Board of Canyon County Commissioners
Hearing Date: November 6, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**AD2025-0046-APL, AD2025-0047-APL, AD2025-0048-APL, AD2025-0049-APL, RD2025-0008-APL**
APPELLANT/AGENT:	**T.J. Wellard of Skinner Land Survey**
PROPERTY OWNER:	**Best Investments, LLC**
REQUEST:	**The appellant, T.J. Wellard, representing the property owner, Best Investments, LLC, requests an appeal regarding the denial of AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049, and RD2025-0008 for administrative and non-viable land divisions with a private road for Parcel R28800011, approximately 81.29 acres, per CCCO §07-18-07, CCCO §07-18-09, and CCCO §06-05-13. The appellant requests that the Board of County Commissioners approve the appeal.**
LOCATION:	**The subject property is located at 0 Map Rock Road, Melba (parcel R28800011), also referenced as a portion of the SE quarter of Section 16, Township 1N, Range 3W, BM, Canyon County, Idaho.**
PLANNER:	**Karla Nelson, Principal Planner**
REVIEWED BY:	**Emily Bunn, Principal Planner & Dan Lister, Planning Supervisor**
DIRECTOR'S ADMINISTRATIVE DECISION:	**Denied**

SUMMARY

On April 21, 2025, the agent, T.J. Wellard representing the property owner, Best Investments, LLC, submitted an administrative land division application which included non-viable administrative land divisions in the "A" Agricultural Zone to divide the subject parcel (R28800011) into eight (8) buildable parcels per CCCO §07-18-07 and §07-18-09 with a private road (AD2025-0046 through AD2025-0049 and RD2025-0008) (**Exhibit 2.A and 2.B**).

On July 14, 2025, after considering all evidence provided by the applicant, property history, and letters received by neighbors, Case No. AD2025-0046 through AD2025-0049, and RD2025-0008 were denied by the Director of Development Services (DSD) for the following reason (**Exhibit 2**):

> Approved land divisions, property boundary adjustments, and parcel inquiries have maintained that the subject property is comprised of a portion of two (2) original parcels (RS28800 and Government Lot 6), based on this history no additional divisions are available through section 07-18-07 of Canyon County Code of Ordinances (LS2006-65, AD2019-0093, AD2021-0200, and PI2021-0306, **Exhibits E, F, G, and I**). Pursuant to §07-18-09 covering non-viable land divisions, an additional two (2) lots could be requested within the original configuration of Government Lot 6, and one (1) additional lot could be requested within the

configuration of the original lot, excepting Government Lot 6. See **Exhibit J** for a visual of previous divisions and property boundary adjustments.

The appeal of the director's decision was filed within the 15-day appeal period on July 29, 2025, and included a letter of appeal with the stated reasons for the appeal and the filing fee. The letter of appeal (**Exhibit 1**) asserts that the subject property is comprised of aliquot parts, and those parts cannot be combined in the legal description. The appellant further details that the appeal is based on the original parcel definition and the historical interpretation of what Canyon County defines as an original parcel.

The appellant, on behalf of the property owner, requests that the Board of County Commissioners overturn the director's denial decision and approve administrative and non-viable land divisions of parcel R28800011 to create a total of eight (8) buildable parcels with a private road. The subject property is located at 0 Map Rock Road, Melba, on approximately 81.29 acres.

PROPERTY HISTORY

- In 1972, Instrument No. 692251 split off Parcel R28802, and in 1977 Instrument No. 816396 split off Parcel R28801, making them both separate original parcels from Parcel R28800 (**Exhibits 3.A and 3.B**).
- On March 1, 2006, LS2006-65 split Parcel R28800 (96.2 acres) into three (3) parcels and did not include Government Lot 6 (**Exhibit 2.E**).
- On March 2, 2020, AD2019-0093 amended Administrative Land Division LS2006-65 to include Government Lot 6 and created two (2) additional parcels for a total of five (5) parcels out of Parcel R28800 and Government Lot 6. The total acreage for this amendment was 102.08 acres. The history section of the decision noted that *"parcel R28800 is an original parcel dating to 1965 but was split into three residential lots…LS2006-65."* The history also stated that "*R28800 contains a government lot (Government Lot 6 – 29.3 acres) which would have an administrative division available for two lots."* This division was realized through AD2019-0093 (**Exhibit 2.F**).
- On July 1, 2021, parcel inquiry PI2021-0306 was issued to determine if parcels R2880010, R2880012, R2880011 (subject property), and R28800010A are eligible to be split administratively. The determination found that *"the mother parcel R28800 was split through LS2006-65, which was later amended by AD2019-0093 to create these parcels. Each parcel does have a building permit available, but does not have any more splits available on them."* (**Exhibit 2.I**).
- On December 23, 2021, AD2021-0200 adjusted property boundaries to locate buildable parcels near adequate access; the request included a 60-foot-wide ingress-egress easement. The property history section of the decision noted that *"Parcel R28800, consisting of an 'original parcel' and a government lot, was split into three residential lots…(and) was later amended…to create five (5) parcels."* (**Exhibit 2.G**).

These previous land divisions, property boundary adjustments, and parcel inquiry were all reviewed in a manner consistent with the subject property being comprised of two (2) original parcels (R28800 and Government Lot 6). At the time of these decisions, the property owner did not dispute the assertions made about the number of original parcels. Instead, they split the land and adjusted the property boundaries in alignment with the decisions. Per CCCO §07-18-07: Administrative Land Divisions in Agricultural Zones allow for one (1) division (two parcels for parcels less than 80 acres and two (2) divisions (three parcels) are allowed for parcels with 80 to 119 acres. All divisions available for the subject parcel through §07-18-07 have been exhausted with LS2006-65 and AD2019-0093 (**Exhibit 2.E and**

2.F). Additional nonviable divisions could be allowed through §07-18-09; however, only three (3) new parcels could be created, not the requested eight (8).

OVERVIEW OF FINDINGS AND APPEAL

- The appellant argues that Parcel R28800 consists of two separate aliquot parts and one government lot, which were never combined in the legal description. Therefore, the appellant contends the property includes three (3) distinct original parcels. The applicant provided a deed from 1965 (Instrument No. 654715, **Exhibit 2.C**) that reads as follows:

> The North Half of the Southeast Quarter (N½SE¼), Lot Six (6), Southeast Quarter of the Southeast Quarter (SE¼SE¼), Section Sixteen (16), Township One (1) North, Range Three (3) West, Boise Meridian, containing 149.30 acres, more or less, subject to easement for irrigation system, and in the event that "NAP ROCK", a historical monument, is located on this land, that a reservation, or easement, of sufficient area will be reserved for the perpetuation of this landmark.

- Canyon County Code §07-02-03 describes an original parcel as: "A parcel of platted or unplatted land as it existed on September 6, 1979 (the effective date of the Zoning Ordinance 79-008), including any property boundary adjustments as defined in this chapter and any reduction in area due to creating a parcel for the exclusive use by Canyon County, a municipality within Canyon County, a local highway district, Idaho Transportation Department, utility company or corporation under the jurisdiction of the Idaho Public Utilities Commission, or other local, State, or Federal agency."

- Canyon County Code §07-02-03 further defines a parcel as: "A tract of land described by metes and bounds, chains, rods, or aliquot parts or by lot and block. Land that is described by metes and bounds that includes all or parts of multiple, preexisting parcels or portions of platted lots, all of which are not separately defined or labeled as separate parcels or lots, shall be considered one parcel." In the case of the subject property, the aliquot parts are not labeled as separate parcels; they are included in a single description and are viewed as a single parcel.

- Although Canyon County Code has never explicitly defined how a legal description should be interpreted, a provision added in 1997 states: *"Where forty (40) acres or more of contiguous platted or unplatted land are held under one legal description, the Director shall approve a split of one (1) parcel up to one (1) acre in size for every 40 acres owned, up to a maximum of three (3) such parcels."*

- Canyon County's long-standing policy requires that a deed must include a full legal description—specifically, the Township and Range—to qualify as a separate parcel. However, exceptions are made for Government Lots, which have a building permit available even if attached to another full legal description (see **Exhibits 4.A, 4.B, and 4.C**).

- In this case, the legal description for the subject property omits the Township, Range, and Section for each Quarter Section but does include a Government Lot. As a result, two original parcels are recognized:
  - Government Lot 6
  - Parcel R28800 as it existed in 1979

- Staff acknowledges that the subject property contains steep slopes, rendering it unsuitable for agricultural use. However, the number of divisions proposed exceeds the permitted limit under the non-viable land provision. According to §07-18-09(7)A, the DSD Director may approve a non-viable division resulting in

fewer than five (5) parcels from the original parcel. **Exhibit 2.J** illustrates the original 1979 configuration of Government Lot 6 and Parcel R28800. Based on this:

- Parcels R28800010B and R28800010 are located within the original configuration of Government Lot 6. Therefore, up to two (2) additional parcels may be allowed through a non-viable division of Government Lot 6.
- Parcels R28800, R28800011, and R28800010C are primarily contained within the remainder of the original Parcel R28800. Accordingly, one (1) additional non-viable parcel may be permitted in this area.

- Per §07-18-05(2), parcels divided through the administrative land division chapter with slopes greater than fifteen percent (15%) shall not be disturbed without an engineered grading and drainage plan consistent with §07-17-33(1) C. Steep slopes exceeding 15 percent are found on the portion of the property below the rim (**Exhibit 2.O**). The applicant's letter of intent explains that no residential homes will be built outside of the identified building envelopes in this area without providing a grading and drainage plan (**Exhibit 2.B**). Canyon County Code section §07-18-05(2) requires that any slope disturbance, including private road construction, will require hillside grading and drainage plans consistent with §07-17-33(1)C. A preliminary grading and drainage plan, or the creation of no-build zones, should be submitted if the appeal is approved. A final grading and drainage plan would then need to be provided before the issuance of a building permit, as per §07-17-33(1)D-F.

The Director of Canyon County Development Services provided the following option to gain approval for the divisions per Idaho Code Section 67-6519:

- Apply for Nonviable Administrative Divisions in an Agricultural Zone (CCCO §07-18-05 & 09) that are currently available to the parcel. Two additional parcels are allowed within the original configuration of Government Lot 6, and one additional parcel is permitted within the remainder of Parcel R28800.
- While not stated in the administrative denial letter, the applicant could also pursue a comprehensive plan amendment, conditional rezone, and/or a rezone to residential zoning, followed by the subdivision process to legally plat and record lots.

The appellant's application and materials are contained in **Exhibit 1**. The director's administrative decision packet dated July 14, 2025, and all original supporting materials are contained in **Exhibits 2 and 3**. Additional supporting documentation provided by the appellant is included within **Exhibit 7**. Agency and public comments received for AD2025-0046-APL through AD2025-0049-APL; RD2025-0008-APL public hearing may be found in **Exhibits 5 and 6**.

STAFF RECOMMENDATION:
Staff recommends the Board of County Commissioners deny the appeal, upholding the Director of DSD's decision regarding AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049, and RD2025-0008**.**

BOARD ACTION:
In accordance with CCCO §07-05-07(2): Appeal of Director Administrative Decision:

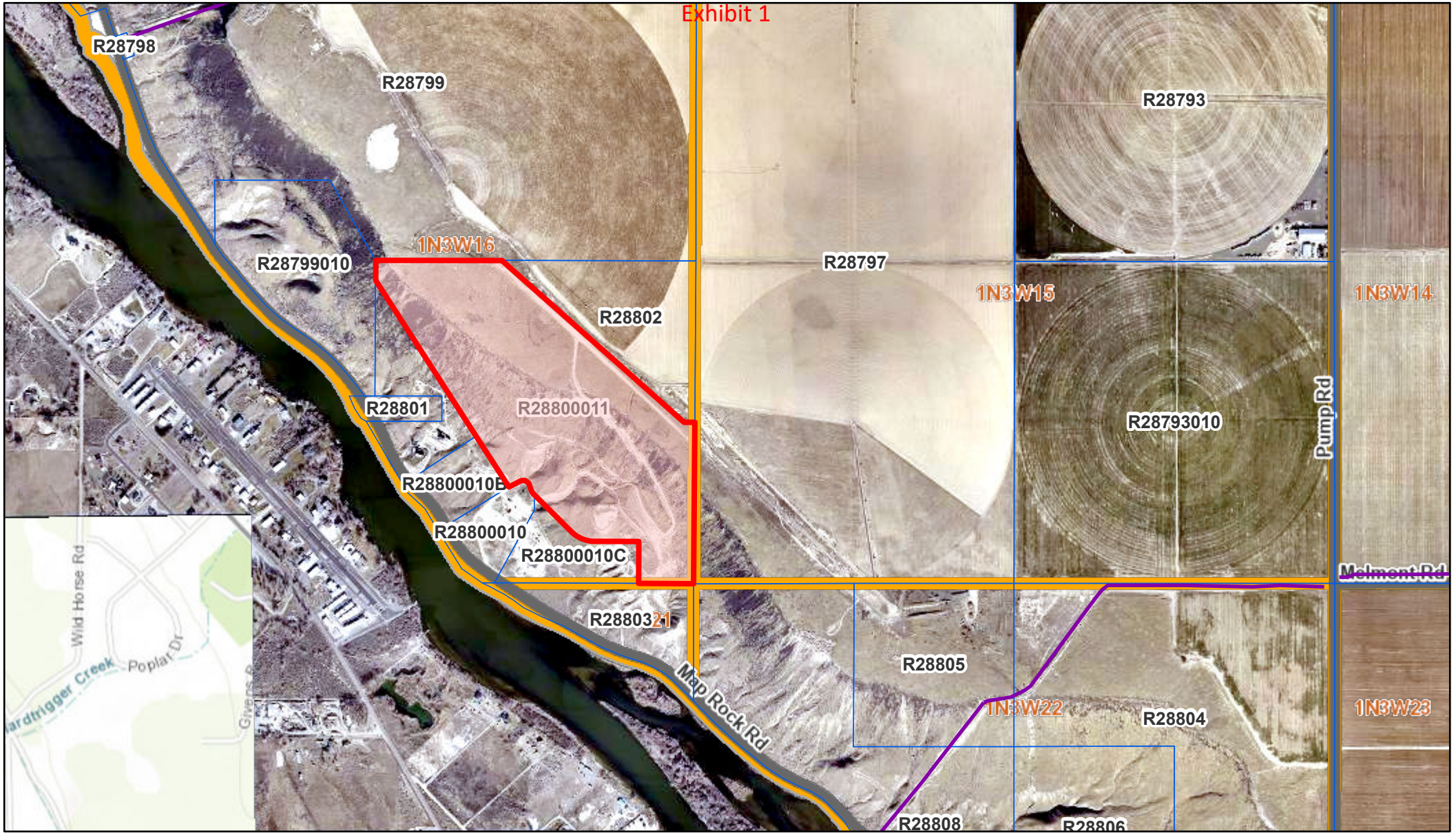
B. At a public hearing held in accordance with this article, the Board shall consider the decision of the Director and any additional evidence that may be offered by the public, applicant, or Director.
C. The Board may affirm, reverse, or modify, in whole or in part, the Director's Decision.

EXHIBITS:

1. **Master Application Packet for AD2025-0046-APL through AD2025-0049-APL; RD2025-0008-APL, Dated July 29, 2025**
2. **Director's Administrative Decision with Exhibits for AD2025-0046 through AD2025-0049; RD2025-0008, Dated July 14, 2025**
   A. Site Plan
   B. Letter of Intent
   C. Instrument No. 654715
   D. LS2005-141 & LS2005-134
   E. LS2006-65
   F. AD2019-0093
   G. AD2021-0200
   H. Instrument No. 2022-012678
   I. PI2021-0306
   J. Previous Divisions/Property Boundary Adjustments Illustration (revised to include parcel numbers, August 12, 2025)
   K. Comment from Nampa Highway District No. 1
   L. Comment from Southwest District Health – June 18, 2025
   M. Comment from Gravance, Boschma, Jones, and Peterson-Letter of Opposition-June 25, 2025
   N. Comment from Damon Thompson, Farm Development-Letter of Opposition-July 2, 2026
   O. Slope Map
   P. Soil Suitability Map
   Q. Google Earth Images
   R. Parcel Data
3. **Additional Documentation** (deeds, proposed easement, proposed road maintenance agreement, existing shared roadway maintenance agreement, Canyon County Plat Room Map from 1979)
   A. Instrument No. 692251
   B. Instrument No. 816396/839705
   C. Warranty Deed
   D. Proposed Easement and Road Maintenance Agreement
   E. Existing RUMA
   F. Master Application
   G. 1975 Canyon County Plat Room Map
4. **Canyon County Policy Documents**
   A. Policies/Interpretations/Procedures 4.17 – June 28, 2002
   B. Original Parcel Guidance – October 31, 2023
   C. Entitlement Verification Process Standard Operating Procedures – May 19, 2025
5. **Additional Agency Comments Received by: October 27, 2025**
   A. Idaho Historical Society – Received October 20, 2025
   B. Idaho Fish and Game – Received July 2, 2025
6. **Public Comments Received by: October 27, 2025**
   A. Julia Jones – Letter of Opposition – Received October 13, 2025
   B. Scott and Mary Beth VerHagen – Letter of Opposition – Received October 22, 2025
   C. Boschma, Gravance, Jones, and Peterson – Letter of Opposition- Received October 22, 2025
   D. Growing Together – Letter of Opposition – Received October 27, 2025
7. **Additional Supplemental Documentation Received from the Applicant/Appellant by October 27, 2025**

A. Email Communication June-July, 2025
B. Canyon County Code §07-18-07
C. First American Title Recorded Document Guarantee October 26, 2025
D. Legal Land Description Tutorial
E. Understanding Legal Descriptions in Idaho: A Comprehensive Guide
F. Idaho Statutes, Title 55, Chapter 16: Corner Perpetuation and Filing
G. Idaho Statutes, Title 31, Chapter 27: County Surveyor
H. Idaho Statutes, Title 55, Chapter 19: Recording of Surveys
I. Idaho Statutes, Title 50, Chapter 13: Plats and Vacations
J. Specifications for Descriptions of Land: For use in Land Orders, Executive Orders, Proclamations, Federal Register Documents, and Land Description Databases
K. Section 16
L. GLO Original Survey Plat zoomed to Section 16
M. GLO Original Survey Plat
N. Wellard Receipts
O. Pioneer Title Commitment Package: TBD Map Rock Road
P. Instrument No. 692251, see Exhibit 3.A
Q. Instrument No. 816396/839705, see Exhibit 3.B
R. Instrument No. 654715, see Exhibit 2.C
S. Research Documents for PI2021-0306, see Exhibit 2.I
T. Director Decision for AD2021-0200, see Exhibit 2.G
U. Aliquot Part Map
V. Conceptual Map
W. BLM Manual of Surveying Instructions, see link: Manual of surveying instructions : for the survey of the public lands of the United States : United States. Bureau of Land Management. Wyoming State Office. Cadastral Survey : Free Download, Borrow, and Streaming : Internet Archive

Canyon County, ID Web Map



7/30/2025, 12:14:48 PM

Multiple Parcel Search _Query result

Hydro_NHDFlowline

CanyonCountyRoads

Roads

County Boundary

Current Impact Area

City Limits

Sections

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

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

Exhibit 1

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

Exhibit 1

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

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

PROPERTY OWNER	OWNER NAME: Best Investments, LLC
	MAILING ADDRESS: 30540 Sabin Road Parma, Idaho 83660
	PHONE: 208-989-1402 EMAIL: milkhog@aol.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: Thomas James Wellard Best Investments, LLC Date: 7/29/2025

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: T.J. Wellard
	COMPANY NAME: Skinner Land Survey
	MAILING ADDRESS: 17842 Sand Hollow Road Caldwell, Idaho 83607
	PHONE: 208-454-0933 EMAIL: tj@skinnerlandsurvey.com

SITE INFO	STREET ADDRESS: 0 Map Rock Road
	PARCEL #: R2880001100 LOT SIZE/AREA: 81.298 Acres
	LOT: BLOCK: SUBDIVISION:
	QUARTER: SE1/4 SECTION: 16 TOWNSHIP: 1 North RANGE: 3 West
	ZONING DISTRICT: Ag FLOODZONE (YES/NO): No

HEARING LEVEL APPS	_____CONDITIONAL USE	_____COMP PLAN AMENDMENT	_____CONDITIONAL REZONE
	_____ ZONING AMENDMENT (REZONE)	_____DEV. AGREEMENT MODIFICATION	_____VARIANCE > 33%
	_____MINOR REPLAT	_____VACATION	_X_ APPEAL
	_____SHORT PLAT SUBDIVISION	_____ PRELIMINARY PLAT SUBDIVISION	_____FINAL PLAT SUBDIVISION

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: AD2025-0046-APL DATE RECEIVED: 7/29/25

RECEIVED BY: Karla Nelson APPLICATION FEE: 1,100 CK MO (CC) CASH

AD2025-0047-APL
AD2025-0048-APL
AD2025-0049-APL
RD2025-0008-APL

7-30-25

Revised 1/3/21

Exhibit 1

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

Exhibit 1

AFFIDAVIT OF LEGAL INTEREST

I, Best Investments, LLC (name), 30540 Sabin Road (address)

Parma (city), Idaho (state) 83660 (zip code)

being first duly sworn upon oath, depose and say:

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

T.J. Wellard (name), 17842 Sand Hollow Road Caldwell, Idaho 8360 (address)

to submit the accompanying application pertaining to the subject property.

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

Dated this 3rd day of April, 20 25.

FOR BST INV.
(signature)

STATE OF IDAHO)
ss
COUNTY OF CANYON)

On this 3rd day of April, in the year 2025, before me the undersigned a notary public, personally appeared Greg Traost, manager for Best Investments LLC, 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.~~ to me.

TAMMY KRATZBERG
COMMISSION #18555
NOTARY PUBLIC
STATE OF IDAHO

Notary:

My Commission Expires: 2/3/2028

Exhibit 1

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

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

July 29, 2025

Best Investments, LLC
Job No. NV1124

Letter of Intent for Appeal

Canyon County Development Services,

We are formally requesting an appeal to the Board of County Commissioners for the denial of AD2025-0046 through 0049 and RD2025-0008. The reason for the denial is based on the interpretation of the original parcels. We have shown through deed history the description of the parcels is by aliquot parts and those aliquot parts cannot and were not combined in the legal description. Our appeal is based on the definition of the original parcels and the historical interpretation of what Canyon County Code defines as the original parcel.

We appreciate your consideration of this request and hope you find our appeal in compliance and approve our request.

Respectfully submitted,



T.J. Wellard, PLS
Skinner Land Survey
208-454-0933
tj@skinnerlandsurvey.com

Recorder's Tag:

Director's Decision - AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049 RD2025-0008 Administrative Land Division – Canyon County Code of Ordinances §07-18-05, §07-18-07, §07-18-09, §06-05-13

Canyon County Development Services Department

CASE NUMBER:	**AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049, and RD2025-0008**
PARCEL NUMBER:	**R2880001100**
PROPERTY OWNER:	**Best Investments, LLC**
APPLICANT/REPRESENTATIVE:	**T.J. Wellard, Skinner Land Survey**
ANALYST:	**Karla Nelson**

DECISION: DENIED – see page 11.

