing Subdivision as described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

_____

Notary Public in and for the State of Idaho, residing at

_____

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
BERNAL LANDING SUBDIVISION

THIS DECLARATION is made effective as of the __ day of _____, _____, by SHIP DONE RIGHT, an Idaho limited liability company ("Declarant" or "Owner" or "Grantor").

ARTICLE 1: RECITALS

1.1 Declarant is the Owner of all of the real property located in the City of Nampa Impact, County of Canyon, State of Idaho, which is more particularly described on the Final Plat Map ("Plat") attached hereto as Exhibit A and made a part hereof ("Property"). Declarant desires to establish this Declaration on the Property which will contain residential dwelling units thereon.

1.2 The purpose of this Declaration is to set forth the basic restrictions, covenants, limitations, easements, conditions, and equitable servitudes (collectively "Restrictions") that will apply to the entire development and use of all portions of the Property. The Restrictions are designed to preserve the Property's value, desirability, and attractiveness, to ensure a well-integrated high-quality development, and to guarantee adequate maintenance of the Common Area, and the Improvements located thereon, in a cost effective and administratively efficient manner.

ARTICLE II: DECLARATION

2.1 Grantor hereby declares that the Property; and each lot, parcel or portion thereof, is and/or shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied, and improved subject to the following terms, covenants, conditions, easements, and restrictions, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement, and sale of the Property, and to enhance the value, desirability, and attractiveness of the Property. The terms, covenants, conditions, easements, and restrictions set forth herein:

A. shall run with the land constituting the Property, and with each estate therein, and shall be binding upon all persons having or acquiring any right, title, or interest in the Property or any lot, parcel, or portion thereof;

B. shall inure to the benefit of every lot, parcel, or portion of the Property and any interest therein; and,

C. shall inure to the benefit of, and be binding upon, Grantor, Grantor's successors in interest, and each grantee or Owner, and such grantee's or Owner's respective successors in interest, and may be enforced by Grantor, by any Owner, or such Owner's successors in interest, or by the Association as hereinafter described.

Notwithstanding the foregoing, no provision of this Declaration shall be construed as to prevent or limit Grantor's right to complete development of the Property and to construct improvements thereon, nor Grantor's right to maintain model homes, construction, sales, or leasing offices, or similar facilities (temporary or otherwise) on any portion of the Property, including the Common Area or any public right-of-way, nor Grantor's right to post signs incidental to construction, sales, or leasing, nor Grantor's right to modify plans for the Property, all in accordance with any necessary approvals of the City.

ARTICLE III: DEFINITIONS

3.2 "Articles" shall mean the Articles of Incorporation of an Association or other organizational or charter documents of an Association.

3.3 "Assessments" shall mean those payments required of Owners or other Association Members, including Regular, Special, and Limited Assessments of any Association as further defined in this Declaration.

Commented [DG1]: My understanding is that you do not want to impose regular HOA fees. Please confirm. If so, we will need to remove the Regular Assessments provisions highlighted throughout this document.

Commented [WM2R1]: That is correct. No regular HOA fees are desired.

3.4 "Association" shall mean the Idaho profit or non-profit corporation, and its successors and assigns, established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration or any Supplemental Declaration. Grantor shall have the power, in its discretion, to name the Association the "Bernal Landing Homeowners Association, Inc.," or any similar name which fairly reflects its purpose.

3.5 "Association Rules" shall mean those rules and regulations promulgated by an Association governing conduct upon and use of the Property under the jurisdiction or control of an Association, the imposition of fines and forfeitures for violation of Association Rules and regulations, and procedural matters for use in the conduct of business of an Association.

3.6 "Board" shall mean the Board of Directors or other governing board or individual, if applicable, of an Association.

3.7 "Building Lot" shall mean a lot shown on the Plat upon which Improvements may be constructed. For voting and membership purposes herein, "Building Lot" shall mean each single-family residential Building Lot. Building Lot shall not include Common Area.

3.8 "Bylaws" shall mean the Bylaws of the Association.

3.9 "Common Area" shall mean all real property in which the Association holds an interest or which is held or maintained, permanently or temporarily, for the common use, enjoyment, and benefit of the Subdivision and each Owner therein, and shall include, without limitation, all such parcels that are designated as private streets or drives, common open spaces, common landscaped areas, and waterways.

3.10 "Declaration" shall mean this Declaration as it may be amended from time to time.

3.11 "Design Guidelines" shall mean the construction guidelines approved by the Architectural Committee.

3.12 "Bernal Landing Subdivision" shall mean the Property.

3.13 "Grantor" shall mean SHIP DONE RIGHT, an Idaho limited liability company, and its successors in interest, or affiliates of the Grantor, or any person or entity to whom the rights under this Declaration are expressly transferred by Grantor or its successor. An "affiliate" shall mean any entity with some form of common ownership interest with the Grantor or partners of the Grantor.

3.14 "Improvement" shall mean any structure, facility, or system, or other improvement or object, whether permanent or temporary, which is erected, constructed, or placed upon, under, or in, any portion of the Property, including but not limited to buildings, fences, streets, drives, driveways, sidewalks, bicycle paths, curbs, landscaping, signs, lights, mail boxes, electrical lines, pipes, pumps, ditches, waterways, and fixtures of any kind whatsoever.

3.15 "Landscape Easements" shall mean any portion of a Building Lot located within the landscape easements designated on the Plat or in a Supplemental Declaration. This Landscape Easement is in addition to the general landscape easement described in Sections 5.5.2.3 and 12.7 of this Declaration.

3.16 "Limited Assessment" shall mean a charge against a particular Owner and such Owners Building Lot, directly attributable to the Owner, equal to the cost incurred by the Association for corrective action performed pursuant to the provisions of this Declaration or any Supplemental Declaration, including interest thereon as provided in this Declaration or a Supplemental Declaration.

3.17 "Member" shall mean each person or entity holding a membership in the Association. Where specific reference or the context so indicates, it shall also mean persons or entities holding membership.

3.18 "Owner" shall mean the person or other legal entity, including Grantor, holding fee simple interest of record to a Building Lot which is a part of the Property, and sellers under executory contracts of sale, but excluding those having such interest merely as security for the performance of an obligation.

3.19 "Person" shall mean any individual, partnership, corporation, or other legal entity.

3.20 "Plat" shall mean any subdivision plat covering any portion of the Property as recorded at the office of the County Recorder, Canyon County, Idaho, as the same may be amended by duly recorded amendments thereof.

3.21 "Property" shall mean the real property described in Exhibit A, including each lot, parcel, and portion thereof and interest therein, including all water rights associated with or appurtenant to such property, which are brought within the jurisdiction hereof by Supplemental

Declaration or otherwise. The Property also may include, at Grantor's sole discretion, such additional property in addition to that described in Exhibit A as may be annexed by means of Supplemental Declaration as provided herein.

3.22 "Regular Assessment" shall mean the portion of the cost of maintaining, improving, repairing, managing, and operating the Common Area and all Improvements located thereon, and the other costs of an Association which is to be levied against the Property of and paid by each Owner to the Association, pursuant to the terms of this Declaration or a Supplemental Declaration.

3.23 "Special Assessment" shall mean the portion of the costs of the capital improvements or replacements, equipment purchases and replacements or shortages in Regular Assessments which are authorized and to be paid by each Owner to the Association, pursuant to the provisions of this Declaration or a Supplemental Declaration.

3.24 "Supplemental Declaration" shall mean any Supplemental Declaration including additional covenants, conditions, and restrictions that might be adopted with respect to any portion of the Property.

3.25 "Tract" shall mean a defined portion of the Property within which the contemplated development involves a common use or compatible uses, and which may have been designated as a Tract by this Declaration or a recorded Supplemental Declaration. Each Tract shall contain one or more Building Lots, and may be managed to the extent permitted herein.

3.26 "Waterway" shall mean any surface water amenity, including, without limitation, any lake, pond, channel, slough, stream, or reservoir, natural or artificial, which is located on the Property and which is included within or managed as Common Area.

ARTICLE IV: GENERAL AND SPECIFIC RESTRICTIONS

4.1 **Structures - Generally.** All structures are to be designed, constructed and used in such a manner as to promote compatibility between the types of use contemplated by this Declaration.

4.1.5 Driveways. All access driveways shall have a wearing surface approved by owners of lot 1 block 1 and lot 2 block 2.

4.5 **Signs.** No sign of any kind shall be displayed to the public view without the approval of the owner of lot 1 block 1 and lot 2 block 2, and the County if otherwise so required, except:

A. such signs as may be used by Grantor in connection with the development of the Property and sale of Building Lots;

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B. temporary signs naming the contractors, the architect, and the lending institution for particular construction operation;

4.6 **Nuisances.** No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Property, including the Common Area or shared Easements, and no odor shall be permitted to arise therefrom so as to render the Property or any portion thereof unsanitary, unsightly, offensive, or detrimental to the Property or to its occupants, or to any other property in the vicinity thereof or to its occupants.

4.8 **Drainage.** There shall be no interference with the established drainage pattern over any portion of the Property, unless an adequate alternative provision is made for proper drainage and is first approved in writing by owner of lot 1 block 1 and lot 2 block 1. For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Property is completed by Grantor, or that drainage which is shown on any plans approved by the Architectural Committee, which may include drainage from the Common Area or Shared Easements over any Building Lot in the Property.

4.10 **Water Supply Systems.** Individual water supply systems, shall be permitted on any Building Lot if such system is designed, located, constructed, and equipped in accordance with the requirements, standards, and recommendations of the Board of all governmental authorities having jurisdiction. Grantor or affiliates of Grantor may use the water supply as deemed necessary for temporary or other irrigation purposes.

4.11 **No Hazardous Activities.** No activities shall be conducted on the Property, and improvements constructed on any property which are or might be unsafe or hazardous to any person or property.

4.12 **Unsightly Articles.** No unsightly articles shall be permitted to remain on any Building Lot so as to be visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, and trash shall be kept at all times in such containers and in areas approved by the owner of lot 1 block 1 and lot 2 block `

4.13 **No Temporary Structures.** No house trailer, mobile home, tent (other than for short term individual use which shall not exceed one (1) month unless approved by owner of lot 1 block 1 and lot 2 block 1.

4.21 **Exemption of Grantor.** Nothing contained herein shall limit the right of Grantor to subdivide or re-subdivide any portion of the Property, to grant licenses, to reserve rights-of-way and easements with respect to the Common Area to utility companies, public agencies, or others, or to

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complete excavation, grading, and construction of Improvements to and on any portion of the property owned by Grantor, or to alter the foregoing and its construction plans and designs, or to construct such additional Improvements as Grantor deems advisable in the course of development of the Property so long as any Building Lot in the Property remains unsold. Such right shall include, but shall not be limited to, erecting, constructing, and maintaining on the Property such structures and displays as may be reasonably necessary for the conduct of Grantor's business of completing the work and disposing of the same by sales lease or otherwise. Grantor shall have the right at any time prior to acquisition of title to a Building Lot by a purchaser from Grantor to grant, establish, and/or reserve on that Building Lot, additional licenses, reservations and rights-of way to Grantor, to utility companies, or to others as may from time to time be reasonably necessary to the proper development and disposal of the Property. Grantor may use any structures owned by Grantor on the Property as model home complexes or real estate sales or leasing offices for lots and homes within the Development. Grantor need not seek or obtain Architectural Committee approval of any Improvement constructed or placed by Grantor or an affiliate of Grantor on any portion of the Property owned by Grantor or an affiliate of Grantor. The rights of Grantor hereunder may be assigned by Grantor to any successor in interest in connection with Grantor's interest in any portion of the Property, by an express written assignment recorded in the Office of the Nampa County Recorder.

4.22 **Conveyances to and from Municipalities.** The Board shall have the power to convey any portion of the Common Area in Bernal Landing Subdivision to the City of Nampa, the County of Canyon, the State of Idaho, the United States of America, or any political subdivision thereof. The Board shall also have the power to receive a conveyance of any property interest from the above-referenced entities, or any other individual or entity, and to hold such property interest as Common Area.

4.23 **Water Rights Appurtenant to Subdivision Lands.** Within one hundred twenty (120) days of the date of the recording of this Declaration, Grantor shall transfer from the Property subject to this Declaration, and within the boundaries of an irrigation entity, as defined in said Section 31-3805, Idaho Code, all water rights and assessment obligations appurtenant to the Property to the Association.

ARTICLE V: BERNAL LANDING HOMEOWNERS ASSOCIATION

5.1 **Organization of Bernal Landing Homeowners Association.** Bernal Landing Homeowners Association ("Association") shall be initially organized by Grantor as an Idaho nonprofit corporation under the provisions of the Idaho Code relating to general non-profit corporations and shall be charged with the duties and invested with the powers prescribed by law and set forth in the Articles, Bylaws, and this Declaration. Neither the Articles nor the Bylaws shall be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration or with any Supplemental Declaration which Grantor might adopt pertaining to the Subdivision.

5.2 **Membership.** Each Owner, by virtue of being an Owner and for so long as such ownership is maintained, shall be a Member of the Association and no Owner shall have more than

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one membership in the Association. Memberships in the Association shall be appurtenant to the Tract, Building Lot, or other portion of the Property owned by such Owner. The memberships in the Association shall not be transferred, pledged, assigned, or alienated in any way except upon the transfer of Owner's title and then only to the transferee of such title. Any attempt to make a prohibited membership transfer shall be void and will not be reflected on the books of the Association.

5.3 **Voting.** Voting in the Association shall be carried out by Members who shall cast the votes attributable to the Building Lots which they own, or attributable to the Building Lots owned by Grantor. The number of votes any Member may cast on any issue is determined by the number of Building Lots which the Member, including Grantor, owns. When more than one person holds an interest in any Building Lot, all such persons shall be Members but shall share the votes attributable to the Building Lot. For voting purposes, the Association shall have classes of Members as described below:

5.3.1 Class A Members. Owners other than Grantor shall be known as Class A Members. Each Class Member shall be entitled to cast one (1) vote for each Building Lot owned by such Class A Member on the day of the vote.

Commented [DG3]: The default CC&Rs we use include Class A and Class B voting members. Please review and confirm whether you would like to keep this structure. We can change the number of votes of Class B members as well.

Commented [WM4R3]: I believe this is good to leave in.

Fractional votes shall not be allowed. In the event that joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter being put to a vote. When an Owner casts a vote, it will thereafter be presumed conclusively for all purposes that such Owner was acting with authority and consent of all joint owners of the Building Lot(s) from which the vote derived. The right to vote may not be severed or separated from the ownership of the Building Lot to which it is appurtenant, except that any Owner may give a revocable proxy, or may assign such Owners right to vote to a lessee, mortgagee, beneficiary, or contract purchaser of the building lot concerned, for the term of the lease, mortgage, deed of trust, or contract. Any sale, transfer, or conveyance of such Building Lot to a new Owner shall operate automatically to transfer the appurtenant voting right to the Owner, subject to any assignment of the right to vote to a lessee, mortgagee, or beneficiary as provided herein.

5.4 **Board of Directors and Officers.** The affairs of the Association shall be conducted and managed by a Board of Directors ("Board") and such Owners as the Board may elect or appoint, in accordance with the Articles and Bylaws, as the same may be amended from time to time. The Board of the Association shall be elected in accordance with the provisions set forth in the Association Bylaws.

5.5 **Power and Duties of the Association.**

5.5.1 Powers. The Association shall have all the powers of a corporation organized under the general corporation laws of the State of Idaho subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be

done by the Association under Idaho law and under this Declaration, and the Articles and Bylaws, and to do and perform any and all acts which may be necessary to, proper for, or incidental to the proper management and operation of the Common Area and the Association's other assets (including water rights when and if received from Grantor) and affairs and the performance of the other responsibilities herein assigned, including without limitation:

5.5.1.1 Assessments. The power to levy Assessments on any Owner or any portion of the Property and to force payment of such Assessments, all in accordance with the provisions of this Declaration.

5.5.1.2 Right of Enforcement. The power and authority from time to time in its own name, on its own behalf or on behalf of any Owner who consents thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or the Article or the Bylaws, including the Association Rules adopted pursuant to this Declaration, and to enforce by injunction or otherwise, all provisions hereof.

5.5.1.3 Delegation of Powers. The authority to delegate its power and duties to committees, officers, employees, or to any person, firm, or corporation to act as manager, and to contract for the maintenance, repair, replacement, and operation of the Common Area. Neither the Association nor the members of its Board shall be liable for any omission or improper exercise by the manager of any such duty or power so delegated.

5.5.1.4 Association Rules. The power to adopt, amend, and repeal by majority vote of the Board such rules and regulations as the Association deems reasonable. The Association may govern the use of the Common Areas, including, but not limited to, the use of private streets by the Owners, their families, invitees, licensees, lessees, or contract purchasers; provided, however, that any Association Rules shall apply equally to all Owners and shall not be inconsistent with this Declaration, the Articles, or the Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended, or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if they were set forth in and were a part of this Declaration. In the event of any conflict between such Association Rules and any other provisions of this Declaration, or the Articles or the Bylaws, the provisions of the Association Rules shall be deemed to be superseded by provisions of this Declaration, the Articles, or the Bylaws to the extent of any such inconsistency.

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5.5.1.5 Emergency Powers. The power, exercisable by the Association or by any person authorized by it, to enter upon any property (but not inside any building constructed thereon) in the event of any emergency involving illness or potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. Such entry shall be made with as little inconvenience to the Owner as practicable, and any damage caused thereby shall be repaired by the Association.

5.5.1.6 Licenses, Easements, and Rights-of-Way. The power to grant and convey to any third party such licenses, easements, and rights-of-way in, on, or under the Common Area as may be necessary or appropriate for the orderly maintenance, preservation, and enjoyment of the Common Area, and for the preservation of the health, safety, convenience, and welfare of the Owners, for the purpose of constructing, erecting, operating, or maintaining:

5.5.1.6.1 Underground lines, cables, wires, conduits, or other devices for the transmission of electricity or electronic signals-for lighting, heating, power, telephone, television, or other. purposes, and the above ground lighting stanchions, meters, and other facilities associated with the provisions of lighting and services; and,

5.5.1.6.2 Public sewers, storm drains, water drains, and pipes, water supply systems, sprinkling systems, heating and gas lines or pipes, and any similar public or quasi-public improvements or facilities.

5.5.1.6.3 Mailboxes and sidewalk abutments around such mailboxes, or any service facility, berms, fencing and landscaping abutting common areas, public and private streets or land conveyed for any public or quasi-public purpose including, but not limited to, bicycle pathways.

The right to grant such licenses, easements, and rights-of-way is hereby expressly Reserved to the Association and may be granted at any time prior to twenty-one (21) years after the death of the issue of the individuals executing this Declaration on behalf of Grantor who are being as of the date hereof.

5.5.2 Duties. In addition to duties necessary and proper to carry out the power delegated to the Association by this Declaration, and the Articles and Bylaws, without limiting the generality thereof, the Association or its agent, if any, shall have the authority and the obligation to conduct all business affairs of the Association and to perform, without limitation, each of the following duties:

5.5.2.1 Operation and Maintenance of the Common Area. Operate, maintain, and otherwise manage, or provide for the operation, maintenance, repair, replacement and management of the Common Area(s) and Improvements located thereon.

5.5.2.2 Reserve Account. Establish and fund a reserve account with a reputable banking institution or savings and loan association or title insurance company authorized to do business in the State of Idaho, which reserve account shall be dedicated to the costs of operation, repair, replacement, maintenance and improvement of the Common Areas and improvements.

5.5.2.3 Maintenance of Berms Retaining Walls and Fences. Maintain the berms, retaining walls, fences, and water amenities within and abutting the Common Area and Landscape Easement areas.

5.5.2.4 Taxes and Assessments. Pay all real and personal property taxes and Assessments separately levied against the Common Area or against the Subdivision, the Association, and/or any other property owned by the Association. Such taxes and Assessments may be contested or compromised by the Association, provided, however, that such taxes and Assessments are paid or a bond insuring payment is posted prior to the sale or disposition of any property to satisfy the payment of such taxes and Assessments. In addition, the Association shall pay all other federal, state, or local taxes, including income or corporate taxes levied against the Association, in the event that the Association is denied the status of a tax-exempt corporation.

5.5.2.5 Water and Other Utilities. Acquire, provide, and/or pay for water, sewer, garbage disposal, refuse and rubbish collection, electrical, telephone, and gas, and other necessary services, for the Common Area, and manage for the benefit of the Subdivision all domestic, irrigation, and amenity water rights and rights to receive water held by the Association, whether such rights are evidenced by license, permit, claim, stock ownership, or otherwise. The Association shall maintain, repair, and operate any sewer lift stations located on the Property.

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5.5.2.6 Insurance. Obtain insurance from reputable insurance companies authorized to do business in the State of Idaho, and maintain in effect any insurance policy the Board deems necessary or advisable, including, without limitation, the following policies of insurance:

5.5.2.6.1 Fire insurance, including those risks embraced by coverage of the type known as the broad form or special extended coverage endorsement on a blanket agreed amount basis for the full insurable replacement value of all Improvements, equipment, and fixtures located within the Common Area.

5.5.2.6.2 Comprehensive public liability insurance insuring the Board, the Association, the Grantor, and the individual grantees and agents and employees of each of the foregoing, against any liability incident to the ownership and/or use of the Common Area. Limits of liability of such coverage shall be as follows:

Not less than One Million Dollars and No Cents ($1,000,000.00) per person, and One Million Dollars and No Cents ($1,000,000.00) per occurrence, with respect to personal injury or death, and One Million Dollars and No Cents ($1,000,000.00) per occurrence with respect to property damage.

5.5.2.6.3 Full coverage directors' and officers' liability insurance with a limit of at least Two Hundred Fifty Thousand Dollars and No Cents ($250,000.00).

5.5.2.6.4 Such other insurance, including motor vehicle insurance and Worker's Compensation Insurance, to the extent necessary to comply with all applicable laws and indemnity, faithful performance, fidelity, and other bonds as the Board shall deem necessary or required to carry out the Association functions or to insure the Association against any loss from malfeasance or dishonesty of any employee or other person charged with the management or possession of any Association funds or other property.

5.5.2.6.5 The Association shall be deemed trustee of the interests of all Owners in connection

with any insurance proceeds paid to the Association under such policies, and shall have full power to receive such Owner's interests in such proceeds and to deal therewith.

5.5.2.6.6 Insurance premiums for the above insurance coverage shall be deemed a common expense to be included in the Regular Assessments levied by the Association.

5.5.2.7 Rule Making. Make, establish, promulgate, amend, and repeal such Association Rules as the Board shall deem advisable.

5.5.2.8 Newsletter. If it so elects, prepare and distribute a newsletter on matters of general interest to Association Members, the cost of which shall be included in Regular Assessments.

5.5.2.9 Architectural Committee. Appoint and remove members of the Architectural Committee, subject to the provisions of this Declaration.

5.5.2.10 Enforcement of Restrictions and Rules. Perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably advisable or necessary to enforce any of the provisions of the Declaration, or of the Articles or the Bylaws, including, without limitation, the recordation of any claim of lien with the Canyon County Recorder, as more fully provided herein.

5.5.2.11 Private Streets, Signs, and Lights. Maintain, repair, or replace private streets (as noted on the Plat and including any cul-de-sac easements), street signs, and private street lights located on the Property. This duty shall run with the land and cannot be waived by the Association unless the City of Nampa consents to such waiver.

5.6 **Personal Liability.** No Member of the Board, or member of any committee of the Association, or any officer of the Association, or the Grantor, or the manager, if any, shall be personally liable to any Owner, or to any other party, including the Association, for any damage, loss, or prejudice suffered or claimed on the account of any act, omission, error, or negligence of the Association, the Board, the manager, if any, or any other representative or employee of the Association, the Grantor, or the Architectural Committee, or any other committee, or any Owner of the Association, or the Grantor, provided that such person, upon the basis of such information as may be possessed by such person, has acted in good faith without willful or intentional misconduct.

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ARTICLE VI: RIGHTS TO COMMON AREAS

6.1 **Use of Common Area.** Every Owner shall have a right to use each parcel of the Common Area/Common Easement, which right shall be appurtenant to and shall pass with the title to every Building Lot, subject to the following provisions:

6.1.1 The right of the Association holding or controlling such Common Area to levy and increase Assessments;

6.1.2 The right of the Association to suspend the voting rights and rights to use of, or interest in, the Common Area recreational facilities (but not including access to private streets, cul-de-sacs and walkways of the Property) by an Owner for any period during which any Assessment or charge against such Owner's Building Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of the Association Rules; and,

6.1.3 The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be permitted by the Articles and the Bylaws and agreed to by the Members. No dedication or transfer of said Common Area shall be effective unless an instrument agreeing to such dedication or transfer signed by Members representing two-thirds (2/3) of each class of Members has been recorded.

6.1.4 The right of the Association to prohibit the construction of structures or Improvements on all Common Areas which interfere with the intended use of such areas as private street, cul-de-sacs and walkways.

6.1.5 The right of the Association to protect wildlife habitat.

6.3 **Designation of Common Area.** Grantor shall designate and reserve the Common Area in the Declaration, Supplemental Declarations, and/or recorded Plats, deeds, or other instruments, and/or as otherwise provided herein.