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  - Exhibit B: Letter of intent
  - Exhibit C: Instrument No 654715
  - Exhibit D: LS2005-141 & LS2005-134
  - Exhibit E: LS2006-65
  - Exhibit F: AD2019-0093
  - Exhibit G: AD2021-0200
  - Exhibit H: Instrument No. 2022-012678
  - Exhibit I: PI2021-0306
  - Exhibit J: Previous Divisions/Property Boundary Adjustments
  - Exhibit K: Comment from Nampa Highway No. 1
  - Exhibit L: Comment from Southwest District Health
  - Exhibit M: Comment from Gravance, Boschma, Jones, and Peterson
  - Exhibit N: Comment from Damon Thompson, Farm Development
  - Exhibit O: Slope Map
  - Exhibit P: Soil suitability map
  - Exhibit Q: Google Earth Images
  - Exhibit R: Parcel Data

REQUEST:

The applicant, T.J. Wellard, is requesting administrative and non-viable land divisions of parcel R2880001100 (approximately 81.29 acres) to create a total of eight (8) parcels, each with a building permit in conformance with

the site plan (**Exhibit A**). The proposed parcel sizes are 12-acres (Parcel 1), 11-acres (Parcel 2), 5-acres (Parcel 2b), 15-acres (Parcel 3), 5-acres (Parcel 3b), 5-acres (Parcel 4), 18-acres (Parcel 4a), and 9-acres (Parcel 4b). The request includes a private road application (RD2025-0008). The subject parcel is zoned "A" (Agricultural).

PROPERTY HISTORY:

According to administrative land divisions LS2005-141 and LS2005-134 (**Exhibit D**), the original parcel was approximately 96.2 acres, and Government Lot 6 was approximately 29 acres (see CCCO §07-02-03 for definition of original parcel). In 2005, non-viable land divisions were proposed to divide the original 96.2-acre parcel into four (4) parcels (LS2005-141, **Exhibit D**) and Government Lot 6 into four (4) parcels (LS2005-134, **Exhibit D**). Both of the 2005 non-viable applications were denied. In 2006, the original 96.2-acre parcel R28800 was administratively split into three (3) residential lots through LS2006-65 (**Exhibit E**). The initial administrative division did not include Government Lot 6. The division was amended in 2019 by AD2019-0093 (**Exhibit F**), which resulted in a total of five (5) residential lots. The 2019 amendment included Government Lot 6 covering a total of 102.08 acres. In 2021, a property boundary adjustment (AD2021-0200, **Exhibit G**) relocated buildable parcels to allow for adequate access along Map Rock Road. The 2021 adjustment reflects the current configuration of the subject property, which includes a portion of the original parcel and a portion of Government Lot 6. In 2022, the Record of Survey was amended to add a 30-foot ingress/egress utility easement through parcels B and C (Instrument No. 2022-012678, **Exhibit H**)

Approved land divisions, property boundary adjustments, and parcel inquiries have maintained that the subject property is comprised of a portion of two (2) original parcels (RS28800 and Government Lot 6), based on this history no additional divisions are available through section 07-18-07 of Canyon County Code of Ordinances (LS2006-65, AD2019-0093, AD2021-0200, and PI2021-0306, **Exhibits E, F, G, and I**). Pursuant to §07-18-09 covering non-viable land divisions, an additional two (2) lots could be requested within the original configuration of Government Lot 6, and one (1) additional lot could be requested within the configuration of the original lot, excepting Government Lot 6. See **Exhibit J** for a visual of previous divisions and property boundary adjustments.

FINDINGS:

Table 1. Administrative Land Divisions – Application and Process

Compliant			County Ordinance and Staff Review	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-18-05(1)**	**The following shall be provided with all applications for land divisions pursuant to this Article:** **A. Application;** **B. Fees;** **C. Site plan showing all lots and access locations;** **D. An irrigation plan (if applicable);** **E. Proof that any required conditions of county approvals are met (if applicable)**
			Staff Analysis	A complete application was accepted on April 21, 2025. An irrigation plan was not submitted. According to the letter of intent, the property does not have surface water rights (**Exhibit B**).
☐	☒	☐	**07-18-05(2)**	**Parcels divided pursuant to this Chapter with slopes greater than fifteen percent (15%) shall not be disturbed without an engineered grading and drainage plan consistent with section 07-17-33(1)C.**
			Staff Analysis	The subject property does contain slopes over 15% according to the USGS slope map (**Exhibit O**). According to the letter of intent, areas with slopes greater than

				15% will be excluded from building envelopes; details on how roadway and driveway improvements will adhere to section 07-17-33(1)C were not included. Hillside development requirements apply to all soil disturbance, including private road/driveway construction in areas with slopes greater than 15%.
☐	☒	☐	**07-18-05(3)**	**The subject property shall be in compliance with the public nuisance ordinance (Chapter 2, Article 1 of this code), the building code (Chapter 6 of this code), and this chapter before the director can approve the application.**
			Staff Analysis	The subject property complies with the public nuisance ordinance (Chapter 2, Article 1 of the Canyon County Code) and the building code (Chapter 6). The proposed divisions resulting in eight (8) parcels with building permits exceed the number of administrative divisions allowed by the zoning code (Chapter 7). Based on previous decisions, there are no further divisions allowed through CCCO §07-18-07. Pursuant to CCCO §07-18-09 covering non-viable land divisions, an additional two (2) lots could be requested within the original configuration of Government Lot 6, and one (1) additional lot could be requested within the configuration of the original parcel excepting Government Lot 6. Previous conditions include: • AD2019-0093 (**Exhibit F**): Parcels 2-5 are not eligible for a building permit until a road user's maintenance agreement and private road are approved. Property boundary adjustment, AD2021-0200 (**Exhibit G**), relocated the parcels to allow for access, and a Road User's Maintenance Agreement (RUMA) was recorded (Instrument No. 2021-083238). The current proposal includes a private road application (RD2025-0008). There are no known code violations on the property.
☒	☐	☐	**07-18-05(4)**	**Notification of the application shall be provided to the applicable fire and highway districts and shall provide such districts a period of fifteen (15) calendar days from the date of notice to submit comments concerning the application.**
			Staff Analysis	Nampa Highway District No. 1 (NDH1) and the State Fire Marshal were noticed on June 17, 2025. • The property is not within a fire district. • NHD1 submitted a comment stating that they recommend the proposal be denied until a Land Split Application is submitted to NHD1 and a site visit confirms that any approach meets current stopping sight distance/spacing requirements (**Exhibit K**). If approved, a condition would be added to ensure compliance with all NHD1 requirements. The State Fire Marshal did not submit a comment within the 15-day time period.
☐	☒	☐	**07-18-05(5)**	**Pre-approval Decision: the following shall be provided after receiving pre-approval of the site plan from director.** **A. Record of Survey with metes and bounds descriptions of all lots that shows access from each parcel complies with the requirements of section 07-10-03 of this chapter, and that includes all existing and necessary easements;**
			Staff Analysis	A site plan was submitted with the application that does not comply with CCCO as more divisions are shown than allowed by code (**Exhibit A**).
			07-18-05(6)	**Decision:**

Exhibit 2

☐	☒	☐		**A. If the application meets the requirements of this section, the director may approve the division. The director may attach conditions to the approval if applicable.** **B. If the request is approved, the director shall issue a letter of approval setting forth the details and requirements of the division.**
			Staff Analysis	The application does not meet the requirements of section 07-18-05 per the above analysis. This document is the letter of denial.

Table 2. Administrative Division in Agricultural Zones

Application and Process - Administrative Division in Agricultural Zones (07-18-07)				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☐	☒	☐	**07-18-07(1)**	**Purpose: The regulations of this section allow for a division of a parcel in an agricultural zone without being subject to the subdivision regulations as set forth in article 17 of this chapter.**
			Staff Analysis	Pursuant to CCCO §07-17-03(3)E, land that is divided into more than four (4) parcels is subject to the subdivision requirements within Article 17. The subject property is zoned 'A' (Agricultural), and per the Property History section of this document, all administrative land divisions pursuant to CCCO §07-18-07 have already been exhausted.
☐	☒	☐	**07-18-07(2)**	**Standards: The proposed division of original parcels created prior to September 6, 1979, shall be allowed in accordance with the following:** **Less than 80 acres — 1 division (2 residential parcels)** **80 to 119 acres 2 divisions — 2 divisions (3 residential parcels)** **More than 120 acres — 3 divisions (4 residential parcels)** **A. The proposed parcels created and its remnant shall be at least one (1) acre in size.** **B. An additional parcel designated as agricultural only and at least five (5) acres in size may be created in accordance with this article and subject regulations in accordance with article 10 of this chapter.**
			Staff Analysis	The request creates eight (8) residential parcels ranging in size from 5 to 18 acres. In total, from the original two (2) parcels, it creates 12 residential parcels. As documented through the property history, all divisions allowable through section CCCO §07-18-07 have been exhausted.
☐	☒	☐	**07-18-07(3)**	**Once an administrative land division has been approved in the agricultural zoning district, there shall be no other administrative land divisions from that land, regardless of ownership of any of the land involved, except as permitted by this Article. Previously approved divisions in the agricultural zoning district may be amended to provide for divisions of the original parcel that were entitled pursuant to Chapter 7, Article 18 but not taken when the first division was approved.**
			Staff Analysis	The original approximately 96.2-acre parcel was divided into three (3) residential lots through LS2006-65 (**Exhibit E**). The division was amended in 2019 by AD2019-0093 (**Exhibit F**), which resulted in a total of five (5) residential lots. The 2019 amendment included Government Lot 6, an original parcel, approximately 23-acres in size. In 2021, property boundary adjustment AD2021-0200 relocated buildable

				parcels to allow for adequate access (**Exhibit G**). Previous divisions and adjustments have exhausted section 07-18-07 of the Canyon County Code.

Table 2. Administrative Division of Nonviable Parcels in an Agricultural Zone

(07-18-09)				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**
☒	☐	☐	**07-18-09(1)**	**Purpose: The director shall have the authority regarding the division of nonviable land within an "A" (Agricultural) zone, in whole or in part, where the result of the division limits negative impacts to adjacent agricultural uses.**
			Staff Analysis	The applicant submitted a complete application on April 21, 2025, to create a total of eight (8) buildable parcels out of parcel R28800011 within the "A" (Agricultural) zone (**Exhibit A**).
☒	☐	☐	**07-18-09(2)**	**Minimum Parcel: The proposed parcel created and its remnant shall be at least one (1) acre in size.**
			Staff Analysis	According to the letter of intent and site plan the proposed parcels shall range in size from 5 to 18 acres, meeting the minimum parcel size requirement in the agricultural zone (**Exhibit A and B)**.
☒	☐	☐	**07-18-09(3)**	**Application: The applicant shall submit to DSD an application for a director's administrative decision along with the appropriate fee, including requirements of Section 07-18-05 of this chapter. Submittal shall also include the following:** **A. Evidence demonstrating the land, in whole or in part, is nonviable for agricultural use; and** **B. Evidence demonstrating the result of the request will minimize potential negative impacts to adjacent agricultural uses.**
			Staff Analysis	The applicant submitted a complete application on April 21, 2025, providing evidence the parcel in part is nonviable for agricultural uses (**Exhibit B**). According to the letter of intent none of the property has surface irrigation water rights and based on historical photographs it does not appear that the property has been farmed. The letter goes on to detail that soils are poor quality and no negative impacts could be identified to nearby agricultural uses. *See 07-18-05 for staff analysis on the evaluation and determination of nonviable ground.*
☒	☐	☐	**07-18-09(4)**	**Notifications: Upon acceptance of an application, DSD shall, by mail, provide notification of the proposed division to the owners of parcels which are contiguous to the subject parcel(s) and to the owners of parcels which are within six hundred feet (600') of the external boundaries of the subject parcel(s) and shall provide such individuals a period of fifteen (15) calendar days from the date of the mailing to submit comments concerning the proposed division. Notification of the application shall also be provided to the applicable fire and highway districts and shall provide such districts a period of fifteen (15) calendar days from the date of notice to submit comments concerning the application.**
			Staff Analysis	Notification of the request was sent to property owners within 600 feet on June 17, 2025. Two (2) comments were received in opposition to the proposed divisions (**Exhibit M-N**). • Gravance, Boschma, Jones, and Peterson email received June 26, 2025 in opposition to the divisions based on inconsistency with existing land uses, public safety regarding access, and inadequate infrastructure with water

				supply, electrical utilities, emergency services and stormwater management. • Thompson email received July 2, 2025 in opposition to the divisions based on inadequate emergency service access. Notification of the request was also sent to affected agencies including Nampa Highway District No. 1, State Fire Marshal, county emergency service providers, utility providers, and Southwest District Health among other agencies. • Nampa Highway District No. 1 provided comment on June 17, 2025 with a recommendation that the proposal be denied until a Land Split Application is submitted to NHD#1 and a site visit confirms that any approach meets current stopping sight distance/spacing requirements. If approved, a condition would be added to ensure compliance with all NHD#1 requirement (**Exhibit K**). • Southwest District Health provided comment on June 18 requesting a pre-development meeting with the applicant. If approved, a condition will be added to ensure compliance with SWDH requirements (**Exhibit L**). No other agencies submitted a comment within the 15-day time period.
☐	☒	☐	**07-18-09(5)**	**(5) Evaluation and Determination of Application: The director shall evaluate each application on an individual basis and shall exercise discretion in determining whether or not to approve such an application with consideration given to each of the following requirements:** **A. The parcel(s) must be eligible for division; and** **B. The subject property shall be in compliance with the public nuisance ordinance (chapter 2, article 1 of this code) and the building code (chapter 6 of this code) before the director can approve the application; and** **C. The parcel, in whole or in part, shall consist of land with site constraints and/or resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricultural use extremely difficult; and** **D. The division shall not create a negative impact to surrounding agricultural uses. The director may include conditions of approval to mitigate potential negative impacts.**
			Staff Analysis	A. The applicant proposal exceeds the number of allowable divisions. The subject parcel R28800011 is eligible for a maximum of three (3) nonviable divisions allowing for two (2) new parcels within the original configuration of Government Lot 6 and one (1) new parcel within the configuration of the remainder of R28800011 (**Exhibit I**, PI2021-0306). B. The subject parcel is in compliance with the public nuisance ordinance and the building code. C. The parcel in whole or in part does consist of land with site constraints that would make it extremely difficult for productive agricultural use. Based on the USGS slope map more than half of the property is on slopes that are 15% or greater (**Exhibit O**) and the entire parcel has a class 8 soil designation which is least-suited for agriculture (**Exhibit P**).

				Per CCCO §07-02-03, viable farmland is defined as "*Land that is capable of producing marketable farm animals or crops*". Information provided by the applicant demonstrates the subject property is nonviable (**Exhibit B**). According to Google Earth Images, it appears the property has never been used for agricultural practices (**Exhibit Q**). Parcel R28800011 does not appear to have received an agricultural exemption (**Exhibit R**). According to the applicant the subject property does not have surface irrigation water rights and the property is not located in an irrigation district or a drain district. D. The division is not anticipated to create a negative impact to the surrounding agricultural uses. Property Owners within 600 feet of the property were noticed on June 6, 2025. Two (2) comments were submitted in opposition to the land division (**Exhibits M-N**). Comments did not specifically state that the proposal would negatively impact surrounding agricultural uses.
☒	☐	☐	**07-18-09(6)**	**The applicant has the burden of proving that the application meets these requirements.** **A. Deliberate action to withhold agricultural land from productive use strictly to qualify for a land division pursuant to this section shall disqualify such land from treatment under this section.**
			Staff Analysis	The parcel does not appear to have been used for agriculture, significant slope and soil conditions make the property nonviable for agricultural production.
☐	☒	☐	**07-18-09(7)**	**Decision, Division of Nonviable Parcel:** **A. If the application meets the requirements of this section, the director may approve the division into fewer than five (5) parcels from the original parcel. The director may attach conditions to the approval which limits the division or use.** **B. If the request is approved, the director shall issue a letter of approval setting forth the details and requirements of the division.** **C. The director shall give notice of the decision granting or denying the application, to those previously notified of the pending application.**
			Staff Analysis	A. The application does not meet the requirements of this section. Detailed below are actions the applicant may take to obtain a division. B. The request has been denied by the Director. C. Notice of the decision to those previously notified were notified of the decision. The applicant can resubmit a nonviable land division application that creates no more than two (2) buildable parcels within the original configuration of Government Lot 6 and one (1) buildable parcel within the original parcel minus Government Lot 6.

Table 3. Private Road Name

Street Names (06-05-13): The naming or renaming of streets or private roads in the County shall be subject to the following standards:				
Compliant			**County Ordinance and Staff Review**	
Yes	**No**	**N/A**	**Code Section**	**Analysis**

☒	☐	☐	**06-05-13(1)**	**There shall be no duplication of street names by sound or spelling within Canyon County including within the incorporated areas.**
			Staff Analysis	"Devin Lane" and "Paige Lane" are not duplicated by sound or spelling within Canyon County including within the incorporated areas.
☒	☐	☐	**06-05-13(2)**	**Differentiation of street names shall not be by the addition of a street designation such as road, street, avenue, lane, etc.** **A. No street designations shall be used other than the one that is approved by the County.**
			Staff Analysis	"Devin Lane" and "Paige Lane" are not duplicated by sound or spelling regardless of the street designation.
☐	☐	☒	**06-05-13(3)**	**Where the proposed street is on the alignment and continuation of the existing street, or where the street is on the same alignment but not linked to an existing street, the name of the existing street shall be applied; provided, there are not natural barriers such as lake, river, interstate, highway, etc., in which case the name may be changed. This standard shall apply to public and private roads.** **A. A proposed street or private road shall be considered in general alignment with an existing street or private road, if the centerline of the proposed street or private road is no farther than one hundred feet (100') from centerline of an existing street or private road.** **B. Where a proposed street or private road connects or aligns with two (2) differently named streets, the director shall decide the name to be used, giving consideration to the length, road classifications, and number of residents affected.** **C. A proposed street or private road which aligns with an existing street or private road should carry the correct street designation even though the existing street designation may be incorrect.**
			Staff Analysis	The proposed street is not on the alignment of an existing street.
☒	☐	☐	**06-05-13(4)**	**If a street makes a very obvious change in direction, a new street name may be assigned.**
			Staff Analysis	The street does make a very obvious change in direction resulting in two names for the private road, "Devin Lane" and "Paige Lane".
☐	☐	☒	**06-05-13(5)**	**Both portions of an "L" shaped street shall carry the same name if either leg is one hundred feet (100') or less in length; all others shall carry two (2) names.**
			Staff Analysis	Not applicable; the street is not "L" shaped.
☐	☐	☒	**06-05-13(6)**	**A cul-de-sac that has an overall length of more than one hundred feet (100') (as measured from the centerline of the principal street to the point of radius) shall carry a new name, and must be named in accordance with the provisions herein.** **A. A cul-de-sac that has an overall length of one hundred feet (100') or less shall carry the same name and the same designation as the street from which it emerges.**
			Staff Analysis	The street is not a cul-de-sac.
☐	☐	☒	**06-05-13(7)**	**Street names for a proposed subdivision shall be shown on the preliminary plat and approved prior to the filing of the final plat in accordance with the provisions of this article and:**

				A. No plats shall be approved until all provisions of this article have been complied with; **B. Applicants shall erect street name signs at their own expense, in accordance with the county standards.**
			Staff Analysis	The street name is not for a proposed subdivision.
☒	☐	☐	**06-05-13(8)**	**All new road/street designations shall adhere to the following:** **A. Avenue: A north-south street generally running in a straight line.** **B. Boulevard: A major roadway that may meander or run in any direction. The use of these terms must be approved by the director.** **C. Circle or loop: Short streets which return to themselves or begin and end in the same street.** **D. Court: An east-west cul-de-sac.** **E. Lane: A private road.** **F. Place: A north-south cul-de-sac.** **G. Drive: A street generally meandering in an east-west direction.** **H. Road: A designated street which extends through urban and rural areas.** **I. Street: May run generally in an east-west direction.** **J. Way: A street generally meandering in a north-south direction.**
			Staff Analysis	The proposed street is a private road, and therefore has the "Lane" designation.
☐	☐	☒	**06-05-13(9)**	**No streets and/or private roads should begin with the prefix north, south, east or west and shall not be used as a differentiation between new street names.**
			Staff Analysis	"Devin Lane" and "Paige Lane" do not begin with the prefix north, south, east or west.
☐	☐	☒	**06-05-13(10)**	**In determining street names along Base Line Road: When a north-south running street exists along Base Line Road, that portion of roadway south of Base Line Road shall carry the suffix "South" after its proper designation when there is a continuation of that roadway north of Base Line Road. This may include renaming existing roadways that do not meet this standard.**
			Staff Analysis	Not applicable; the proposed street is not along Base Line Road.
☐	☐	☒	**06-05-13(11)**	**Changing an existing street or private road name requires a public hearing by the board and an affirmative action by the board before any name change shall take effect. All property owners having frontage on the affected street or private road shall be notified by mail of the public hearing at least thirty (30) days before the hearing.**
			Staff Analysis	The easement was not named prior to this case.
☒	☐	☐	**06-05-13(12)**	**Where there is an existing unnamed street providing access to more than two (2) permanent residences and it is determined by the director that such creates erroneous, ambiguous and/or confusing circumstances or when additional residences are added to such a street the director may assign a new road name and addresses. This provision shall apply to public and private roadways.**
			Staff Analysis	The applicant proposes to add eight residences on the road and if approved a private road name would be required.
☒	☐	☐	**06-05-13(13)**	**Words that are difficult to spell or pronounce are generally prohibited. The director may reject a street name if the street name is found to be vulgar,**

				rude or offensive. A street name shall not contain punctuation. If the parties who have the legal right to utilize the road cannot agree on a name, development services department will take suggestions from all parties and make the final decision and approval.
			Staff Analysis	"Devin Lane", and "Paige Lane" are not difficult to spell or pronounce and not vulgar, rude, or offensive. It does not contain punctuation. The property owner did not obtain signatures of the property owners using the road.

DECISION:

The application for the described administrative land division in accordance with CCCO §07-18-05, CCZO §07-18-07 and CCZO §07-18-09 is **DENIED**. Pursuant to CCCO §07-18-09(8), any affected person who is aggrieved by the decision may file a written notice of appeal in accordance with CCZO §07-05-07 subject to application submittal requirements and fee.

Dan Lister, Planning Supervisor — 7.14.25 Date

State of Idaho)
SS
County of Canyon County)

On this 14th day of July, in the year of 2025, before me Pamela Dilbeck, a notary public, personally appeared Dan Lister, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.