6.4 **Delegation of Right to Use.** Any Owner may delegate, in accordance with the respective Bylaws and Association Rules of the Association, such Owner's right of enjoyment to the Common Area, to the members of such Owner's family in residence, and such Owner's tenants or contract purchasers who reside on such Owner's Building lot. Only Grantor or the Association shall have the right to delegate the right of enjoyment to the Common Area to the general public, and such delegation to the general public shall be for a fee set by Grantor or the Association.

6.5 **Damages.** Each Owner shall be fully liable for any damage to any Common Area which may be sustained by reason of the negligence or willful misconduct of the Owner, such Owner's resident tenant or contract purchaser, or such Owner's family and guests, both minor and adult. In the case of joint ownership of a Building Lot, the liability of such Owners shall be joint and

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several. The cost of correcting such damage shall be a Limited Assessment against the Building Lot and may be collected as provided herein for the collection of other Assessments.

ARTICLE VII: ASSESSMENTS

7.1 **Covenant to Pay Assessments.** By acceptance of a deed to any property in the Subdivision, each Owner of such property hereby covenants and agrees to pay when due all Assessments or charges made by the Association, including all Regular, Special, and Limited Assessments and charges made against such Owner pursuant to the provisions of this Declaration or other applicable instrument.

7.1.1 Assessment Constitutes Lien. Such Assessments and Charges, together with interest, costs, and reasonable attorney's fees which may be incurred in collecting the same, shall be a charge on the land and shall be a continuing lien upon the property against which each such Assessment or charge is made.

7.1.2 Assessment is Personal Obligation. Each such Assessment, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the Owner of such property beginning with the time when the Assessment falls due. The personal obligation for delinquent Assessments shall not pass to such Owner's successors in title unless expressly assumed by them but shall remain such Owner's personal obligation regardless of whether he remains an Owner.

7.2 **Regular Assessments.** All Owners, including the Grantor, are obligated to pay Regular Assessments to the treasurer of the Association on a schedule of payments established by the Board.

7.2.1 Purpose of Regular Assessments. The proceeds from Regular Assessments are to be used to pay for all costs and expenses incurred by an Association, including legal and attorneys' fees and other professional fees, for the conduct of its affairs, including without limitation the costs and expenses of construction, improvement, protection, maintenance, repair, management, and operation of the Common Areas, including all Improvements located on such areas owned and/or managed and maintained by such Association, and an amount allocated to an adequate reserve fund to be used for repairs, replacement, maintenance, and improvement of those elements of the Common Area, or other property of the Association that must be replaced and maintained on a regular basis (collectively "Operating Expenses").

7.2.2 Computation of Regular Assessments. The Association shall compute the amount of its Operating Expenses on an annual basis. The Board shall compute the amount of Regular Assessments owed beginning the first day of the third month following the month in which the closing of the first sale of a Building Lot occurred in Hesse Acres Subdivision for the purposes of the Association's Regular Assessment ("Initiation Date"). Thereafter, the computation of Regular Assessments

shall take place not less than thirty (30) nor more than sixty (60) days before the beginning of each fiscal year of an Association. The computation of the Regular Assessment for the period from the Initiation Date until the beginning of the next fiscal year shall be reduced by an amount which fairly reflects the fact that such period was less than one (1) year.

7.2.3 Amounts Paid by Owners. The Board can require, in its discretion or as provided in the Articles or Bylaws, payment of Regular Assessments in monthly, quarterly, semi-annual, or annual installments. The Regular Assessment to be paid by any particular Owner, except Grantor, for any given fiscal year shall be computed as follows:

7.2.3.1 As to the Association's Regular Assessment, each Owner shall be assessed and shall pay an amount computed by multiplying the Association's total advance estimate of Expenses by the fraction produced by dividing the Building Lots in the applicable Tract attributable to the Owner by the total number of Building Lots in such Tract.

7.2.3.2 Up until two (2) years following the date of the sale of a Building Lot in a particular Tract of the development, the Grantor shall be assessed the difference between the total revenue of the Association less the total expenses of the Association ("Shortfall") for that Tract of the development. The Grantor agrees to pay the cost of any Shortfall in order to properly maintain the Hesse Acres Subdivision during the development of each Tract. After two (2) years from the date of the first sale of a Building Lot in a particular Tract, the Grantor shall be assessed the Regular Assessment (defined in Section 7.2.3.1) for each Building Lot remaining in the respective Tract. This reduced assessment is in return for the Grantor paying the maintenance obligations for the Common Area prior to the acceptance of these obligations by the Association.

7.3 **Special Assessments.**

7.3.1 Purpose and Procedure. In the event that the Board of an Association shall determine that its respective Regular Assessment for a given calendar year is or will be inadequate to meet the Expenses of such Association for any reason, including but not limited to costs of construction, reconstruction, unexpected repairs or replacement of capital improvements upon the Common Area, attorney's fees and/or litigation costs, other professional fees, or for any other reason, the Board thereof shall determine the approximate amount necessary to defray such Expenses and levy a Special Assessment against the portions of the Property within its jurisdiction which shall be computed in the same manner as Regular Assessments. No Special Assessment shall be levied which exceeds twenty percent (20%) of the budgeted gross Expenses of such Association for that fiscal year, without the vote or

written assent of the Owners representing a majority of the votes of the Members of such Association. The Board shall, in its discretion, determine the schedule under which such Special Assessment will be paid.

7.3.2 Consistent Basis of Assessment. Every Special Assessment levied by and for an Association shall be levied and paid upon the same basis as that prescribed for the levying and payment of Regular Assessments for such Association.

7.4 **Limited Assessments.** Notwithstanding the above provisions with respect to Regular and Special Assessments, a Board may levy a Limited Assessment against a Member as a remedy to reimburse the Association for costs incurred in bringing the Member and/or such Member's Building Lot or restricted Common Area into compliance with the provisions of the governing instruments for Hesse Acres Subdivision.

7.5 **Uniform Rate of Assessment.** Unless otherwise specifically provided herein, Regular and Special Assessments shall be fixed at a uniform rate per Building Lot for all Members of the Association.

7.6 **Assessment Period.** Unless otherwise provided in the Articles or Bylaws, the Assessment period shall commence on January 1st of each year and terminate December 31st of the year in which the Initiation Date occurs. The first Assessment shall be pro-rated according to the number of months remaining in the fiscal year and shall be payable in equal monthly installments.

7.7 **Notice and Assessment Due Date.** Ten (10) days' prior written notice of Regular and Special Assessments shall be sent to the Owner of every Building Lot subject thereto, and to any person in possession of such Building Lot. The due dates for installment payment of Regular Assessments and Special Assessments shall be the first day of each month unless some other due date is established by the Board. Each monthly installment of the Regular Assessment of Special Assessment shall become delinquent if not paid within ten (10) days after the levy thereof. There shall accrue with each delinquent installment payment a late charge equal to ten percent (10%) of the delinquent installment. In addition, each installment payment which is delinquent for more than twenty (20) days shall accrue interest at eighteen percent (18%) per annum calculated from the date of delinquency to and including the date full payment is received by an Association. An Association may bring an action against the delinquent Owner and may foreclose the lien against such Owner's Building Lot as more fully provided herein. Each Owner is personally liable for Assessments, together with all interest, costs and attorney's fees, and no Owner may exempt such Owner from such liability by a waiver of the use and enjoyment of the Common Areas, or by lease or abandonment of such Owners Building Lot.

7.8 **Estoppel Certificate.** The Association, upon at least twenty (20) days prior written request, shall execute, acknowledge and deliver to the party making such request, a statement in writing stating whether or not, to the knowledge of the Association, a particular Building Lot Owner is in default under the provisions of this Declaration, and further stating the dates to which any Assessments have been paid by the Owner. Any such certificate delivered pursuant to this Section 7.8 may be relied upon by any prospective purchaser or mortgagee of the Owner's Building Lot.

Exhibit B.9

Reliance on such Certificate may not extend to any default as to which the Signor shall have had no actual knowledge.

ARTICLE VIII: ENFORCEMENT OF ASSESSMENT; LIENS

8.1 **Right to Enforce.** The Association has the right to collect and enforce its Assessments pursuant to the provisions hereof. Each Owner of Building Lot, upon becoming an Owner of such Building Lot, shall be deemed to covenant and agree to pay each and every Assessment provided for in this Declaration and agrees to the enforcement of all Assessments in the manner herein specified. In the event an attorney or attorneys are employed for the collection of any Assessment, whether by suit or otherwise, or to enforce compliance with or specific performance of the terms and conditions of this Declaration, each Owner agrees to pay reasonable attorney's fees in addition to any other relief or remedy obtained against such Owner. The Board or its authorized representative may enforce the obligations of the Owners to pay such Assessments by commencement and maintenance of a suit at law or in equity, or the Board may exercise the power of foreclosure and sale pursuant to Section 8.3 to enforce the liens created hereby. A suit to recover a money judgment for an unpaid Assessment shall be maintainable without foreclosing or waiving the lien hereinafter provided.

8.2 **Assessment Liens.**

8.2.1 Creation. There is hereby created a claim of lien with power of sale on each and every Building Lot to secure payment of any and all Assessments levied against such Building Lot pursuant to this Declaration together with interest thereon at the maximum rate permitted by law and all costs of collection which may be paid or incurred by the Association making the Assessment in connection therewith, including reasonable attorney's fees. All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on such respective Building Lot upon recordation of a claim of lien with the Canyon County Recorder. Such lien shall be prior and superior to all other liens or claims created subsequent to the recordation of the notice of delinquency and claim of lien except for tax liens for real property taxes on any Building Lot and Assessments on any Building Lot in favor of any municipal or other governmental assessing body which, by law, would be superior thereto.

8.2.2 Claim of Lien. Upon default of any Owner in the payment of any Regular, Special or Limited Assessment issued hereunder, the Association may cause to be recorded in the office of the Canyon County Recorder a claim of lien. The claim of lien shall state the amount of such delinquent sums and other authorized charges (including the cost of recording such notice), a sufficient description of the Building Lot(s) against which the same have been assessed, and the name of the record Owner thereof. Each delinquency shall constitute a separate basis for a notice and claim of lien, but any number of defaults may be included within a single notice and claim of lien. Upon payment to the Association of such delinquent sums and charges in connection therewith or other satisfaction thereof, the Association shall

cause to be recorded a further notice stating the satisfaction of relief of such delinquent sums and charges. The Association may demand and receive the cost of preparing and recording such release before recording the same.

8.3 **Method of Foreclosure.** Such lien may be foreclosed by appropriate action in court or by sale by the Association establishing the Assessment, its attorney or other person authorized to make the sale. Such sale shall be conducted in accordance with the provisions of the Idaho Code applicable to the exercise of powers of sale permitted by law. The Board is hereby authorized to appoint its attorney, any officer or director of the Association, or any title company authorized to do business in Idaho as trustee for the purpose of conducting such power of sale or foreclosure.

8.4 **Required Notice.** Notwithstanding anything contained in this Declaration to the contrary, no action may be brought to foreclose the lien created by recordation of the notice of delinquency and claim of lien, whether judicially, by power of sale or otherwise, until the expiration of thirty (30) days after a copy of such claim of lien has been deposited in the United States mail, certified or registered, postage prepaid, to the Owner of the Building Lot(s) described in such notice of delinquency and claim of lien, and to the person in possession of such Building Lot(s) and a copy thereof is recorded by the Association in the Office of the Canyon County Recorder.

Exhibit B.9

8.5 **Subordination to Certain Trust Deeds.** The lien for the Assessments provided for herein in connection with a given Building Lot shall not be subordinate to the lien of any deed of trust or mortgage except the lien of a first deed of trust or first mortgage given and made in good faith and for value that is of record as an encumbrance against such Building Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in Section 8.6 with respect to a first mortgagee who acquires title to Building Lot, the sale or transfer of any Building Lot shall not affect the Assessment lien provided for herein, nor the creation thereof by the recordation of a claim of lien, on account of the Assessments becoming due whether before, on, or after the date of such sale or transfer, nor shall such sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

8.6 **Rights of Mortgagees.** Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat the rights of the Beneficiary under any deed of trust upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after the foreclosure of any such deed of trust such Building Lot shall remain subject to this Declaration as amended.

ARTICLE IX: INSPECTION OF ASSOCIATION'S BOOKS AND RECORDS

9.1 **Member's Right of Inspection.** The membership register, books of account and minutes of meetings of the Board and committee of an Association shall be made available for inspection and copying by any Member of the Association or by such Member's duly appointed representatives, at any reasonable time and for a purpose reasonably related to such Member's interest as a Member at the office of the Association or at such other place as the Board of such Association shall prescribe. No Member or any other person shall copy the membership register for the purposes of solicitation of or direct mailing to any Member of the Association.

9.2 **Rules Regarding Inspection of Books and Records.** The Board shall establish reasonable rules with respect to:

9.2.1 Notice to be given to the custodians of the records by the persons desiring to make the inspection.

9.2.2 Hours and days of the week when such an inspection may be made.

9.2.3 Payment of the cost of reproducing copies of documents requested pursuant to this Article IX.

9.3 **Director's Rights of Inspection.** Every director shall have the absolute right at any reasonable time to inspect all books, records and documents of the Association, and the physical properties owned or controlled by the Association. The right of inspection by a director includes the right to make extracts and copies of documents.

ARTICLE XII: EASEMENTS

12.1 **Easements of Encroachment.** There shall be reciprocal appurtenant easements of encroachment as between each Building Lot and such portion or portions of the Common Area adjacent thereto or as between adjacent Building Lots due to the unwilful placement or settling or shifting of the sidewalks and driveways constructed, reconstructed or altered thereon in accordance with the terms of this Declaration. Easements of encroachment shall be valid only so long as they exist, and the rights and obligations of Owners shall not be altered in any way because of encroachments, settling or shifting of the Improvements; provided, however, that in no event shall a valid easement for encroachment occur due to the willful act or acts of an Owner. In the event a structure on any Building Lot is partially or totally destroyed, and then repaired or rebuilt, the owners of each Building Lot agree that minor encroachments over adjoining Building Lots that existed prior to the encroachment may be reconstructed pursuant to the easement granted by this Section 12.1

12.2 **Easements of Access.** All Owners of Building Lots will have a perpetual easement for access, ingress and egress over the Common Area, including but not limited to the private streets, cul-de-sacs and walkways. These easements shall run with the land. Such easements may be used by Grantor, and by all Owners, their guests, tenants and invitees, residing on or temporarily visiting the Property, for pedestrian walkways, vehicular access and such other purposes reasonably necessary for the use and enjoyment of a building Lot of Common Area.

12.3 **Drainage and Utility Easements.** Grantor expressly reserves for the benefit of all the Property reciprocal easements of access, ingress and egress for all Owners to and from their respective Building Lots for installation and repair of utility services, for drainage of water over, across and upon adjacent Building Lots, and Common Areas, resulting from the normal use of adjoining Building Lots or Common Areas, and for necessary maintenance and repair for any improvement including fencing, retaining walls, lighting facilities, mailboxes and sidewalk abutments, trees, and landscaping. Notwithstanding anything expressly or impliedly contained herein to the contrary, this Declaration shall be subject to all easements heretofore or hereafter granted by Grantor for the installation and maintenance of utilities and drainage facilities that are required for the development of the Property. In addition, Grantor hereby reserves for the benefit of any Association the right to grant additional easements and rights-of-way over the Property and/or a Tract, as appropriate, to the Property until close of escrow for the sale of the last Building lot in the Property to a purchaser.

12.3.1 Improvement of Drainage and Utility Easement Areas. The Owners of Building Lots are hereby restricted and enjoined from constructing any Improvements upon any drainage or utility easement areas as shown on the Plat of Hesse Acres Subdivision or otherwise designated in any recorded document which would interfere with or prevent the easement from being used for such purpose; provided, however, that the Owner of such Building Lot and the Grantor, Association or designated entity with regard to the landscaping easement described in this Article XII, shall be entitled to install and maintain landscaping on such easement areas, and also shall be entitled to build and maintain fencing on such easement areas

Exhibit B.9

subject to approval by the Association Architectural Committee, so long as the same would not interfere with or prevent the easement areas from being used for their intended purposes; provided, that any damage sustained to improvements on the easement areas as a result of legitimate use of the easement areas shall be the sole and exclusive obligation of the Owner of the Building Lot whose Improvements were so damaged.

12.4 **Rights and Duties Concerning Utility Easements.** The rights and duties of the Owners of the Building Lots within the Property with respect to utilities shall be governed by the following:

12.4.1 Wherever utility house connections are installed within the Property, which connections or any portions thereof lie in or upon Building Lots owned by an Owner other than the Owner of the Building Lot served by the connections, the Owner of the Building Lot served by the connections shall have the right, and is hereby granted an easement to the full extent necessary therefor, to enter upon any Building Lot or to have their agent enter upon any Building Lot within the Property in or upon which said connections or any portion thereof lie, to repair, replace and generally maintain the connections as and when it may be necessary.

12.4.2 Whenever utility house connections are installed within the Property, which connections serve more than one Building Lot, the Owner of each Building Lot served by the connections shall be entitled to full use and enjoyment of such portions of said connections as service to such Owner's Building Lot.

12.5 **Driveway Easements.** Whenever a driveway is installed within the Property (which in whole or in part lies upon a Building Lot owned) by an Owner other than the Owner of the Building Lot served, or installed to serve more than one Building Lot, the Owner of each Building Lot served or to be served by such driveway Building Lot shall be entitled to full use and enjoyment of such other Building Lot as required to service such Owner's Building Lot or to repair, replace, or maintain such driveway.

12.6 **Disputes as to Sharing of Costs.** In the event of a dispute between Owners with respect to the repair or rebuilding of utility connections or driveways, or with respect to the sharing of the cost therefor, upon written request of one of such Owners addressed to the Association, the matter shall be submitted to the Board which shall decide the dispute and, if appropriate, make an appropriate Assessment against any or all of the Owners involved on behalf of the prevailing Owner(s), which Assessment shall be collected and enforced in the manner provided by this Declaration for Limited Assessments.

12.7 **General Landscape Easement.** An easement is hereby reserved to each appropriate Association, its contractors and agents, to enter those portions of Building Lots, for the purpose of installing, maintaining, replacing, and restoring exterior landscaping, and natural vegetation and habitat. Such landscaping activity shall include, by way of illustration and not of limitation, the mowing of lawns, irrigation, sprinkling, tree and shrub trimming and pruning, walkway

improvement, seasonal planting, and such other landscaping activities within the Property as such Association shall determine to be necessary from time to time.

12.8 **Overhang Easement.** There shall be an exclusive easement appurtenant to each Building Lot over the Common Areas for overhanging eaves, and for any projections from the buildings, which projections shall not extend beyond the save line and shall be consistent with all building codes.

12.9 **Maintenance and Use Easement Between Walls and Lot Lines.** Whenever the wall of a structure, or a fence or retaining wall legitimately constructed on a Building Lot under plans and specifications approved by the Architectural Committee is located within five (5) feet of the lot line of such Building Lot, the Owner of such Building Lot is hereby granted an easement over and on the adjoining Building Lot (not to exceed five (5) feet from the Building Lot line) for purposes of maintaining and repairing such wall or fence and eaves or other overhangs, and the Owner of such adjoining Building Lot is hereby granted an easement for landscaping purposes over and on the area lying between the lot line and such structure or fence so long as such use does not cause damage to the structure or fence.

12.10 **Waterway Easements.** Grantor hereby reserves for the benefit of the Association an easement for all Waterways and related pipes, pumps and other equipment over, across and under all Building Lots and Common Areas, to the extent reasonably required to maintain any water system installed by Grantor on the Property or pursuant to plans and specifications approved by the Architectural Committee. Any relocation of the water lines installed as a part of such system shall not be undertaken in any way which interrupts the flow of water through the system or damages the system in any other fashion. Grantor reserves the right to make any reconfiguration of any Waterway which it determines, in its own discretion, to be necessary, expedient or desirable, provided, however, that nothing herein shall reserve unto Grantor the right to take any action which would disturb, encroach upon, or endanger the foundation of any building, nor shall Grantor take any action which would materially alter any Waterway's proximity to improved property abutting such Waterways.

12.11 **Sewer Covenants and Restrictions.** All Lots within Hesse Acres Subdivision shall be subject to and restricted by the following covenants and restrictions:

12.11.1 A monthly sewer charge must be paid after connecting to the Nampa City public sewer system, according to the ordinances and laws of Nampa City.

12.11.2 The Owner of the Building Lot shall submit to inspection by either the Department of Public Works or the Department of Building whenever a Building Lot is to be connected the City's sewage system and building sewer is constructed or installed on or with Owner's Lot.

12.11.3 The Grantor of this subdivision shall have the right and power to bring all actions against the Owner of the Property conveyed or any part thereof for the collection of any charges herein required and to enforce the conditions herein stated. This covenant shall run with the land.

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12.12 **Specific Landscape Easement.** Grantor hereby reserves for the benefit of the Association a perpetual Landscape Easement. Such easement shall allow the Association to install and maintain the berms, retaining walls, fences, and landscaping within the area defined as the Landscape Easement.

ARTICLE XIII: MISCELLANEOUS

13.1 **Term.** The easements created hereunder shall be perpetual, subject only to extinguishment by the holders of such easements as provided by law. The covenants, conditions, restrictions, and equitable servitudes of this Declaration shall run until December 31, 2048, unless amended as herein provided. After such date, such covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished by a written instrument executed by Members holding at least three-fourths (3/4) of the voting power of the Association and such written instrument is recorded with the Canyon County Recorder. Further provided that the Association shall not be dissolved without the prior written approval of the City of Nampa and Nampa Highway District, such consent not to be unreasonably withheld provided that a responsible successor organization shall agree to perform those maintenance responsibilities arising from applicable city and county governmental requirements.

13.2 **Amendment.**

13.2.1 By Grantor. Except as provided in Section 13.3 below, until the recordation of the first deed to Building Lot in the Property, the provisions of this Declaration may be amended, modified, clarified, supplemented, added to (collectively, "amendment") or terminated by Grantor by recordation of a written instrument setting forth such amendment or termination. Any amendment affecting only a particular Tract may be made by Grantor by an amendment to this Declaration at any time up to the recordation of the first deed to a Building Lot in such Tract.

13.2.2 By Owners. Except where a greater percentage is required by express provision in this Declaration, the provisions of this Declaration, other than this Article XIII, any amendment shall be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such amendment has been approved by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Association, and such amendment shall be effective upon its recordation with the Canyon County Recorder. Any amendment to this Article XIII shall require the vote or written consent of Members holding ninety-five percent (95%) of the voting power of the Association.

13.2.3 Effect of Amendment. Any amendment of this Declaration approved in the manner specified above shall be binding on and effective as to all Owners and their respective properties notwithstanding that such Owners may not have voted for

or consented to such amendment. Such amendments may add to and increase the covenants, conditions, restrictions, and easements applicable to the Property but shall not prohibit or unreasonably interfere with the allowed uses of such Owner's property which existed prior to the said amendment.

13.3 **Mortgage Protection.** Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat or render invalid the rights of the beneficiary under any first deed of trust upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after foreclosure of any such first deed of trust such Building Lots shall remain subject to this Declaration, as amended.

13.4 **Notices.** Any notices permitted or required to be delivered as provided herein shall be in writing and may be delivered either personally or by mail. If delivery is made by mail, it shall be deemed to have been delivered seventy-two (72) hours after the same has been deposited in the Unite States mail, postage prepaid, addressed to any person at the address given by such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing to the Association, as provided in this Section 13.4.

13.5 **Enforcement and Non-Waiver.**

13.5.1 Right of Enforcement. Except as otherwise provided herein, any Owner of any Building Lot shall have the right to enforce any or all of the provisions hereof against any property within the Property and Owners thereof.

13.5.2 Violations and Nuisances. The failure of any Owner of a Building Lot to comply with any provision hereof, or with any provision of the Articles or Bylaws of any Association, is hereby declared a nuisance and will give rise to a cause of action in the Grantor, the Association or any Owner Building Lot(s) within the Property for recovery of damages or for negative or affirmative injunctive relief or both. However, any other provision to the contrary notwithstanding, only Grantor, the Association, the Board, or a duly authorized agent of any of them, may enforce by self-help any of the provisions hereof only if such self-help is preceded by reasonable notice to the Owner.

13 5.3 Violation of Law. Any violation of any state, municipal, or local law, ordinance, or regulation pertaining to the ownership, occupation or use of any property within the Property is hereby declared to be a violation of this Declaration and subject to any or all of the enforcement procedures set forth in this Declaration and any or all enforcement procedures in law and equity.

13.5.4 Remedies Cumulative. Each remedy provided herein is cumulative and not exclusive.

13.5.5 Non-Waiver. The failure to enforce any of the provisions herein at any time shall not constitute a waiver of the right to enforce any such provision.

13.6 **Interpretation.** The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Property. This Declaration shall be construed and governed under the laws of the State of Idaho.

13.6.1 Restrictions Construed Together. All of the provisions hereof shall be liberally construed together to promote and effectuate the fundamental concepts of the development of the Property as set forth in the recitals of this Declaration.

13.6.2 Restrictions Severable. Notwithstanding the provisions of the foregoing Section 13.6.1, each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision herein.