Notary: Pamela Dilbeck

My Commission Expires: 10/14/2028

PAMELA DILBECK
COMMISSION #20224944
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/14/2028

NV1124 Best Investments, LLC

Map Rock Road

Skinner Land Survey

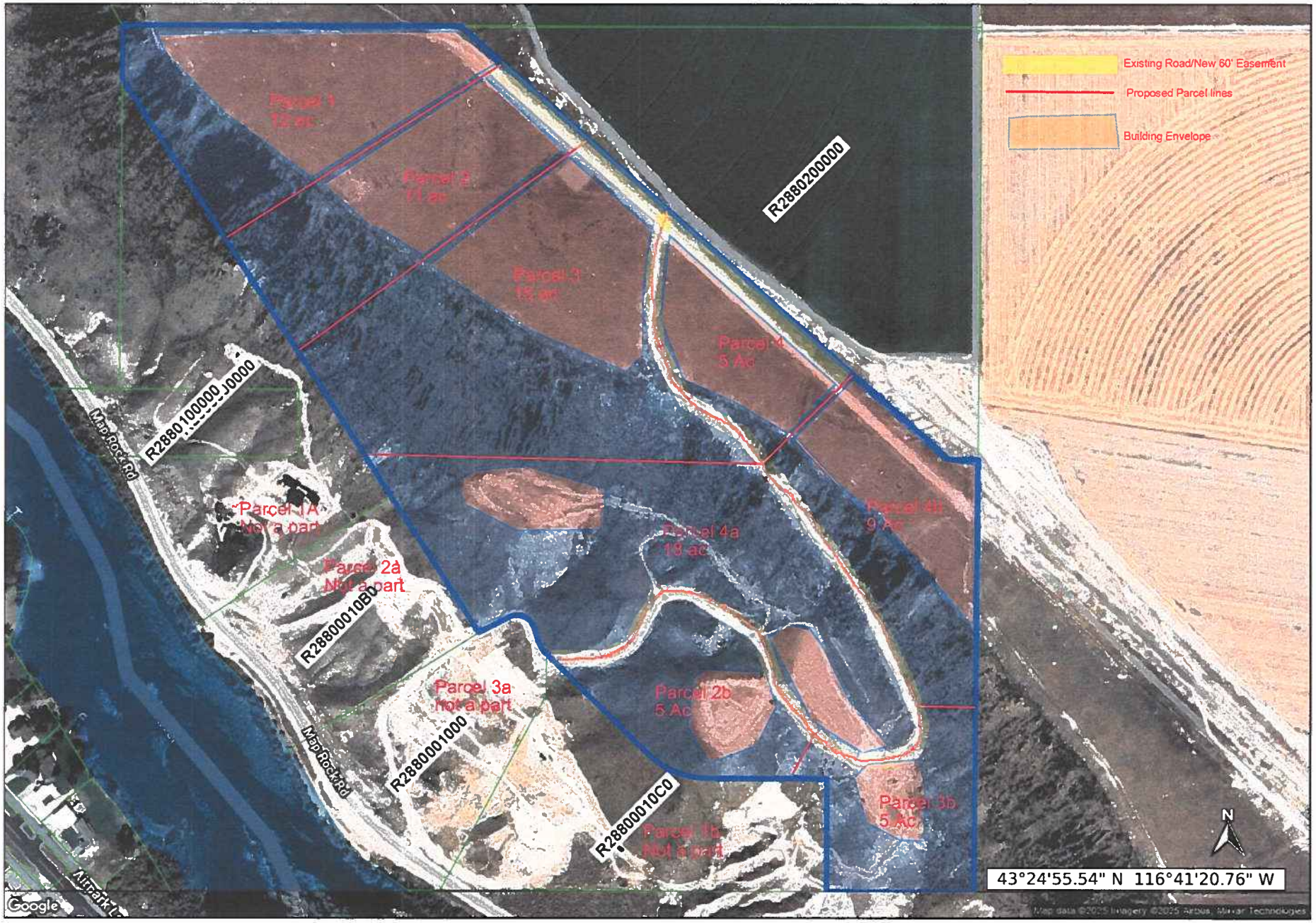


Exhibit 2.A

Exhibit 2.A

Apr 03, 2025 - landproDATA.com
Scale: 1 inch approx 400 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

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

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

April 3, 2025

Best Investments, LLC
Job No. NV1124

Letter of Intent

Canyon County Development Services,

We are requesting an administrative land division of Parcel R2880001100. The deeds that existed on September 6, 1979 show that Parcel R2880001100 is part of 3 original parcels. The original deed Inst. No. 654715 describes the property as the N1/2SE1/4, Lot 6 and the SE1/4SE1/4. These are 3 distinct individual aliquot part public land survey system descriptions that exist independent of one another. In 1977 deed Inst. No. 816396 split off Parcel R2880100000 making it a separate original parcel. In 1972 deed Inst. No. 692251 split off Parcel R2880200000 making it a separate original parcel. This leaves Government Lot 6, SE1/4SE1/4 and the remainder of the N1/2SE1/4 as 3 original parcels.

In 2021 AD2021-0200 was approved to create the layout of Parcels R28800010C0, R2880001000, R28800010B0, R2880000000 and the subject parcel. These divisions and property boundary adjustments took 4 of the available building rights of the 3 original parcels. The current parcel configuration would allow one non-viable land division in Government Lot 6, 1 land division and 2 non-viable land divisions in the SE1/4SE1/4, and 2 land division parcels and 2 non-viable land division parcels in the remainder of the N1/2SE1/4. Our conceptual plan and application will perfect these available building rights as shown.

Along with the administrative land division and non-viable land division, we are also requesting a private road. We will create a new private road inside of a 60-foot-wide Ingress/Egress, Utility and drainage easement. There is currently an existing road cut through the property which will be improved and used for access to all the lots and then up top there is an existing old airplane runway along the Northeasterly boundary that will provide access to the parcel above the rim. This road/runway will also serve as a buffer to the adjacent farm ground property. Driveways will be utilized from this private road to the desired homesites inside the designated building envelopes.

The land above the rim is relatively flat and does not have any slopes greater than 15%. The area below the rim is unbuildable, containing steep rocky slopes. The area will be excluded from the building envelopes. Below the rocky rim slope there are 3 house pads that are existing with rough cut driveways or fronting the existing proposed road. These pads are identified as the building envelopes for these parcels and no residential homes will be built outside of the identified building envelopes without providing a grading and drainage plan.

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

None of the subject property has surface irrigation water rights. None of the subject property has ever been farmed to our knowledge and in review of historical photographs doesn't appear to have ever been used for cultivation. The soils are poor quality as included from NRCS maps. The property has an existing approved approach and road inside a deeded 60 foot easement to the front property line. No negative impacts could be identified to nearby agricultural uses.

We appreciate your consideration of this request and hope you find our application in compliance and approve our request.

Respectfully submitted,



T.J. Wellard, PLS
Skinner Land Survey
208-454-0933
tj@skinnerlandsurvey.com

INSTRUMENT NO. 65471

STATE OF IDAHO DEED

Number 10466
Certificate No. 23866

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the 28th day of September 1962, all that tract or parcel of Public School land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

B. F. KOCHENOWER and CLARA M. KOCHENOWER

of Melba, State of Idaho, for the aggregate price of Two Thousand Six Hundred Thirty-Nine and 50/100 DOLLARS

And Whereas, the said sum of Two Thousand Six Hundred Thirty-Nine and 50/100 DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by RICHARD N. KOCHENOWER, a single man, of Star Route, Melba, Idaho, who acquired his interest from B. F. and Clara M. Kochenower by Assignment March 12, 1965, recorded March 12, 1965.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

Two Thousand Six Hundred Thirty-Nine and 50/100 DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

RICHARD N. KOCHENOWER

his heirs and assigns, all of the said tract and parcel of land situated in the County of Canyon and State of Idaho, and described as follows, to-wit:

The North Half of the Southeast Quarter (N½SE¼), Lot Six (6), Southeast Quarter of the Southeast Quarter (SE¼SE¼), Section Sixteen (16), Township One (1) North, Range Three (3) West, Boise Meridian, containing 149.30 acres, more or less, subject to easement for irrigation system, and in the event that "MAP ROCK", a historical monument, is located on this land, that a reservation, or easement, of sufficient area will be reserved for the perpetuation of this landmark.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

RICHARD N. KOCHENOWER

his heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all Mineral rights in lands sold subsequent to the 8th day of May, 1923, including sand and gravel.

In Witness Whereof, I, Don Samuelson, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 29th day of December, 1970 A.D.

Countersigned:

Secretary of State

Governor of Idaho and President of State Board of Land Commissioners

Countersigned:

State Land Commissioner

STATE OF IDAHO, County of Ada, } ss.

On this 29th day of December, in the year 1970 before me, a Notary Public in and for said State, personally appeared Don Samuelson known to me to be the Governor of the State of Idaho, and Pete T. Cenarrusa known to me to be the Secretary of the State of Idaho, and G. C. Trombley known to me to be the Land Commissioner of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last above written.

Notary Public residing at Boise, Idaho

Canyon County
Development Services Department

Exhibit 2.D

Application for Administrative Lot Split

Zoning 454-7458 Building 454-7460

Tracking Number: LS2005-141

THIS IS NOT FINAL APPROVAL

Lotsplit.rtm

Ref: Canyon County Code of Ordinance Chapter 7

Parcel Number: R28800 Less Lot 6 **Application is for:** **Administrative Lot Split**
9C - Non-Viable Farm Ground

Section: 16
Township: 1N
Range: 3W
1/4 Section SE

Site Address: Map Rock Road
Melba, ID 83641

Zoning: A Parcel Acreage: 96.2

Subdivision:

Lot: Block:

City Impact Area: NO

Applicant: Taylor Land Planning
Address: 509 S. Middleton Road
Middleton, ID 83644

Applicant Role: Other
Cellular: 697-0257
Voice: 585-3819

Property Owner: Scott and Mary Verhagen
Address:

Cellular:
Voice:

LAND DIVISION INFORMATION

Originality Date: 9/28/1962 Instrument #: 654715 Other Source Data:

Original Parcel Acreage: 96.2

Application Type: 9C - Non-Viable Farm Ground

City JEPA Notification: **NO**

Evidence of Non-Viable Farm Ground Attached (9C or 9D): ☑

Evidence of Farming Conservation Attached (9D): ☐

Subdivision Waivers Required?: **No** Irrigation Plan Approval Required?: **No** Plat Required: **No**

Hwy District Acknowledgement: Nampa **Fire District Acknowledgement: Other**

Conditions:

Approval Date: Approval Instrument #:

Exhibit 2.D

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

Recommendation and Approval
Non-Viable Farm Ground Administrative Land Division
Canyon County Code of Ordinances 07-10-19(9)C

VerHagen, Scott	LS2005-134
PROPERTY OWNER/APPLICANT	DSD CASE NUMBER

ASSESSOR ACCOUNT **R28800 Gov't Lot 6**

Administrative Land Division Applied For
☒ NON-VIABLE FARM GROUND ☐ Also includes adjustment of original lot line(s).

The application was to divide approximately 23 acres into 4 parcels.

PARCEL 1: Consisting of 5.2 ac, more or less.
PARCEL 2: Consisting of 9.09 ac, more or less.
PARCEL 3: Consisting of 8.87 ac, more or less.
PARCEL 4: Consisting of 6.14 ac, more or less.

Denied 1-5-06 commission P&Z Appeals for a CUP Hearing C Wolford

RECOMMENDATION

The Director of the Development Services Department recommends the Planning and Zoning Commission / Hearing Examiner **APPROVE** the request. Idaho Right To Farm Act (Idaho Code § 22-4503) applies to this land division approval.

Donna West 1/5/06

Donna West, Director of Development Services Department Date

APPROVAL

Diana Wallace, Chairman Date

State of Idaho)
SS
County of Canyon County)

On this 5 day of January of 2006, personally appeared before me, Donna West and satisfactorily proved to me to be the signer of the above instrument by the oath of _____, a competent and credible witness for that purpose, by me duly sworn, and that he(she) executed the same.

KATHY D. HOLT NOTARY PUBLIC STATE OF IDAHO

Notary: Kathy D. Holt
My Commission Expires: 6-12-09

Exhibit 2.D

BEFORE THE CANYON COUNTY
PLANNING AND ZONING COMMISSION

AMENDED
AGENDA FOR JANUARY 5, 2006

1ST FLOOR MEETING ROOM OF THE
CANYON COUNTY COURTHOUSE
7:00 p.m.

Testifying Tips:

- **State your name, address, and all testimony clearly for the record.**
- **All testimony must be heard from the podium, please do not step away.**
- **Always refer to the exhibit number when referencing an exhibit.**
- **State specific locations and/or names on the exhibit.**

1:03 **Item # 1** **Call to Order**

OLD BUSINESS:

1:28 **Item # 2** **Western Idaho Development** Daniel **Case # CU2005-70**
Western Idaho Development is requesting a **Conditional Use Permit** to divide approximately 80 acres into 27 residential lots in an "A" (Agricultural) Zone. The subject property is located on the west side of Beet Road, approximately ¼ mile south of the intersection of Upper Pleasant Ridge Road and Beet Road, Caldwell, Idaho, in a portion of the NE ¼ of Section 34, T4N, R4W, BM and in a portion of the SE ¼ of Section 34, T4N, R4W, BM.
9:45 Hot

NEW BUSINESS:

1:10 **Item # 3** **Paul Ferguson** Daniel **Case # LS 2005-134**
A request by Paul Ferguson for approval of an Administrative Land Division of non-viable farm ground to
1:18 divide 23 acres into 4 parcels. The subject property is described as Gov't Lot 6, and is located in Section 16, T1N, R3W.

1:18 **Item # 4** **Taylor Ridge Subdivision** Approved **Case # SD2005-27**
A request by Brent Taylor for approval of an **Irrigation Plan** for Taylor Ridge Subdivision. This
1:28 development is located on the northeast corner of the intersection of Old Highway 30 and Burger Lane in the NW¼ SW¼ and the SW¼ NW¼ of Section 10, T4N, R3W, B.M.

10:05 **Item # 5** **Specialty Group Inc.** Approved **Case # CU2005-73**
Specialty Group, Inc. is requesting a **Conditional Use Permit** to divide two parcels totaling approximately 96.76 acres into 77 residential lots in an "A" (Agricultural) Zone. Parcel # R29554-010 is located approximately 400' south of Lewis Lane and approximately 1600' west of Southside Boulevard, Nampa, Idaho, in a portion of the NE ¼ of Section 14, T2N, R2W, BM and in a portion of the NW ¼ of Section 14, T2N, R2W, BM. Parcel # R29554-013 is located on the west side of Southside Boulevard, approximately ¼
1:21:03 mile north of the intersection of Deer Flat Road and Southside Boulevard, Nampa, Idaho, in a portion of the SE ¼ of Section 14, T2N, R2W, BM.

Exhibit 2.D

Exhibit 2.D

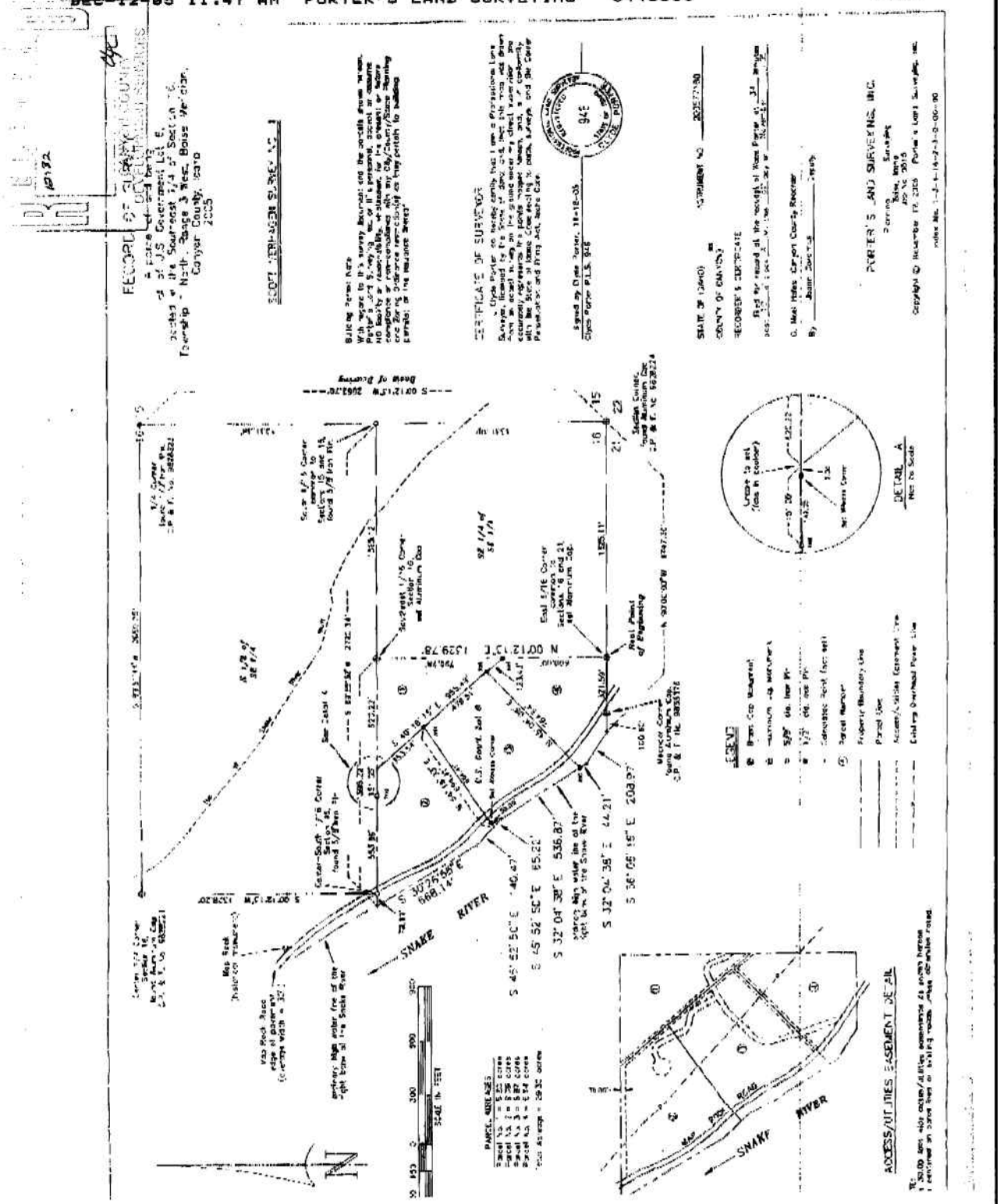


Exhibit 2.D

Exhibit 2.D

CANYON COUNTY DEVLEOPMENT SERVICES DEPARTMENT
1115 Albany Street ▪ Caldwell, Idaho ▪ 83605 ▪ (208) 454-7458

November 7, 2005

Mary Shaw Taylor
509 S. Middleton Rd
Middleton, ID 83644

RE: Application for 9C Administrative Land Division

Dear Mary Shaw Taylor,

This office has received an objection concerning your application for an Administrative Land Division based on non-viable farm ground. Unfortunately, this objection does prevent any further processing of this application. Pursuant to the Zoning Ordinance should you wish to pursue the division of your property into four (4) parcels, you may apply for and pay the appropriate filing fee, a public hearing before the Planning and Zoning Commission. This office can assist you with that application.

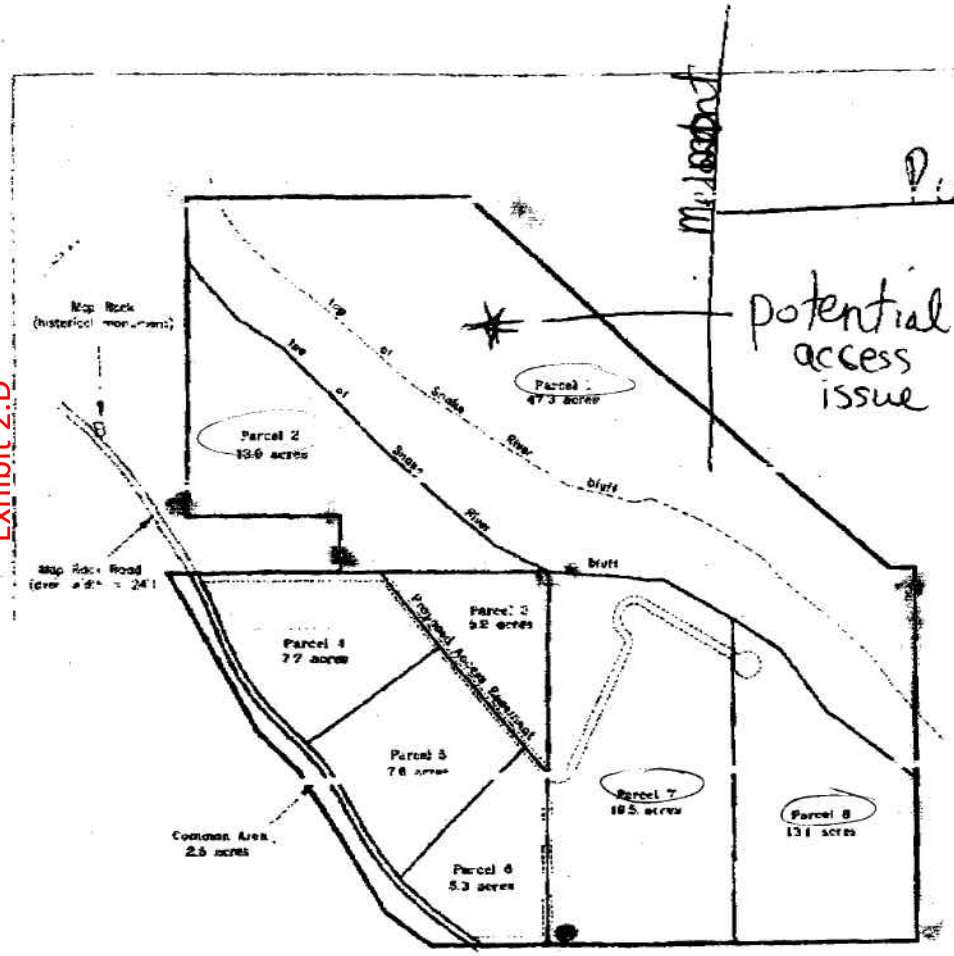
If you have any questions or comments please call me at 454-7458.

Sincerely,

Craig Wolford
Current Planning Administrator
cwolford@canyoncounty.org

Exhibit 2.D

Exhibit 2.D



Prepared for:
SCOTT VerHAGEN

Prepared by:
PORTER'S LAND SURVEYING, INC.
Planning Surveying
Boise, Idaho

CONCEPTUAL PLAN
FOR
PROPOSED ADMINISTRATIVE SPLIT

A parcel of land being a portion of the North 1/2 of the Southeast 1/4, all of the Southeast 1/4 of the Southeast 1/4, and all of U.S. Government Lot 6, in Section 18, Township 1 North, Range 3 West Boise Meridian, Canyon County, Idaho

Scale: 1" = 800'	Drawn by: CRE	Drawing Name:
Date: 08/27/05	Job No. 0515	0518SPLT.DWG

PRELIMINARY

VERHAGEN CONSTRUCTION
06/21/2005 08:13 200367476
Exhibit 2.D

Exhibit 2.D

Exhibit 2.D

INSTRUMENT NO. 200614 51

Exhibit 2.E

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

COPY

DECISION
ADMINISTRATIVE LAND DIVISION
Canyon County Code of Ordinances
07-10-19(9)A, B, C, D

THIS APPROVAL AMMENDS INSTRUMENT NUMBER 200151801

Scott Verhagen	**LS2006-65**
PROPERTY OWNER/APPLICANT	DSD CASE NUMBER

ASSESSOR ACCOUNT(S) **R28800 less lot 6**

ADMINISTRATIVE LAND DIVISION APPLIED FOR:

- ☒ MORE THAN 40 ACRES (9)(A)
- ☐ LESS THAN 40 ACRES (9)(B)
- ☐ NON-VIABLE FARMLAND (9)(C)

☐ Also includes adjustment of original lot line(s).

The application was to divide approximately 96.2 acres into 3 parcels described as follows:

PARCEL 1: 72.79 acres (described as Parcel 5)
PARCEL 2: 10 acres (described as Parcel 6)
PARCEL 3: 10 acres (described as Parcel 7)

The application documents, including the meets and bounds description(s) and, if applicable, the record of survey and/or perpetual easement(s) for ingress/egress evidence the land division tentatively approved. Therefore, the administrative land division is hereby approved. Idaho Right To Farm Act (Idaho Code § 22-4503) applies to this land division decision.