13.6.3 Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural and the plural singular, and the masculine, feminine, or neuter shall each include the masculine, feminine, and neuter.

13.6.4 Captions. All captions and titles used in this Declaration are intended solely for convenience or reference and shall not affect that which is set forth in any of the provisions hereof.

13.7 **Successors and Assigns.** All references herein to Grantor, Owners, any Association, or person shall be construed to include all successors, assigns, partners, and authorized agents of such Grantor, Owners, Association, or person.

IN WITNESS WHEREOF, J&J HESS, LLC, the Declarant has executed this Declaration effective as of the date first set forth above.

J&J Hess, LLC, an Idaho Limited Liability Company

By: _____
Grantor

Exhibit B.9

STATE OF IDAHO)
) ss.
County of Canyon)

On this ___ day of _____, _____, before me the undersigned personally appeared Jerry M. Hesse to be member or manager of J&J Hess, LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company and acknowledge to me that such company executed the same.

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

NOTARY PUBLIC FOR _____
Residing at _____
My Commission Expires _____

"W: Work H Hess. Mark 19293 Hess Landing Subdivision .003 Hess Acres Subdivision Docs 2023.10.04 Hesse Acres CC&Rs (Covenants, Conditions & Restrictions).doc"

Exhibit B.9

Exhibit A

Hesse Acres Subdivision Final Plat Map

Exhibit B.9

Mason & Associates Inc.
Professional Engineers, Land Surveyors and Planners
924 3rd. St. So. Nampa, ID 83605
Ph (208) [redacted]

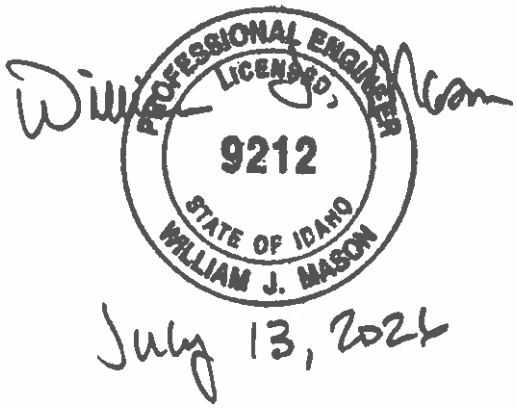
SUBDIVISION ENGINEERING REPORT

FOR

BERNAL LANDING

A part of SW 1/4, NE 1/4, Section 20
T. 3N, R 1W, B.M.,
CANYON COUNTY, IDAHO
2026

Job # JY0825



July 13, 2024

Description of Project

Bernal Landing is located in Canyon County, north of Airport Road, west of McDermott Road, Nampa Idaho.

The property is a part of the SW 1/4, of the NE 1/4 of Section 20, T. 3 N, R 1W, Boise Meridian, Canyon County, Idaho.

The Developers are Irene Bernal and Shaunta Bernal: 7218 Airport Road, Nampa, Idaho 83687

The Area of the subdivision is approximately 5.34 acres.

Two (2) single-family residential lots are proposed.

Informational Plat Map

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

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

Test Holes

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

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

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

Standard Drainfield Systems are proposed, based upon test hole information.

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

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

Community or Central Subsurface Sewage Disposal System

This is not applicable to this project.

Wells (individual)

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

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

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

Public Water Systems (community & non-community)

This is not applicable to the project.

Other Items as Needed

Location of proposed development site is within the 2020 Nitrate Priority Area. A nitrate study is not needed per Health District as project is under 5 lots. Wastewater treatment and disposal systems proposed for the development in this report meet the applicable rules and laws established by the Health District and the State of Idaho to protect groundwater resources.

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

STANDARD TRENCH

Designated Areas: **BERNAL LANDING – Lot 1, Block 1**
Test Pits: **T.H. No. 1, See attached Septic Drainfield Placement Map**

Soil Design Subgroup: **B-2, Silty Loam**
0.45 GPD/ft2
Depth to normal high groundwater from existing ground surface: **>10.0'**

SIZING REQUIREMENTS:

Depth of system: Recommended maximum excavation depth of 48". Unsuitable soils below 8.0'.

Number of bedrooms: **Three (3) single family residential @ 250 gpd/unit.**

Total trench area: **566 square feet**

Number of bedrooms: **Four (4) single family residential @ 300 gpd/unit.**

Total trench area: **667 square feet**

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

A GRAVELESS TRENCH SYSTEM is acceptable as an alternative system.

SEPTIC TANK SIZE REQUIREMENTS:

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

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

*Notes:

1. Any system serving residences of more than four (4) bedroom single family homes shall have drainfields sized in accordance with the requirements listed under Area Requirements and Total Trench Lengths for Standard Subsurface Sewage Disposal Systems of the Technical Guidance Manual.

2. Restrictions by SWDH: "Lots shall not be reduced in size without prior approval from SWDH."

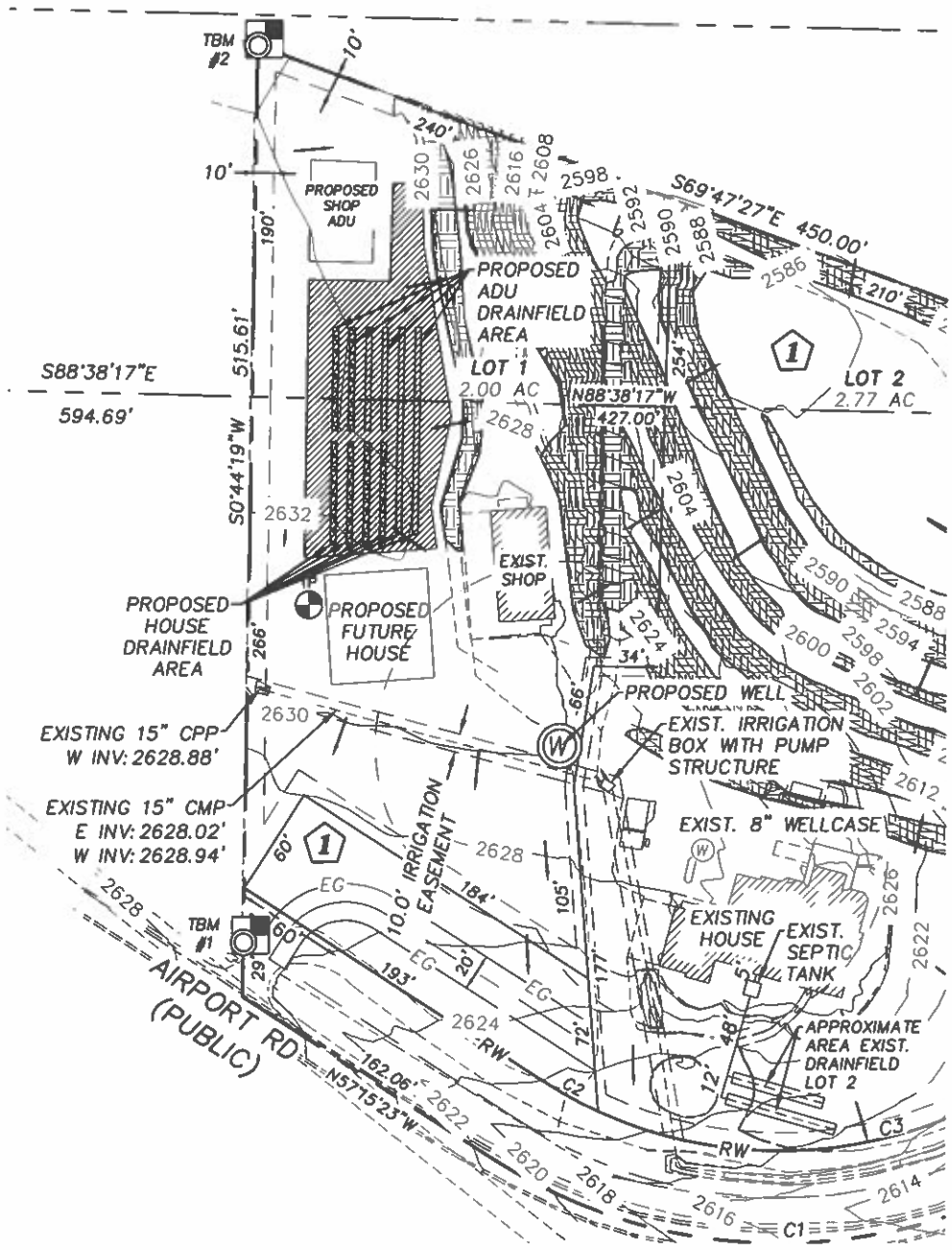
3. Alternative systems described in the Technical Guidance Manual and approved by the Southwest District Health Staff may be utilized.

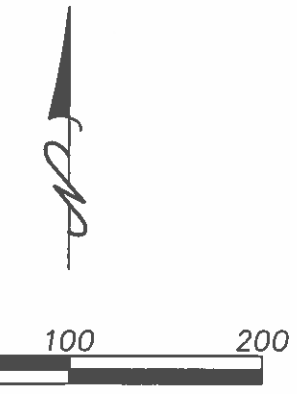
4. If hard pan is encountered excavate through hard pan layers and backfill to design depth with ASTM C-33 sand.

5. **All wells must be located a minimum of 100 feet from septic drainfields, and a minimum of 50 feet from septic tanks.**

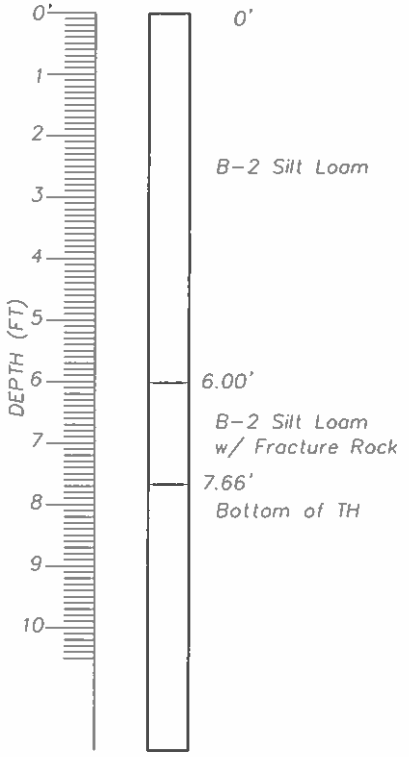
6. **Water quality in private wells is not monitored by the Health District or other agencies. It is the responsibility of the well owner to ensure that water used for domestic purposes is suitable for consumption and other uses. At the time of this report, water quality in aquifers in the project vicinity is generally good, with some limitations. Testing data for wells located adjacent to the proposed development, as reported by the Statewide Groundwater Quality Monitoring Program (maintained by the Idaho Department of Water Resources) are attached. Well owners and well drillers are advised to test water bearing zones during construction of new wells, and to locate screens and seals to best provide suitable potable water, and to protect cross-contamination between aquifers. Well owners may find additional information on the health effects of arsenic and other contaminants at Southwest District Health.**

WELL & SEPTIC AREA PLACEMENT





Scale: 1"=100'



TEST HOLE 1

LEGEND

- CONTOUR LINE
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- AVAILABLE SEPTIC SYSTEM AREA
- 100' WELL SETBACK
- DIRECTION OF SLOPE
- TP — TEST HOLE
- PROPOSED WELL
- PRIMARY SEPTIC SYSTEM
- REPLACEMENT SEPTIC SYSTEM

BERNAL LANDING

LOT 1 BLOCK 1 WELL & SEPTIC AREA PLACEMENT

Mason & Associates
Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651
(208) [redacted]

JOB NO.	JY0825		
DWG NO.	JY0825PP		
SCALE:	1" = 100'	REV.	
FIELD BOOK NO.			
DRAWN BY:	DATE:	SHEET	
WJM	07/09/26	2 of 3	

STANDARD TRENCH

Designated Areas: **BERNAL LANDING– Lot 1, Block 1 Accessory Dwelling Unit (ADU)**
Test Pits: **T.P. No. 1, See attached Septic Drainfield Placement Map**

Soil Design Subgroup: **B-2, Silty Loam**
0.45 GPD/ft2
Depth to normal high groundwater from existing ground surface: **>10.0'**

SIZING REQUIREMENTS:

Depth of system: Recommended soil excavation of 24" to 48" Unsuitable soils below 8'.

Number of bedrooms: **One (1) single family residential @ 150 gpd/unit.**

Total trench area: **333 square feet**

Number of bedrooms: **Two (2) single family residential @ 200 gpd/unit.**

Total trench area: **444 square feet**

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

A GRAVELESS TRENCH SYSTEM is acceptable as an alternative system.

SEPTIC TANK SIZE REQUIREMENTS:

Minimum Liquid Capacity: **1,000 gallons**
Number of bedrooms per ADU: **One (1) or Two (2)**

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

*Notes:

1. Any system serving residences of more than four (4) bedroom single family homes shall have drainfields sized in accordance with the requirements listed under Area Requirements and Total Trench Lengths for Standard Subsurface Sewage Disposal Systems of the Technical Guidance Manual.

2. Restrictions by SWDH: "Lots shall not be reduced in size without prior approval from SWDH."

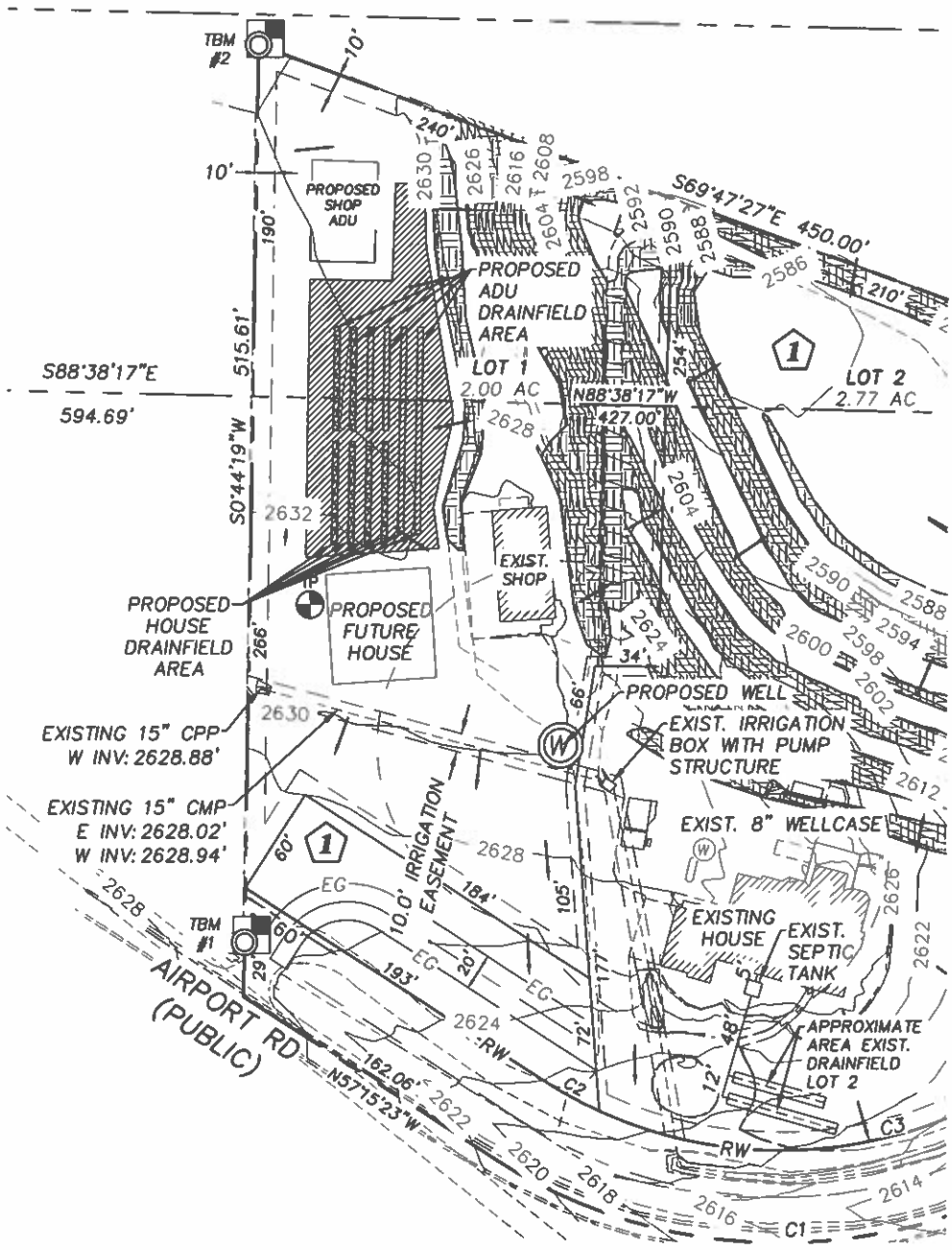
3. Alternative systems described in the Technical Guidance Manual and approved by the Southwest District Health Staff may be utilized.

4. If hard pan is encountered excavate through hard pan layers and backfill to design depth with ASTM C-33 sand.

5. **All wells must be located a minimum of 100 feet from septic drainfields, and a minimum of 50 feet from septic tanks.**

6. **Water quality in private wells is not monitored by the Health District or other agencies. It is the responsibility of the well owner to ensure that water used for domestic purposes is suitable for consumption and other uses. At the time of this report, water quality in aquifers in the project vicinity is generally good, with some limitations. Testing data for wells located adjacent to the proposed development, as reported by the Statewide Groundwater Quality Monitoring Program (maintained by the Idaho Department of Water Resources) are attached. Well owners and well drillers are advised to test water bearing zones during construction of new wells, and to locate screens and seals to best provide suitable potable water, and to protect cross-contamination between aquifers. Well owners may find additional information on the health effects of arsenic and other contaminants at Southwest District Health.**

WELL & SEPTIC AREA PLACEMENT



TEST HOLE 1

LEGEND

- CONTOUR LINE
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- AVAILABLE SEPTIC SYSTEM AREA
- 100' WELL SETBACK
- DIRECTION OF SLOPE
- TEST HOLE
- PROPOSED WELL
- PRIMARY SEPTIC SYSTEM
- REPLACEMENT SEPTIC SYSTEM

BERNAL LANDING

LOT 1 BLOCK 1 ADU WELL & SEPTIC AREA PLACEMENT

Mason & Associates
Professional Engineers, Land Surveyors & Planners
924 3rd St. South, Nampa, ID 83651
(208) [redacted]

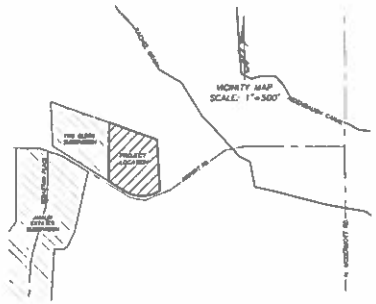
JOB NO.	JY0825
DWG NO.	JY0825PP
SCALE:	1" = 100'
REV.	
FIELD BOOK NO.	
DRAWN BY:	WJM
DATE:	07/09/26
SHEET	3 of 3

Exhibit B.10

BERNAL LANDING
DRAINAGE AND IRRIGATION PLAN

A PART OF THE NW 1/4 , NE 1/4 AND A PART OF THE SW 1/4, NE 1/4,
SECTION 20, T. 3N, R. 1W, B.M.
CANYON COUNTY, IDAHO
2026

This Document, and the Concepts, Ideas and Design Incorporated herein are an instrument of professional services and are the Property of Mason and Associates, Inc., therefore they are not to be used in whole or part for any other project without the express Written Authorization of Mason and Associates, Inc.©



OWNER/ DEVELOPER
IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID 83687
(208) 693-0694

ENGINEER/SURVEYOR
MASON & ASSOCIATES, INC.
824 3rd ST. SOUTH
NAMPA, ID 83651
(208) 454-0256

PROJECT NARRATIVE
1. IRRIGATION PROVIDED BY BLACK CANYON IRRIGATION DISTRICT.

2. A PRESSURE IRRIGATION SYSTEM SHALL BE PROVIDED PER IDAHO CODE, SECTION 31-3805. IRRIGATION WATER SHALL BE PROVIDED BY BLACK CANYON IRRIGATION DISTRICT. IRRIGATION SYSTEM SHALL BE MAINTAINED BY BERNAL LANDING SUBDIVISION WATER USER'S AGREEMENT INSTRUMENT #_____

3. INDIVIDUAL PRIVATE WELLS WILL BE INSTALLED BY HOMEOWNER.

4. INDIVIDUAL SEPTIC SYSTEMS WILL BE INSTALLED BY HOMEOWNER.

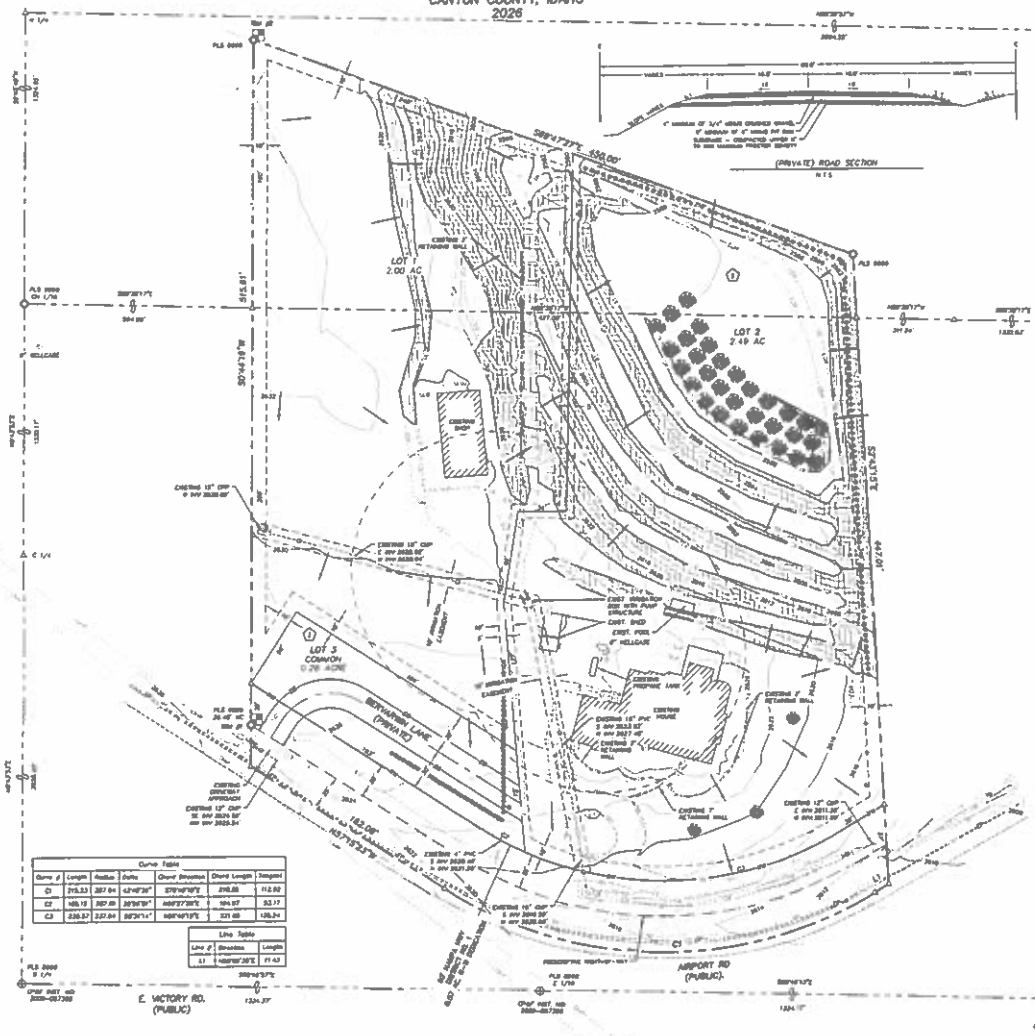
5. IMPROVEMENTS SHOULD NOT SIGNIFICANTLY INCREASE STORM WATER RUNOFF. PUBLIC STREET STORM DRAINAGE SHALL BE CONNECTED VIA ROADSIDE BORROW DITCHES INTO STORM DRAINAGE DISPOSAL FACILITIES. STORM DRAINAGE FACILITIES SHALL BE LOCATED WITHIN AN EASEMENT, OUTSIDE OF THE PUBLIC RIGHT-OF-WAY. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE. INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR THE APPLICATION OF PERMEATER LOT BERMING TO PREVENT DIRECT LOT STORMWATER DISCHARGE INTO IRRIGATION FACILITIES.

6. HISTORIC IRRIGATION DRAIN AND DITCH FLOW PATTERNS SHALL BE MAINTAINED UNLESS APPROVED IN WRITING BY THE LOCAL IRRIGATION DISTRICT OR DITCH COMPANY.

7. FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON THE SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.

PROJECT BENCHMARKS
TBM #1
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9885" 29.48' WITNESS CORNER TO THE SOUTHWEST PROPERTY CORNER, 1.3' SOUTHEAST OF SOUTHWESTERN FENCE CORNER.
NAVD88 ELEVATION=2636.64'

TBM #2
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9885" ON THE NORTHWEST PROPERTY CORNER.
NAVD88 ELEVATION=2633.11'



Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	315.33	287.04	62°56'28"	S78°46'58"E	299.66	172.93
C2	165.13	287.00	32°58'09"	N68°27'28"E	162.87	85.17
C3	236.57	237.04	56°9'41"	N56°40'13"E	227.08	128.24

Line Table		
Line #	Direction	Length
L1	N89°16'35"E	71.43

LEGEND
- BLOCK NUMBER
- BENCHMARK (TBM)
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- RR SPIKE
- WITNESS CORNER
- DIRECTION OF FLOW
- EXISTING A/C
- EXISTING CLEANOUT
- EXISTING ELECTRICAL BOX
- EXISTING ELECTRIC METER
- EXISTING TRANSFORMER
- EXISTING GATE VALVE
- EXISTING FAUCET
- EXISTING POWER POLE
- EXISTING TELEPHONE RISER
- EXISTING WELL
- EXISTING GAS SERVICE
- EXISTING POWER SERVICE
- EXISTING GRAVITY IRRIGATION BOX
- EXISTING TREE STAND
- BUSH
- CONIFER TREE
- DECIDUOUS TREE
- SUBDIVISION BOUNDARY LINE
- SECTION LINE
- LOT LINE
- NATURAL GROUND CONTOUR LINE
- CENTERLINE
- EASEMENT LINE
- EXISTING DBL YELLOW PAINT STRIPE
- EXISTING EDGE OF GRAVEL
- EXISTING EDGE OF PAVEMENT
- EXISTING BACK OF WALK
- EXISTING FACE OF WALK
- EXISTING FENCE
- EXISTING GRAVITY IRRIGATION
- EXISTING OVERHEAD POWER
- EXISTING PAINT STRIPE
- EXISTING SHOULDER
- EXISTING TOE
- EXISTING SLAB
- EXISTING TOP OF BANK
- EXISTING TOP OF SLOPE
- EXISTING TOP OF WALL
- EXISTING TOP BACK ROLLED CURB
- EXISTING CONCRETE
- EXISTING EDGE DIRT ROAD
- 100' WELL AREA
- RIGHT-OF-WAY
- EDGE GRAVEL ROAD
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- DRAINAGE FLOW ARROW

William L. Leavitt
9212
PROFESSIONAL ENGINEER
August 11, 2026

NO	BY	DATE	DESCRIPTION
1	SBT	8/6/26	COUNTY COMMENTS AND REVISIONS

DESIGNED BY: SBT 8/6/26
DRAWN BY:
CHECKED BY:
APPVD BY:

Professional Engineers, Land Surveyors & Planners
824 3rd Street South P.O. Box 1948 Nampa, Idaho 83653
Mason & Associates

DRAWING TITLE: BERNAL LANDING 7218 AIRPORT ROAD DRAINAGE AND IRRIGATION PLAN
SHEET NO. 1 OF 1 SHEETS
JOB NO. 21082SPP
DWG NO. 21082SPP
SCALE: N/A
Vert: 1"=40'
Horiz:
FIELD BOOK NO.
Rev

CLIENT: IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID. 83687
(208) 693-0694
(208) 573-4073

APPENDIX

A. Well Driller's Reports & Well Test Data

B. Soils Report

8 72923-782598

Form 238-7
3/95-C96

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp ____ Rge ____ Sec ____
____ 1/4 ____ 1/4 ____ 1/4
Lat: : : Long: : :

1. DRILLING PERMIT NO. 0 -0 -2 -5326 - ____
Other IDWR No. _____

2. OWNER:
Name Jason and Debbie Barton
Address 6713 E. Amity
City Nampa State ID Zip _____

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

N / W / E / S

Twp. 3 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 20 1/4 (10 acres) SW 1/4 (40 acres) NE 1/4 (160 acres)
Gov't lot _____ County Canyon
Lat: : : Long: : :
Address of Well Site 6685 Airport Rd. AIRPORT RD.
City Nampa
(Give at least name of road + Distance to Road or Landmark)
Lt. _____ Blk. _____ Sub. Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	55	1000# bg	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 166
Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	166	.250	Steel	☒	☐	☒	☐
5"	162	167	.258	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe 5ft Length of Tailpipe ____

9. PERFORATIONS/SCREENS
☐ Perforations Method _____
☒ Screens Screen Type johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
168	173	.020	—	5"	SS	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
90ft. below ground Artesian Pressure ____ lb
Depth flow encountered ____ ft. Describe access port or control devices: _____

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
90GPM	—	170	1hour

Water Temp. 57DegF Bottom hole temp. _____
Water Quality test or comments: _____
Depth first Water Encountered 90ft

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temp.	Water Y	Water N
10"	0	2	Top soil		☒
"	2	8	Brown Clay(Hard Pan)		☒
"	8	50	Lava Rock		☒
"	50	55	Red Cinders		☒
6"	55	105	Gravel and Sand	☒	
"	105	110	Sandy Clay		☒
"	110	112	Sand	☒	
"	112	125	Tan Clay		☒
"	125	150	Sand	☒	
"	150	166	Tan Clay		☒
"	166	173	Sand	☒	

RECEIVED
AUG 12 2002
WATER RESOURCES
WESTERN REGION

Completed Depth: 173 (Measurable)
Date: Started 8-5-02 Completed 8-6-02

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name COONSE WELL DRILLING Firm No. 409
Firm Official Gary E Coonse Date 8-7-02
Supervisor or Operator Mark Coonse Date 8-7-02
(Sign once if Firm Official & Operator)

Date: 8/7/02 Time: 12:21 PM

Exhibit B.10

Form 238-7
9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

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.

1. WELL OWNER Bentley

Name [illegible]

Address [illegible]

Owner's Permit No. [illegible] 63-98-W-162

2. NATURE OF WORK

☑ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☑ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☑ Rotary ☑ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☑ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
[illegible] inches	[illegible] inches	+ [illegible] feet	[illegible] feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ 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
Size of perforation _____ inches by _____ inches

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

Well screen installed? ☐ Yes ☑ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☑ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth [illegible] 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 _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____

County [illegible]
[illegible] ¼ [illegible] ¼ Sec. 20, T. 3 (N) S, R. 1 E (W)

7. WATER LEVEL

Static water level [illegible] 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

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
	0	6	Top soil & hard pan		
	6	45	Sand & gravel		
	45	67	Coarse sand	X	
	67	114	Sandy clay		
	114	172	Fine sand	X	
	172	176	Sandy clay		
	176	177	Hard yellow clay		
	177	241	Sand, joint clay	X	
	241	[illegible]	Fine sand	X	

RECEIVED
DEC 08 1998
Department of Water Resources

10.

Work started 11-16-98 finished 11-21-98

11. DRILLERS CERTIFICATION 00

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name [illegible] Firm No. 101
Address [illegible] Date 12-7-98
Signed by (Firm Official) Carol Davis
and
(Operator) Chuck Davis by Carol.

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

Exhibit B.10

Form 238-7
1/94

IDAHO DEPARTMENT OF WATER RESOURCE
WELL DRILLER'S REPORT

Location Corrected by IDWR To:
T03N R01W Sec. 20 NWSWNE
By: mciscell 2012-10-16

1. DRILLING PERMIT NO. 63-94-W-0599-000
Other IDWR No.

2. OWNER:
Name RICHARD FRANKE
Address 1200 AIRPORT ROAD
City NAMPA State ID Zip 83687

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

Twp. 3 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 20, NE 1/4 NW 1/4 1/4 1/4
Gov't Lot ____ County CANYON

Address of Well Site 1200 AIRPORT
City NAMPA
(Give at least name of road + Distance to Road or Landmark)

Lt. ____ Blk. ____ Sub. Name ____

4. PROPOSED USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other ____

5. TYPE OF WORK
☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD
☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
BENTONITE	0	20	2-50# BAGS	

Was drive shoe used? Y ☒ N ☐
Was drive shoe seal tested? Y ☐ N ☐ How? ____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	143	250	STEEL	☒	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe ____ Length of Tailpipe ____

9. PERFORATIONS/SCREENS
☐ Perforations Method ____
☐ Screens Screen Type ____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
109 ft. below ground Artesian pressure ____ lb.
Depth flow encountered ____ ft. Describe access port or control devices: ____

11. WELL TESTS:
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. ____ Bottom hole temp. ____
Water Quality test or comments: ____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
8	0	3	TOP SOIL		
	3	16	HARD PAN/LOOSE LAVA		
	16	29	SOLID LAVA		
6	29	38	RED CINDERS/CLAY		
	38	59	SAND/GRAVEL		
	59	70	SAND		
	70	83	SANDY CLAY		
	83	122	SAND		
	122	125	SANDY CLAY		
	125	140	SAND		
	140	148	HARD CLAY		
	148	149	SAND/SHALE		

RECEIVED
JUL 08 1994
WATER RESOURCES
WESTERN REGION

RECEIVED
SEP 26 1995
Department of Water Resources

Completed Depth 149' (Measurable)
Date: Started 4-20-94 Completed 4-20-94

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name DAVIS WELL DRILLING Firm No. 101
Firm Official Carol M Davis Date 7-6-94
and
Supervisor or Operator Chuck Davis Date 7-6-94
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Exhibit B.10

Form 238-7
3/95

C

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

63675

Office Use Only
Inspected by
Twp ___ Rge ___ Sec ___
___1/4 ___1/4 ___1/4
Lat: . . Long: . .

1. DRILLING PERMIT NO. 63-95-W0922.000
Other IDWR No.

2. OWNER:
Name Joe Wardle
Address 7521 Airport Rd
City Nampa State ID Zip 83687

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / E / S

Twp. 3 North ☒ or South ☐
Rge 1 East ☐ or West ☒
Sec. 20 1/4 NE 1/4 NE 1/4
Gov't Lot ___ County Canyon
Lat: : : Long: .
Address of Well Site 7727 Airport Rd
City Nampa
(Give at least name of road + Distance to Road or Landmark)

Lt. ___ Blk. ___ Sub. Name ___

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other ___

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other ___

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other ___

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Dry Grav Bent	0	18	250	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 208
Was drive shoe seal tested? ☐ Y ☒ N How? ___

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	208	250	Steel	☒	☐	☒	☐
5	199	214	250	Steel	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe 12 Length of Tailpipe 0

9. PERFORATIONS/SCREENS
☐ Perforations Method ___
☒ Screens Screen Type SS Wire

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
209	214			5"	SS	☐	☐
						☐	☐
						☐	☐

Sand packed

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
22 ft. below ground Artesian pressure ___ lb.
Depth flow encountered ___ ft. Describe access port or control devices: Sanitary Well Cap

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min	Drawdown	Pumping Level	Time
35	N/A	200	1/4 Hr

Water Temp. 59° Bottom hole temp. N/A
Water Quality test or comments: Clear 22 Grain Hard
Depth first Water Encountered

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
10	0	3	Soil		☒
10	3	4	Hardpan		☒
10	4	18	Cemented Gravel		☒
6	18	37	Cemented Gravel		☒
6	37	68	Gravel		☒
6	68	126	Sandy Brn Clay		☒
6	126	130	Brn Clay		☒
6	130	142	Sandy Brn Clay		☒
6	142	144	Brn Clay		☒
6	144	148	Fine Sand 20 GPM	☒	
6	148	204	Fine Sandy Clay		☒
6	204	209	Brn Clay		☒
6	209	214	Fine Sand 45 GPM	☒	

RECEIVED
DEC 19 1995
WATER RESOURCES
WESTERN REGION

MAR 07 1996

Completed Depth 214 (Measurable)
Date Started 11/29/95 Completed 12/4/95

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Domestic Pump + Drill Firm No. 483
Firm Official ___ Date ___
and
Supervisor or Operator [signature] Date 12/14/95
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Exhibit B.10

Form 238-7
6/07

63

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0071742
Drilling Permit No. 971902 - 577959
Water right or injection well #

2. OWNER: Jarod Dropper
Name Jarod Dropper
Address 7365 Airport Rd
City Nampa State ID Zip 83646

3. WELL LOCATION:
Twp. 03 North ☒ or South ☐ Rge. 01 East ☐ or West ☒
Sec. 20 1/4 SW 1/4 NE 1/4
Gov't Lot ____ County ____
Lat. 43 ° 36.0314 (Deg. and Decimal minutes)
Long. 116 ° 28.79340 (Deg. and Decimal minutes)
Address of Well Site 7365 Airport Rd
City Nampa
Lot. ____ Blk. ____ Sub. Name ____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other ____

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other ____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/8 Chip	4	32	1350 lbs	Poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6	+2	157	.250	Steel	☒	☐	☐	☒
4 1/2	17	153	SDR 40	PVC	☐	☒	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) ____

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☒ N Method ____
Manufactured screen ☒ Y ☐ N Type PVC
Method of installation Set in

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
173	153	.020		4 1/2	PVC	SDR 40

Length of Headpipe 140 Length of Tailpipe 5
Packer ☐ Y ☒ N Type ____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
10/20 Sand	173		500 lbs	Poured

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) ____
Describe control device Well Cap

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 50 Static water level (ft) 74
Water temp. (°F) 72 Bottom hole temp. (°F) 72
Describe access port ____
Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
160	50	2 hrs

Test method: Pump ☐ Bailer ☐ Air ☒ Flowing artesian ☐
Water quality test or comments: ____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
10	0	19	Gravel & Cobbles		X
10	19	38	Sandy Tan Clay		X
6	38	47	Sandy Tan Clay		X
6	47	52	Sticky Tan Clay		X
6	52	61	Sandy Tan Clay		X
6	61	70	Fine Brown Sand		X
6	70	74	Sticky Tan Clay		X
6	74	89	Heavy Brown Sand	X	
6	89	92	Sticky Tan Clay		X
6	92	157	Heavy Brown Sand	X	
6	157	162	Sticky Brown Clay		X
6	162	167	Fine to Medium Sand	X	
6	167	170	Sticky Tan Clay		X

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FEB 17 2017
WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable): 173
Date Started: 2-23-16 Date Completed: 3-18-16

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Company Name Treasure Valley Drilling Co. No. 560
*Principal Driller ____ Date 3-28-16
*Driller ____ Date 3-28-16
*Operator II ____ Date ____
Operator I ____ Date ____
* Signature of Principal Driller and rig operator are required.

lb3

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DEC 07 2017
WATER RESOURCES
WESTERN REGION

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0076997
Drilling Permit No. 978041-884098
Water right or injection well # 63-10739
2. OWNER: Page 1 of 2
Name G&B Redi-Mix
Address 6701 E Flamingo Ave.
City Nampa State ID Zip 83687

3.WELL LOCATION:
Twp. 3 North ☒ or South ☐ Rge. 1 East ☐ or West ☒
Sec. 17 ____ 1/4 SE 1/4 SE 1/4
Gov't Lot ____ County ____
Lat 43 ° 36.536 (Deg. and Decimal minutes)
Long. 116 ° 28.695 (Deg. and Decimal minutes)
Address of Well Site 6701 E. Flamingo Ave.
City Nampa
Lot ____ Blk. ____ Sub. Name ____

4. USE:
☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☒ Other Industrial

5. TYPE OF WORK:
☐ New well ☒ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other Previous Well 63-88-W-223

6. DRILL METHOD:
☐ Air Rotary ☒ Mud Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/4" Bentonite	0	64'	12,350 lbs	Poured from top
Cement/Grout	0	189'	5.74 yds	Pumped

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
20"	1'	64'	.250	Steel	☒	☐	☐	☒
12"	+2'	235'	.375	Steel	☒	☐	☐	☒
12"	275'	315'	.375	Steel	☒	☐	☐	☒
					☐	☐	☐	☐

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) ____

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☒ N Method ____
Manufactured screen ☒ Y ☐ N Type Johnson
Method of installation Set In

From (ft)	To (ft)	Slot size	Number	Diameter (nominal)	Material	Gauge or Schedule
235'	275'	.030	-	12"	SS	.375
315'	355'	.030	-	12"	SS	.375

Length of Headpipe ____ Length of Tailpipe ____
Packer ☐ Y ☒ N Type ____

10.FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
8/16 Silica	189'	355'	3.5 yds	Poured

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) ____
Describe control device ____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 68 ft. Static water level (ft) 68 ft.
Water temp. (°F) 58.6° Bottom hole temp. (°F) 58.6°
Describe access port Steel Plate

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method: Pump	Bailer	Air	Flowing artesian
15 ft.	350 gpm	6 hrs	☒	☐	☐	☐
62 ft.	1,400 gpm	3 hrs	☒	☐	☐	☐

Water quality test or comments: ____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
30"	0	4'	Gravel		X
30"	4'	8'	Sand		X
30"	8'	9'	Clay		X
30"	9'	48'	Sand		X
30"	48'	50'	Sandy Clay		X
30"	50'	64'	Sand		X
17"	64'	66'	Tan Clay		X
17"	66'	69'	Tan Clay		X
17"	69'	72'	Tan Sand	X	
17"	72'	81'	Brown Clay		X
17"	81'	94'	Tan & Reddish Clay		X
17"	94'	113'	Tan & Red Pea Gravel & Sand	X	
17"	113'	115'	Tan & Red Clay		X
17"	115'	119'	Tan & Red sand	X	
17"	119'	120'	Tan Silty Clay		X
17"	120'	130'	Tan Sticky Clay		X
17"	130'	133'	Tan Sand	X	
17"	133'	155'	Tan Clay		X
17"	155'	157'	Tan Sand	X	
17"	157'	165'	Tan Sandy Clay		X
17"	165'	168'	Tan Sand	X	
17"	168'	180'	Tan Clay		X
17"	180'	181'	Tan Sand	X	
17"	181'	183'	Tan Clay		X
17"	183'	185'	Tan Sand	X	
17"	185'	192'	Tan Clay		X
17"	192'	194'	Tan Medium Sand 8/16	X	
17"	194'	195'	Tan Clay		X
17"	195'	208'	Tan Medium Sand 8/16	X	
17"	208'	211'	Tan Clay		X
17"	211'	212'	Tan Sand	X	
			(Continued on Page 2)		

Completed Depth (Measurable) ____
Date Started: 10/19/2017 Date Completed: 11/15/2017

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed

Company Name Post Drilling Inc. Co. No. 670
*Principal Driller ____ Date 11/27/2017
*Driller ____ Date 11/27/2017
*Operator II ____ Date ____
Operator I ____ Date 11/27/2017

* Signature of Principal Driller and rig operator are required

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. ID 0076997
Drilling Permit No. 978041-884098
Water right or injection well # 63-10739
Page 2 of 2

2. OWNER:
Name G&B Redi-Mix
Address 6701 E Flamingo Ave.
City Nampa State ID Zip 83687

3. WELL LOCATION:
Twp. 3 North ☒ or South ☐ Rge. 1 East ☐ or West ☒
Sec. 17 NE 1/4 SE 1/4 SE 1/4
Govt Lot ____ County ____
Lat. 43 • 35.536 (Deg. and Decimal minutes)
Long. 116 • 28.695 (Deg. and Decimal minutes)
Address of Well Site 6701 E. Flamingo Ave.
City Nampa
Lot ____ Blk ____ Sub. Name ____

4. USE:
☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☒ Other Industrial

5. TYPE OF WORK:
☐ New well ☒ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other Previous Well 63-88-W-223

6. DRILL METHOD:
☐ Air Rotary ☒ Mud Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) ____

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method ____
Manufactured screen ☐ Y ☐ N Type ____
Method of installation ____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe ____ Length of Tailpipe ____
Packer ☐ Y ☐ N Type ____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☐ N Artesian Pressure (PSIG) ____
Describe control device ____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 68 ft Static water level (ft) 68 ft.
Water temp. (°F) 58.6° Bottom hole temp. (°F) 58.6°
Describe access port Steel Plate

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (hrs/min)	Test method: Pump	Bailer	Air	Flowing artesian
			☐	☐	☐	☐
			☐	☐	☐	☐

Water quality test or comments: ____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
17"	212'	214'	Tan Clay		X
17"	214'	220'	Tan Sand	X	
17"	220'	223'	Tan Sticky Clay		X
17"	223'	232'	Tan Clay		X
17"	232'	235'	Tan Sand	X	
17"	235'	236'	Tan Clay		X
17"	236'	239'	Tan & White Sand 8/16	X	
17"	239'	245'	Tan Clay		X
17"	245'	259'	Tan Sand 8/16	X	
17"	259'	260'	Tan Clay		X
17"	260'	268'	Tan Sand 8/16	X	
17"	268'	271'	Tan Clay		X
17"	271'	273'	Tan Sand	X	
17"	273'	274'	Tan Clay		X
17"	274'	276'	Tan Sand	X	
17"	276'	277'	Tan Clay		X
17"	277'	279'	Tan Sand	X	
17"	279'	283'	Tan Clay		X
17"	283'	287'	Tan Sand	X	
17"	287'	293'	Tan Sandy Clay		X
17"	293'	301'	Tan Sand	X	
17"	301'	303'	Tan Clay		X
17"	303'	307'	Tan Sand	X	
17"	307'	308'	Tan Clay		X
17"	308'	311'	Tan Sand	X	
17"	311'	316'	Tan Clay		X
17"	316'	327'	Tan Medium Sand 8/16	X	
17"	327'	331	Tan Clay		X
17"	331'	333'	Tan Sand	X	
17"	333'	335'	Tan Sandy Clay		X
17"	335'	353'	Tan Large Sand & Pea Gravel	X	
17"	353'	356'	Tan Clay		X

Completed Depth (Measurable): 355 ft
Date Started: 10/19/2017 Date Completed: 11/15/2017

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Post Drilling Inc. Co. No. 670
*Principal Driller ____ Date 11/27/2017
*Driller ____ Date 11/27/2017
*Operator II ____ Date ____
Operator I ____ Date 11/27/2017

* Signature of Principal Driller and rig operator are required.