Keri Blankenship — 1st March 2006

Director / Staff — Date

State of Idaho)
SS
County of Canyon County)

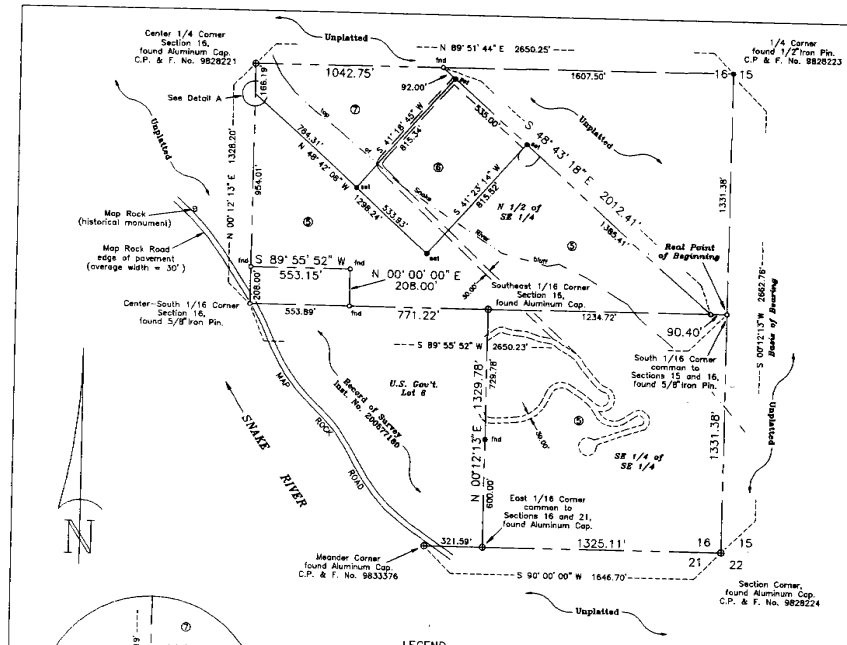
On this 1st day of March of 2006, personally appeared before me, Connie Aebischer Blankenship, and satisfactorily proved to me to be the signer of the above instrument by the oath of Keri, a competent and credible witness for that purpose, by me duly sworn, and that he(she) executed the same.

CONNIE LOU AEBISCHER NOTARY PUBLIC STATE OF IDAHO

Notary: Connie L. Aebischer
My Commission Expires: April 5, 2011

Exhibit 2.E

Exhibit 2.E



RECORD OF SURVEY

A parcel of land being a portion of the Southeast 1/4 of Section 16, Township 1 North, Range 3 West, Boise Meridian; Canyon County, Idaho 2006

SCOTT VERHAGEN SURVEY NO. 2

Building Permit Note:
With regard to this survey document and the parcels shown hereon, Porter's Land Surveying, Inc. or it's personnel, accept or assume NO liability or responsibility, whatsoever, for the present or future compliance or non-compliance with any City/County/State Planning and Zoning Ordinance restriction(s) as they pertain to building permits; or the issuance thereof.

NOTES:

1. The 30.00 foot wide access easements as shown hereon are centered on existing roads.
2. The 30.00 foot wide proposed access easements as shown hereon will be centered on roads to be constructed.

CERTIFICATE OF SURVEYOR

I, Clyde Porter, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho; and, that this map was drawn from an actual survey on the ground under my direct supervision; and, accurately represents the points mapped hereon; and, is in conformity with the State of Idaho Code relating to plats, surveys, and the Corner Perpetuation and Filing Act, Idaho Code.

Signed by Clyde Porter, 2-21-06
Clyde Porter P.L.S. 946

PROFESSIONAL LAND SURVEYOR REGISTERED 946 STATE OF IDAHO CLYDE PORTER

STATE OF IDAHO) INSTRUMENT NO. 200611908
) ss
COUNTY OF CANYON)

RECORDER'S CERTIFICATE

Filed for record at the request of Wade Porter at 24 Minutes past 9 o' clock A M. this 21st day of February 20 06.

G. Noel Hales, Canyon County Recorder
By Jo Ana Doramus Deputy

PORTER'S LAND SURVEYING, INC.
Planning Surveying
Boise, Idaho
Job No. 0515

Copyright © February 16, 2006 Porter's Land Surveying, Inc.

Index No. 1-3-4-16-2-0-0-00-00

Exhibit 2.E

PORTER'S LAND SURVEYING, INC.

921 South Curtis Road
Boise, Idaho 83705-1840

Phone: (208) 344-3650

PROFESSIONAL LAND SURVEYOR REGISTERED 946 2-21-06 STATE OF IDAHO CLYDE PORTER

February 21, 2006

Legal Description of Parcel 5
for Scott VerHagen

A parcel of land being a portion of the Southeast 1/4 of Section 16, Township 1 North, Range 3 West, Boise Meridian; Canyon County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the 1/4 Section Corner common to Sections 15 and 16, T.1 N., R.3 W., B.M.;

thence, along the section line common to said Sections 15 and 16, S 0°12'13" W 1331.38 feet to an Iron Pin marking the South 1/16 Section Corner common to said Sections 15 and 16; also, being the REAL POINT OF BEGINNING;

thence, continuing along the section line common to said Sections 15 and 16, S 0°12'13"W 1331.38 feet to an Aluminum Cap marking the Section Corner common to Sections 15, 16, 21 and 22;

thence, leaving the section line common to said Sections 15 and 16, and along the section line common to said Sections 16 and 21, S 90°00'00" W 1325.11 feet to an Aluminum Cap marking the East 1/16 Section Corner common to said Sections 16 and 21;

thence, leaving the section line common to said Sections 16 and 21, and along the east 1/16 section line of said Section 16, also being the west boundary line of U.S. Government Lot 6, N 0°12'13" E 1329.78 feet to an Aluminum Cap marking the Southeast 1/16 Section Corner of said Section 16;

thence, leaving said east 1/16 section line, and along the south 1/16 section line of said Section 16, also being the north boundary line of U.S. Government Lot 6, S 89°55'52" W 771.22 feet to an Iron Pin;

thence, leaving said south 1/16 section line, N 0°00'00"E 208.00 feet to an Iron Pin;

thence, S 89°55'52"W 553.15 feet to an Iron Pin on the north-south center of section line of said Section 16;

thence, along said north-south center of section line, N 0°12'13"E 954.01 feet to a point; said point being witnessed by an Iron Pin which bears N 0°12'13"E 1.00 foot;

thence, leaving said center of section line, S 48°42'08"E 1298.24 feet to an Iron Pin;

thence, N 41°23'14"E 815.52 feet to an Iron Pin;

thence, S 48°43'18"E 1385.41 feet to an Iron Pin on the south 1/16 section line of said Section 16;

thence, along said south 1/16 section line, N 89°55'52"E 90.40 feet to the REAL POINT OF BEGINNING;

said parcel contains 72.79 acres, more or less;

said parcel being subject to 30.00 foot wide access easements as shown on Record of Survey Instrument No. 200611908, Records of Canyon County, Idaho;

said parcel also being subject to any other right-of-ways or easements, of record or in use.

PORTER'S LAND SURVEYING, INC.
921 South Curtis Road
Boise, Idaho 83705-1840
Phone: (208) 344-3650

February 21, 2006

Legal Description of Parcel 6
for Scott VerHagen

A parcel of land being a portion of the North 1/2 of the Southeast 1/4 of Section 16, Township 1 North, Range 3 West, Boise Meridian; Canyon County, Idaho; more particularly described as follows:

Beginning at an Aluminum Cap marking the Center 1/4 Section Corner of Section 16, T.1 N., R.3 W., B.M.;

thence, along the east-west center of section line, N 89°51'44"E 1042.75 feet to an Iron Pin;

thence, leaving said center of section line S 48°43'18"E 92.00 feet to an Iron Pin; said point also being the REAL POINT OF BEGINNING;

thence, continuing S 48°43'18"E 535.00 feet to an Iron Pin;

thence, S 41°23'14"W 815.52 feet to an Iron Pin;

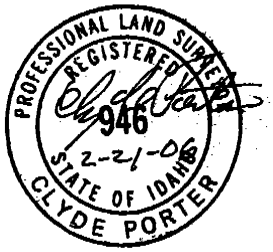
thence, N 48°42'08"W 533.93 feet to an Iron Pin;

thence, N 41°18'45"E 815.34 feet to the REAL POINT OF BEGINNING;

said parcel contains 10.00 acres, more or less;

said parcel being subject to 30.00 foot wide access easements as shown on Record of Survey Instrument No. 200611908, Records of Canyon County, Idaho;

said parcel also being subject to any other right-of-ways or easements, of record or in use.



PORTER'S LAND SURVEYING, INC.
921 South Curtis Road
Boise, Idaho 83705-1840
Phone: (208) 344-3650

February 21, 2006

Legal Description of Parcel 7
for Scott VerHagen

A parcel of land being a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 1 North, Range 3 West, Boise Meridian; Canyon County, Idaho; more particularly described as follows:

Beginning at an Aluminum Cap marking the Center 1/4 Section Corner of Section 16, T.1 N., R.3 W., B.M.; said point also being the REAL POINT OF BEGINNING;

thence, along the east-west center of section line, N 89°51'44"E 1042.75 feet to an Iron Pin;

thence, leaving said center of section line, S 48°43'18"E 92.00 feet to an Iron Pin;

thence, S 41°18'45"W 815.34 feet to an Iron Pin;

thence, N 48°42'08"W 764.31 feet to a point on the north-south center of section line of said Section 16; said point being witnessed by and Iron Pin which bears N 0°12'13"E 1.00 foot distant;

thence, along said north-south center of section line, N 0°12'13"E 166.19 feet to the REAL POINT OF BEGINNING;

said parcel contains 10.00 acres, more or less;

said parcel being subject to 30.00 foot wide access easements as shown on Record of Survey Instrument No. 200611908, Records of Canyon County, Idaho;

said parcel also being subject to any other right-of-ways or easements, of record or in use.

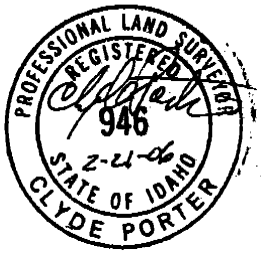


Exhibit 2.F

Director Decision
Administrative Land Division Amendment

Development Services Department
Canyon County Code of Ordinances 16-007 - §07-10-17

2020-011454
RECORDED
03/02/2020 11:27 AM
00502807202000114540080080
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=8 DLSTEPHENS $31.00
MISC
MARRY BETH VERHAGEN

Case Number: AD2019-0093

Parcel #(s): R28800

Property Owner (s): Scott and Mary Beth Verhagen & Smith Family Trust

Request: The applicant is requesting to amend Administrative Land Division LS2006-65. The subject parcels will be modified in accordance with Instrument No. 2019-048863 as follows: The original Parcel 1, which was described as 72.79 acres and did not include Govt. Lot 6, is being split into Parcel 1 (13.69 acres), Parcel 2 (63.61 acres) and Parcel 3 (24.78 acres). The new total includes Govt. Lot 6, which is why the total (102.08 acres) is more than the original. Parcels 1, 2, and 3 each have a building permit. Parcels 4 (10 acres) and 5 (10 acres) remain the same and have not been adjusted. The subject parcels are zoned "A" (Agricultural). Access is shown on the record of survey via a 60 foot wide ingress/egress easement from Melmont Road to access Parcels 2, 3, 4 & 5, and a 60 foot wide common access via Map Rock road to access Parcel 1.

History: The subject parcel R28800 is an original parcel dating to 1965 but was split in 2006 into three residential lots of 72 acres, 10 acres and 10 acres (with each containing a building permit – LS2006-65); however, no deeds were recorded until recently (9/24/2019). R28800 contains a government lot (Government Lot 6 – 29.3 acres) which would have an administrative division available for two lots.

Findings: Staff finds that the proposed request is compliant with Canyon County Code Section 07-18-01. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property. The Idaho Right to Farm Act (Idaho Code § 22-4503) applies to this land use decision. It should be noted that the land is in this area is very steep and may have issues with roadways, septic and water systems.

The parcel shall be divided in compliance with Instrument No. 2019-048863. The subject parcel shall be divided as follows:

Parcel 1: 13.69 ± acres with a residential building permit available
Parcel 2: 63.61 ± acres with a residential building permit available
Parcel 3: 24.78 ± acres with a residential building permit available
Parcel 4: 10.00 ± acres with a residential building permit available (Parcel 4 not being adjusted)
Parcel 5: 10.00 ± acres with a residential building permit available (Parcel 5 not being adjusted)

Condition: Parcels 2-5 are not eligible for a building permit until a road user's maintenance agreement and private road are approved.

Decision: The application documents, including the metes and bounds description(s), and the record of survey complies with CCZO §07-10-17. The application to complete the described land division in accordance with CCZO Section 07-18-01 is **APPROVED**.

Patricia Nilsson — **Patricia Nilsson, Director**

February 29, 2020 — **Date**

Exhibit 2.F

State of Idaho)

SS

County of Canyon County)

On this 2nd day of March, in the year of 2020, before me Janet LaMont, a notary public, personally appeared Patricia Nilsson, personally known 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.

Notary: Janet La Mont

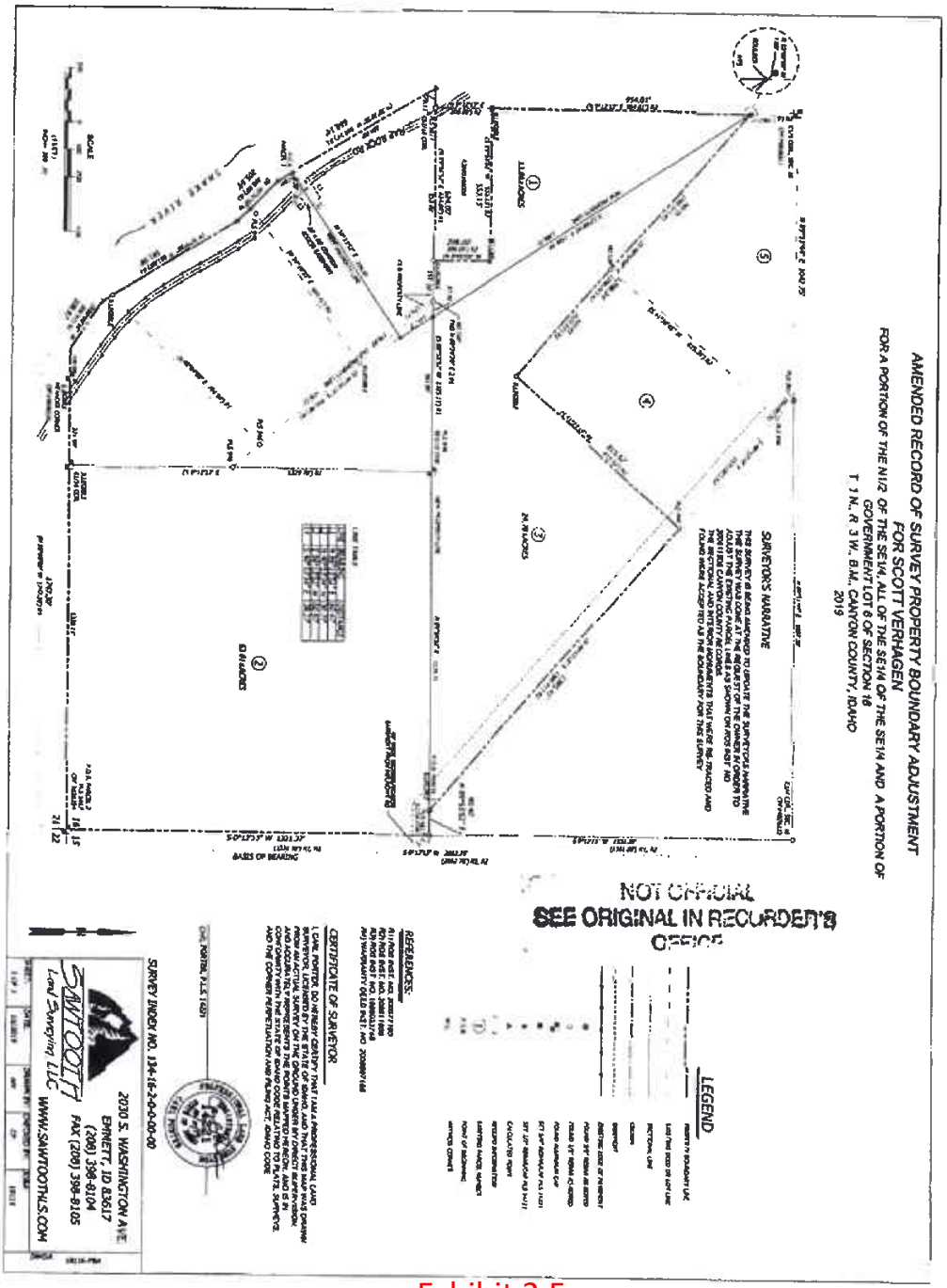
My Commission Expires: 5-29-2021

JANET LA MONT
COMMISSION #40131
NOTARY PUBLIC
STATE OF IDAHO

2019-048863
RECORDED
10/11/2019 02:41 PM

00471894201900488630010016
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=1 PBRIDGES $5.00
SURVEY
SAWTOOTH LAND SURVEYING

NOT OFFICIAL
SEE ORIGINAL IN RECORDER'S
OFFICE



NOT OFFICIAL
SEE ORIGINAL IN RECORDER'S
OFFICE

Sawtooth Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

560 W. Canfield Ave., #200
Coeur d'Alene, ID 83815
P: (208) 714-4544
F: (208) 719-0404

410 S Lincoln St, Ste G
Jerome, ID 83338
P: (208) 329 5303
F: (208) 324-3821

Parcel 1 Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" East, between a 5/8" rebar cap PLS 5617 marking the S1/16 corner common to Sections 15 & 16 and an aluminum cap PLS 5617 marking the section corner common to Sections 15, 16, 21, and 22, both in T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

A parcel of land being a portion of the SE1/4 and a portion of Government Lot 6, of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

COMMENCING at an aluminum cap PLS 5617 marking the southeast corner of Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1747.30 feet, to the ordinary high water line of the right bank of the Snake River, as shown on Record of Survey Inst. No. 200577180 Canyon County Records, from which an aluminum cap meander corner bears South 90°00'00" East, 100.60 feet;

Thence North 56°06'16" West, coincident with said ordinary high water line of the right bank of the Snake River, 208.97 feet;

Thence North 32°04'38" West, coincident with said ordinary high water line of the right bank of the Snake River, 581.08 feet;

Thence North 45°52'50" West, coincident with said ordinary high water line of the right bank of the Snake River, 205.69 feet;

Thence North 30°26'55" West, coincident with said ordinary high water line of the right bank of the Snake River, 63.54 feet marked by a 1/2" rebar cap PLS 14221 witness corner from which bears North 56°13'52" East, 30.00 feet to the **POINT OF BEGINNING**;

Thence continuing North 30°26'55" West, coincident with said ordinary high water line of the right bank of the Snake River, 604.60 feet marked from which a 5/8" rebar PLS 5617 marking the CS1/16 corner bears North 89°55'52" East, 70.11 feet;

Thence North 89°55'52" East, coincident with the south line of the N1/2 of the SE1/4 of said Section 16, 624.00 feet to a 1/2" rebar with illegible cap;

Thence North 0°00'00" West, 208.00 feet to a 5/8" rebar with no cap;

Thence South 89°55'52" West, 553.15 feet to a 5/8" rebar with illegible cap;

Thence North 0°12'13" East, 954.01 feet to a 5/8" rebar cap PLS 14221;

Thence South 33°08'40" East, 1528.44 feet to a 1/2" rebar cap PLS 14221;

Thence South 56°13'52" West, 726.01 feet to the **POINT OF BEGINNING.**

The above described parcel contains 13.69 acres more or less.



Sawtooth Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

560 W. Canfield Ave., #200
Coeur d'Alene, ID 83815
P: (208) 714-4544
F: (208) 719-0404

410 S Lincoln St, Ste C
Jerome, ID 83338
P: (208) 329-5303
F: (208) 324-3821

Parcel 2 Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" East, between a 5/8" rebar cap PLS 5617 marking the S1/16 corner common to Sections 15 & 16 and an aluminum cap PLS 5617 marking the section corner common to Sections 15, 16, 21, and 22, both in T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

A parcel of land being the SE1/4 of the SE1/4 and a portion of Government Lot 6, of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

BEGINNING at an aluminum cap PLS 5617 marking the southeast corner of Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1747.30 feet, to the ordinary high water line of the right bank of the Snake River, as shown on Record of Survey Inst. No. 200577180 Canyon County Records, from which an aluminum cap meander corner bears South 90°00'00" East, 100.60 feet;

Thence North 56°06'16" West, coincident with said ordinary high water line of the right bank of the Snake River, 208.97 feet;

Thence North 32°04'38" West, coincident with said ordinary high water line of the right bank of the Snake River, 581.08 feet;

Thence North 45°52'50" West, coincident with said ordinary high water line of the right bank of the Snake River, 205.69 feet;

Thence North 30°26'55" West, coincident with said ordinary high water line of the right bank of the Snake River, 63.54 feet marked by a 1/2" rebar cap witness corner from which bears North 56°13'52" East, 30.00 feet;

Thence North 56°13'52" East, 726.01 feet to a 1/2" rebar PLS 14221;

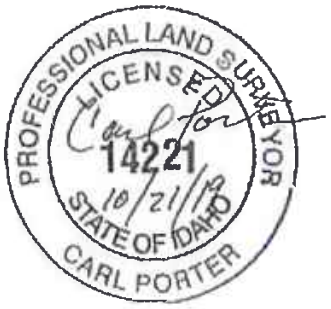
Thence North 33°08'40" West, 141.73 feet to a 1/2" rebar cap PLS 14221;

Thence North 89°55'52" East, coincident with the north line of the SE1/4 of the SE1/4 of said Section 16, a distance of 1887.91 feet to a 5/8" rebar cap PLS 5617 marking the S1/16 corner common to Sections 15 & 16;

Exhibit 2.F

Thence South 0°12'13" West, coincident with the east line of the SE1/4 of the SE1/4 of said Section 16, a distance of 1331.37 feet to the **POINT OF BEGINNING.**

The above described parcel contains 63.61 acres more or less.



Sawtooth Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

560 W. Canfield Ave., #200
Coeur d'Alene, ID 83815
P: (208) 714-4544
F: (208) 719-0404

410 S Lincoln St, Ste G
Jerome, ID 83338
P: (208) 329-5303
F: (208) 324-3821

Parcel 3 Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a 5/8" rebar cap PLS 5617 marking the S1/16 corner common to Sections 15 & 16 and an aluminum cap PLS 5617 marking the section corner common to Sections 15, 16, 21, and 22, both in T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

A parcel of land being a portion of the N1/2 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

COMMENCING at a 5/8" rebar cap PSL 5617 marking the S1/16 corner common to Sections 15 & 16;

Thence South 89°55'52" West, coincident with the south line of the N1/2 of the SE1/4 of said Section 16, a distance of 90.40 feet to the **POINT OF BEGINNING**;

Thence continuing South 89°55'52" West, coincident with said south line of the N1/2 of the SE1/4 of Section 16, a distance of 1797.51 feet to a 1/2" rebar cap PLS 14221;

Thence North 33°08'40" West, 1386.71 feet to a 5/8" rebar cap PLS 14221;

Thence South 48°42'08" East, 1298.24 feet to a 1/2" rebar with illegible cap;

Thence North 41°23'14" East, 815.52 feet to a 1/2" rebar cap PLS 946;

Thence South 48°43'18" East, 1385.41 feet to the **POINT OF BEGINNING.**

The above described parcel contains 24.78 acres more or less.



Exhibit 2.F

2021-087065
RECORDED
12/23/2021 10:34 AM
00671958202100870650020021
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 TYOUREN $13.00
MISC
SCOTT VERHAGEN

Director Decision
Property Boundary Adjustment

Development Services Department
Canyon County Code of Ordinances 16-007 - §07-10-17

Case Number: AD2021-0200
Parcel #(s): R28800010, R28800012, R28800011, & R28800010A
Property Owner (s): Smith Family Trust & Scott VerHagen

Request: The applicants are requesting a property boundary adjustment affecting the property lines of four (4) contiguous parcels, R28800010, R28800012, R28800011, and R28800010A. The parcels are zoned "A" (Agricultural). The purpose of the adjustment is to locate the buildable parcels near adequate access. The request includes new 60-foot wide ingress-egress easement for access of parcels B, C, & D.

Property History: Parcel R28800 consisting of an "original parcel" and a government lot was split into three residential lots (with each containing a building permit, Case LS2006-65); however, no deeds were recorded. The division (Case LS2006-65) was later amended by AD2019-0093, to create a five (5) parcels and a 60-foot wide ingress-egress easement via Map Rock Road.

Findings Pursuant of CCZO §07-10-17: This property boundary adjustment request will not create eligibility for building permit nor any additional building permits. It does not result in the relocation of a building permit or provide for an administrative lot split. The affected parcels are not platted. The property boundary adjustment will adjust one property boundary more than 80 feet. However, the adjustment will not cause injury, damage or a safety hazard to surrounding parcels or agricultural uses. This property boundary adjustment does not create non-conforming parcels. Parcels B, C, & D will be served by a 60-foot access easement. In accordance with CCZO 07-10-03(1)B(3), a Road User's Maintenance Agreement (RUMA) has been recorded (Instrument No. 2021-083238). This application with supporting documents is in substantial compliance with the requirements of the effective zoning ordinance §07-10-17.

The subject parcels will be adjusted in accordance with Record of Survey Instrument No. 2021-086536 as the following:

Parcel #:	Existing Acreage	New Acreage
Parcel A	10.01 ±	7.868 ± acres, w/ residential permit available
Parcel B	24.78 ±	8.382 ± acres w/ residential permit available
Parcel C	63.61 ±	10.864 ± acres w/ residential permit available
Parcel D	10.00 ±	81.290 ± acres w/ residential permit available

DISCLAIMER: Parcels will not be adjusted by the Assessor's Office until deeds are recorded.

Decision: The application documents, including the metes and bounds description(s), and the record of survey complies with CCZO §07-10-17. Therefore, ***the property boundary adjustment is hereby APPROVED.***

Steve ~~Fultz, Planning~~ Director — **Date** 12/22/21

State of Idaho)
SS
County of Canyon County)

On this 22nd day of December, in the year of 2021, before me Kathleen Frost, a notary public, personally appeared Stephen Fultz, personally known 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.

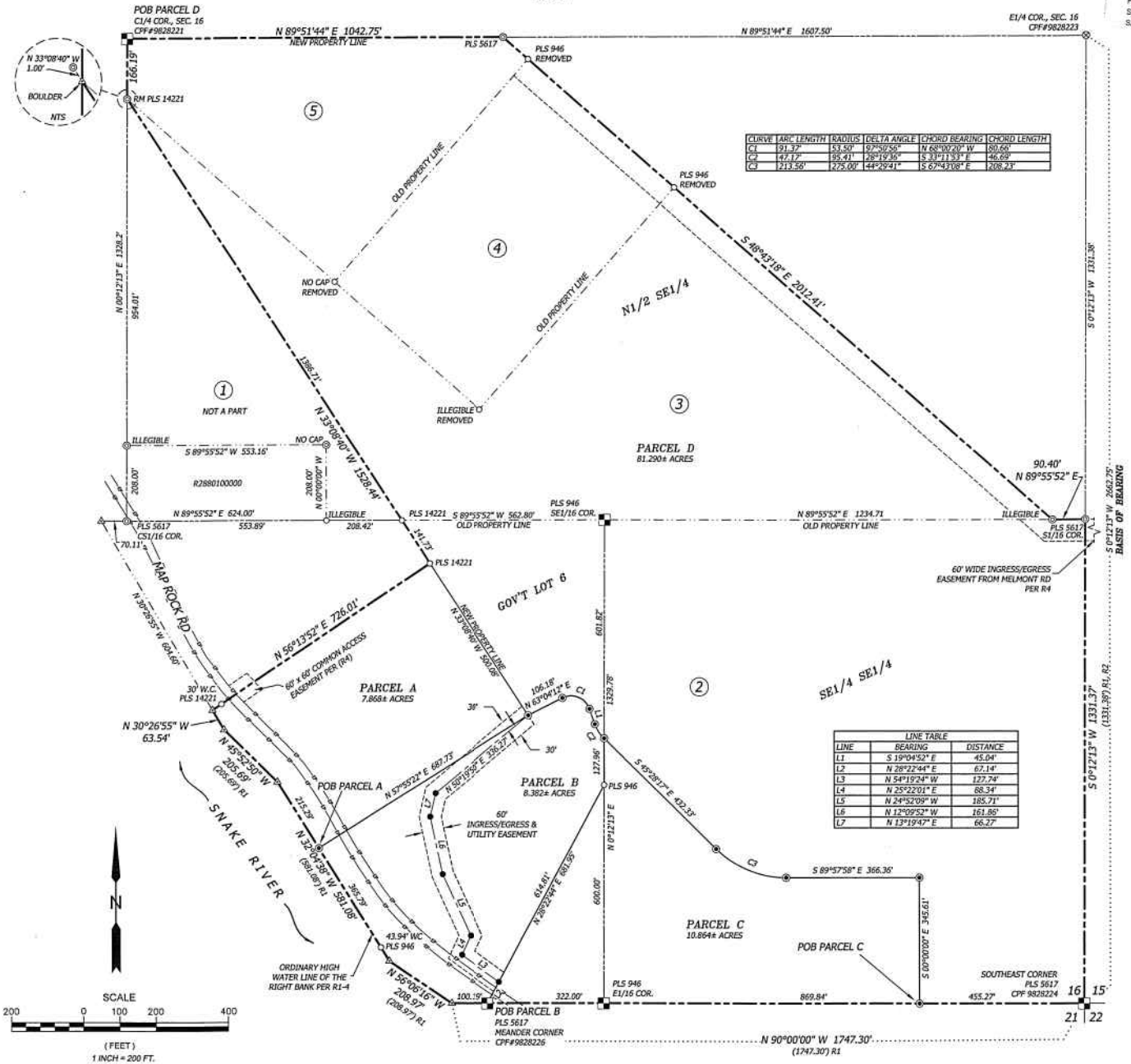
KATHLEEN FROST
COMMISSION #67887
NOTARY PUBLIC
STATE OF IDAHO

Notary: K Frost
My Commission Expires: 12-3-2022

RECORD OF SURVEY/PROPERTY BOUNDARY ADJUSTMENT

FOR SCOTT VERHAGEN
FOR A PORTION OF THE N1/2 OF THE SE1/4, THE SE1/4 OF THE SE1/4
AND A PORTION OF GOVERNMENT LOT 6 OF SECTION 16
T. 1 N., R. 3 W., B.M., CANYON COUNTY, IDAHO
2021

2021-086536
RECORDED
12/21/2021 12:17 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=1 MKEYES
SURVEY $5.00
SAWTOOTH LAND SURVEYING LLC



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	91.37'	53.50'	97°50'56"	N 68°00'20" W	80.66'
C2	47.17'	95.41'	28°19'36"	S 33°11'53" E	46.69'
C3	213.56'	275.00'	44°29'41"	S 67°43'08" E	208.23'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 19°04'52" E	45.04'
L2	N 28°22'44" E	67.14'
L3	N 54°19'24" W	127.74'
L4	N 25°22'01" E	88.34'
L5	N 24°52'09" W	185.71'
L6	N 12°09'52" W	161.86'
L7	N 13°19'47" E	66.27'

LEGEND

- PROPERTY BOUNDARY LINE
- EXISTING DEED OR PROPERTY LINE
- SECTIONAL LINE
- NEW PROPERTY LINE
- EASEMENT
- EXISTING EDGE OF PAVEMENT
- FOUND 5/8" REBAR AS NOTED
- FOUND 1/2" REBAR AS NOTED
- FOUND IRON PIPE
- FOUND ALUMINUM CAP
- SET 5/8" REBAR/CAP PLS 11574
- SET 1/2" REBAR/CAP "EASEMENT PLS 11574"
- CALCULATED POINT
- ( ) RECORD INFORMATION
- (1) EXISTING PARCEL NUMBER
- POB POINT OF BEGINNING
- WC WITNESS CORNER
- RM REFERENCE MONUMENT

SURVEYOR'S NARRATIVE

SAWTOOTH LAND SURVEYING WAS CONTRACTED BY SCOTT VERHAGEN TO ADJUST THE PARCEL LINES FOR PARCELS 2-5 AS SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 2019-048863, CANYON COUNTY RECORDS AND DESCRIBED IN THE QUITCLAIM DEEDS REFEERENCED HEREON.

THE SECTIONAL AND EXTERIOR BOUNDARY MONUMENTS WERE RE-TRACED, FOUND AND ACCEPTED FOR THE BOUNDARY OF THIS SURVEY.

THE NEW INTERIOR PROPERTY LINES AND THE 60-FOOT-WIDE INGRESS/EGRESS AND UTILITY EASEMENTSHOWN IN PARCELS B AND C WERE CREATED AT THE DIRECTION OF THE OWNER.

REFERENCES:

R1) RECORD OF SURVEY INST. NO. 200577180
R2) RECORD OF SURVEY INST. NO. 200611908
R3) RECORD OF SURVEY INST. NO. 1998033748
R4) RECORD OF SURVEY INST. NO. 2019-048863
R5) QUITCLAIM DEED INST. NO. 2019-045100
R6) QUITCLAIM DEED INST. NO. 2019-051562
R7) QUITCLAIM DEED INST. NO. 2019-051563
R8) QUITCLAIM DEED INST. NO. 2019-045099

CERTIFICATE OF SURVEYOR

I, JEFF BEAGLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS MAPPED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE.

JEFF BEAGLEY — P.L.S. 11574

PROFESSIONAL LAND SURVEYOR LICENSED 11574 12/17/21 STATE OF IDAHO JEFF BEAGLEY

SURVEY INDEX NO. 134-16-2-0-0-00-00

SAWTOOTH Land Surveying, LLC
2030 S. WASHINGTON AVE.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105
WWW.SAWTOOTHLS.COM

SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:	DWG#:
1 OF 1	11/2021	AR	JB	120074	120074-PBA

Exhibit 2-G

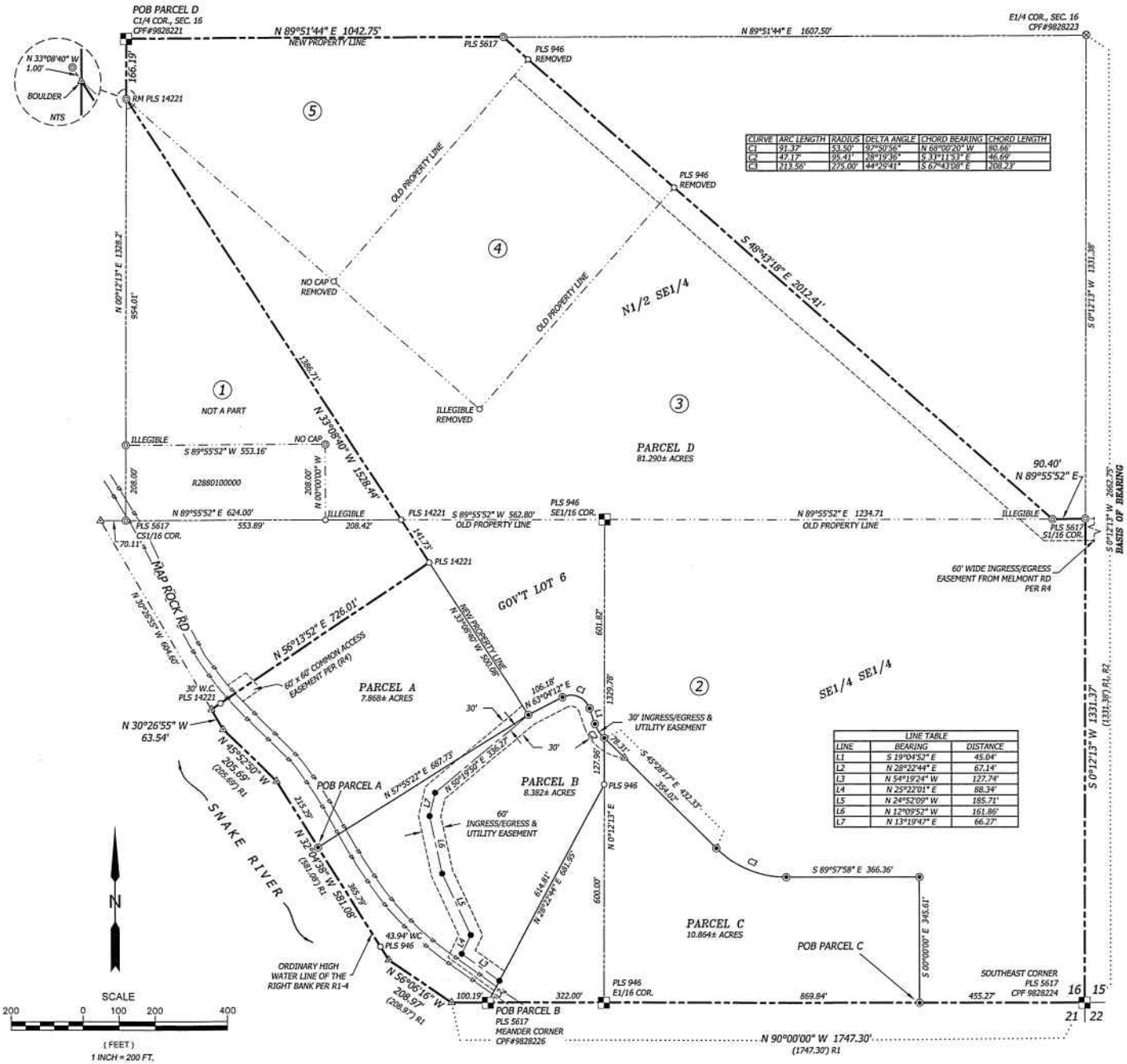
Exhibit 2-G

AMENDED RECORD OF SURVEY/PROPERTY BOUNDARY ADJUSTMENT

FOR SCOTT VERHAGEN

FOR A PORTION OF THE N1/2 OF THE SE1/4, THE SE1/4 OF THE SE1/4
AND A PORTION OF GOVERNMENT LOT 6 OF SECTION 16
T. 1 N., R. 3 W., B.M., CANYON COUNTY, IDAHO
2022

2022-012678
RECORDED
03/08/2022 04:06 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=1 PBRIDGES $5.00
SURVEY
SAWTOOTH LAND SURVEY



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
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△	CALCULATED POINT
( )	RECORD INFORMATION
(1)	EXISTING PARCEL NUMBER
POB	POINT OF BEGINNING
WC	WITNESS CORNER
RM	REFERENCE MONUMENT

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SAWTOOTH LAND SURVEYING WAS CONTRACTED BY SCOTT VERHAGEN TO ADJUST THE PARCEL LINES FOR PARCELS 2-5 AS SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 2019-048863, CANYON COUNTY RECORDS AND DESCRIBED IN THE QUITCLAIM DEEDS REFERENCED HEREON.

THE SECTIONAL AND EXTERIOR BOUNDARY MONUMENTS WERE RE-TRACED, FOUND AND ACCEPTED FOR THE BOUNDARY OF THIS SURVEY. THE NEW INTERIOR PROPERTY LINES AND THE 60-FOOT-WIDE INGRESS/EGRESS AND UTILITY EASEMENT SHOWN IN PARCELS A AND B WERE CREATED AT THE DIRECTION OF THE OWNER.

THIS SURVEY AMENDS RECORD OF SURVEY INSTRUMENT NO. 2021-086536 TO ADD THE ADDITIONAL 30 -FOOT-WIDE INGRESS/EGRESS AND UTILITY EASEMENT THROUGH PARCELS B AND C.

REFERENCES:

R1) RECORD OF SURVEY INST. NO. 200577180
R2) RECORD OF SURVEY INST. NO. 200611908
R3) RECORD OF SURVEY INST. NO. 1998033748
R4) RECORD OF SURVEY INST. NO. 2019-048863
R5) QUITCLAIM DEED INST. NO. 2019-045100
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PROFESSIONAL LAND SURVEYOR LICENSED 11574 3/8/22 STATE OF IDAHO JEFF BEAGLEY

JEFF BEAGLEY P.L.S. 11574

SURVEY INDEX NO. 134-16-2-0-0-00-00

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SHEET:	DATE:	DRAWN BY:	CHECKED BY:	JOB#:
1 OF 1	11/2021	AR	JB	120074

DWG#: 120074-PBA

Exhibit 2-H

Exhibit 2-H

Development Services Department

Canyon County, 111 North 11th Avenue, Caldwell, ID 83605
(208) 454 7458 • (208) 454 6633 Fax • Zoninginfo@canyonco.org • www.canyonco.org/dsd

July 1, 2021
RE: Parcel Inquiry for R28800010, R28800012, R28800011, & R28800010A
Question: Are the parcels eligible for a split?

07-18-01: ADMINISTRATIVE LAND DIVISIONS FOR ALL ZONES:

*(1) Administrative Land Divisions: An administrative land division of an original parcel is allowed in accordance with the following: **(An original parcel predates the zoning ordinance of Sept. 6, 1979 and has not been split)***

*A. For land zoned A (agricultural), the **minimum parcel size is one acre** and an administrative land division of an original parcel is allowed in accordance with the following:*

Less than 80 acres	*2 residential parcels*
80 to 119 acres	*3 residential parcels*
More than 120 acres	*4 residential parcels*

B. For all other zones land may be divided into no more than four (4) parcels through the administrative land division process. The minimum parcel or lot area shall be subject to the minimum lot size provisions of subsection 07-10-21(2) of this chapter.

R28800010, R28800012, R28800011, & R28800010A

The mother parcel R28800 was split through LS2006-65 which was later amend by AD2019-0093 to create these parcels. Each parcel does have a building permit available but does not have any more splits available on them.

Any further divisions require a Comprehensive Plan Map Amendment ($2500) to change the future land use designation from agriculture to residential, a Rezone ($850) to change the current zoning from agriculture to residential, followed by the subdivision process ($1680+$10/lot) to legally plat and record lots.

The parcel is currently zoned agriculture, the future land use is designated agriculture, it is not located in city's area of impact, and there is no residential zoning in this area. These create unfavorable conditions for further development to be considered in this area.

Please let me know if you have additional questions.
Sincerely,
Cassie Lamb
Planner I
Clamb@canyonco.org
208-454-6627

PARCEL INQUIRY REQUEST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605
Email: zoninginfo@canyonco.org Phone: 208-454-7458 Fax: 208-454-6633

Type of Inquiry: ☐ General Information (e.g. zoning, setbacks)
☒ Status of Entitlements (e.g. is a building permit /land division available?)

Note: there is a $35.00 fee per entitlement inquiry per parcel. We accept debit/credit cards, cash and checks. A credit card authorization form is attached for your convenience.

Person Making Inquiry: ☐ Property Owner ☒ Realtor ☐ Other

Name: Bill Stradley Date: 04-28-2021

Address: 2317 Julian Dr.

City: Nampa State: ID Zip: 83686

Phone Number: 208-250-7378

Email address: billtst@cableone.net

Please include as much information below as possible:

Site Information: Address: TBD MAP ROCK ROAD

Tax Parcel Number (if known) R28800V000 Approximate Acreage: 63.61

Provide a detailed description of the information you require. Please be as specific as possible.

Would like to Inquire about Availability of Building Permits + possibility of more Land Division!

Staff will provide a written response upon completion of the property research.

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

PARCEL INQUIRY # PI2021-0306 **FEE $** 35.00 **DATE:** 4.28.21

NOTES:

Revised 3/12/2021

PARCEL INQUIRY REQUEST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605
Email: zoninginfo@canyonco.org Phone: 208-454-7458 Fax: 208-454-6633

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Name: Bill Stradley Date: 04-28-2021

Address: 2317 Julian Dr.

City: Nampa State: ID Zip: 83686

Phone Number: 208-250-7378

Email address: billtst@cableone.net

Please include as much information below as possible:

Site Information: Address: TBD MAP ROCK ROAD

Tax Parcel Number (if known) R2880001200 Approximate Acreage: 10.00

Provide a detailed description of the information you require. Please be as specific as possible.

Would like to Inquire about Availability of Building Permits + possibility of more Land Division!

Staff will provide a written response upon completion of the property research.

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PARCEL INQUIRY # _____ **FEE $** 35.00 **DATE:** 4.28.21

NOTES:

Revised 3/12/2021

PARCEL INQUIRY REQUEST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605
Email: zoninginfo@canyonco.org Phone: 208-454-7458 Fax: 208-454-6633

Type of Inquiry: ☐ General Information (e.g. zoning, setbacks)
☒ Status of Entitlements (e.g. is a building permit /land division available?)

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Person Making Inquiry: ☐ Property Owner ☒ Realtor ☐ Other

Name: Bill Stradley Date: 04-28-2021

Address: 2317 Julian Dr.

City: Nampa State: ID Zip: 83686

Phone Number: 208-250-7378

Email address: billtst@cableone.net

Please include as much information below as possible:

Site Information: Address: TBD MAP ROCK ROAD.

Tax Parcel Number (if known) R2880001100 Approximate Acreage: 10.01

Provide a detailed description of the information you require. Please be as specific as possible.

Would like to Inquire about Availability of Building Permits + possibility of more Land Division!

Staff will provide a written response upon completion of the property research.

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

PARCEL INQUIRY # _____ **FEE $** 35.00 **DATE:** 4.28.21

NOTES:

Revised 3/12/2021

PARCEL INQUIRY REQUEST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #140, Caldwell, ID 83605
Email: zoninginfo@canyonco.org Phone: 208-454-7458 Fax: 208-454-6633

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☒ Status of Entitlements (e.g. is a building permit /land division available?)

Note: there is a $35.00 fee per entitlement inquiry per parcel. We accept debit/credit cards, cash and checks. A credit card authorization form is attached for your convenience.

Person Making Inquiry: ☐ Property Owner ☒ Realtor ☐ Other

Name: Bill Stradley Date: 04-28-2021

Address: 2317 Julian Dr.

City: Nampa State: ID Zip: 83686

Phone Number: 208-250-7378

Email address: billtst@cableone.net

Please include as much information below as possible:

Site Information: Address: TBD MAP ROCK ROAD

Tax Parcel Number (if known) R28800010A0 Approximate Acreage: 24.78

Provide a detailed description of the information you require. Please be as specific as possible.