63

852844

Office Use Only
Inspected by
Twp Rge Sec
1/4 1/4 1/4
Lat: Long:

Form 238-7
3/95-C96

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. DRILLING PERMIT NO. - - - - -
Other IDWR No. D0052953

2. OWNER:
Name OAKWOOD HOMES
Address 4379 CHINDEN BLVD
City BOISE State ID Zip 73714

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

N
W E
S

Twp. 3 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 20 1/4 (10 acres) SW 1/4 (40 acres) NE 1/4 (160 acres)
Gov't lot County CANYON
Lat: 43:35:094 Long: 116:28:872
Address of Well Site TBD AIRPORT RD EAST OF ROBINSON City NAMPA
(Give at least name of road + Distance to Road or Landmark)
Lt. 3 Blk. Sub. Name MICHAEL AUSTIN SUBDIVISION

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
BENTONITE	0	18	24	POUR

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 282
Was drive shoe seal tested? ☒ Y ☐ N How? air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	282	.250	STEEL	☒	☐	☒	☐
5"	277	285	.250	STEEL	☐	☒	☒	☐
					☐	☐	☐	☐

Length of Headpipe 8' Length of Tailpipe

9. PERFORATIONS/SCREENS
☐ Perforations Method washdown
☒ Screens Screen Type Factory

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
285	295	.020		5"	SS	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
86ft. below ground Artesian Pressure lb
Depth flow encountered 285 ft. Describe access port or control devices: Cap

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
60		280	1 HOUR

Water Temp. Bottom hole temp.
Water Quality test or comments:
Depth first Water Encountered 145

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temp.	Water Y	Water N
12"	0	2	TOP SOIL		☒
12"	2	18	BASALT		☒
8"	18	23	BASALT		☒
6"	23	34	YELLOW SAND		☒
6"	34	68	TAN CLAY		☒
6"	68	123	TAND SAND		☒
6"	123	137	TAN CLAY		☒
6"	137	189	SAND	☒	
6"	189	205	CLAY		☒
6"	205	217	SAND	☒	
6"	217	232	CLAY		☒
6"	232	236	SAND	☒	
6"	236	239	CLAY		☒
6"	239	280	SAND	☒	
6"	280	285	CLAY (STICKY TAN)		☒
6"	285	295	MED TO FINE SAND	☒	

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AUG 26 2008
WATER RESOURCES
WESTERN REGION

Completed Depth: 295 (Measurable)
Date: Started 08/19/2008 Completed 08/22/2008

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Treasure Valley Drilling Firm No. 560
Firm Official Date 08/25/2008
Supervisor or Operator Date 08/25/2008
(Sign once if Firm Official & Operator)

Date 8/25/2008 Time 8:42:10 AM

Exhibit B.10

13

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0064581
Drilling Permit No 20130103 BLK122
Water right or injection well # _____

2. OWNER
Name Kleg, Jim
Address 7218 Airport Rd.
City Nampa State ID Zip 83687

3. WELL LOCATION:
Twp 3 North ☒ or South ☐ Rge 1 East ☐ or West ☒
Sec 20 NE 1/4 (10 acres) SW 1/4 (40 acres) NE 1/4 (160 acres)
Gov't Lot _____ County Ada
Lat 43 ° 35.171 (Deg and Decimal minutes)
Long. 116 ° 28.829 (Deg and Decimal minutes)
Address of Well Site Same
City Nampa
(Nearest cross road - distance to/East of Landmark)
Lot _____ Blk _____ Sub Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
Med Chips	0	22	1100lbs	Poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2	218	.250	Steel	☒	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 218'

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method _____
Manufactured screen ☐ Y ☐ N Type _____
Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 60 Static water level (ft) 60
Water temp (°F) 61 Bottom hole temp (°F) 61
Describe access port Sanitary Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
200	100	60

Test method: Pump ☐ Bailer ☐ Air ☒ Flowing artesian ☐

Water Quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp	Water Y	Water N
12	0	2	Top Soil		X
12	2	15	Lava Rock		X
12	15	20	Cinders		X
12	20	22	Brown Clay		X
6	22	60	Gravel		X
6	60	95	Sand/Strips of Clay	X	
6	95	120	Brown Clay		X
6	120	200	Sand	X	
6	200	221	Brown Clay		X
6	221	222	Sand	X	

RECEIVED
AUG 21 2013
WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable) 220'
Date Started 7/15/2013 Completed 7/18/2013

14. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Company Name Can-Ada Well & Pump Co No 304
*Principal Driller Earl Skinner Earl Skinner Date 8/2/2013
*Driller _____ Date _____
*Operator II Brad Skinner Date 8/2/2013
Operator I _____ Date _____
* Signature of Principal Driller and rig operator are required

Form provided by Forms On-A-Disk - (214) 340-9429 - www.FormsOnADisk.com

Exhibit B.10

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

63

1. WELL TAG NO. D0074419
Drilling Permit No 97M405 - 3809462
Water right or injection well #

2. OWNER:
Name Richard Franke
Address 7200 Airport Rd.
City Nampa State Idaho Zip 83687

3.WELL LOCATION:
Twp. 3 North ☒ or South ☐ Rge. 1 East ☐ or West ☒
Sec. 20 ____ 1/4 SW 1/4 NE 1/4
Gov't Lot ____ County Canyon
Lat. 43 ° 35.200'N (Deg. and Decimal minutes)
Long 116 ° 28.919'W (Deg and Decimal minutes)
Address of Well Site Same
City Nampa
Lot. ____ Blk. ____ Sub. Name ____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other ____

5. TYPE OF WORK:
☐ New well ☒ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other ____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/8" Bentonite	0	43	1800 lbs.	10" Overbore

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6"	2	271	.250	Steel	☒	☐	☐	☒
5"	261	272	.258	Steel	☐	☒	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 271'

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☒ N Method ____
Manufactured screen ☒ Y ☐ N Type Johnson
Method of Installation Washdown

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
272	282	.015	10'	5"	Stainless	304

Length of Headpipe 9' Length of Tailpipe .7"
Packer ☒ Y ☐ N Type Rubber K-Packer

10.FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
N/A				

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) ____
Describe control device ____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) ____ Static water level (ft) 89'
Water temp. (°F) Cold Bottom hole temp. (°F) ____
Describe access port 6" Turtle Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method: Pump	Bailer	Air	Flowing artesian
260'	80 GPM	1 HR.	☐	☐	☒	☐
			☐	☐	☐	☐

Water quality test or comments: ____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
10"	0	2	Top Soil		X
	2	5	Hard Pan		X
	5	12	Brown Clay		X
	12	20	Lava Rock		X
	20	57	Cemented Gravel		X
6"	57	115	Sandy Brown Clay		X
	115	118	Sand	X	
	118	136	Brown Clay		X
	136	170	Red Sand	X	
	170	198	Sand w/ Clay Streaks	X	
	198	218	Brown Clay		X
	218	219	Sand	X	
	219	230	Clay w/ Sand Streaks	X	
	230	255	Cemented Sand w/ Clay	X	
	255	269	Brown Clay		X
	269	282	White Coarse Sand	X	

RECEIVED
DEC 28 2016
WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable): 282'
Date Started: Oct 26, 2016 Date Completed: Oct 31, 2016

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Dennis Phipps Well Drilling In Co. No. 332
*Principal Driller [signature] Date Nov 1, 2016
*Driller ____ Date ____
*Operator II [signature] Date Nov 1, 2016
Operator I ____ Date ____

* Signature of Principal Driller and rig operator are required.

Exhibit B.10

Form 238-7
6/07

63

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED
JUL 22 2019
WATER RESOURCES
WESTERN REGION

1. WELL TAG NO. D 0082914
Drilling Permit No. 890278
Water right or injection well #

2. OWNER: Armando Fernandez
Name
Address 7235 Airport Rd.
City Nampa State ID. Zip 83687

3. WELL LOCATION:
Twp. 3 North ☑ or South ☐ Rge. 1 East ☐ or West ☑
Sec. 20 1/4 SW 1/4 NE 1/4
Gov't Lot County Canyon
Lat. 43 ° 35.099 (Deg. and Decimal minutes)
Long. 116 ° 28.867 (Deg. and Decimal minutes)
Address of Well Site 7235 Airport Rd.
City Nampa
Lot Blk. Sub. Name

4. USE:
☑ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

5. TYPE OF WORK:
☑ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:
☑ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
78 Bent	0	38	37 bags	Dry Pour

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6	+2	282-3"	250	Steel	☑	☐	☐	☑
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☑ Y ☐ N Shoe Depth(s) 282'-3"

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method
Manufactured screen ☑ Y ☐ N Type Johnson
Method of installation w/ s/s DW. Valve

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
282	287	18	6"	Tele	S.S.	

Length of Headpipe 6 Length of Tailpipe 0
Packer ☑ Y ☐ N Type 3-R-6

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☑ N Artesian Pressure (PSIG)
Describe control device

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 197 Static water level (ft) 91
Water temp. (°F) 66 Bottom hole temp. (°F)
Describe access port Sanseal well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
180	70	3 hrs.
270	70	1 hr.

Test method: Pump ☐ Bailer ☐ Air ☑ Flowing artesian ☐

Water quality test or comments:

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
12	0	2	Top Soil		—
12	2	5	Hit Rock		—
12	5	18	Bk Lava		—
10-6	18	67	Cemented gravel		—
	67	117	Tan Clay		—
	117	192	Sands & Clays		—
	192	197	Tan Clay		—
	197	199	Course Sand	—	
	199	215	Sands & Clay		—
	215	218	Fine Sand	—	
	218	221	Tan Clay		—
	221	258	Sands & clays		—
	258	261	Tan Clay		—
	261	279	Heavy Sand & clay	—	
	279	283	Tan Clay		—
	283	287	Course Brn & white Sand		

Completed Depth (Measurable): 287 ft
Date Started 7/3/19 Date Completed: 7/16/19

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Precision Underground Inc. No. 522
*Principal Driller [signature] Date 7/19/19
*Driller [signature] Date 7-19-19
*Operator II [signature] Date 7/19/19
Operator I Date

* Signature of Principal Driller and rig operator are required.

Exhibit B.10

Form 238-7
6/07 63

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0093835 D0093835
Drilling Permit No. 903370
Water right or injection well #

2. OWNER:
Name Clyde Lingo
Address 7217 Airport Rd.
City Nampa State ID Zip 83686

3. WELL LOCATION:
Twp. 3 North ☒ or South ☐ Rge 1 East ☐ or West ☒
Sec 20 1/4 SW 1/4 NE 1/4
Gov't Lot County Canyon
Lat 43 ° 35.145 (Deg and Decimal minutes)
Long 116 ° 28.894 (Deg and Decimal minutes)
Address of Well Site 7217 Airport Rd.
City Nampa
Lot. Blk. Sub Name

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

5. TYPE OF WORK:
☐ New well ☒ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/4 Bent. Chips	0'	41'	2,100 lbs.	10" Overbore

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2'	308'	.250	Steel	☒	☐	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 308'

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☒ N Method
Manufactured screen ☒ Y ☐ N Type Johnson
Method of installation Washdown

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
308'	318'	.018	10'	5"	SS	

Length of Headpipe 10' Length of Tailpipe
Packer ☒ Y ☐ N Type K-Packer

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG)
Describe control device

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 92' Static water level (ft) 92'
Water temp (°F) 57° Bottom hole temp. (°F)
Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method: Pump	Bailer	Air	Flowing artesian
180'	100 GPM	30 minutes	☐	☐	☒	☐
			☐	☐	☐	☐

Water quality test or comments:

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
10"	0'	2'	Topsoil		X
10"	2'	4'	Hardpan		X
10"	4'	23'	Basalt		X
10"	23'	39'	Fractured Basalt		X
10"	39'	40'	Tan Clay		X
10"	40'	158'	Coarse Sand & Gravel	X	
6"	158'	170'	Coarse Sand	X	
6"	170'	172'	Clay		X
6"	172'	215'	Gravel		X
6"	215'	217'	Clay		X
6"	217'	226'	Sand	X	
6"	226'	238'	Sandy Clay		X
6"	238'	266'	Clay w/Sand Strips	X	
6"	266'	270'	Sand	X	
6"	270'	288'	Clay		X
6"	288'	291'	Sand	X	
6"	291'	302'	Clay		X
6"	302'	303'	Sand	X	
6"	303'	308'	Clay		X
6"	308'	318'	Sand	X	

RECEIVED
FEB 02 2022
WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable): 318'
Date Started: Dec 9, 2021 Date Completed: Jan 17, 2022

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed

Company Name Adamson Pump & Drilling Co No 457
*Principal Driller Tyler Adamson Date Jan 31, 2022
*Driller Josh Young Date Jan 31, 2022
*Operator II Date
Operator I Johnathan Ruthven Ford Date Jan 31, 2022

* Signature of Principal Driller and rig operator are required

Exhibit B.10

63

Form 238(4)-2
2/04

ID NUMBER 895387-840766

State of Idaho Department of Water Resources

AUTHORIZATION TO ABANDON A WELL

1. **WELL OWNER INFORMATION:**
   Date 7/10/06 Phone Number (208) 861-4966
   Name Rob Nash
   Mailing Address 10365 W. Highlander
   City Boise State ID Zip Code 83709

2. **WELL LOCATION:**
   Township: 3 N Range: 1 W Section: 20 1/4 SW 1/4 NE 1/4
   Gov't Lot No. County Canyon
   Street Address of well site: 6685 Ricopex Road
   City Nampa Lot Block Subdivision Name: Lexington Meadows (NEW Sub.)
   GPS Location: Lat: Long:

3. **TYPE OF WELL:**
   [X] DOMESTIC [ ] MONITORING [ ] IRRIGATION [ ] OTHER
   (Describe)

4. **WELL INFORMATION:** (Well depth, measured, casing size & static water level required)
   Well Tag Number: D0025326 well i.d. 353669
   Previous Drilling Permit Number: 872923 - 782598
   Water Right Number: -
   Well Log on File? [X] Yes [ ] No
   *Casing Size: 6" *Material: Steel
   Temperature: [X] <85°F [ ] >85°F Flowing Artesian? [ ] Yes [X] No
   *Static Water Level: 96' (measured) * Well Depth 172' (measured)
   (7/6/06) (7/6/06)

5. **REASON FOR ABANDONMENT OF WELL**
   No longer needed & in the way of public water system construction & drainfield installation on site.

6. **PROPOSED METHOD OF ABANDONMENT:**
   (This Application must be reviewed prior to commencement of abandonment)
   Slowly fill with bentonite after removing the pump. Contractor will cut off casing below grade.

7. Drilling Company proposing abandonment HAZ-TECH DRILLING, INC.
8. License Number 470 Date of abandonment 7/10/06 or A.S.A.P.
9. APPLICANTS SIGNATURE Karen L. Richey DATE: 7/10/06
   Title Office Manager - HAZ-TECH DRILLING, INC.
   (Owner, Firm Representative, Other)

07/10/06 MON 10:11 FAX 208 888 6712 HAZ-TECH DRILLING 002

Exhibit B.10

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for abandonment has been reviewed by IDWR on 7 / 10 / 06
mm dd yy

This review does not constitute an endorsement by IDWR of the proper abandonment of this well. Pursuant to Section 42-238(12), Idaho Code, All abandonments must meet the requirements of the Administrative Rules for Well Construction Standards. (Abandonment of this well will require the services of a well driller licensed in the State of Idaho unless a waiver has been granted.)

Signature of Authorized Department Representative

Sr. W.R. Agent
Title

ABANDONMENT REPORT

ABANDONMENT PROCEDURES:
Must describe all details of work preformed including perforations, sealing materials and how casing was removed.

PROCEDURE	FROM	TO	WEIGHT / VOLUME
See attached.			

DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with

Company Name _____ License # _____

Driller _____ Date _____

Operator _____ Date _____

07/10/06 MON 10:12 FAX 208 886 5712 BAZ-TECH DRILLING

RECEIVED
JUL 14 2006
WATER RESOURCES
WESTERN REGION

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for abandonment has been reviewed by IDWR on 7/10/06 (mm dd yy)

This review does not constitute an endorsement by IDWR of the proper abandonment of this well. Pursuant to Section 42-238(12), Idaho Code, All abandonments must meet the requirements of the Administrative Rules for Well Construction Standards. (Abandonment of this well will require the services of a well driller licensed in the State of Idaho unless a waiver has been granted.)

Signature of Authorized Department Representative — Sr. W.R. Agent (Title)

ABANDONMENT REPORT

ABANDONMENT PROCEDURES:
Must describe all details of work performed including perforations, sealing materials and how casing was removed.

PROCEDURE	FROM	TO	WEIGHT / VOLUME
I pulled the pump	3'	172'	210016/425bags
from the Well. Then			
Poured Bentonite			
chips slowly from			
172' to 3' Below Ground			
Surface. Contractor			
is Going to Cutt			
Casing Below Ground			
and hydrated			

DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with

Company Name Haz-Tech Drilling Inc License # 470

Driller _____ Date 7-14-06

Operator Joan Adams Date 7-13-06

HAZ-TECH DRILLING

872923-782898

Form 238-7
3/95-CSS

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp ____ Rge ____ Sec ____
____ 1/4 ____ 1/4 ____ 1/4
Lat: : : Long: : :

1. DRILLING PERMIT NO. 0-0-2-5326- ____
Other IDWR No. _____
2. OWNER:
Name Jason and Debbie Barton
Address 6713 E. Amity
City Nampa State ID Zip _____
3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

N
W E
S

Twp. 3 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 20 1/4 SW 1/4 NE 1/4
Corrected: NE 1/4, SW 1/4
Gov't lot _____ County Canyon
Lat: : : Long: : :
Address of Well Site 6685 Airport Rd. AIRPORT Rd.
City Nampa
(Give or locate cross street + Distance in feet or Landmark)
Lt. _____ Blk. _____ Sub. Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____
5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____
6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____
7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	55	1000Lbs	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 166
Was drive shoe seal tested? ☐ Y ☐ N How? _____
8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	166	250	Steel	☒	☐	☒	☐
5"	162	167	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe 50 Length of Tailpipe —
9. PERFORATIONS/SCREENS
☐ Perforations Method _____
☒ Screens Screen Type Johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
168	173	.020	—	5"	SS	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
90ft. below ground Artesian Pressure ____ lb
Depth flow encountered ____ ft. Describe access port or control devices: _____

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
90GPM	—	170	1hour

Water Temp. 52Deg F Bottom hole temp. _____
Water Quality test or comments: _____
Depth first Water Encountered 90ft
12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Hole Dia.	From	To	Remarks: Lithology, Water Quality & Temp.	Y	N
10"	0	2	Top soil		☒
"	2	8	Brown Clay(Hard Pan)		☒
"	8	50	Lava Rock		☒
"	50	55	Red Cinders		☒
6"	55	105	Gravel and Sand	☒	
"	105	110	Sandy Clay		☒
"	110	112	Sand	☒	
"	112	125	Tan Clay		☒
"	125	150	Sand	☒	
"	150	166	Tan Clay		☒
"	166	173	Sand	☒	

RECEIVED
AUG 12 2002
WATER RESOURCES
WESTERN REGION

Completed Depth: 173 (Measurable)
Date: Started 8-5-02 Completed 8-6-02

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name COURSE WELL DRILLING Firm No. 409
Firm Official _____ Date 8-7-02
Supervisor or Operator _____ Date 8-7-02
(Name and title of Firm Official & Operator)
Date: 8/7/02 Time: 12:21 PM

002

HAZ-TECH DRILLING 07/10/06 MON 10:12 FAX 208 888 8712

Exhibit B.10

63

845345

Form 238-7
6/02

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Well ID No. 415436
Inspected by
Twp ____ Rge ____ Sec ____
____ 1/4 ____ 1/4 ____ 1/4
Lat: : : Long: : :

1. WELL TAG NO. D No tag - Just water sample taken
DRILLING PERMIT NO. 898614-845345
Water Right or Injection Well No. B-13

2. OWNER:
Name Knoll Acres Associates
Address 3350 Americana Terrace, Ste 200
City Boise State ID Zip 83706

3. LOCATION OF WELL by legal description:
You must provide address or Lot, Blk, Sub. or Directions to well.
Twp. 3 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. 17 ____ 1/4 SW 1/4 SE 1/4
Gov't Lot ____ County Canyon
Lat: : : Long: : :
Address of Well Site 6701 E. Flamingo Ave.
City Nampa
(Give at least name of road + Distance to Road or Landmark)
Lt. ____ Blk. ____ Sub. Name ____

4. USE:
☐ Domestic ☐ Municipal ☒ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Water Sample

5. TYPE OF WORK check all that apply (Replacement etc.)
☐ New Well ☐ Modify ☒ Abandonment ☒ Other Water Sample

6. DRILL METHOD:
☐ Air Rotary ☐ Cable ☐ Mud Rotary ☒ Other H.S.A.

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
Bentonite	30	0	12 bags	Pour down Hole

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) ____
Was drive shoe seal tested? ☐ Y ☒ N How? ____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
NA					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe NA Length of Tailpipe ____
Packer ☐ Y ☒ N Type ____

9. PERFORATIONS/SCREENS PACKER TYPE
Perforation Method NA
Screen Type & Method of Installation NA

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
NA						☐	☐
						☐	☐
						☐	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method
NA				

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
27.7 ft. below ground Artesian pressure ____ lb.
Depth flow encountered ____ ft. Describe access port or control devices
Water Sample taken and backfilled Hole with bentonite.

12. WELL TESTS:
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
NA			

Water Temp. 68° Bottom hole temp. ____
Water Quality test or comments: ____
Depth first Water Encounter 27.7

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
8½	0	6'	Tan silt some sand		✓
8½	6'	11'	Sand + cemented gravel		✓
8½	11'	30'	Silty sand: tan	✓	

RECEIVED
FEB 27 '07
WATER RESOURCES

Completed Depth 30 (Measurable)
Date Started 2-23 07 Completed 2-23 07

14. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Company Name Haz-Tech Drilling Inc. Firm No. 476
Principal Driller Scott L Date 2-26-07
and
Driller or Operator Mike C Date 2-25-07
Operator I ____ Date ____
Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II

FORWARD WHITE COPY TO WATER RESOURCES

Exhibit B.10

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WATER RESOURCES
WESTERN REGION

Form 238(4)-2 09/2010
Page 1 of 2

ID NUMBER 903989

63

State of Idaho Department of Water Resources
AUTHORIZATION TO ABANDON (DECOMMISSION) A WELL

1. **WELL OWNER INFORMATION:** (The well owner is the person who legally owns the property.)

   Name: Clyde Lingo
   Current Mailing Address: 7217 Airport Rd
   City: Nampa State: Id Zip Code:
   Telephone: (208) 869-5007

2. **WELL LOCATION:** (GPS required in Degrees Decimal Minutes.)

   Twp. 3N, Rge. 1W, Sec. 20, 1/4 SW (40) 1/4 NE (10) 1/4
   Gov't Lot No. County Canyon Lat. 43° 35.141 Long. 116° 28.920 (180)
   Street Address of Well Location: Same as above
   City: Nampa Lot, block and subdivision:

3. **TYPE OF WELL:** new/replacement well: D0093835 JAN. 2022

   ☒ DOMESTIC ☐ MONITORING ☐ IRRIGATION ☐ OTHER _____ (Describe)

4. **WELL INFORMATION:** (*Casing size, well depth & static water level data are required.)

   Well Tag Number: Previous Drilling Permit Number:
   Water Right Number:
   Well Log on File? (Provide if available) ☐ Yes ☒ No Temperature: ☒ less than 85°F ☐ greater than 85°F
   *Casing Size: 4" *Material: Steel *Well Depth 124' (measured)
   *Current Static Water Level: 9' (measured) Flowing Artesian? ☐ Yes ☒ No

5. **REASON FOR ABANDONMENT OF WELL:**
   insufficient water

6. **PROPOSED METHOD OF ABANDONMENT:** (Must be consistent with IDAPA 37.03.09. This Application must be reviewed prior to commencement of abandonment.)
   slow pour with bentonite chips

7. **DRILLING COMPANY NAME:** Adamson Pump + Drilling **COMPANY LIC. NO.** 457
8. **DATE OF ABANDONMENT:** 2-23-22
9. **APPLICANTS SIGNATURE:** Sam Navarro
10. **TITLE:** Driller **DATE:** 2-22-22

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for abandonment has been reviewed by IDWR on 2/22/22

This review does not constitute an endorsement by IDWR of the proper abandonment of this well. Pursuant to Section 42-238(12), Idaho Code, all abandonments must meet the requirements of the Administrative Rules for Well Construction Standards. **Abandonment of this well will require the services of a well driller licensed in the State of Idaho unless a waiver has been granted.**

Signature of Authorized Department Representative

RESOURCE AGENT
Title

ORIGINAL

Form 238(4)-2 09/2010
Page 2 of 2

Adamson Pump & Drilling, Inc.
1320 Smith Avenue
Nampa, ID 83651

NAME: Clyde Lingo Site ID NUMBER: 7217 Airport Rd., Nampa

ABANDONMENT REPORT

903989

ABANDONMENT PROCEDURES:

Must describe **all** details of work performed, including perforations, sealing materials, and how casing was removed.

PROCEDURE:	FROM:	TO:	WEIGHT/VOLUME:
Slow pour 3/4 Bent Chip from Surface	0'	122'	650 lbs
CUT casing 2' below surface			

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MAR 01 2022
WATER RESOURCES
WESTERN REGION

DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with:

Drilling Company: Adamson Pump + Drilling License # 457

Principal Driller: Dave Adamson Date: 3/1/22

Operator: Sam Navarro Date: 3-1-22

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WATER RESOURCES
WESTERN REGION

Form 238(4)-2 02/2014
Page 1 of 2

63

ID NUMBER 976689 - 882746

State of Idaho Department of Water Resources
AUTHORIZATION TO ABANDON (DECOMMISSION) A WELL

1. **WELL OWNER INFORMATION:** (The well owner is the person who legally owns the property.)

   Name: Sam Clegg
   Current Mailing Address: 2439 Happy Valley Rd.
   City: Nampa State: Idaho Zip Code: 83686
   Telephone: ( )

2. **WELL LOCATION:** (GPS required in Degrees Decimal Minutes)

   Twp. 3N, Rge. 1W, Sec. 20, ____ 1/4 (10) SW 1/4 (40) NE 1/4 (160)
   Gov't Lot No. ____ County Canyon Lat. 43 35.190'N Long. 116 28.930'W
   Street Address of Well Location: 7200 Airport Rd.
   City: Nampa Lot, block and subdivision: ____

3. **TYPE OF WELL.**

   ☑ DOMESTIC ☐ MONITORING ☐ IRRIGATION ☐ OTHER ____ (Describe)

4. **WELL INFORMATION:** (*Casing size, well depth & static water level data are required.)

   Well Tag Number: N/A Previous Drilling Permit Number: N/A
   Water Right Number: N/A - ____
   Well Log on File? (Provide if available) ☐Yes ☑No Temperature: ☑less than 85°F ☐greater than 85°F
   *Casing Size: 4" *Material: Steel *Well Depth 110' (measured)
   *Current Static Water Level: 80' (measured) Flowing Artesian? ☐ Yes ☑ No

5. **REASON FOR ABANDONMENT OF WELL:**
   Replace with new well.

6. **PROPOSED METHOD OF ABANDONMENT:** (Must be consistent with IDAPA 37.03.09. This Application must be reviewed prior to commencement of abandonment.)
   Cut casing below ground, fill with bentonite chips, and weld metal plate on top

7. **Drilling company name:** Dennis Phipps Well Drilling Inc. **company lic. No.** 332
8. **Date of abandonment:** 4/26/17
9. **Applicants signature:** [signature]
10. **Title:** Well Driller **date:** 4/26/17

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for abandonment has been reviewed by IDWR on 6/6/17

This review does not constitute an endorsement by IDWR of the proper abandonment of this well. Pursuant to Section 42-238(12), Idaho Code, all abandonments must meet the requirements of the Administrative Rules for Well Construction Standards. **Abandonment of this well will require the services of a well driller licensed in the State of Idaho unless a waiver has been granted.**

[signature] [signature]
Signature of Authorized Department Representative Title

Exhibit B.10

NAME:_____ ID NUMBER: _____

ABANDONMENT REPORT

ABANDONMENT PROCEDURES:

Must describe **all** details of work performed, including perforations, sealing materials, and how casing was removed.

PROCEDURE:	FROM:	TO:	WEIGHT/VOLUME:
Cut 4" casing off below 5' below surface, filled with bentonite chips, welded metal plate on top	-5	110'	525 lbs.

DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with:

Drilling Company: Dennis Phipps Well Drilling Inc. License # 332

Principal Driller:_____ Date: 4/26/17

Operator:_____ Date: _____

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

Bernal Landing



July 13, 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.

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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.

Exhibit B.10

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.