Would like to Inquire about Availability of Building Permits + possibility of more Land Division!

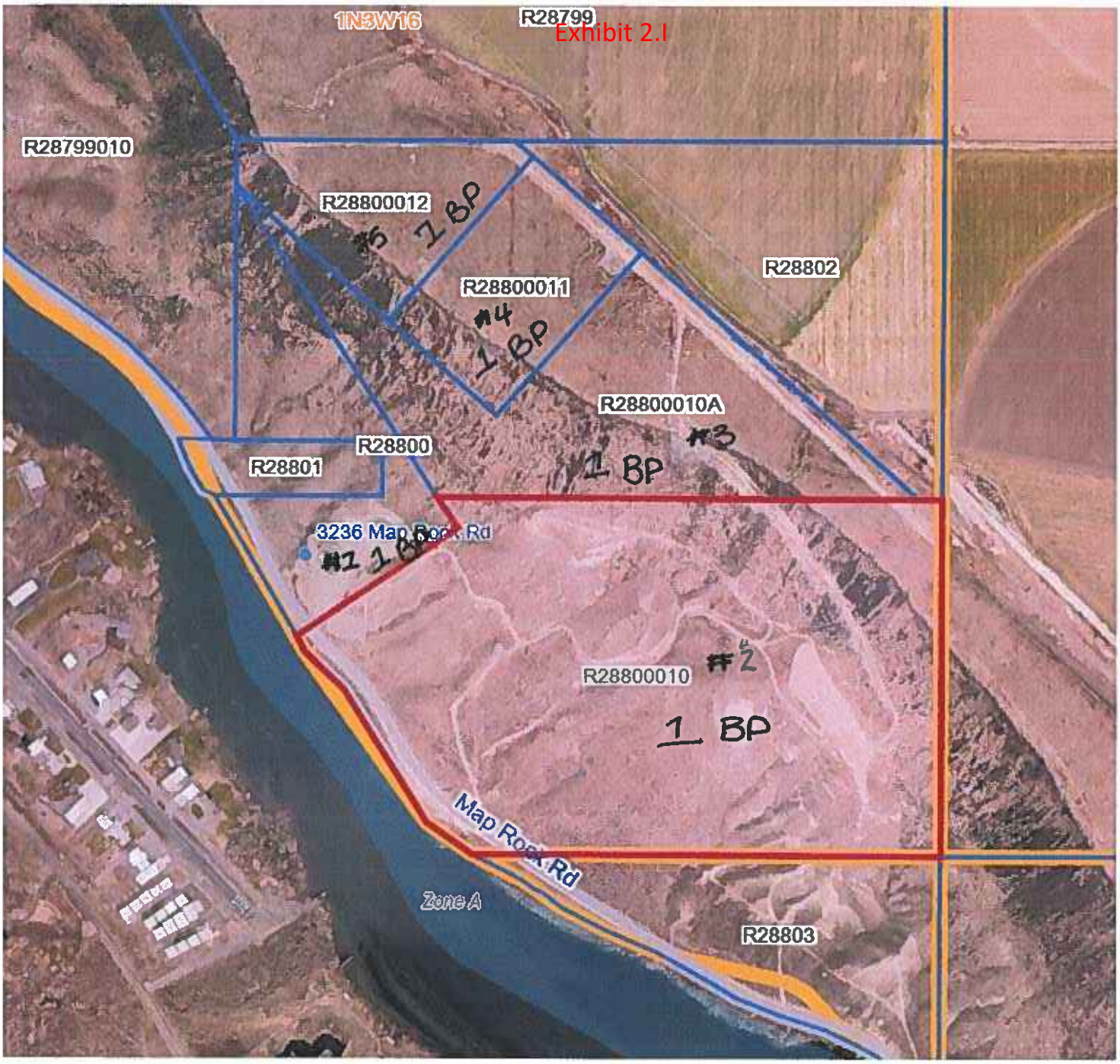
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PARCEL INQUIRY # _____ **FEE $** 35.00 **DATE:** 4-28-21

NOTES:

Revised 3/12/2021



Numbers are the parcel/lot # from the Survey.

Director Decision
Administrative Land Division Amendment

Development Services Department
Canyon County Code of Ordinances 16-007 - §07-10-17

2020-011454
RECORDED
03/02/2020 11:27 AM

00502807202000114540080080

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=8 DLSTEPHENS $31.00
MISC
MARRY BETH VERHAGEN

Case Number: AD2019-0093

Parcel #(s): R28800

Property Owner (s): Scott and Mary Beth Verhagen & Smith Family Trust

Request: The applicant is requesting to amend Administrative Land Division LS2006-65. The subject parcels will be modified in accordance with Instrument No. 2019-048863 as follows: The original Parcel 1, which was described as 72.79 acres and did not include Govt. Lot 6, is being split into Parcel 1 (13.69 acres), Parcel 2 (63.61 acres) and Parcel 3 (24.78 acres). The new total includes Govt. Lot 6, which is why the total (102.08 acres) is more than the original. Parcels 1, 2, and 3 each have a building permit. Parcels 4 (10 acres) and 5 (10 acres) remain the same and have not been adjusted. The subject parcels are zoned "A" (Agricultural). Access is shown on the record of survey via a 60 foot wide ingress/egress easement from Melmont Road to access Parcels 2, 3, 4 & 5, and a 60 foot wide common access via Map Rock road to access Parcel 1.

History: The subject parcel R28800 is an original parcel dating to 1965 but was split in 2006 into three residential lots of 72 acres, 10 acres and 10 acres (with each containing a building permit – LS2006-65); however, no deeds were recorded until recently (9/24/2019). R28800 contains a government lot (Government Lot 6 – 29.3 acres) which would have an administrative division available for two lots.

Findings: Staff finds that the proposed request is compliant with Canyon County Code Section 07-18-01. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property. The Idaho Right to Farm Act (Idaho Code § 22-4503) applies to this land use decision. It should be noted that the land is in this area is very steep and may have issues with roadways, septic and water systems.

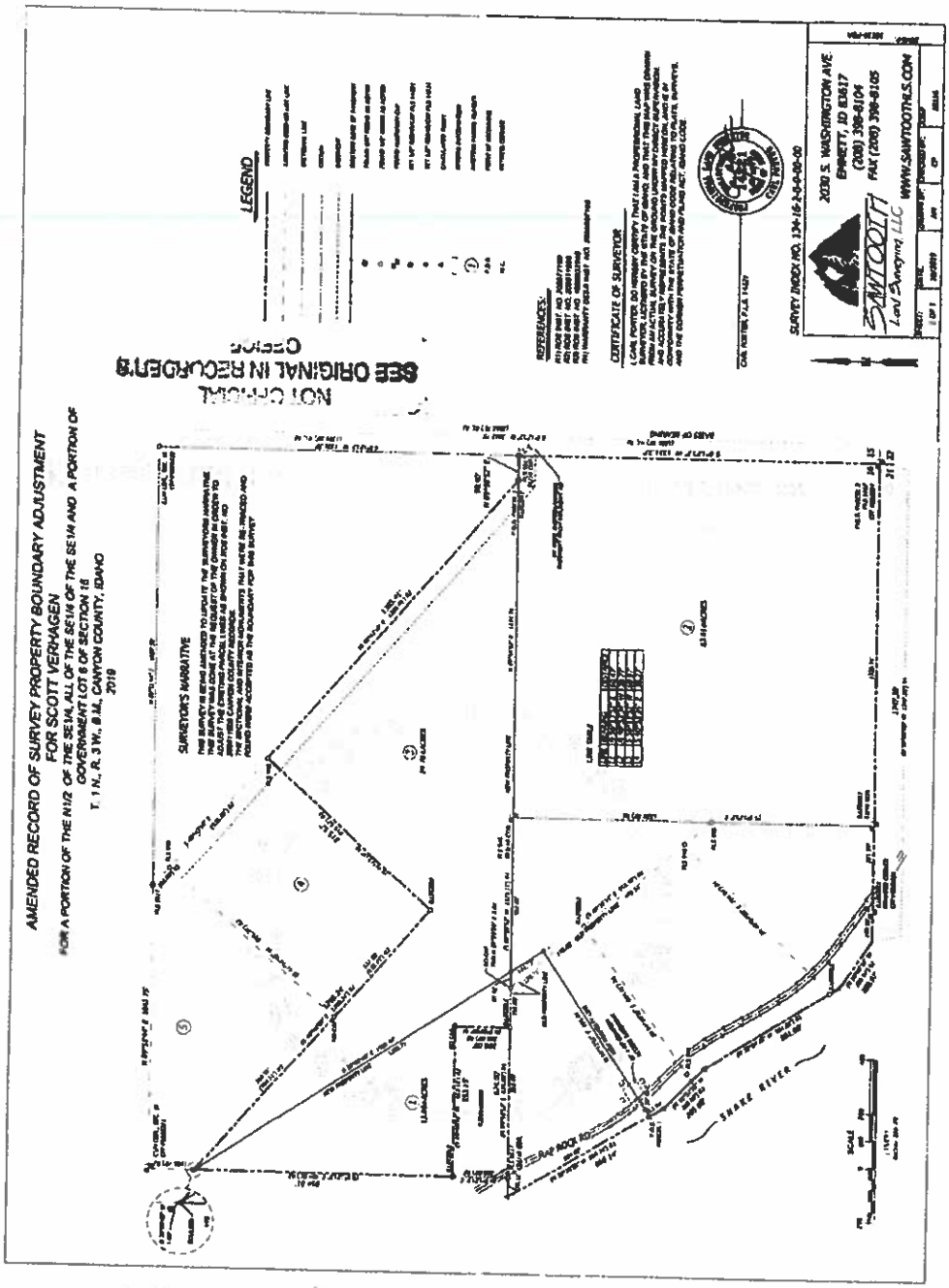
The parcel shall be divided in compliance with Instrument No. 2019-048863. The subject parcel shall be divided as follows:

Parcel 1: 13.69 ± acres with a residential building permit available
Parcel 2: 63.61 ± acres with a residential building permit available
Parcel 3: 24.78 ± acres with a residential building permit available
Parcel 4: 10.00 ± acres with a residential building permit available (Parcel 4 not being adjusted)
Parcel 5: 10.00 ± acres with a residential building permit available (Parcel 5 not being adjusted)

Condition: Parcels 2-5 are not eligible for a building permit until a road user's maintenance agreement and private road are approved.

Decision: The application documents, including the metes and bounds description(s), and the record of survey complies with CCZO §07-10-17. The application to complete the described land division in accordance with CCZO Section 07-18-01 is **APPROVED**.

Patricia Nilsson, Director — February 29, 2020 Date



SEE ORIGINAL IN RECORDER'S OFFICE

NOT ORIGINAL

SEE ORIGINAL IN RECORDER'S OFFICE

SAWTOOTH LAND SURVEYING
SURVEY
Pgs=1 PBRIDGES $5.00
CANYON COUNTY RECORDER
CHRIS YAMAMOTO
0047184201900488630010016

10/11/2019 02:41 PM
RECORDED
2019-048863


Exhibit J: Previous Divisions/Property Boundary Adjustments
Legend
2005
(LS2006-65)
2019
(AD2019-0093)
2021
(AD2021-0200)
Gov Lot 6
Original Parcel
Minus Gov Lot 6
R2880011
Subject Property

NAMPA HIGHWAY DISTRICT NO. 1

October 10, 2024

To: Karla Nelson
Principal Planner, Canyon County Development Services

From: Eddy Thiel
Right-of-way Tech

Re; AD 2025-0046, AD2025-0047, AD2025-0048, AD2025-0049

I have reviewed the request for approval of an Administrative Land Division for parcel R2880001100 as non-viable for Ag users with a date of Notification of June 17, 2025, received on June 17, 2025.

Comments are based upon information provided to the Highway District by Canyon County Development Services. Nampa Highway District #1 recommends the request be denied subject to the following information:

1. The subject Property takes access from Map Rock Rd.
2. NHD#1 Functional Classification of Map Rock Rd is Rural Local Roadway.
3. Patron must submit an NHD#1 Land Split Application, the associated $250.00 fee, and a drawing showing the splits and any points of access. A site visit will be required to confirm any approach meets current Stopping Sight Distance/Spacing requirements.

All comments above are based on the ACCHD Standards Manual and Nampa Highway District #1 Supplementals.

Nampa Highway District #1 reserves the right to provide amended comments/conditions of approval subject to the formal review by the Highway District, Split revisions, and/or revisions to the ACCHD Standards Manual or NHD#1 Supplementals.

4507 12th Avenue Road, Nampa, ID 83686 Phone (208) 467-6576 Fax (208) 467-9916

Exhibit 2.K

Karla Nelson

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Wednesday, June 18, 2025 2:18 PM
To: Karla Nelson
Subject: [External] RE: Agency Notice AD2025-0046 - AD2025-0049 / Best Investments LLC

Hi Karla,

Please have the applicant reach out to SWDH for a pre-development meeting.

Please let me know if you have any questions.

Thank you,

Check out our new online self-service portal here! PORTAL

Anthony Lee, RS/BS | Land Development Senior

o 208.455.5384 | c 208.899.1285 | f 208.455.5300

anthony.lee@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Tuesday, June 17, 2025 8:26 AM
To: 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'eddy@nampahighway1.com' <eddy@nampahighway1.com>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'Richard.Sims' <middletown.rich@gmail.com>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; Rick Britton <Rick.Britton@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Lucy Ostyn <lucy.ostyn@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <kathy.husted@canyoncounty.id.gov>; GIS and Addressing Division <GISAddressing@canyoncounty.id.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'laura.johnson@isda.idaho.gov' <laura.johnson@isda.idaho.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>;

Karla Nelson

From: Austin Boschma <boshify@outlook.com>
Sent: Wednesday, June 25, 2025 8:37 PM
To: Karla Nelson; Julia Jones; Bret Jones; s_gravance@yahoo.com; jeffp1134@gmail.com; Tanna Boschma
Subject: [External] Objection to the proposed subdivision of Parcel R2880001100
Attachments: Master Application Packet for File AD2025-0046,47,48,49 - PIN 28800011 0.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To: Principal Planner Karla Nelson, Canyon County Development Services

From: Residents of Parcels R28801 (Mr. & Mrs. Gravance), R28800010B (Mr. & Mrs. Boschma), R28800010 (Mr. & Mrs. Jones), and R28800010C (Mr. Peterson)

Date: June 25, 2025

Subject: Formal Objection to Parcel Split Request for R2880001100 (Case Numbers AD2025-0046 through AD2025-0049)

Dear Principal Planner Karla Nelson,

This letter serves as a formal objection to the proposed subdivision of Parcel R2880001100 into eight separate parcels, as detailed in the application received on June 20, 2025, under Case Numbers AD2025-0046, AD2025-0047, AD2025-0048, and AD2025-0049. We, the undersigned property owners of adjacent parcels R28801, R28800010B, R28800010, and R28800010C, respectfully urge Canyon County Development Services to deny this application based on the following significant and unaddressed concerns:

Inconsistency with the Melba Comprehensive Plan and Existing Land Use

The proposed subdivision of Parcel R2880001100 represents a substantial increase in density that is fundamentally inconsistent with the established Melba Comprehensive Plan for areas outside city limits. Our recent property acquisitions were made with the reasonable and informed expectation that Parcel R2880001100 would maintain its historical agricultural density, supporting no more than one potential residence. This expectation was reinforced by the prevailing agricultural zoning, the absence of published plans for high-density development in this rural sector of Canyon County, and direct communication from the previous seller indicating that the parcel could not be further subdivided. The creation of eight new parcels would drastically alter the rural character and existing density of this agricultural zone, thereby negatively impacting the enjoyment and value of all surrounding properties.

Public Safety Concerns Regarding Access

Significant safety concerns arise from the proposed reliance on the existing private drive to access the top of the hillside. This road, cut into the side of the mountain, is notably more narrow and steeper than Pump Road, a nearby public thoroughfare on Map Rock Road. Pump Road is already closed during winter months due to its hazardous conditions. If this proposal is approved, making the current main road (which services what is

currently an airport) the sole access for up to five new residences, it would force future inhabitants to traverse a dangerously narrow and steep route, especially during adverse weather. Furthermore, the alternative of using the airstrip or driving through private farmland lacks established easements, placing residents in a precarious position.

Inadequate Infrastructure Capacity

The current infrastructure is demonstrably unequipped to support the proposed increase in density:

- **Water Supply:** This area lacks accessible municipal water or sewer utilities, relying entirely on private wells. Existing neighbors have already drilled deep wells due to the prevailing water table levels. Adding eight new parcels would place an unsustainable strain on shared groundwater resources, potentially depleting well capacities and compromising the water supply for current residents. Additionally, surrounding agricultural lands utilize nitrates and pesticides, necessitating a thorough review of water quality for future residents of the top hillside locations

- **Electrical Utilities:** Supporting additional parcels will undoubtedly require the expansion of electrical easements, potentially encroaching upon and negatively impacting the use and enjoyment of existing parcel owners' properties.

- **Emergency Services:** This section of Canyon County, bordering the Marsing Fire District, consistently experiences limited fire support and extended response times. Increasing the residential density here significantly escalates the risk of fire and endangers current residents due to insufficient emergency response capabilities in this low-supported area.

- **Stormwater Management:** Given the hillside topography, effective water drainage and stormwater management are paramount. An increase in parcels heightens the risk of altered runoff patterns, increased pollution, and construction debris impacting downhill parcels (R28800010B, R28800010, and R28800010C), leading to potential water damage and erosion. Any proposed stormwater management plan must be rigorously evaluated for its efficacy and long-term sustainability.

Lack of Demonstrated Need for Rezoning/Change in Circumstances

Parcel R2880001100 and its surrounding properties have been consistently zoned and utilized for agricultural purposes for many years. There is no demonstrable change in circumstances or compelling public need to justify an increased density for this parcel. Historically, the property has served agricultural activities, including as a crop duster landing strip, storage for construction and farming equipment, and grazing land for livestock. This established agricultural use is entirely consistent with the surrounding rural environment.

Inconsistency with Surrounding Uses

The proposed increase in parcel density is directly inconsistent with the prevailing land use along Map Rock Road and in the surrounding areas, which are characterized by single-family farmhouses on large agricultural lots. Introducing eight smaller parcels would disrupt the established rural aesthetic and functional integrity of the neighborhood. Residents who have purchased lands in these areas have done so specifically to enjoy the rural culture and a lifestyle that harmonizes with ongoing farming practices.

Potential for Private Nuisance

The addition of seven new parcels to be accessed via an already shared private road (located on Parcel R28800010, and currently serving R28800010B, R28800010, and R28800010C) will substantially and continuously interfere with the use and enjoyment of neighboring properties. The significant increase in traffic will lead to heightened road noise, fundamentally altering the tranquil rural environment that current residents reasonably expected when purchasing their properties, given the surrounding zoning and historical use of Parcel R2880001100.

Concerns Regarding Procedural Adherence and Developer Reliability

During a recent request by Skinner Land Survey to rename the shared road, it was observed that the proposed names submitted by Best Investments, LLC did not comply with application guidelines regarding the use of first names. This incident raises serious concerns about the applicant's willingness or ability to adhere to regulatory requirements. Should Parcel R2880001100 be divided as proposed, this pattern could foreseeably lead to future non-compliance with critical safety regulations and other requirements, potentially imposing undue legal costs, stress, and burdens on current residents who would be forced to continuously monitor development to protect their established property rights.

Adverse Impact on Property Rights and Easements

The proposed development poses several threats to existing property rights and easements:

- **Access and Utility Easements:** Changes to existing road use and electrical utility easements, which may be necessitated by the proposed development, would negatively impact the current residents' established rights and property enjoyment and given the easement to share the cost burden to service the road adding these additional parcels increases the potential for future cost of current residents and adds complexity to the relationships of those on the road when the new proposed parcels higher up the road would likely need higher costs of maintenance than the lower locations thus increasing the overall cost to the current residents.

- **Riparian Rights:** Parcels R28800010B and R28800010 include river frontage. We have already incurred significant legal fees to clarify and confirm that Parcel R2880001100 does not possess legal easements for river access, despite previous erroneous advertising. The introduction of additional parcels in such close proximity to the riverfront, coupled with past misrepresentations, significantly increases the likelihood of future conflicts and legal challenges regarding river access for current residents.

- **Lateral and Subjacent Support:** The potential impact of building on multiple hillside locations within Parcel R2880001100 on the lateral and subjacent support of adjacent properties remains unknown but poses a significant concern for the stability and safety of our parcels.

In conclusion, the proposed subdivision of Parcel R2880001100 presents numerous critical issues, ranging from non-compliance with established planning documents and severe infrastructure limitations to significant environmental concerns and the clear potential for direct, negative impacts on the property rights and quality of life for adjacent landowners. We strongly urge Canyon County Development Services to carefully consider all these points and unequivocally reject the request to split Parcel R2880001100.

Thank you for your time and diligent consideration of this important matter.

Sincerely,

Mr. & Mrs. Gravance (Parcel R28801)

Mr. & Mrs. Boschma (Parcel R28800010B)

Mr. & Mrs. Jones (Parcel R28800010)

Mr. Peterson (Parcel R28800010C)

Karla Nelson

From: damont@farmdevcorp.com
Sent: Wednesday, July 2, 2025 4:01 PM
To: Karla Nelson
Subject: [External] COMMENTS

Case Name: Best Investments, LLC
Case Number: AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049
Parcel #: R2880001100

Karla,

Previous discussions with officials within Canyon County about this property have brought to our attention that the road going up the canyon side to the plateau on top does not meet specifications to accommodate emergency vehicles (i.e. fire, ambulance and law enforcement).