Exhibit B.10

Custom Soil Resource Report
Soil Map

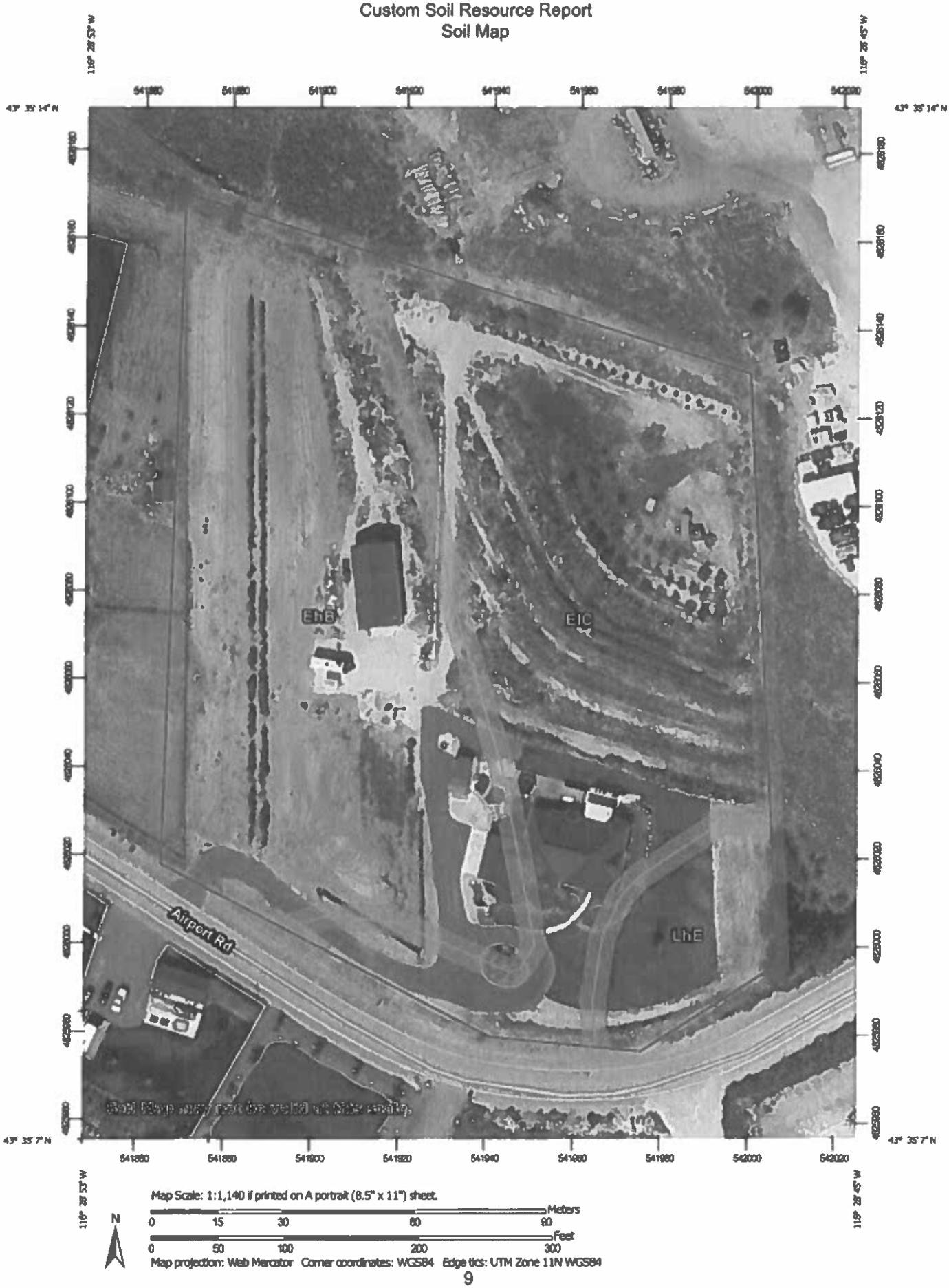


Exhibit B.10

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.

Exhibit B.10

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EhB	Elijah silt loam, 1 to 3 percent slopes	2.5	46.5%
EIC	Elijah silt loam, shallow, 3 to 7 percent slopes	2.5	46.5%
LhE	Lankbush-Power complex, 12 to 30 percent slopes	0.4	7.0%
Totals for Area of Interest		5.4	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.

Exhibit B.10

Canyon Area, Idaho

EhB—Elijah silt loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2q0p
Landscape: Valleys
Elevation: 2,300 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: Prime farmland if irrigated

Map Unit Composition

Elijah and similar soils: 85 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

EIC—Elijah silt loam, shallow, 3 to 7 percent slopes

Map Unit Setting

National map unit symbol: 2q0s
Landscape: Valleys
Elevation: 2,600 to 4,500 feet
Mean annual precipitation: 9 to 12 inches
Mean annual air temperature: 48 to 54 degrees F
Frost-free period: 110 to 160 days
Farmland classification: Farmland of statewide importance, if irrigated

Map Unit Composition

Elijah, shallow to duripan, and similar soils: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Elijah, Shallow To Duripan

Setting

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

Typical profile

Ap - 0 to 5 inches: silt loam
Bt - 5 to 17 inches: silt loam
Bkqm - 17 to 19 inches: cemented material
R - 19 to 29 inches: bedrock

Properties and qualities

Slope: 3 to 7 percent
Depth to restrictive feature: 14 to 20 inches to duripan; 14 to 40 inches to lithic bedrock
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: 25 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 2.9 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: D
Ecological site: R011XY004ID - Shallow Loamy 8-12 PZ
Hydric soil rating: No

LhE—Lankbush-Power complex, 12 to 30 percent slopes

Map Unit Setting

National map unit symbol: 2q20
Landscape: Valleys
Elevation: 2,000 to 5,500 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: Not prime farmland

Map Unit Composition

Lankbush and similar soils: 60 percent
Power and similar soils: 40 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lankbush

Setting

Landscape: Valleys
Landform: Fan remnants, Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium and/or lacustrine deposits and/or loess

Typical profile

A - 0 to 14 inches: sandy loam
Bt - 14 to 50 inches: sandy clay loam
2C - 50 to 60 inches: sand

Properties and qualities

Slope: 12 to 30 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: 5 percent
Available water supply, 0 to 60 inches: Moderate (about 8.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

Description of Power

Setting

Landscape: Valleys
Landform: Fan remnants, Terraces
Landform position (two-dimensional): Backslope
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: 12 to 30 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): 7e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

References

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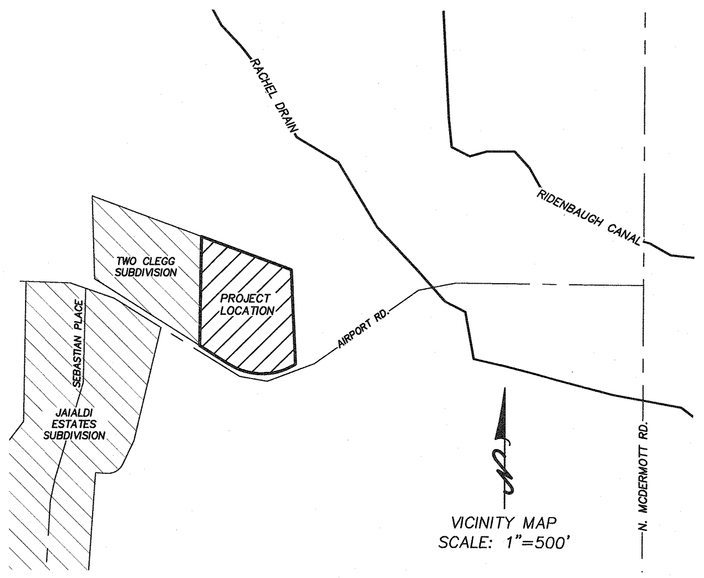
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Exhibit B.10

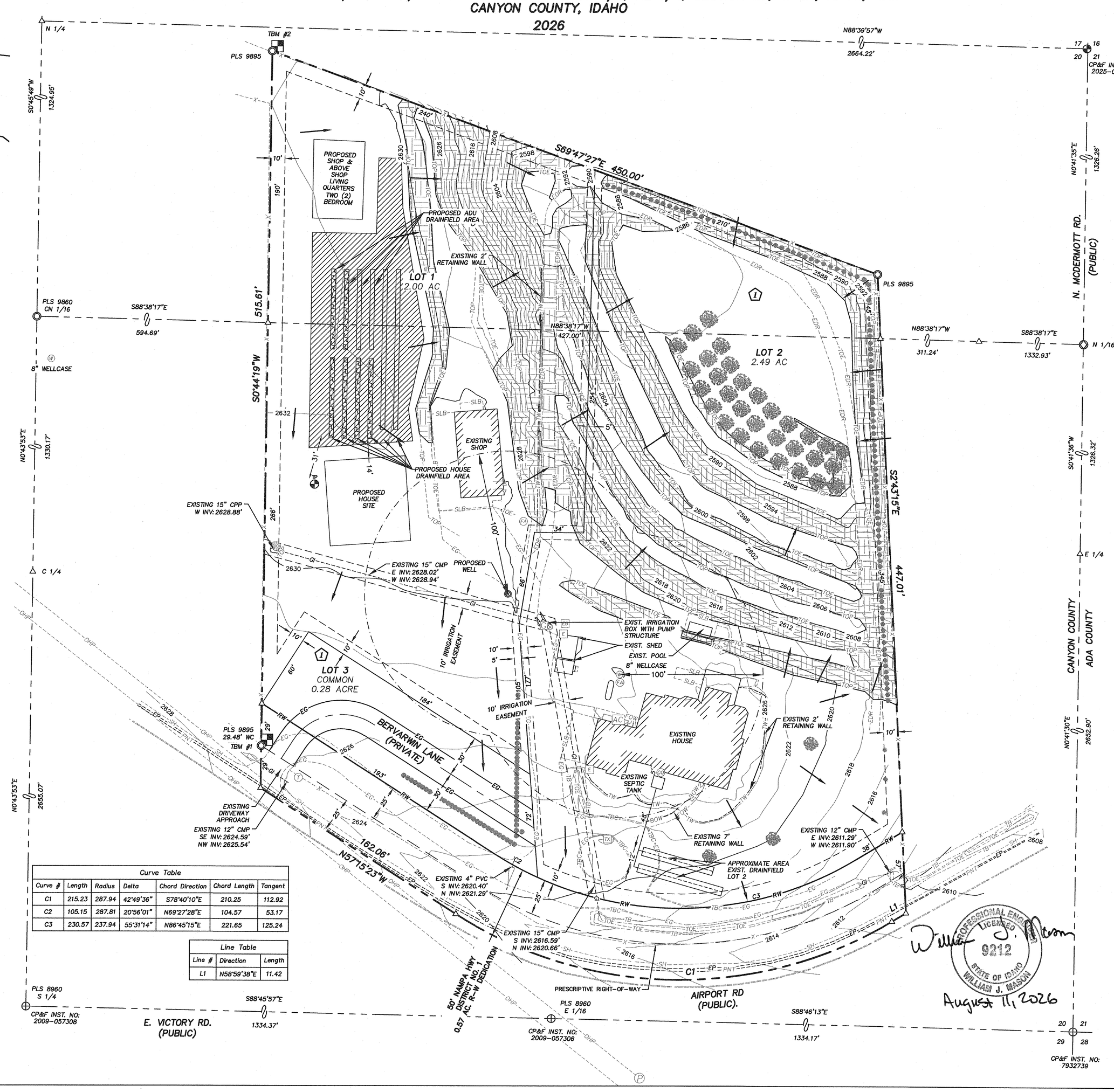
BERNAL LANDING
SUBDIVISION ENGINEERING REPORT
SEPTIC PLACEMENT MAP

A PART OF THE NW 1/4 , NE 1/4 AND A PART OF THE SW 1/4, NE 1/4, SECTION 20, T. 3N, R. 1W, B.M.
CANYON COUNTY, IDAHO
2026

This Document, and the Concepts, Ideas and Design Incorporated herein are an instrument of professional services and are the Property of Mason and Associates, Inc., therefore they are not to be used in whole or part for any other project without the express Written Authorization of Mason and Associates, Inc.©



VICINITY MAP
SCALE: 1"=500'



Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	215.23	287.94	42°49'36"	S78°40'10"E	210.25	112.92
C2	105.15	287.81	20°56'01"	N69°27'28"E	104.57	53.17
C3	230.57	237.94	55°31'14"	N86°45'15"E	221.65	125.24

Line Table		
Line #	Direction	Length
L1	N58°59'38"E	11.42

LEGEND

- BLOCK NUMBER
- BENCHMARK (TBM)
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND BRASS CAP MONUMENT
- FOUND 5/8" IRON PIN
- RR SPIKE
- WC WITNESS CORNER
- SET 1/2" X 24" IRON PIN W/PLASTIC CAP PLS 9366
- SET 5/8" X 30" IRON PIN W/PLASTIC CAP PLS 9366
- DIRECTION OF FLOW
- EXISTING A/C
- EXISTING CLEANOUT
- EXISTING TRANSFORMER
- EXISTING ELECTRICAL BOX
- EXISTING ELECTRIC METER
- EXISTING GATE VALVE
- EXISTING FAUCET
- EXISTING POWER POLE
- EXISTING TELEPHONE RISER
- EXISTING WELL
- EXISTING GAS SERVICE
- EXISTING POWER SERVICE
- EXISTING GRAVITY IRRIGATION BOX
- EXISTING TREE STUMP
- BUSH
- CONIFER TREE
- DECIDUOUS TREE
- PROPERTY BOUNDARY LINE
- SECTION LINE
- LOT LINE
- CENTERLINE
- EASEMENT LINE
- 00 NATURAL GROUND CONTOUR LINE
- EXISTING DOUBLE YELLOW PAINT STRIPE
- EG EXISTING EDGE OF GRAVEL
- EP EXISTING EDGE OF PAVEMENT
- BOW EXISTING BACK OF WALK
- FOW EXISTING FACE OF WALK
- X EXISTING FENCE
- GI EXISTING GRAVITY IRRIGATION
- OHP EXISTING OVERHEAD POWER
- PNT EXISTING PAINT STRIPE
- SH EXISTING SHOULDER
- TOE EXISTING TOE
- SLB EXISTING SLAB
- TB EXISTING TOP OF BANK
- TOP EXISTING TOP OF SLOPE
- TW EXISTING TOP OF WALL
- TBC EXISTING TOP BACK ROLLED CURB
- CONC EXISTING CONCRETE
- EDR EXISTING EDGE DIRT ROAD
- 100' WELL AREA
- RW RIGHT-OF-WAY
- EG EDGE GRAVEL ROAD
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- DRAINAGE FLOW ARROW
- PROPOSED WELL
- PRIMARY SEPTIC SYSTEM
- REPLACEMENT SEPTIC SYSTEM

0 20 40 80
Scale: 1"=40'

OWNER/ DEVELOPER
SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID 83687
(208) [redacted]

ENGINEER/SURVEYOR
MASON & ASSOCIATES, INC.
924 3rd ST. SOUTH
NAMPA, ID 83651
(208) [redacted]

PROJECT BENCHMARKS

TBM #1
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9895" 29.48' WITNESS CORNER TO THE SOUTHWEST PROPERTY CORNER. 1.5' SOUTHEAST OF SOUTHWESTERN FENCE CORNER.
NAVD88 ELEVATION=2626.44'

TBM #2
FOUND 5/8" IRON PIN WITH PLASTIC CAP "LEAVITT PLS 9895" ON THE NORTHWEST PROPERTY CORNER.
NAVD88 ELEVATION=2633.11'

PROFESSIONAL ENGINEER LICENSED 9212 STATE OF IDAHO WILLIAM J. MASON
August 11, 2026

NO	BY	DATE	DESCRIPTION
1	MT	8/6/26	COUNTY COMMENTS AND REDLINES

REVISIONS

DESIGNED BY: BP 8/25
DRAWN BY:
CHECKED BY:
APPVD BY:

Professional Engineers, Land Surveyors & Planners
901 3rd St. South, Nampa, ID 83651 (208) [redacted]

Mason & Associates

CLIENT: IRENE & SHAUNTA BERNAL
7218 AIRPORT RD
NAMPA, ID, 83687
(208) [redacted]
(208)

JOB NO. JY0825
DWG NO. JY0825PP
SCALE: Vert: N/A Horz: 1"=40'
FIELD BOOK NO.

DRAWING TITLE:
BERNAL LANDING
7218 AIRPORT ROAD
SEPTIC PLACEMENT MAP

SHEET NO. 1 OF 1 SHEETS Rev

Exhibit B.10

Exhibit B.11

Exhibit B.11

Exhibit B.11

Exhibit B.11

Exhibit B.11

Exhibit B.11

Exhibit B.11

Exhibit B.11

EXHIBIT C

Supplemental Documents

Planning & Zoning Commission

Case# SD2026-0003

Hearing date: September 3, 2026

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

R30550012 PARCEL INFORMATION REPORT

8/25/2026 9:34:22 AM

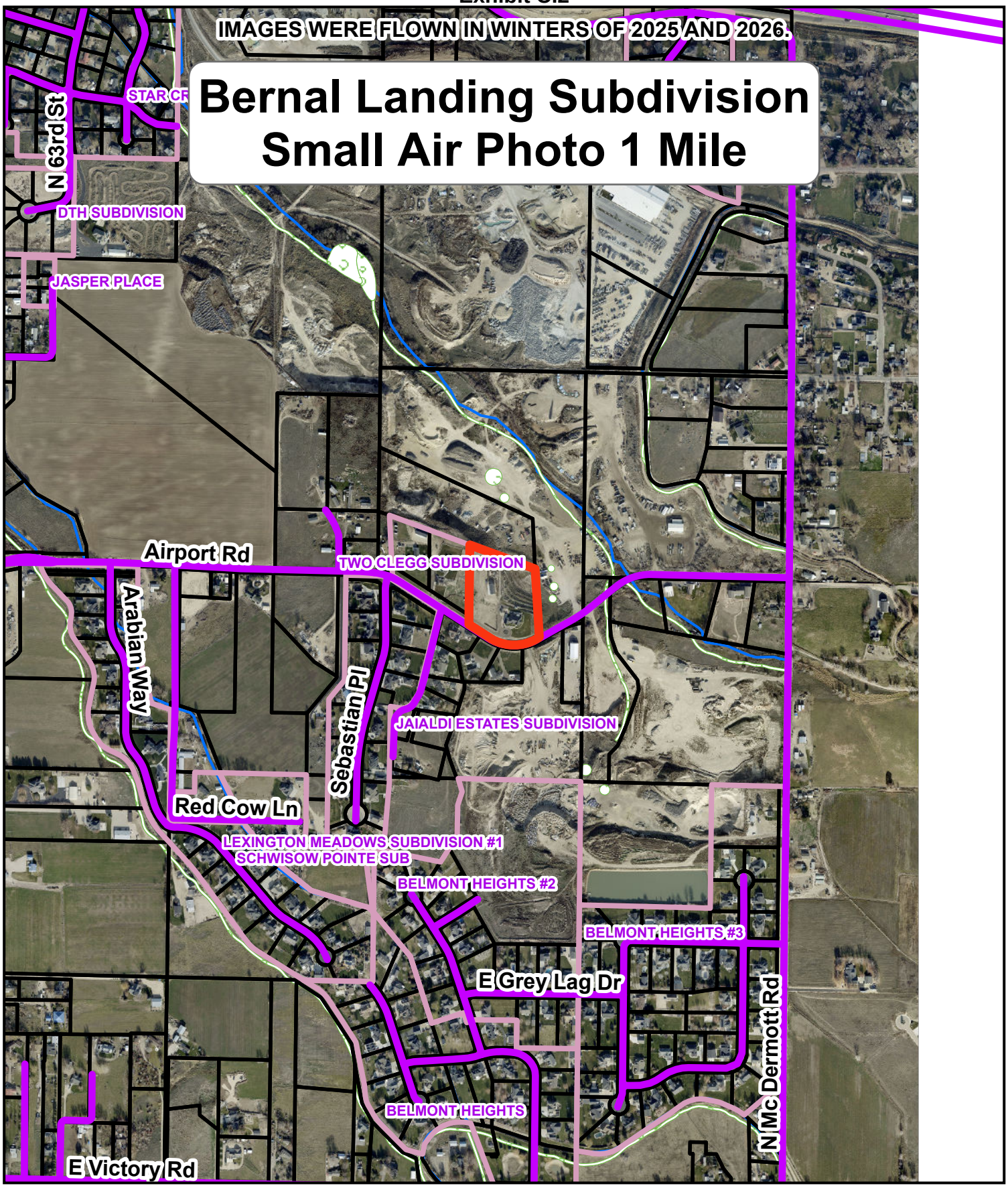
PARCEL NUMBER:	R30550012
OWNER NAME:	BERNAL SHAUNTA
CO-OWNER:	BERNAL IRENE
MAILING ADDRESS:	7218 AIRPORT RD NAMPA ID 83687
SITE ADDRESS:	7218 AIRPORT RD
TAX CODE:	1440000
TWP:	3N **RNG:** 1W **SEC:** 20 **QUARTER:** NE
ACRES:	5.38
HOME OWNERS EXEMPTION:	Yes
AG-EXEMPT:	Yes
DRAIN DISTRICT:	NOT In Drain Dist
ZONING DESCRIPTION:	RR / RURAL RESIDENTIAL
HIGHWAY DISTRICT:	NAMPA HWY DIST #1
FIRE DISTRICT:	NAMPA FIRE
SCHOOL DISTRICT:	NAMPA SCHOOL DIST #131
IMPACT AREA:	Nampa
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	AGRICULTURE
IRRIGATION DISTRICT:	BOISE PROJECT BOARD OF CONTROL / NAMPA & MERIDIAN IRRIGATION DISTRICT
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0403F
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	ADA CANYON
FUNCTIONAL Classification:	LOCAL
INSTRUMENT NO. :	2024034475
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	20-3N-1W NE TX 05848 IN W 1/2 NE
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 C.2

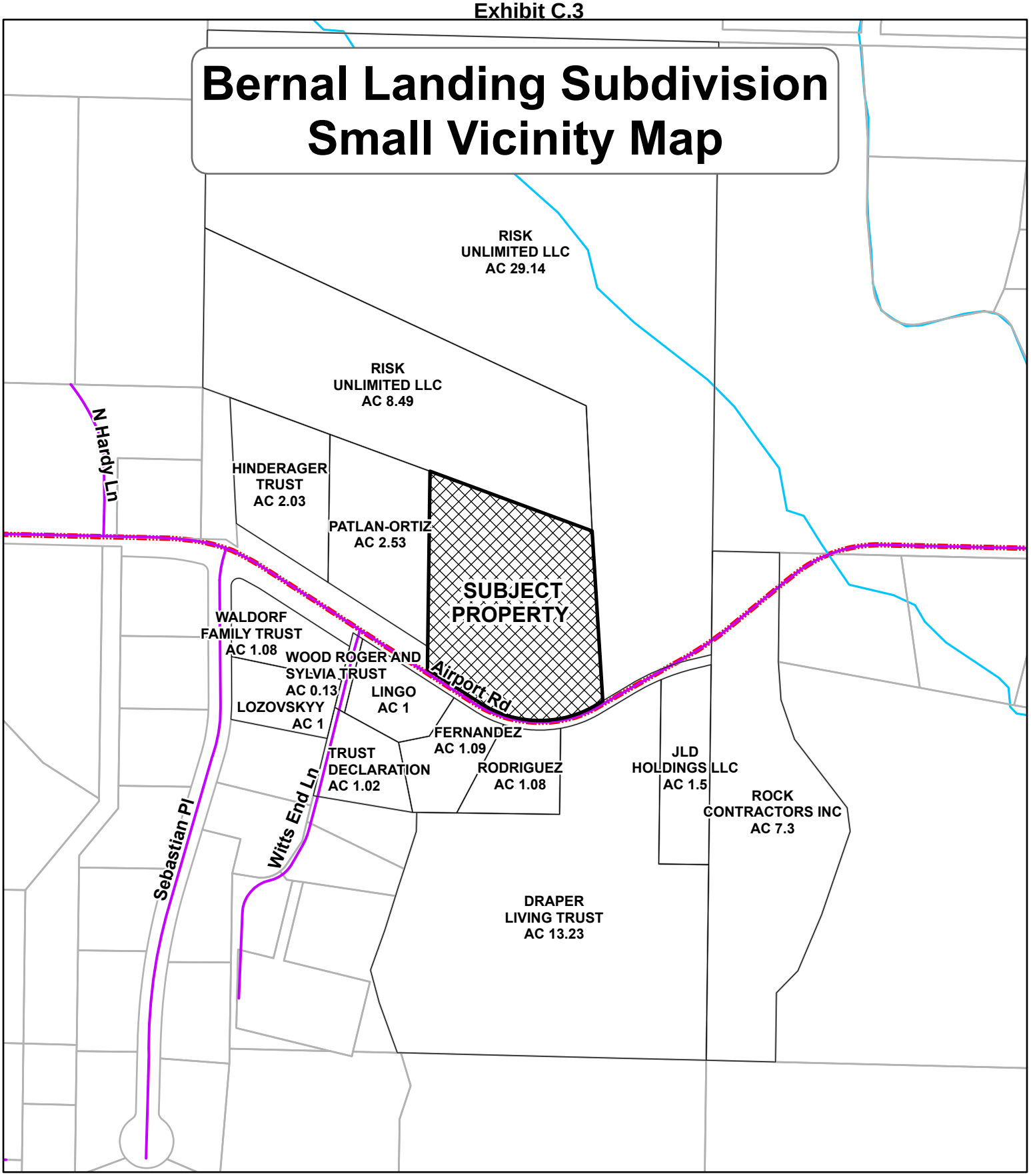


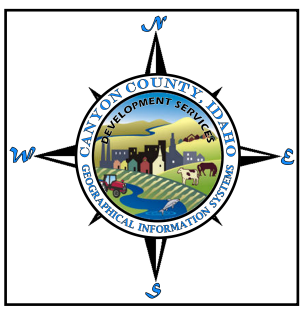
City_Limits
Wetlands

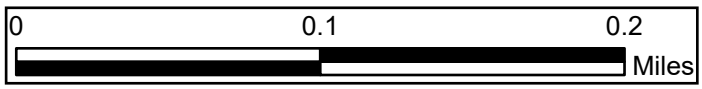
0 0.25 0.5 Miles

Exhibit C.2

Bernal Landing Subdivision
Small Vicinity Map









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

Preliminary Plat Requirements Checklist (CCCO §07-17-09)

Applicant: Mason & Associates	**Case Number:** SD2026-0003
Subdivision Name: Bernal Landing Sub.	**Plat Date:** 8/11/26 **(3rd Rev.)**

Planning Review
• Scale of Drawing (No more than 1" = 100' unless approved by DSD before submission. Size of Drawing (No larger than 24' x 36"). *Obtain an electronic version of all submittals. (*CCZO 07-17-09(1)A).
Review Comment: Compliant. 1"= 40'
• Proposed name of the subdivision and its location by section, township, and range (CCZO 07-17-09(1)B.1).
Review Comment: Not compliant. Should be SW ¼, NE ¼, Section 20 | 2nd Rev: Compliant.
• Name, address, and phone number of the developer (CCZO 07-17-09(1)B.3).
Review Comment: Compliant.
• Name, address, and phone number of the person preparing the plat (CCZO 07-17-09(1)B.4).
Review Comment: Compliant.
• North arrow (CCZO 07-17-09(1)B.5).
Review Comment: Compliant.
• Date of preparation (CCZO 07-17-09(1)B.6)
Review Comment: Compliant.
• Revision block showing dates if any revisions subsequent to the original preparation date. The revision block shall be part of the title block, which shall be placed along the right edge of the drawing sheet (CCZO 07-17-09(1)B.7).
Review Comment: Compliant. 2nd Rev: Add updates to the revision block. **3rd Review: Same issue; revision block missing the dates of the two other revisions.**
• The vicinity map is drawn to scale, clearly showing the proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc. (CCZO 07-17-09(1)B.8).
Review Comment: Not compliant. Vicinity map adjacent subdivisions Jaialdi Estates and Two Clegg Sub. | 2nd Rev: Compliant.
• Existing Conditions: Two-foot contours are shown unless otherwise approved; show all areas in excess of 15% slope (CCZO 07-17-09(1)C.1).
Review Comment: Compliant.
• Existing Conditions: Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation (CCZO 07-17-09(1)C.2).
Review Comment: Compliant.
• Proposed Conditions: Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain, including water wells and municipal corporation lines within or adjacent to the tract (CCZO 07-17-09(1)C.3).
Review Comment: Compliant.
• If the plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any (CCZO 07-17-09(1)D.5).

Review Comment: N/A
• If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area shall be provided (CCZO 07-17-09(1)D.6).
Review Comment: N/A
• All roads must be labeled as either "private" or "public" behind or beneath the road name (CCZO 07-17-09(1)D.8). Private roads must be in a road lot (CCZO 07-17-09(1)D.
Review Comment: Airport Road is missing the label "public". | 2nd Rev: Compliant.
• A statement as to the type of proposed sanitary sewage facilities (CCZO 07-17-09(1)E.1). • A statement as to the type of proposed water supply facilities (CCZO 07-17-09(1)E.2). • The utility easement width shall be a minimum of ten (10) feet from the exterior boundaries and five (5) feet from the interior boundaries. Utility easements shall be shown graphically on the plat (CCZO 07-17-09(1)E.5).
Review Comment: Compliant. See Plat notes 6, 7, & 13
• Are the development agreement conditions met?
Review Comment: N/A
• Check for applicable agency and city comments. These comments could have been made at the entitlement stage or after (CCZO 07-17-09(3), 07-17-31.B).
Review Comment: Sent agency notice 3/6. Check back 4/6
• Any existing natural features that should be incorporated into the design of the subdivision (CCZO 07-17-27)?
Review Comment: The property appears to have graded slopes and a retaining wall and is located adjacent to an existing mining operation. Was the graded terraced slope over 15%? Did mineral extraction occur on the parcel without a permit? | 2nd Rev: Per the applicant (attached), it's a decommissioned pond. Due to slopes of 15% or more, no development is proposed in the pond area. However, the proposed access into Lot 1 to access to the back of Lot 2 is located on slopes of 15% or greater. Therefore, either remove the access, or a condition will be added to provide a drainage and grading plan and to construct the access prior to final plat signatures. See condition #1.b. **3rd Review: After completing a site visit, the access easement on Lot 1 to get to the back of Lot 2 shall remain, but clearly label the easement and note the intent.**
GIS/Addressing Review
• Check the name of the subdivision to ensure it's available and check the location by section, township, range, and county to ensure it's correct (CCCO 07-17-09(1)B.1).
Review Comment: Compliant
• Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract (CCZO 07-17-09(1)C.4).
Review Comment: Compliant
• Boundary dimensions of the tract (CCZO 07-17-09(1)C.7).
Review Comment: Compliant
• Reference by dimension and bearing to a section corner or quarter section corner (CCZO 07-17-09(1)B.2).
Review Comment: Compliant
• Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract (CCZO 07-17-09(1)C.8).
Review Comment: Compliant
• Check proposed and existing roads for consistency with CCCO Chapter 6, Article 5. Are all road names approved?
Review Comment: N/A; no road required
Engineering Review
• Existing Conditions: Two-foot contours are shown unless otherwise approved; show all areas in excess of 15% slope (CCZO 07-17-09(1)C.1).
Review Comment: While contouring appears to be shown on the plan, the submitted application indicates that no lots contain slopes greater than 15%; however, the east portion of the property appears to have been previously disturbed/graded and should be evaluated more closely. Please provide more information.

2nd review: Compliant. The preliminary plat (Sheet 2) includes crosshatch shading to designate non-buildable areas with slopes of 15% on the northern/eastern portion of the property.

- Existing Conditions: Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation (CCZO 07-17-09(1)C.2).

Review Comment: *Please revise the plans to more clearly identify all existing water features, including irrigation facilities, swales/drainage paths, and flow direction. The submitted materials reference existing gravity irrigation and note that stormwater historically flows through swales, but the plans should more clearly label these features and indicate drainage direction for the record. If there are no streams, canals, or inundation areas on site, please note that on the plans. The property is served by Nampa & Meridian Irrigation District, and stormwater/access water flows through swales and is filtered through vegetation.*
2nd review: Compliant.

- *Proposed Conditions: Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain, including water wells and municipal corporation lines within or adjacent to the tract (CCZO 07-17-09(1)C.3).*

Review Comment: **2nd review: Compliant.**

- Road layout including location, width, and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract (CCZO 07-17-09(1)D.2).

Review Comment: The letter of explanation indicates that both lots will use a shared driveway easement and that the existing driveway will need to be widened to accommodate future access to Lot 2. Please ensure this is reflected clearly on the plat and supporting access documents. **See proposed condition #12**

- Typical lot dimensions, including curvilinear data to scale; each lot numbered individually; the total number of lots by type and total (CCZO 07-17-09(1)D.2). *See CCCO 07-17-25 regarding lot requirements*.

Review Comment: The preliminary plat appears to show two lots and lot labels; however, please confirm that all lot dimensions and any required curvilinear data are clearly shown and legible on the face of the plat.
2nd Review: Curve C3 is labeled on the plat, but the curve table only includes C1 and C2. Please fix.
3rd review: Compliant

- Location, width, and use of easements (CCZO 07-17-09(1)D.3).

Review Comment: Please clearly identify all easements on the preliminary plat, including shared driveway access/ingress-egress easements, utility easements, irrigation easements, and any drainage/stormwater easements, as applicable. The submitted packet includes draft Water Users Agreement and Driveway Users Agreement documents, which support shared irrigation and access, but the corresponding easement locations, widths, and purposes should be clearly reflected on the plat.
2nd review: Compliant Utility easements must also be shown graphically. Please fix.
3nd review: Compliant

- Designation of all land to be dedicated or reserved for public use, with use indicated (CCZO 07-17-09(1)D.4).

Review Comment: Please indicate whether any land is proposed to be dedicated or reserved for public use. If none, please note "No land is proposed for dedication or reservation for public use" on the preliminary plat or in the submittal narrative. Based on the submitted materials, this appears to be a two-lot residential short plat with shared private improvements rather than public dedications.
2nd review: Compliant.

- Appropriate information that sufficiently details the proposed development within any special development area, such as hillside, PUD, floodplain, cemetery, manufactured home, large-scale development, hazardous, and unique areas of development (CCZO 07-17-09(1)D.7). *See CCZO 07-17-33.*

Review Comment: Historical aerial imagery indicates a former pond existed on the east portion of the parcel and appears to have been filled. Please clarify whether this area was previously excavated as part of mineral extraction, irrigation storage, stormwater retention, or another activity, and provide documentation describing how the pond was filled and graded. Confirm the grading did not alter drainage patterns.
2nd review: Compliant.

- **Storm Water Disposal:** A statement as to the type of storm water disposal facilities, which may include evidence that may be required relative to the design and operation of the proposed storm water system (CCZO 07-17-09(1)E.3).

- *Include a statement that all stormwater shall be retained on site, if appropriate*
- *Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swales, etc.*
- *Maintenance easements for storm drain facilities treating drainage from public roads should be in place.*

Review Comment: The submittal states that excess stormwater has historically been retained on site and continues to flow through swales, with filtration through vegetation. Please add a clear statement on the plans describing the proposed stormwater management approach and confirm that stormwater will be retained on site, if that is the intent. Also identify any existing or proposed roadside swales, their function, and any protection/maintenance responsibilities. If any swales or facilities are treated to runoff from public roads, maintenance easements may be required. Additional detail may be needed to demonstrate that the proposed lot split will not adversely affect existing drainage patterns.
2nd review: Compliant.

- **Irrigation System:** A statement as to the proposed irrigation system, which may include evidence as may be required relative to the design and operation of any proposed irrigation system (CCZO 07-17-09(1)E.4).
  - *Irrigation Supply and Distribution Systems: The developer shall disclose, pursuant to Idaho Code section 31-3805, and file as part of the preliminary plat with DSD, evidence that an adequate irrigation supply and distribution system to serve the land within the plat to be recorded will be provided and must include consideration of using existing water rights that go with the land being platted. Such evidence shall include, but not be limited to, the following:*
    - *Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and copies of the community association's or similar organization's documents, which may be required precedent to the establishment of an irrigation distribution system within the proposed development. See CCZO 07-17-29(2).*

Review Comment: The submitted materials state that irrigation is provided by Nampa & Meridian Irrigation District, that the gravity irrigation system is centrally located, and that irrigation is to remain as is. Draft Water Users Agreement materials were also included. Please ensure the final submittal includes sufficient documentation showing how irrigation water will be delivered to each lot, who will maintain the system, and any required easements or ownership documents associated with the shared system.
2nd review: Compliant. Water Users Agreement; see proposed condition #9.

- Review city engineering comments if located in the area of city impact. Also, review affected agency comments and studies regarding subdivision improvement requirements (CCZO 07-17-09(3)).

Review Comment: Meet

- Based on the review, recommend necessary improvements (CCZO 07-17-31(B)2).

Review Comment: Historical aerial imagery indicates a former pond existed on the east portion of the parcel and appears to have been filled. Please clarify whether this area was previously excavated as part of mineral extraction, irrigation storage, stormwater retention, or another activity, and provide documentation describing how the pond was filled and graded.
2nd review: Compliant.

Conclusion

Planning: ☐ Approved, ☒ Approved with conditions, or ☐ Denied

Comments: See minor correction in purple (above). Still issues with the missing revision dates in the revision block. The access easement has been changed to a private road lot. **Dan Lister, Principal Planner, 8/13/26.**

GIS/Addressing: ☒ Approved, ☐ Approved with conditions, or ☐ Denied

Comments: See comments on GIS/Addressing review. **Tony Almeida, GIS Manager, 7/14/26.**

Engineering: ☐ Approved, ☒ Approved with conditions, or ☒ Denied

Comments:

- Clarify and label all drainage paths, swales, and flow directions.
- Verify whether any areas exceed a 15% slope and provide additional hillside/grading information if required.

- Clearly show all easements and confirm their widths and uses, including shared driveway, irrigation, utility, and drainage easements.
- Provide adequate irrigation supply and distribution documentation for both lots.
- Confirm whether driveway widening or other access improvements will be required for Lot 2 and show those improvements on the plans, if applicable. The letter of explanation states that the existing driveway will need to be widened when the future right-of-way is taken.

Please provide a clearer PDF of the preliminary plat, as the current version is difficult to read.

~~• Correction of the two-lot/three-lot inconsistency.~~

• Shared driveway and Fire District approvals prior to building permit issuance. See condition #12 below.

• Missing C3 curve data. Provide revised plat.

~~• Complete easement and public dedication information.~~

• Water Users Agreement. See Condition #9 below

Dalia Alnajjar, Principal Engineer 7/28/26

Dalia Alnajjar, Principal Engineer 8/24/26

Recommended Conditions of Approval

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
   a. The private road lot shall be constructed to private road standards prior to the Board signing the final plat. Evidence shall be provided throughout the construction permit application process.
   b. A stormwater management plan shall be submitted prior to final plat signature by the Board. The plan shall address: Short-term construction protections (e.g., roadside swale protection during home building) and Long-term O&M (via CC&Rs or other enforceable mechanisms) to ensure the continued function of drainage systems.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Development shall comply with the requirements of the local highway district. Evidence shall include the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements. A letter from Nampa Meridian Irrigation District/Boise Project Board of Control approving the final plat shall be submitted prior to the Board of County Commissioners' signature on the final plat.
5. Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat.
6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat.
7. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
8. The final plat shall highlight areas where slopes over 15% exist and note on the final plat that all development (structures, mining, dredging, filling, grading, excavation, or drilling) on slopes 15% or greater is prohibited. Any changes requiring hillside development will be reviewed per CCCO Section 07-17-33(1) through the replat process.
9. Prior to final plat signature by the Board, water users' and road users' maintenance agreements must be recorded and added as a plat note on the final plat.
10. The final plat shall include a note that states: Current and future property owners understand they are choosing to live adjacent to an existing mining operation, which may include noise, smells, dust, vibrations, traffic impacts, and lights that may be a nuisance to residential uses.

Mason & Associates Inc.

Professional Engineers, Land Surveyors and Planners

924 3rd St. So., Suite B, Nampa, ID 83651
Ph (208) 454-0256

e-mail: wmason@masonandassociates.us

August 11, 2026

Dalia Alnajjar, Principal Engineer
Canyon County Development Services Department
111 North 11th Ave #310
Caldwell, ID 83605
(208) 288-1992

Re: Bernal Landing Subdivision Preliminary Plat Application / Case No. SD2026-0003

Mrs. Alnajjar:

The following information is in response to your July 28, 2026 review for Bernal Landing Subdivision Preliminary Plat Application:

Preliminary Plat:

1. The ingress/egress easement through Lot 1 to the back of Lot 2 has been removed.
2. A private road common lot has been added and the easement for it widened to 60'.
3. Curve C3 dimensions have been added to the curve table.
4. Utility and irrigation easements have been clearly dimensioned and marked.
5. Lot count in the project narrative has been updated.

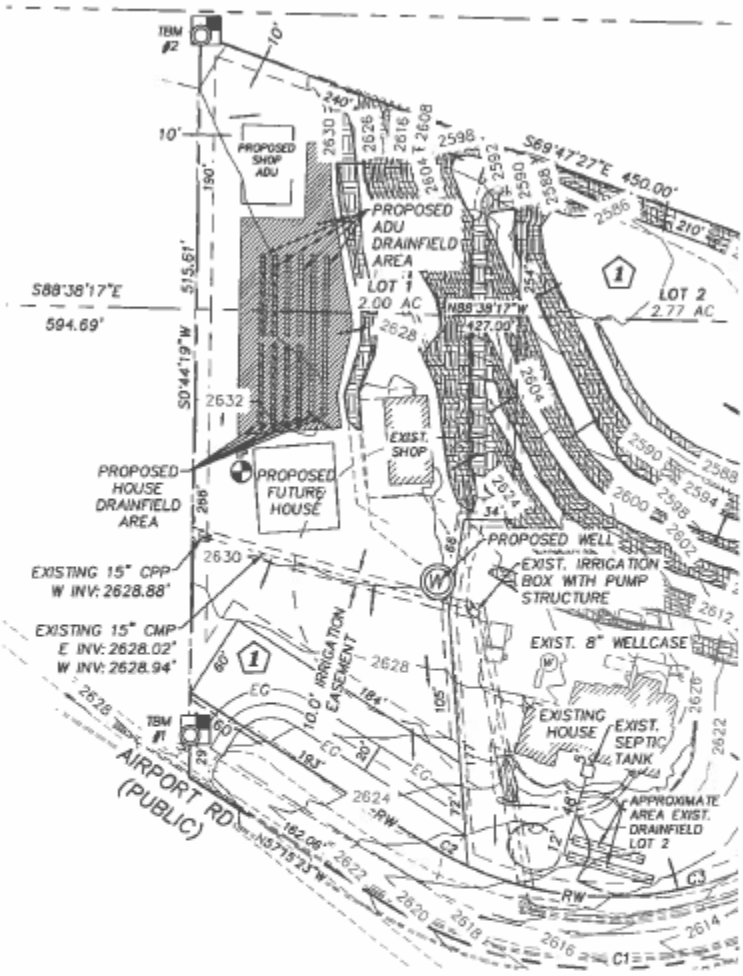
Please let me know if you have any more questions or need additional information.

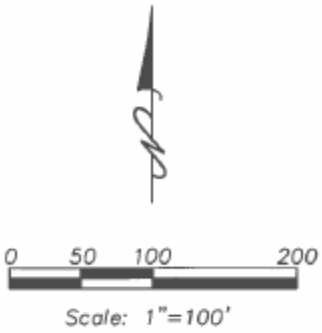
Sincerely,

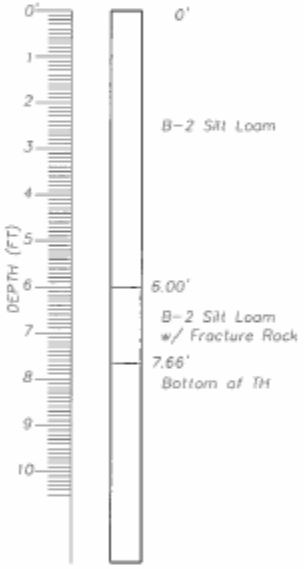
William J. Mason

William J. Mason, P.E.
Mason & Associates, Inc.

WELL & SEPTIC AREA PLACEMENT







TEST HOLE 1

LEGEND

- CONTOUR LINE
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- AVAILABLE SEPTIC SYSTEM AREA
- 100' WELL SETBACK
- DIRECTION OF SLOPE
- TEST HOLE
- PROPOSED WELL
- PRIMARY SEPTIC SYSTEM
- REPLACEMENT SEPTIC SYSTEM

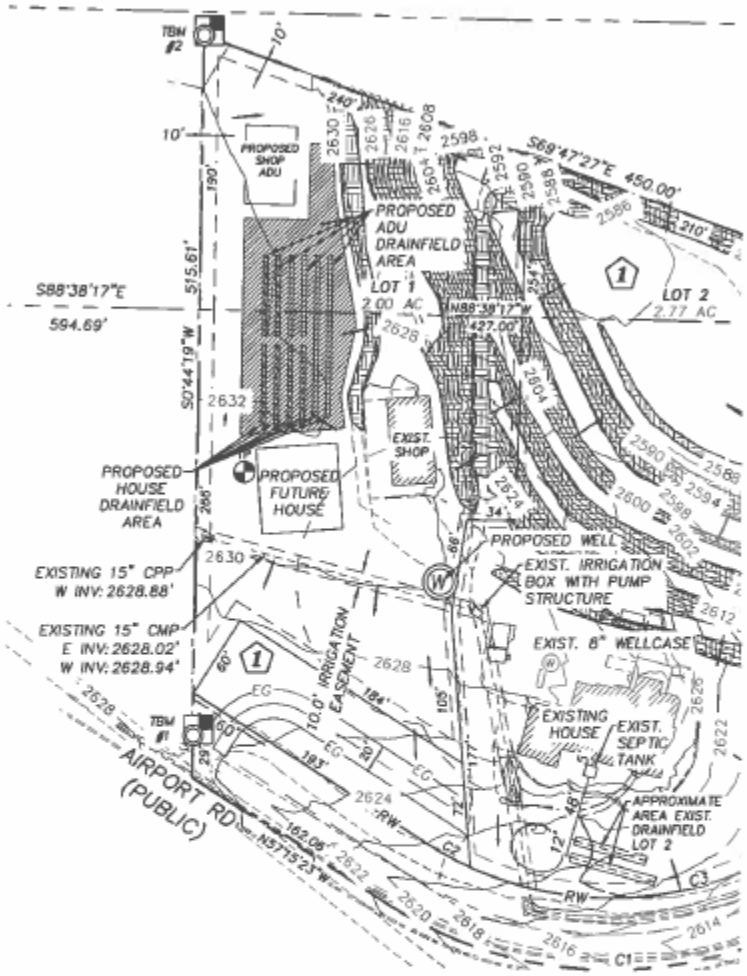
BERNAL LANDING

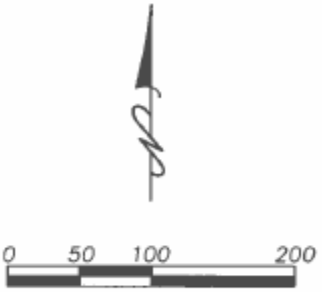
LOT 1 BLOCK 1 WELL & SEPTIC AREA PLACEMENT

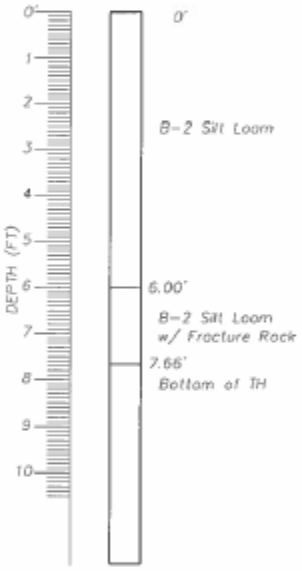
Mason & Associates
Professional Engineers, Land Surveyors & Planners
624 3rd St. South, Nampa, ID 83651
(208) 454-9258

JOB NO.	JY0625
DWG NO.	JY0625PP
SCALE:	1" = 100'
REV.	
FIELD BOOK NO.	
DRAWN BY:	WJM
DATE:	07/09/26
SHEET	2 of 3

WELL & SEPTIC AREA PLACEMENT







TEST HOLE 1

LEGEND

- CONTOUR LINE
- NON-BUILD AREA (SLOPES GREATER THAN 15%)
- AVAILABLE SEPTIC SYSTEM AREA
- 100' WELL SETBACK
- DIRECTION OF SLOPE
- TEST HOLE
- PROPOSED WELL
- PRIMARY SEPTIC SYSTEM
- REPLACEMENT SEPTIC SYSTEM