Damon Thompson
Farm Development
Treasurer
20-342-6524

Canyon County, ID Web Map

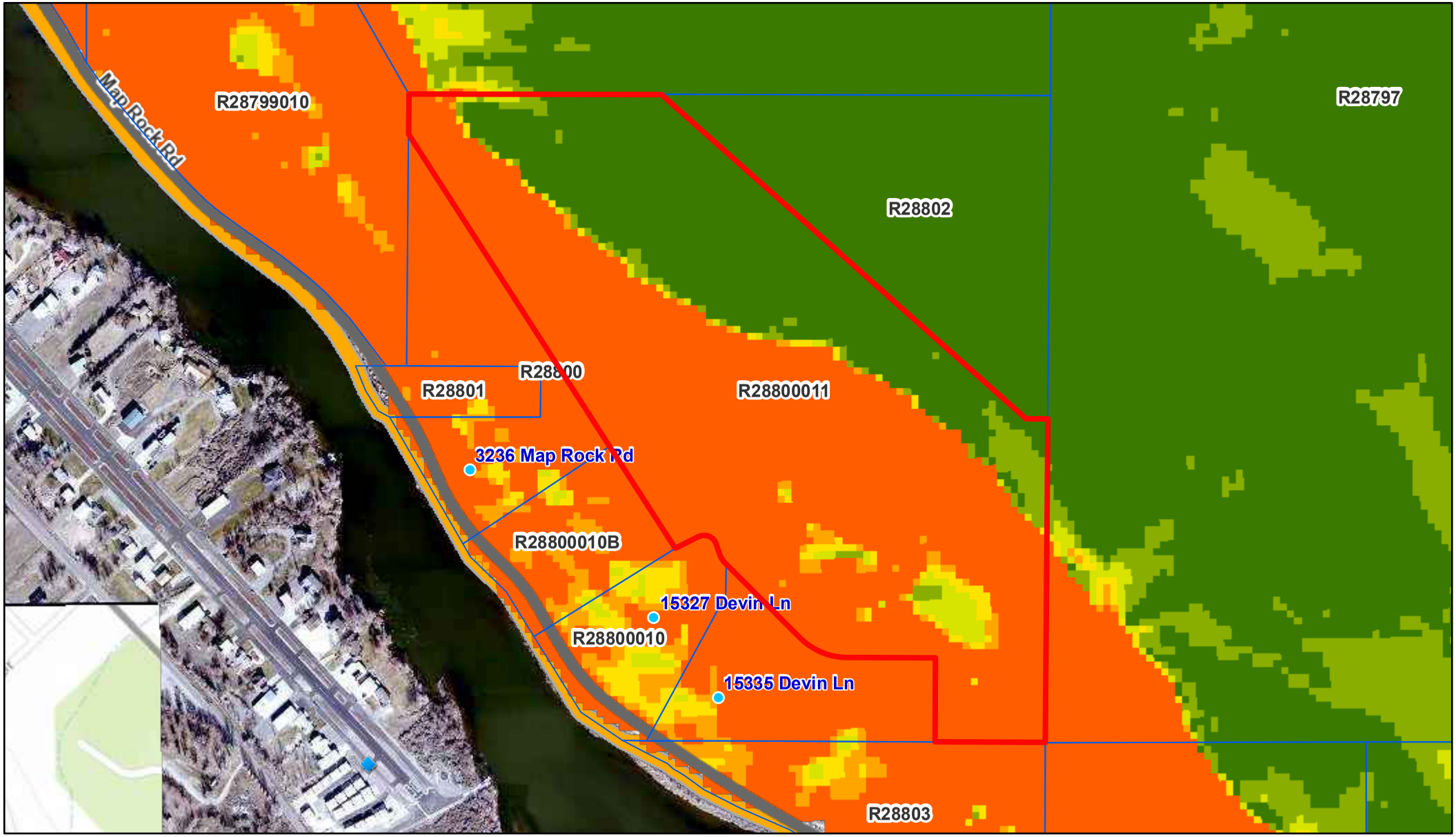


Exhibit 2.O

Exhibit 2.O

7/11/2025, 1:32:59 PM

Parcel Number Search _Query result

CCAddressPoints

CanyonCountyRoads

Roads

SlopePercent_USGS

0 to 3

3 to 6

6 to 9

9 to 12

12 to 14.99

15 to 202.717

County Boundary

Current Impact Area

City Limits

Sections

Recreation Sites

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

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

Canyon County, ID

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

Canyon County, ID Web Map

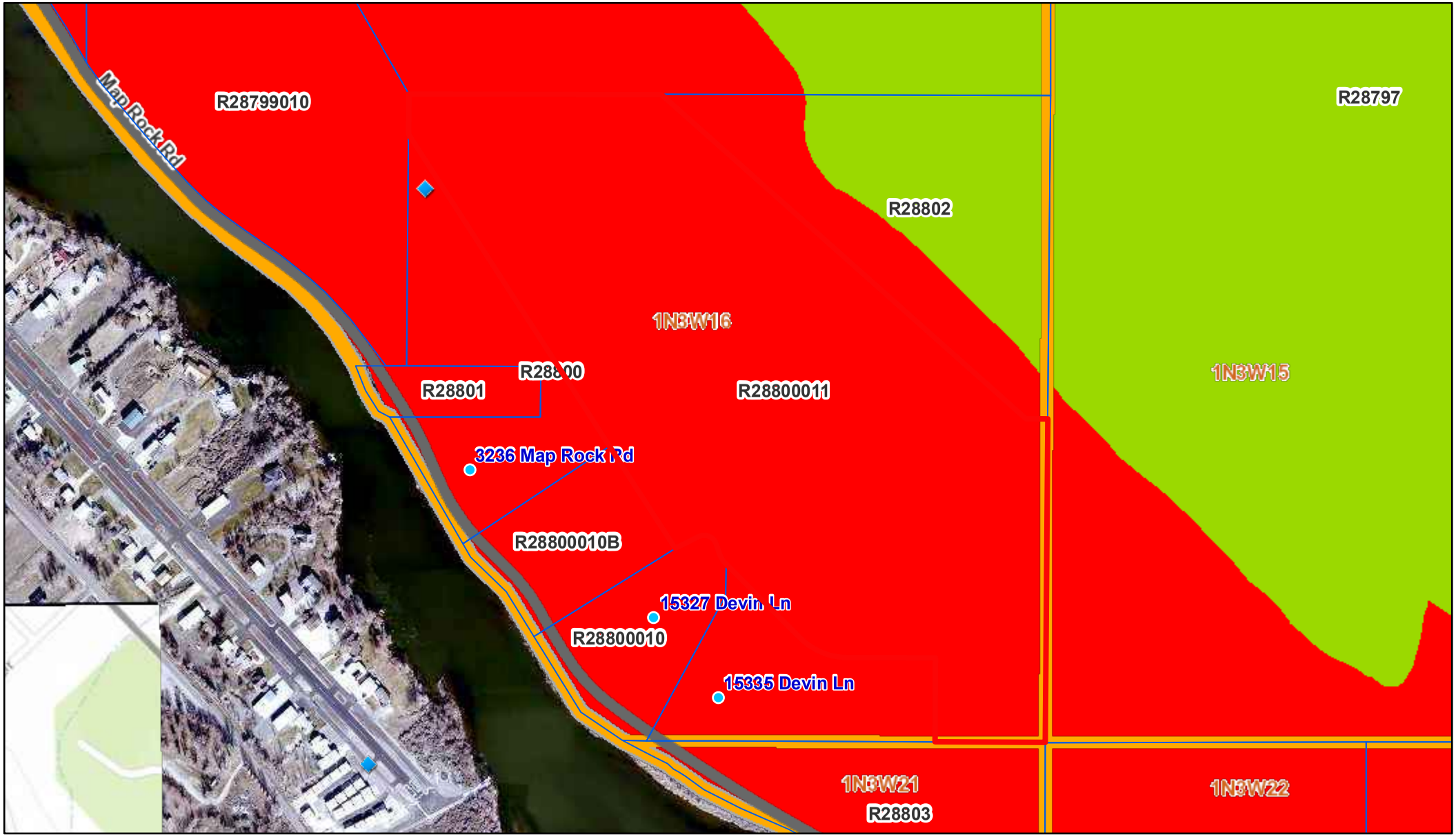


Exhibit 2.P

Exhibit 2.P

7/11/2025, 1:30:33 PM

Parcel Number Search _Query result

CCAddressPoints

CanyonCountyRoads

Roads

County Boundary

Current Impact Area

City Limits

Sections

Canyon Soils Suitability

BEST-SUITED / CLASS I

BEST-SUITED / CLASS II

MODERATELY-SUITED / CLASS III

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

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

Canyon County, ID

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


1992


Snake River
Map Rock Petroglyphs Historic District
2002


Snake River
Map Rock Petroglyphs Historic District
2018

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

R28800011 PARCEL INFORMATION REPORT

7/11/2025 1:20:58 PM

PARCEL NUMBER:	R28800011
OWNER NAME:	BEST INVESTMENTS LLC
CO-OWNER:	
MAILING ADDRESS:	30540 SABIN RD PARMA ID 83660
SITE ADDRESS:	0 MAP ROCK RD
TAX CODE:	0440000
TWP:	1N **RNG:** 3W **SEC:** 16 **QUARTER:** SE
ACRES:	81.29
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	No
DRAIN DISTRICT:	NOT In Drain Dist
ZONING DESCRIPTION:	AG / AGRICULTURAL
HIGHWAY DISTRICT:	NAMPA HWY DIST #1
FIRE DISTRICT:	NOT In FireDist
SCHOOL DISTRICT:	MELBA SCHOOL DIST #136
IMPACT AREA:	NOT In Impact Area
FUTURE LAND USE 2011-2022 :	AG
FLU Overlay Zone Desc 2030:	INTENSIVE AGRICULTURE OVERLAY \ SCENIC BYWAY BUFFER \ HISTORIC PRESERVATION
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	INTENSIVE AGRICULTURE OVERLAY \ SCENIC BYWAY BUFFER \ HISTORIC PRESERVATION \ AG
IRRIGATION DISTRICT:	NOT In IRRIG_DIST
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0475F
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	NOT In COLLECTOR
INSTRUMENT NO. :	2024026390
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	16-1N-3W SE TX 23618 IN NWSE
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.

203—WARRANTY DEED

Printed and for sale by Syms-York Company, Boise

INSTRUMENT NO. 692251

THIS INDENTURE, Made this 25th day of September

in the year of our Lord one thousand nine hundred and seventy-two, between

RICHARD KOCHENOWER, a single man,

of Melba, County of Canyon, State of Idaho

the party of the first part, and

FARM DEVELOPMENT CORPORATION, an Idaho corporation,

of Boise, County of Ada, State of Idaho,

the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

Ten Dollars and other valuable considerations,

lawful money of the United States of America, to HIM in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged, ha granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said part of the second part, and to its successors and assigns forever, all of the following described real estate, situated in , County of Canyon, State of Idaho, to-wit:

A tract of land in the SE¼ of Section 16, Township 1 North, Range 3 West, B.M. more particularly described as follows:

Beginning at the east quarter corner of Section 16, Township 1 North, Range 3 west, B.M., an iron pin;

Thence South along the east boundary line of Section 16 a distance of 1320.0 feet to an iron pin;

Thence West a distance of 90.4 feet to a point;

Thence North 48°57' West a distance of 2011.5 feet to an iron pin on the north boundary line of the SE¼ of said Section 16;

Thence East along the north boundary line of the SE¼ a distance of 1607.5 feet to the point of beginning.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to its successors and assigns forever.

And the party of the first part, and his heirs, shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the party of the second part, its successors and assigns, against the party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming the same shall and will WARRANT and by these presents forever DEFEND.

69225 J

FILED

SEP 27 11 14 AM '72

WALTER FRY

COUNTY RECORDER

Deputy

RECORDED

AT THE REQUEST OF

Farm Dev. Corp.

the Main Creek Water Co

IN BOOK — OF Deeds — AT PAGE — FEE 2.00 —

Richard Kochenower

to

Farm Dev. Corp.

111. P.

P.O Box 1201

Boise, Idaho, 83701

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Richard Kochenower [Seal]

[Seal]

[Seal]

[Seal]

STATE OF IDAHO

ss.

County of Ada

On this 25th day of September in the year 19 72, before me

, a Notary Public

in and for said State, personally appeared RICHARD KOCHENOWER

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he 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 OF IDAHO

Notary Public for the State of Idaho,
Residing at . Idaho

No.

WARRANTY DEED

—TO—

Dated , 19

STATE OF IDAHO

County of ss.

I hereby certify that this instrument was filed for record at request of

at minutes past day

o'clock M., this , A. D. 19

of in my office, and duly recorded in Book

of at page

Ex-Officio Recorder.

By Deputy.

Fees, $

Mail to

SUN VOGE COMPANY, BOISE

Exhibit 3.B

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME MR. AND MRS. K. FRYE
ADDRESS 105 DONALDSON WAY
CITY & STATE ZIP VALLEJO, CALIF 94590

Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DISTRIBUTE 816396
INSTRUMENT NO 839705

GRANT DEED

The undersigned declares that the documentary transfer tax is $..... and is
☐ computed on the full value of the interest or property conveyed, or is
☐ computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land, tenements or realty is located in
☒ unincorporated area ☐ city of.....

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
RICHARD N. KOCHENOWER, an unmarried man

hereby GRANT(S) to

KENNETH E. FRYE and VICKY P. FRYE, husband and wife, as joint tenants

the following described real property in the county of Canyon, state of ~~California~~ IDAHO: 105 DONALDSON WAY VALLEJO CALIF

That portion of the North 1/2 of the Southeast Quarter of Section 16, Township 1 North Range 3 West, Boise Meridan, described as follows:

BEGINNING at the intersection of the highwater mark of the Northeasterly boundary of the Snake River and the South line of the North 1/2 of the Southeast Quarter of said Section 16, thence Easterly along said South line 624 feet, thence due NOrth 208 feet, thence due West parallel with said South line to the highwater mark of the Northeasterly boundary of the Snake River, thence Southeasterly along the highwater mark of the Snake River to the point of beginning.

THE PURPOSE OF RERECORDING THIS DEED IS TO CORRECT THE DESCRIPTION FROM RANGE 2 WEST TO REANGE 3 WEST.

Dated November 28th, 1977

Richard N. Kochenower
RICHARD N. KOCHENOWER

STATE OF ~~CALIFORNIA~~ IDAHO
COUNTY OF Canyon } ss.

On ..... before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Richard N. Kochenower

..... known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

Signature of Notary

FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

AS ABOVE

Name Street Address City & State

L-1 (G.S.) (Rev. 4-75) 8 pt.

Exhibit 3.B

SAFECO TITLE
INSURANCE COMPANY

GRANT DEED

SAFECO

SAFECO TITLE
INSURANCE COMPANY

HOME OFFICE

13640 ROSCOE BOULEVARD

PANORAMA CITY, CALIFORNIA 91409

839705

FILED

AUG 21 3 16 PM '78

BILL A. STAMER
[illegible] RECORDER

H. Olvera

RECORDED
AT THE REQUEST OF
K E Frye
OF
deed
FEE 2.00
GRANTOR
Kochenower, Richard N
GRANTEE
Frye, Kenneth E etux
TYPE
deed
RETURN TO
received - 105 Ronaldson Way - Vallejo CA
CAPØ15-1 94590

816396

FILED

DEC 6 2 31 PM '77

WALTER FRY
[illegible] RECORDER

H. Olvera

RECORDED
AT THE REQUEST OF
Ms. Emmett Frye
OF
deeds
FEE 1.00
GRANTOR
Kochenower, Richard N
GRANTEE
Frye, Kenneth E etux
deed
RETURN TO
Counter

2024-026390
RECORDED
08/21/2024 01:37 PM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=4 TYOUREN $15.00
TYPE DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

PioneerTitleCo.
GOING BEYOND

610 S. Kimball Avenue
Caldwell, ID 83605

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

File No. 856990 TK/SL

THIS DOCUMENT IS BEING SIGNED IN COUNTERPART

WARRANTY DEED

For Value Received **Dennis L. Smith and Denise A. Smith, Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, as to 17% ownership and Scott VerHagen and Mary Beth VerHagen, husband and wife,**

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Best Investments, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 30540 Sabin Rd. Parma, ID 83660

The following described premises, 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 Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the 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 U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 17, 2024

Scott VerHagen

Mary Beth VerHagen

The Smith Family Trust

By: _____ Trustee
Dennis L. Smith, Trustee

By: _____ Trustee
Denise A. Smith, Trustee

State of Idaho, County of Canyon

This record was acknowledged before me on 8/20/24 by Scott VerHagen and Mary Beth VerHagen

Signature of notary public
Commission Expires: _____

RESIDING IN MERIDIAN, IDAHO
COMMISSION EXPIRES 05/21/2023

JOSH HUFF
COMMISSION #20201663
NOTARY PUBLIC
STATE OF IDAHO

State of Kentucky, County of Warren

This record was acknowledged before me on 07-19-2024 by Dennis L. Smith and Denise A. Smith, as Trustees of the Smith Family Trust.

Debra Crocker
Signature of notary public
Commission Expires: 09-12-2027

DEBRA CROCKER
Notary Public
Commonwealth of Kentucky
Commission Number KYNP79348
My Commission Expires Sep 12, 2027

EXHIBIT A

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel D, as shown on Record of Survey Instrument No. 2022-012678, located in the N1/2 of the SE1/4, SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows:

BEGINNING at an aluminum cap, marking the C1/4 of said Section 16;

Thence North 89°51'44" East, coincident with the north line of said SE1/4, a distance of 1042.75 feet to a 5/8" rebar/cap PLS 5617;

Thence South 48°43'18" East, 2012.41 feet to the north line of said SE1/4 of the SE1/4, marked by a 5/8" rebar with illegible cap;

Thence North 89°55'52" East, coincident with said north line of the SE1/4 of the SE1/4, a distance of 90.40 feet to the S1/16 corner common to said Sections 15 and 16, marked by a 5/8" rebar/cap PLS 5617;

Thence South 00°12'13" West, coincident with the east line of said SE1/4, a distance of 1331.37 feet to the southeast corner of said Section 16, marked by an aluminum cap PLS 5617

Thence North 90°00'00" West, coincident with the south line of said SE1/4, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574;

Thence North 00°00'00" West, 345.61 feet to a 5/8" rebar/cap PLS 11574;

Thence North 89°57'58" West, 366.36 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing North 67°43'08" West, 208.23 feet to a 5/8" rebar/cap PLS 11574;

Thence North 45°28'17" West, 432.33 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing North 33°11'53" West, 46.69 feet to a 5/8" rebar cap PLS 11574;

Thence North 19°04'52" West, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing North 68°00'20" West, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 63°04'12" West, 106.18 feet to a 5/8" rebar/cap PLS 11574;

Thence North 33°08'40" West, 2028.52 feet to the west line of said SE1/4, referenced with a 5/8" rebar/cap PLS 14221, bearing North 33°08'40" West, 1.00 feet;

Thence North 00°12'13" East, coincident with said West line, 166.19 feet to the POINT OF BEGINNING.

Also, TOGETHER with an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A and B of said Record of Survey, located in Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot wide easement being 30 feet on either side of the following described centerline.

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the POINT OF BEGINNING, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, TERMINUS POINT of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned "Point A";

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the TERMINUS POINT of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 feet from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.

EASEMENT
AND
ROAD MAINTENANCE AGREEMENT

This Easement and Road Maintenance Agreement ("Agreement") is made _____ and effective the date set forth below.

Recitals

A. Best Investments, LLC owns approximately 81.29 acres of real property in Canyon County, Idaho. Said property is comprised of 7 parcels shown on the record of survey, recorded as Instrument No. _____ in Canyon County, Idaho(Exhibit 1) as parcels 1-7; More specifically:

a. Parcel 1 consists of __acres. The land description for Parcel 1 is attached .
b. Parcel 2 consists of __acres. The land description for Parcel 2 is attached.
c. Parcel 3 consists of __acres. The land description for Parcel 3 is attached.
d. Parcel 4 consists of __ acres. The land description for Parcel 4 is attached.
e. Parcel 5 consists of __ acres. The land description for Parcel 5 is attached.
f. Parcel 6 consists of __ acres. The land description for Parcel 6 is attached.
g. Parcel 7 consists of __ acres. The land description for Parcel 7 is attached.

See attached Exhibit 2(Land Descriptions)

B. Parcels 1,2, 3, 4,5, 6 and 7 are accessed by a road that begins on Map Rock Road and provides legal access to all parcels.

C. _____ anticipates selling all parcels and desires to establish the terms by which his successors will use and maintain the Easement.

Agreement

1. **Grant of Easement**. _____ hereby establishes and grants a non-exclusive perpetual easement in the location described on Exhibit H and shown on Exhibit 1, for ingress, egress, utilities and drainage (the "Easement"). The Easement is 60 feet in width with a 20-foot-wide graveled road surface.

2. **Scope of Easement**. The Easement may be used by the Parties, their tenants, guests and invitees for ingress and egress access to all parcels; for the location of buried utilities servicing all parcels; and for the location of a ditch, pipe or drain for drainage water to or from the road. The Parties shall not park in the Easement or leave vehicles or other obstructions or debris therein, even

temporarily. The Easement created herein is not exclusive and may be used in any manner by the owner of the property on which the Easement is located, provided such use does not unreasonably interfere with the use of the Easement for the purposes described herein.

3. **Burden and Benefit of Easement.** The Easement shall be appurtenant to the real property described in Exhibits A – G (Parcels 1-7) and shall run with the real property described in Exhibits A – G, the benefited real properties. The Easement shall be a burden to the real properties described in Exhibits A – G (Parcels 1-7) and shall run with the real properties described in Exhibits A – G.

4. **Maintenance and Agreement to Share Costs**. The owner(s) of Parcels 1-7 shall share equally all costs and expenses for labor and material incurred for ordinary maintenance and repair to the Easement. Provided, however, the cost to repair any damage to the Easement caused by a party hereto shall be the sole responsibility of said party.

If any of the Parcels are further split or divided each new parcel shall then be assessed an equal share of maintenance and repair costs; it being the intent hereof that each parcel with access to the Easement shall pay an equal portion of the maintenance costs.

Any required upgrades of the roadway due to additional land divisions or secondary residencies shall be incurred solely by the parcel seeking additional divisions or secondary residence building permits.

Prior to expending more than five hundred dollars ($500.00) on construction, repair or maintenance of the Easement, the Parcel owner(s) required to share in the costs shall meet and confer regarding the scope of the work to be done and cost therefor. Each owner shall timely pay its share of the expenses associated with construction, maintenance and repair of the Easement (if required). If any owner fails to pay its share of the costs required herein, another owner or owners may pay the same on behalf of the non-paying owner, and thereafter shall be entitled to reimbursement from the non-paying owner. If the non-paying owner fails to reimburse the paying owner, then interest shall accrue on the unpaid amount at the rate of twelve percent (12%) per annum until paid and shall constitute a lien against the non-paying owner's Parcel.

5. **Run with the Land.** All provisions of this Agreement shall run with the Parcels and shall benefit and bind the heirs, successors and assigns of the Parties hereto.

6. **Indemnification.** No party to this Agreement shall be liable to any other party or anyone else, person or entity for: i) any injury or damage which may be sustained by anyone, while on or near the Easement Premises; or ii) any injury or damage which may be sustained to personal property of anyone while using the Easement, unless said injury or damage is caused by the gross negligence or intentional conduct of said party.

7. **Miscellaneous.** This Agreement sets forth the entire agreement between the Parties hereto with respect to the subject matter hereof. This Agreement may not be modified except by a written document signed by all of the Parties hereto. Any waiver of any term or provision of this Agreement must be in writing and signed by the party granting the waiver. The recitals set forth

above and exhibits attached hereto are incorporated herein by reference. This Agreement shall be governed by Idaho law.

8. **Remedies.** The Parties hereto shall have all rights and remedies provided at law or in equity to enforce their rights hereunder. In the event of any action or proceeding by either party hereto against the other, in any way arising out of this Agreement, or attempting to enforce any right herein granted, the losing party shall pay the prevailing party's reasonable attorney fees and costs.

Dated this _____ day of _____, 20__.