BERNAL LANDING

LOT 1 BLOCK 1 ADU WELL & SEPTIC AREA PLACEMENT

Mason & Associates
Professional Engineers, Land Surveyors & Planners

JOB NO.	JY0825
DWG NO.	JY0825PP
SCALE:	1" = 100'
REV.	
FIELD BOOK NO.	
DRAWN BY:	WJM
DATE:	07/09/26
SHEET	3 of 3

Exhibit C.4

Exhibit C.5

SD2026-0003

Site Visit – 7/28/2026



Exhibit C.5

Exhibit C.5

Exhibit C.5

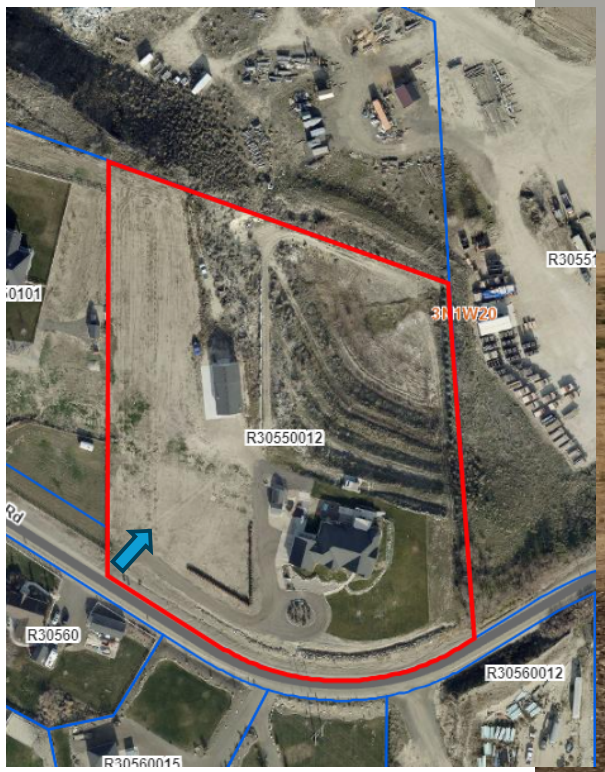


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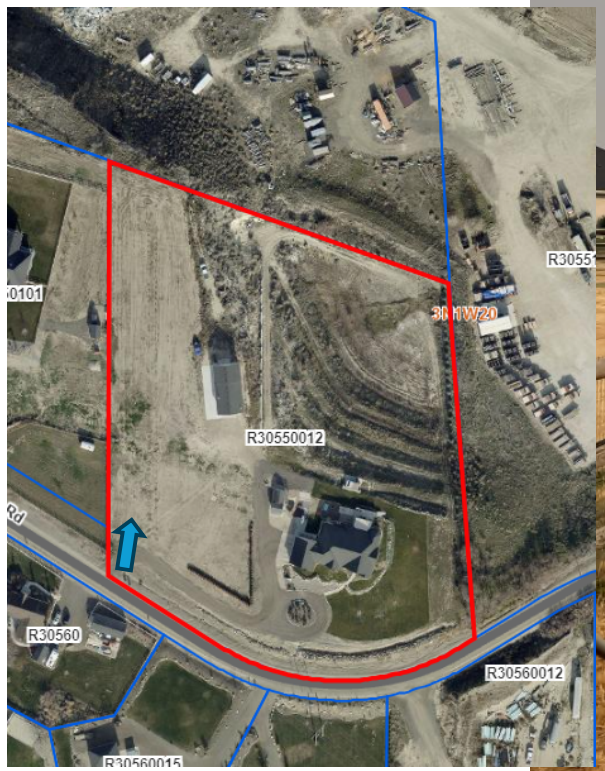


Exhibit C.5



Exhibit C.5

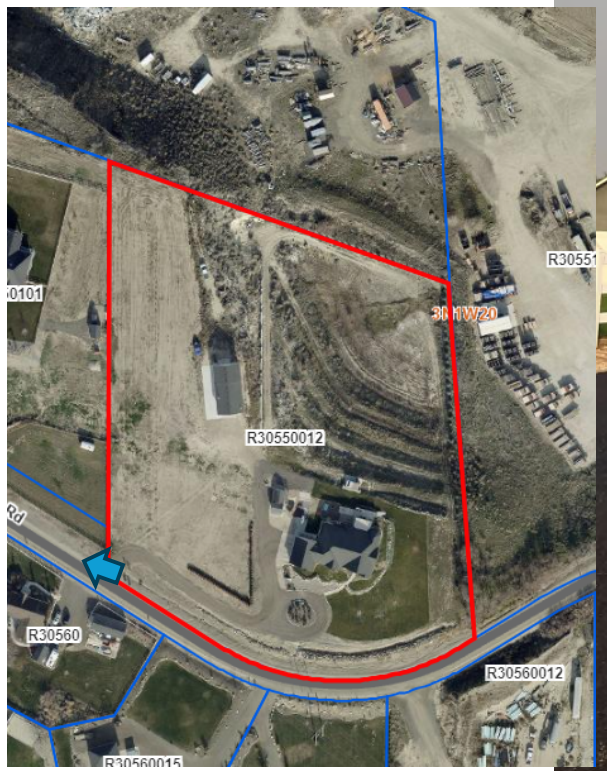


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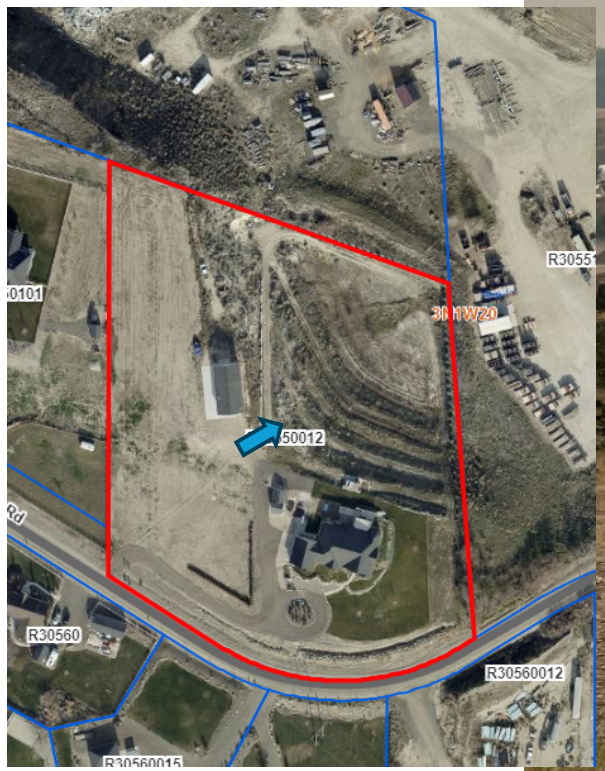


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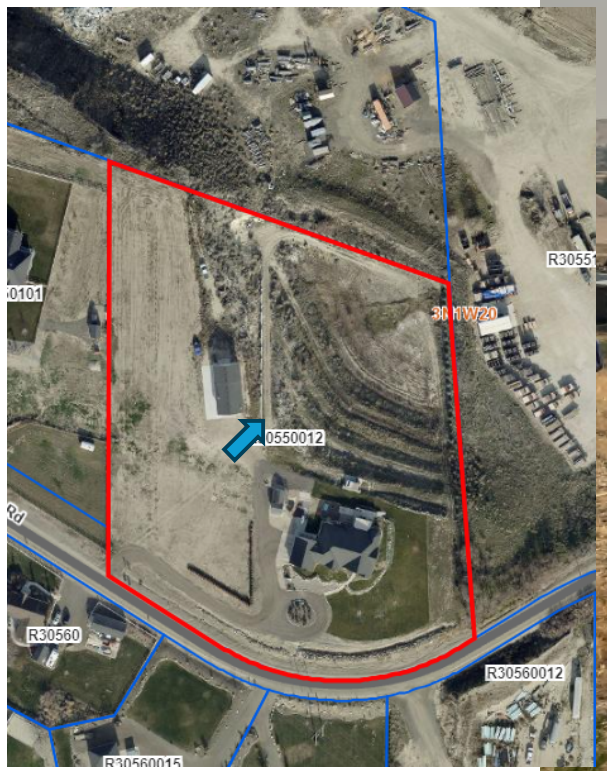


Exhibit C.5

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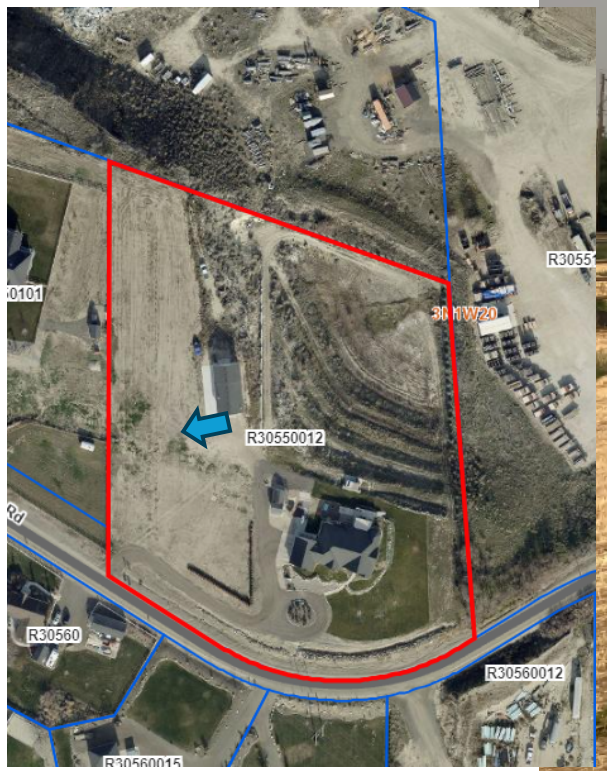


Exhibit C.5

Exhibit C.5

Exhibit C.5

Exhibit C.5

Exhibit C.5

Exhibit C.5

EXHIBIT D

Agency Comments Received by August 24, 2026

Planning & Zoning Commission

Case# SD2026-0003

Hearing date: September 3, 2026

PLANNING AND ZONING DEPARTMENT

TO: Dan Lister, Planning Supervisor, Canyon County Development Services

DATE: March 9, 2026

FROM: Doug Critchfield, Principal Planner

RE: **Case No. SD2026-0003:**
The owner, Shaunta Bernal, represented by Mason & Associates requests approval of the Bernal Landing Subdivision preliminary plat, a two-lot subdivision on Parcel R30550012. The parcel, approximately 5.3 acres, is zoned "R-R" (Rural Residential). The subject "Property" is located at 7218 Airport Road, Nampa, also referenced as a portion of the NE ¼ of Section 20, T3N, R1W, BM, Canyon County, Idaho.

The Property is in the Nampa Impact Area and is subject to comment by the City of Nampa for consideration by the Canyon County Board of Commissioners pursuant to the Joint Exercise of Power Agreement between the City of Nampa and Canyon County.

Nampa provides the following comments:

Findings of Fact

1. Future Land Use Map: The Property is designated 'Community Mixed Use' on the Nampa Comprehensive Plan Future Land Use Map. The 'Community Mixed Use' definition in the Nampa 2040 Comprehensive Plan states the following:

   "5.6.7 Community Mixed Use (8.01+ Dwelling Units Per Acre [Gross])
   The Community Mixed-Use designation is to specifically include commercial uses with a focus on providing communitywide needs and services and low-impact industrial uses. These areas should be sited along major transportation corridors and include public transportation access wherever feasible. At least **5 - 50% of the gross parcel area should be in high-density residential**. Land uses could include commercial retail, large grocery stores, box stores, hotels, services for apartment-dwellers, live/work, recreation, employment centers with various business operations, commercial or light industrial/industrial business park/business park land uses with an emphasis on office and workshop facilities with minimal yards, business campuses, etc."

2. The Property is further defined in the Highway 16 Specific Area Plan as 'Commercial Industrial Campus'. The definition in that plan states:

   "Areas that provide for a variety of industrial, flex, and business uses that include single or clustered large mass building structures of 1-3 stories. Industrial Parks should provide for light industrial use with a campus-like atmosphere settings with uniform building standards, generous landscaping, pedestrian access and open space, and parking."

3. Nampa City Limits are 1.59-miles from the Property.

4. The proposal includes a subdivision of a 5.3-acre county lot into two lots. With residences, the density of the subdivision would be .37 dwelling units per acre. The minimum density in the comprehensive plan for this area is 8 dwelling units per acre. If these newly created lots are to be developed as commercial or industrial lots, then there is no density or lot sizing maximum or minimums applied. However, the comprehensive plan indicates that 5-50% of the original parcel should be developed in high density residential.

5. Nampa emphasizes adherence to the densities and land uses outlined in the Comprehensive Plan Future Land Use Map and Highway Specific Area Plan to create compatible and orderly development of the area in the future as the city expands.

Conclusion

Nampa does not oppose subdividing the original lot but does oppose the application of residential land uses in the subdivision that do not meet the density and housing type outlined in the Nampa 2040 Comprehensive Plan 'Community Mixed Use' land use designation and description, and the Highway 16 Specific Area Plan land use designation.

Sincerely,



Doug Critchfield,
Principal Planner, Long Range Planning
Planning & Zoning Department
[redacted]@cityofnampa.us
(208) [redacted]

EDC/file

1445 N. Orchard St.
Boise ID 83706 • (208) [redacted]

Brad Little, Governor
Jess Byrne, Director

March 9, 2026

Daniel Lister, Planner
Canyon County Development Services
111 N. 11th Ave., #310, Caldwell, ID 83605
Daniel.lister@canyoncounty.id.gov

Subject: Agency Notice SD2026-0003 / Bernal Landing

Dear Daniel Lister:

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), and trade waste burning (58.01.01.600-617).
   - For new development projects, all property owners, developers, and their contractors must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
   - DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
   - Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
   - Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractors are responsible for ensuring no prohibited open burning occurs during construction.
   - For questions, contact David Luft, Air Quality Manager, at (208) [redacted].

2. WATEWATER AND RECYLED 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) [redacted].

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) [redacted].

4. **SURFACE WATER**
   - A Construction General Permit from DEQ may be required for projects that meet the eligibility criteria and have an allowable discharge of storm water or authorized non-storm water associated with construction activities. For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) [redacted].
   - 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) [redacted].
   - 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) [redacted] 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-[redacted] for more information regarding permits.
   - For questions, contact Lance Holloway, Surface Water Manager, at (208) [redacted].
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.

Exhibit D.2

- **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) [redacted].

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) [redacted], 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) [redacted].

Sincerely,

Troy Smith
Regional Administrator

Exhibit D.2

Dan Lister

From: D3 Development Services <[redacted]@itd.idaho.gov>
Sent: Monday, March 16, 2026 1:12 PM
To: Dan Lister
Subject: [External] RE: Agency Notice SD2026-0003 / Bernal Landing

Hello,

After careful review of the transmittal submitted to ITD on March 5, 2026, regarding, Bernal Landing , 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-[redacted]7 /[redacted]@itd.idaho.gov

Thank you
Mila Kinakh
D3 Planning and Development

From: Caitlin Ross <[redacted]v>
Sent: Thursday, March 5, 2026 11:05 AM
To: [redacted]>
Subject: Agency Notice SD2026-0003 / Bernal Landing

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.

Please see the attached agency notice. The application can be viewed at https://landhearingsagenda.canyoncounty.id.gov/DownloadDocument/721. You are invited to provide written testimony or comments by **April 6, 2026**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business, 5:00 p.m. the next business day.

NAMPA FIRE 1891 DIST
EXCELLENCE
SERVICE
STRENGTH IN UNITY

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208[redacted]

DATE: March 31, 2026

TO: Canyon County Development Services – Planning and Zoning

FROM: Elijah Effinger, Nampa Fire Protection District, Fire Marshal

APPLICANT: Shaunta Bernal

OWNER: Shaunta Bernal

PROJECT ADDRESS: 7218 Airport Road

RE: SD2026-0003 Bernal Landing Subdivision

This application is for The owner, Shaunta Bernal, represented by Mason & Associates requests approval of the Bernal Landing Subdivision preliminary plat, a two-lot subdivision on Parcel R30550012. The parcel, approximately 5.3 acres, is zoned "R-R" (Rural Residential). The subject property is located at 7218 Airport Road, Nampa, also referenced as a portion of the NE ¼ of Section 20, T3N, R1W, BM, Canyon County, Idaho

The Nampa Fire District does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

Water Supply Comments:

Fire District required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).

Fire Access Comments:

Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651
208.4[redacted]

Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)

The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)

Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. (IFC D102.1)

Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)

Gates and Bollards shall comply with requirements of the IFC with designs being submitted to the Fire Code Official for approval. If gates are electronically operated, they shall be equipped with an automatic opening mechanism activated by the Opticom system. Manual gates shall be secured with a Knox brand padlock. See exhibit below for acceptable Bollard models manufactured by Maxiforce. (IFC 503.6, D103.5).

General Conditions

Specific building construction requirements of the International Building Code, International Fire Code and City of Nampa Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

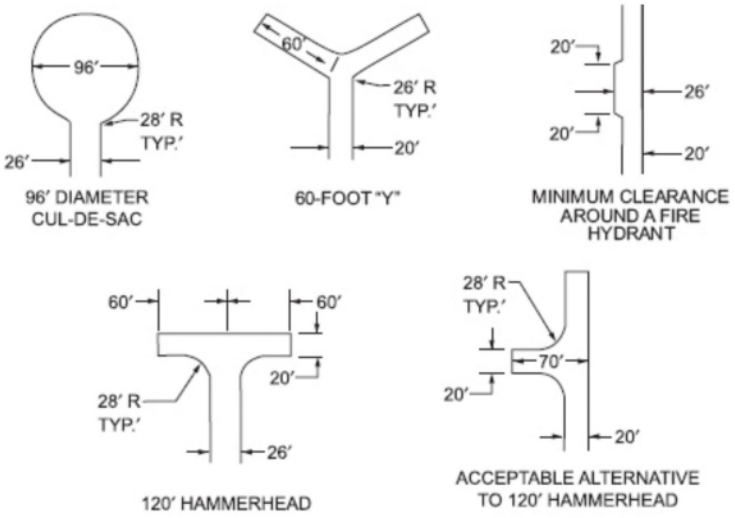
Emergency Response Time Analysis and Service Impact:

The Nampa Fire District Strategic Plan states the response objective for Nampa Fire District is to arrive to 90% of emergency medical incidents within 5 minutes of the alarm time, and within 5 minutes and 20 seconds to fire incidents. To accomplish these response time objectives requires that travel distances be

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651
208.[redacted]

approximately 1 ½ miles from the nearest fire station. This development is located approximately 2 miles from Nampa Fire Station 5 with an approximate response time of 4 minutes.

Fire Apparatus Turnaround Design Options



For SI: 1 foot = 304.8 mm.

FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

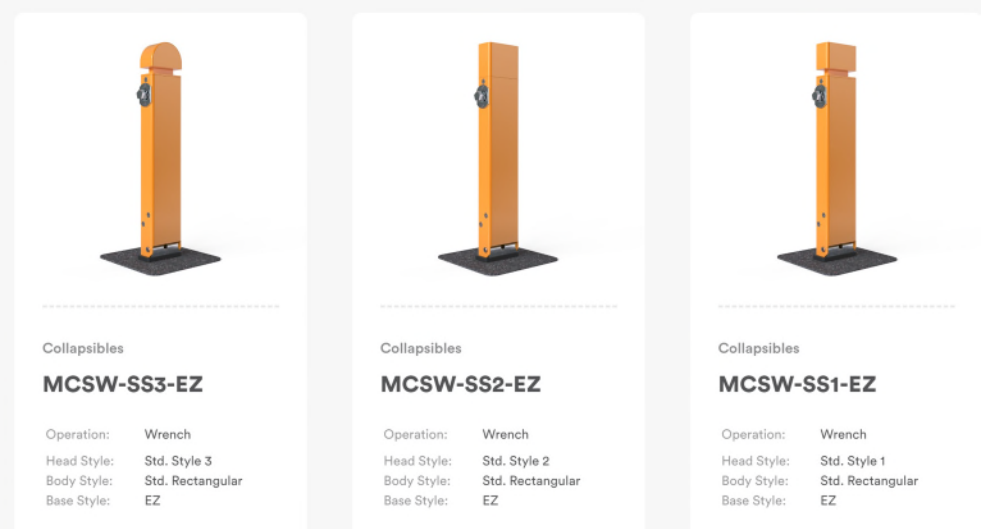
Approved Bollards by Maxiforce

NAMPA FIRE 1891 DIST

EXCELLENCE
SERVICE
STRENGTH IN UNITY

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208.[redacted]



Collapsibles

MCSW-SS3-EZ

Operation:	Wrench
Head Style:	Std. Style 3
Body Style:	Std. Rectangular
Base Style:	EZ

Collapsibles

MCSW-SS2-EZ

Operation:	Wrench
Head Style:	Std. Style 2
Body Style:	Std. Rectangular
Base Style:	EZ

Collapsibles

MCSW-SS1-EZ

Operation:	Wrench
Head Style:	Std. Style 1
Body Style:	Std. Rectangular
Base Style:	EZ

Exhibit D.4

Dan Lister

From: Eddy Thiel <[redacted]>
Sent: Thursday, March 5, 2026 1:24 PM
To: Dan Lister
Subject: [External] FW: Agency Notice SD2026-0003 / Bernal Landing
Attachments: Agency Response Requested Notification Form 2-23.pdf

Good Afternoon Dan,

Nampa Highway District #1 requires a preliminary plat be submitted to the Highway District with the associated review fee for a formal review per ACCHD Standards.

Airport Rd is classified as a Rural Principal Arterial Roadway. There is no direct access to arterial roadways by a private road per Section 3061.010.A. I assume that as they are platting they will be required to turn their driveway into a private road. Per our standards, they will need to apply for a variance to allow private road access to an arterial roadway.

Right-of-way dedication will be required along Airport Rd per Section 3030.010.

Without a plat to review these are the only comments we can offer at this time.

Let me know if you have any questions or comments.

Thank you,

Eddy

Eddy Thiel
ROW
[redacted]@nampahighway1.com
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208[redacted] • FAX 208[redacted]

From: Caitlin Ross <[redacted]>
Sent: Thursday, March 5, 2026 11:05 AM
To: [redacted]

Dan Lister

From: Anthony Lee <[redacted]@swdh.id.gov>
Sent: Friday, March 6, 2026 7:30 AM
To: Dan Lister
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice SD2026-0003 / Bernal Landing

Hi Dan,

As requested, please see the responses to the questions provided below.

1.) Will a Nutrient Pathogen Study be required? **A Nutrient Pathogen Study will not be required since it does not meet the conditions of SWDH's NP policy as proposed.**
2.) Will adequate sanitary systems be provided to accommodate the use? **It has not yet been determined whether adequate sanitary systems can be provided to accommodate the proposed use. Test holes are required to evaluate soil suitability for a subsurface sewage disposal system on each lot.**
3.) Any concerns about the request that needs to be addressed prior to final plat approval? **The applicant will need to schedule a pre-development meeting with SWDH to discuss this project as proposed.**

Let me know if you have any questions.

Thank you,

Check out our new online self-service portal here! PORTAL

Anthony Lee, RS/BS | Land Development Senior

o 208.[redacted] | c 208.[redacted] | f 208.[redacted]

[redacted]@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <[redacted]@canyoncounty.id.gov>
Sent: Thursday, March 5, 2026 11:05 AM
To: [redacted]

EXHIBIT E

Public Comments Received by August 24, 2026

Planning & Zoning Commission

Case# SD2026-0003

Hearing date: September 3, 2026

Matthew and Esmeralda Rodriguez

7315 Airport Rd.

Nampa, ID 83687

[redacted]@gmail.com

08/26/26

City of Nampa

Planning and Zoning Commission / City Council

411 3rd Street South

Nampa, ID 83651

RE: Strong Support for the Proposed Bernal Landing Subdivision

Dear Commissioners and Council Members,

I am writing to express my formal and unqualified support for the proposed Bernal Landing subdivision. As a resident invested in the long-term economic health and vibrancy of Nampa, I urge the City and Canyon County to approve this application. This development directly aligns with Nampa's Comprehensive Plan and offers a strategic framework for managing our region's growth.

This project merits immediate approval based on several iron-clad justifications:

- **Alignment with Comprehensive Plan:** The design adheres to Nampa's structural goals by promoting logical, orderly infill growth rather than unchecked leapfrog development.
- **Economic Infrastructure Growth:** The project expands the local tax base, generating vital revenue to fund public safety, parks, and roadway maintenance without burdening current taxpayers.
- **Smart Housing Solutions:** Nampa is facing a critical supply shortage; this development adds diverse housing stock to help stabilize prices for growing families and local workforce professionals.
- **Responsible Resource Integration:** The developer has committed to integrating robust utility extensions and addressing traffic flow, ensuring the neighborhood enhances—rather than strains—existing city infrastructure.

A thriving community requires proactive, well-planned residential spaces to support its workforce and commercial sectors. The Bernal Landing subdivision represents exactly the type of high-quality, responsible development that Nampa needs to sustain its economic momentum while preserving community character.

Thank you for your leadership and your dedication to the future of our city. I strongly encourage your prompt approval of this application.

Sincerely,

_____

Matthew and Esmeralda Rodriguez

Dan Lister

From: Angie Cuellar <[redacted]@masonandassociates.us>
Sent: Monday, August 24, 2026 9:41 AM
To: Dan Lister
Cc: Ship Done Right
Subject: FW: [External] Fw: Bernal Landing Sub - SD2026-0003: P&Z Hearing Scheduled
Attachments: Support_Letter_Bernal_Landing.pdf

Dan,
Attached is a letter of support from a neighbor for the Bernal Landing Hearing.
Thank you!

Angie Cuellar, Planner

Professional Engineers, Land Surveyors and Planners
924 3rd St. So., Suite B, Nampa, ID 83651
Ph (208) [redacted] Fax(208[redacted]
e-mail: [redacted]masonandassociates.us

From: Ship Done Right <[redacted]@gmail.com>
Sent: Monday, August 24, 2026 9:39 AM
To: Angie Cuellar <[redacted]@masonandassociates.us>
Subject: Re: [External] Fw: Bernal Landing Sub - SD2026-0003: P&Z Hearing Scheduled

Ship Done Right, LLC
Irene and Shaunta` Bernal, Owners
[redacted]@gmail.com
(P) 208[redacted]
(F) 208[redacted]

Exhibit E.1