_____
Greg Troost, Manager Best Investments, LLC

State of Idaho
County of Canyon

On this _____ day of _____, in the year of 20____, before me, _____ a notary public, personally appeared Greg Troost, known or identified to me to be the manager or a member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

_____
Signature of notary public

EXHIBIT 1
(Record of Survey Map)

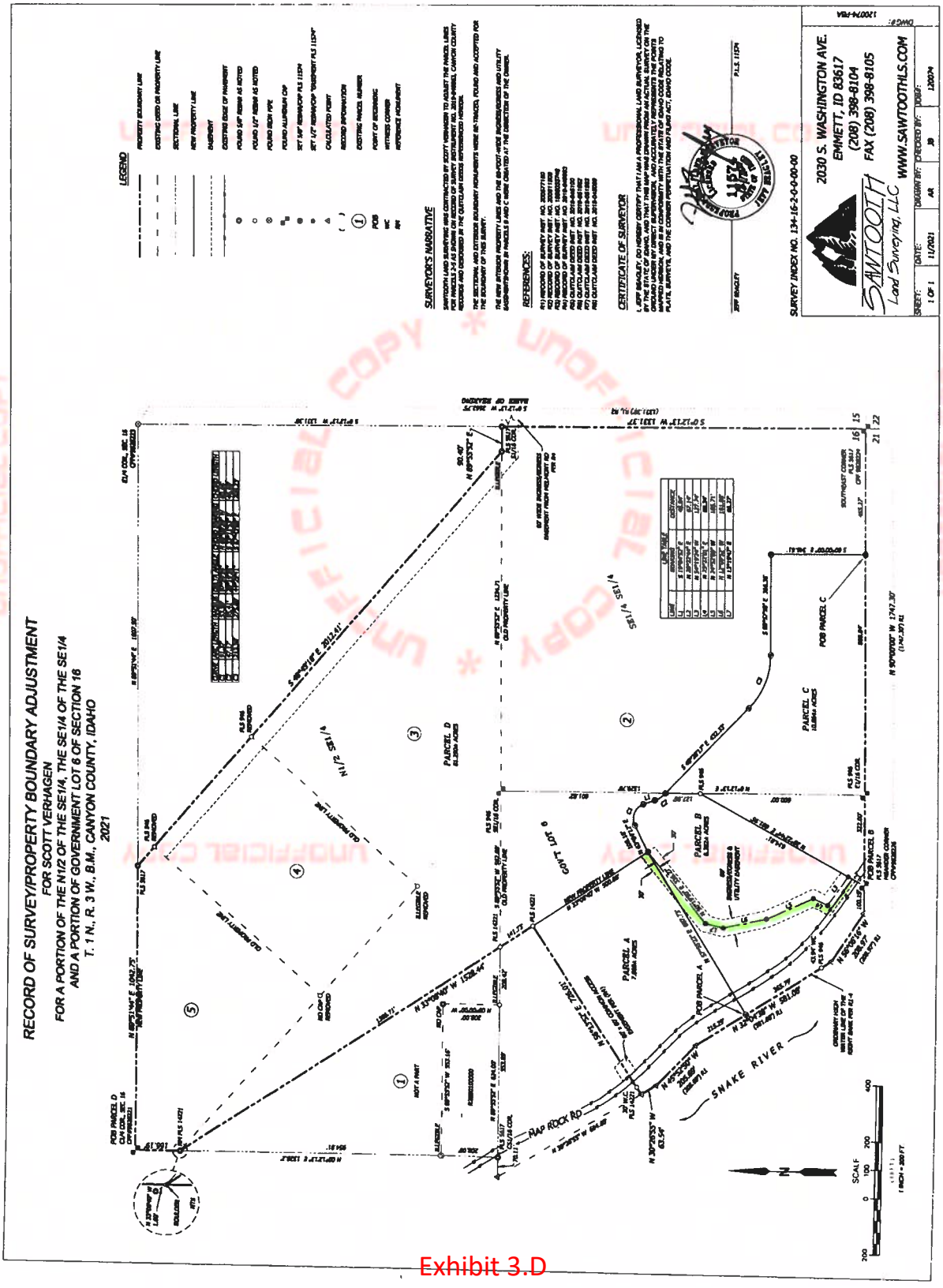
EXHIBIT 2
(Parcel Land Descriptions)

Exhibit 3.D

2021-086536
RECORDED
12/21/2021 12:17 PM

NOT OFFICIAL
SEE ORIGINAL IN RECORDER'S
OFFICE

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=1 MKEYES $5.00
SURVEY
SAWTOOTH LAND SURVEYING LLC



existing easement
old RUMA # 2021-083238
new: 2024-004145

Exhibit 3.D

2024-004145
RECORDED
02/12/2024 11:42 AM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=21 TYOUREN $70.00
TYPE: AGR
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

Canyon County Recorder's Office

Cover Page

RUMA for existing easement.

ELECTRONICALLY RECORDED
ABOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

Shared Roadway and Maintenance Agreement

The Shared Roadway and Maintenance Agreement dated this 13th day of December, 2023 by Scott and Marybeth Ver Hagen and Dennis L. Smith and Denise A. Smith, Trustees of The Smith Family Trust and Austin and Tanna Boschma and Jeff Pedersen collectively referred to as **Users/Owners. This Agreement replaces and supersedes agreement recorded December 7, 2021 as Instrument NO. 2021-083238 and re-recorded March 17, 2022 as Instrument NO. 2022-014481.**

Background of Agreement

Users are owners of adjacent properties in Canyon County, Idaho. Scott and MaryBeth Ver Hagen and Dennis L. Smith and Denise A. Smith, Trustees of The Smith Family Trust are owners of Parcel B (Exhibit D attached) and Parcel D (Exhibit E attached). Austin and Tanner Boschma are owners of Parcel A (Exhibit B attached) Jeff Pedersen is the owner of Parcel C (Exhibit C attached) The purpose of this agreement is to place into writing ingress and egress (Exhibit A attached) for Users. See attached Exhibits A B, C, D and E described by surveyor.

Agreement

NOW THEREFORE, In consideration of their mutual promises and intending to be legal bound, the parties agree as follows:

1. **Grant of Easement.** Each party grants to the other a permanent easement over and across their respective properties for the purpose of ingress and egress to their adjoining properties.
2. **Sharing of Costs and Expenses.** The parties shall share the expenses as follows: Scott and Marybeth Ver Hagen, and Dennis L. Smith and Denise A. Smith, Trustees of The Smith Family Trust and Austin and Tanner Boschma and Jeff Pedersen, their successors and assigns shall split equally the maintenance of the easement. Any optional improvements any user would like to make are not

other parties to said costs unless agreed upon. Maintenance, repairs and/or improvements required by the Highway District are to be split equally by all users.

3. **Binding Effect.** This Shared Driveway Agreement shall not be modified except in writing signed by the parties, their successors or assigns. This Agreement and its obligations and benefits shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

This Agreement dated this 13th day of December, 2023

OWNERS OF PARCELS: B and D (Exhibits D & E)

By: Counter signed

Scott Ver Hagen

By: Counter signed

MaryBeth Ver Hagen

The Smith Family Trust u/t/a dated June 5, 2003 and amended on April 29, 2010 and September 3, 2019

By: Dennis L Smith, Trustee

Dennis L. Smith, Trustee

By: Denise A Smith, Trustee

Denise A. Smith, Trustee

CLEAR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Placer)

On 01/03/2024 (*Date*) before me, Dylan Dimitrius Alexa Powers, Notary Public (*Here Insert Name and Title of the Officer*)

Personally appeared Dennis L. Smith and Denise A. Smith (*Name(s) of Signer(s)*)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

DYLAN DIMITRIUS ALEXA POWERS
Notary Public - California
Sacramento County
Commission # 2346213
My Comm. Expires Feb 10, 2025

Signature _____ (*Signature of Notary Public*)

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document _____ Document Date _____

Number of Pages _____ Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name	Signer's Name
☐ Corporate Officer—Title(s)	☐ Corporate Officer—Title(s)
☐ Partner ☐ Limited ☐ General	☐ Partner ☐ Limited ☒ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other	☐ Other
Signer Is Representing	Signer Is Representing

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Exhibit 3.E

other parties to said costs unless agreed upon. Maintenance, repairs and/or improvements required by the Highway District are to be split equally by all users.

3. **Binding Effect.** This Shared Driveway Agreement shall not be modified except in writing signed by the parties, their successors or assigns. This Agreement and its obligations and benefits shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

This Agreement dated this 13th day of December, 2023

OWNERS OF PARCELS: B and D (Exhibits D & E)

By: _____

Scott Ver Hagen

By: _____

MaryBeth Ver Hagen

The Smith Family Trust u/t/a dated June 5, 2003 and amended on April 29, 2010 and September 3, 2019

By: Counter Signed

Dennis L. Smith, Trustee

By: Counter Signed

Denise A. Smith, Trustee

State of IDAHO, County of CANYON

This record was acknowledged before me on January 3, 2024 by Scott Ver Hagen and MaryBeth Ver Hagen

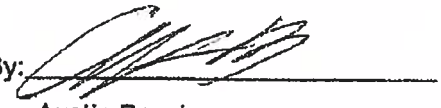
Signature of notary public

Commission Expires:

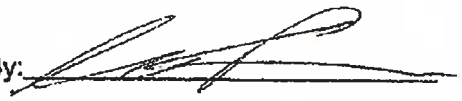
CARRIE HOMBURG
COMMISSION #16477
NOTARY PUBLIC
STATE OF IDAHO

Residing at: Melba, ID
Commission Expires: 03/10/2027

OWNERS OF PARCEL: A (Exhibit B)

By: 

Austin Boschma

By: 

Tanna Boschma

OWNERS OF PARCEL: C (Exhibit C)

By: Counter Signed

Jeff Pedersen

Exhibit 3.E

State of IDAHO, County of CANYON

This record was acknowledged before me on January 5, 2024 by Austin Boschma and Tanna Boschma

Signature of notary public

Commission Expires:

Residing at: Melba, ID
Commission Expires: 03/10/2027

CARRIE HOMBURG
COMMISSION #16477
NOTARY PUBLIC
STATE OF IDAHO

OWNERS OF PARCEL: A (Exhibit B)

By: _____

Austin Boschma

By: _____

Tanna Boschma

OWNERS OF PARCEL: C (Exhibit C)

By: _____

Jeff Pedersen

Exhibit 3.E

State of IDAHO, County of CANYON

This record was acknowledged before me on 1/30, 2024 by Jeff Pedersen

Signature of notary public

Commission Expires: 8/16/29

CYNTHIA WOODHOUSE
COMMISSION #69694
NOTARY PUBLIC
STATE OF IDAHO

Sawtooth Land Surveying, LLC
F: (208) 398-8104 F (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Exhibit A

Ingress/Egress and Utility Easement Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

An ingress/egress and utility easement for the benefit of Parcels A, B, C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A, B and C of said Record of Survey, located in Government Lot 6 and the SE1/4 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot-wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, hereafter referred to as **"POINT A"** and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot-wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned **"POINT A"**;

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Exhibit 3.E

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the **TERMINUS POINT** of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.

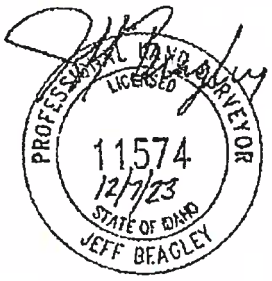


Exhibit 3.E

Sawtooth Land Surveying, LLC
P: (208) 398 8104 F: (208) 398 8105
2030 S. Washington Ave., Emmett, ID 83617

Exhibit B

Parcel A Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel A, as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, located in Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1747.30 feet to the ordinary high-water line of the right bank of the Snake River;

Thence coincident with said ordinary high-water line the following five (5) courses and distances:

Thence North 56°06'16" West, 208.97 feet, witnessed by a 1/2" rebar/cap PLS 946, bearing North 32°04'38" West, 43.94 feet;

Thence North 32°04'38" West, 365.79 feet to a 5/8" rebar/cap PLS 11574 and the **POINT OF BEGINNING**;

Thence continuing North 32°04'38" West, 215.29 feet;

Thence North 45°52'50" West, 205.69 feet;

Thence North 30°26'55" West, 63.54 feet to the northwesterly line of said Parcel 2, witnessed by a 1/2" rebar/cap PLS 14221, bearing North 56°13'52" East, 30.00 feet;

Thence leaving said ordinary high-water line, North 56°13'52" East, coincident with said northwesterly line, 726.01 feet to a 1/2" rebar/cap PLS 14221;

Thence South 33°08'40" East, 500.08 feet to a 5/8" rebar/cap PLS 11574;

Thence South 57°55'22" West, 687.73 feet to the **POINT OF BEGINNING**.

The above described parcel contains 7.868 acres more or less.

Also, **SUBJECT TO:** A 60-foot-wide ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A and B of said Record of Survey, located in Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

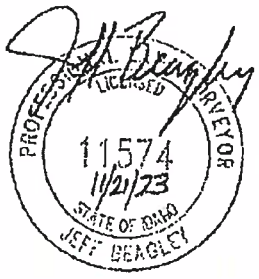
Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.



Sawtooth Land Surveying, LLC
P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Exhibit C

Parcel C Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel C, as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, located in the SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574 and the **POINT OF BEGINNING;**

Thence continuing North 90°00'00" West, coincident with said south line, 1191.84 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617;

Thence North 28°22'44" East, 681.95 feet to the west line of said SE1/4 of the SE1/4, marked by a 1/2" rebar/cap PLS 946;

Thence North 00°12'13" East, coincident with said west line, 127.96 feet to a 5/8" rebar/cap PLS 11574;

Thence South 45°28'17" East, 432.33 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing South 67°43'08" East, 208.23 feet to a 5/8" rebar/cap PLS 11574;

Thence South 89°57'58" East, 366.36 feet to a 5/8" rebar/cap PLS 11574;

Thence South 00°00'00" East, 345.61 feet to the **POINT OF BEGINNING.**

The above described parcel contains 10.864 acres more or less.

Also, **SUBJECT TO AND TOGETHER WITH** an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A, B and C of said Record of Survey, located in Government Lot 6 and the SE1/4 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot-wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, hereafter referred to as **"POINT A"** and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot-wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned **"POINT A"**;

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

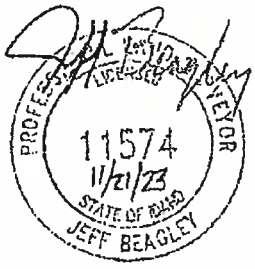
Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the **TERMINUS POINT** of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.



Sawtooth Land Surveying, LLC
P. (208) 398-8104 F. (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Exhibit D

Parcel B Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel B, as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, located in Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617 and the **POINT OF BEGINNING**;

Thence continuing North 90°00'00" West, coincident with said south line, 100.19 feet to the ordinary high-water line of the right bank of the Snake River;

Thence North 56°06'16" West, coincident with said ordinary high-water line, 208.97 feet, witnessed by a 1/2" rebar/cap PLS 946, bearing North 32°04'38" West, 43.94 feet;

Thence North 32°04'38" West, coincident with said ordinary high-water line, 365.79 feet to a 5/8" rebar/cap PLS 11574;

Thence North 57°55'22" East, 687.73 feet to a 5/8" rebar/cap PLS 11574;

Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574;

Thence South 00°12'13" West, coincident with said west line, 127.96 feet to a 1/2" rebar/cap PLS 946;

Thence South 28°22'44" West, 681.95 feet to the **POINT OF BEGINNING.**

The above described parcel contains 8.382 acres more or less.

Also, **SUBJECT TO** an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A, B and C of said Record of Survey, located in Government Lot 6 and the SE1/4 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot-wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, hereafter referred to as **"POINT A"** and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot-wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned **"POINT A"**;

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the **TERMINUS POINT** of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.

Sawtooth Land Surveying, LLC
P: (208) 398-8104 F: (208) 398 8105
2030 S Washington Ave., Emmett, ID 83617

Exhibit E

Parcel D Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel D, as shown on Record of Survey Instrument No. 2022-012678, located in the N1/2 of the SE1/4, SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

BEGINNING at an aluminum cap, marking the C1/4 of said Section 16;

Thence North 89°51'44" East, coincident with the north line of said SE1/4, a distance of 1042.75 feet to a 5/8" rebar/cap PLS 5617;

Thence South 48°43'18" East, 2012.41 feet to the north line of said SE1/4 of the SE1/4, marked by a 5/8" rebar with illegible cap;

Thence North 89°55'52" East, coincident with said north line of the SE1/4 of the SE1/4, a distance of 90.40 feet to the S1/16 corner common to said Sections 15 and 16, marked by a 5/8" rebar/cap PLS 5617;

Thence South 00°12'13" West, coincident with the east line of said SE1/4, a distance of 1331.37 feet to the southeast corner of said Section 16, marked by an aluminum cap PLS 5617;

Thence North 90°00'00" West, coincident with the south line of said SE1/4, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574;

Thence North 00°00'00" West, 345.61 feet to a 5/8" rebar/cap PLS 11574;

Thence North 89°57'58" West, 366.36 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing North 67°43'08" West, 208.23 feet to a 5/8" rebar/cap PLS 11574;

Thence North 45°28'17" West, 432.33 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing North 33°11'53" West, 46.69 feet to a 5/8" rebar/cap PLS 11574;

Thence North 19°04'52" West, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing North 68°00'20" West, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 63°04'12" West, 106.18 feet to a 5/8" rebar/cap PLS 11574;

Thence North 33°08'40" West, 2028.52 feet to the west line of said SE1/4, referenced with a 5/8" rebar/cap PLS 14221, bearing North 33°08'40" West, 1.00 feet;

Thence North 00°12'13" East, coincident with said west line, 166.19 feet to the **POINT OF BEGINNING.**

The above described parcel contains 81.290 acres more or less.

Also, **TOGETHER WITH** an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A, B and C of said Record of Survey, located in Government Lot 6 and the SE1/4 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot-wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, hereafter referred to as **"POINT A"** and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot-wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned **"POINT A"**;

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

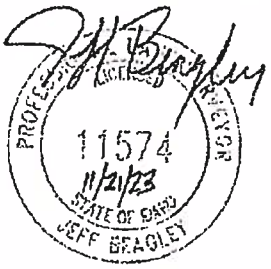
Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the **TERMINUS POINT** of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 76.31 from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.



Authentisign ID: BD5BA868-BB10-F011-90CE-00224822F75A

MASTER APPLICATION

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

PROPERTY OWNER	OWNER NAME: Best Investments, LLC
	MAILING ADDRESS: 30540 Sabin Road Parma, Idaho 83660
	PHONE: 208-989-1402 EMAIL: milkhog@aol.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: GREG TROOST 04/03/25 Date:

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: T.J. Wellard
	COMPANY NAME: Skinner Land Survey
	MAILING ADDRESS: 17842 Sand Hollow Road Caldwell, Idaho 83607
	PHONE: 208-454-0933 EMAIL: tj@skinnerlandsurvey.com

SITE INFO	STREET ADDRESS: 0 Map Rock Road
	PARCEL #: R2880001100 LOT SIZE/AREA: 81.298 Acres
	LOT: BLOCK: SUBDIVISION:
	QUARTER: SE1/4 SECTION: 16 TOWNSHIP: 1 North RANGE: 3 West
	ZONING DISTRICT: Ag FLOODZONE (YES/NO): No

HEARING LEVEL APPS	____CONDITIONAL USE	____COMP PLAN AMENDMENT	____CONDITIONAL REZONE
	____ZONING AMENDMENT (REZONE)	____DEV. AGREEMENT MODIFICATION	____VARIANCE > 33%
	____MINOR REPLAT	____VACATION	____APPEAL
	____SHORT PLAT SUBDIVISION	____PRELIMINARY PLAT SUBDIVISION	____FINAL PLAT SUBDIVISION

DIRECTORS DECISION APPS	X ADMINISTRATIVE LAND DIVISION	____EASEMENT REDUCTION	____SIGN PERMIT
	____PROPERTY BOUNDARY ADJUSTMENT	____HOME BUSINESS	____VARIANCE 33% >
	X PRIVATE ROAD NAME	____TEMPORARY USE	____DAY CARE
	X OTHER Nonviable Land Division x 3		

CASE NUMBER: AD2025-0046, see below DATE RECEIVED:

RECEIVED BY: APPLICATION FEE: $3,200 CK MO CC CASH

AD2025-0047,
AD2025-0048, and
AD2025-0049

$775 • 4 land divisions
+ $100 notification
$3,200

Revised 1/3/21

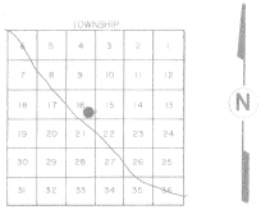
(+ $775 for RD2025-0008 on separate application)

Exhibit 3.G

CODE AREA ----------44/169
SCHOOL DISTRICT-----136
FIRE DISTRICT---------OUT / IN- MARSING
CITY LIMITS----------OUT
FLOOD DISTRICT-------OUT
HIGHWAY DISTRICT----I

NOTICE

THESE DOCUMENTS ARE MAINTAINED FOR ASSESSMENT PURPOSES AND SHOULD NOT BE RELIED UPON FOR DETERMINING PROPERTY BOUNDARIES AND CURRENT PROPERTY OWNERSHIP.



CANYON COUNTY, IDAHO

LEGEND

TOWNSHIP LINES
SECTION LINES
SECTION CORNER
CITY LIMITS
PARCEL BOUNDARY
SUBDIVISION BOUNDARY
ARBITRARY SUBDIVISION NO. 3
ARBITRARY BLOCK NO 2
ARBITRARY PARCEL NO 0300
ADJACENT PARCEL TIE LINE
RAILROADS
U.S. HIGHWAYS 18
STATE HIGHWAYS 42
INTERSTATE HIGHWAYS 5
COUNTRY ROADS C

SCALE: 1 inch = 100 feet

Date	12-23-75	
Revision Date	2-15-85	Bell
2-9-89		JDHS

CENTER SEC 16

R25802
7210

T 2

CODE 169
CODE 44

R25801
8240

T 3

R25800
7200

LOT 6
29.30 AC.

SNAKE RIVER

16 | 15
21 | 22

Exhibit 3.G

Exhibit 3.G

SECTIONAL PARCEL NO. / SUBDIVISION NO.	BLOCK NO.	LOT AND SPLIT NO.	GRANTOR(S)	GRANTEE(S)	REMARKS	ACCOUNT NO.	DEED TYPE	DATE	INSTRUMENT NO.
8210				Kenneth E. Fry - Etux '78	Tr 3	25501			

SECTIONAL PARCEL NO. / SUBDIVISION NO.	BLOCK NO.	LOT AND SPLIT NO.	GRANTOR(S)	GRANTEE(S)	REMARKS	ACCOUNT NO.	DEED TYPE	DATE	INSTRUMENT NO.
7200				Richard D. Koehenauer '65		25500			
7210				Farm Development Corporation '72	Tr 2	25505			

Exhibit 3.G

POLICIES / **INTERPRETATIONS** / PROCEDURES **4.17**



To: All Development Services Department Employees

From: Donna West, Executive Director

CC: Board of County Commissioners

Chuck Saari, Chief Civil Deputy

Date: 6/28/02

Re: **Single or Multiple Parcels on One Deed**

A question sometimes arises as to how many separate parcels are described on a deed. The rule of thumb is: If you can copy the language between the "ands", commas, and semi-colons and use that same language to accurately describe a parcel of land, then that constitutes a separate parcel. Example:

> "The NE ¼ of the SW ¼ of Section 12, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho *and* the SE ¼ of the NW ¼ of Section 12, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho".

The above represents two separate parcels because each description, one before the "*and*" and one after the "*and*", is complete by itself.

The following example describes one parcel of land:

> "The NE ¼ of the SW ¼ of Section 12, *and* the SE ¼ of the NW ¼ of Section 12, all in Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho".

This is one parcel of land because the description before the "*and*" is incomplete by itself – you must read the last part, after the "*and*" to complete the description.

The following example describes two parcels of land:

> "The NW ¼ of the NW ¼ of Section 12, *and* the SE ¼ of the NE ¼ of Section 12, all in Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho".

This describes two parcels of land because the description in front of the "*and*" and the description after the "*and*" are not <u>contiguous</u> to each other and have to be separate parcels.

4.17

Exhibit 4.A

FORM No. 946—WARRANTY DEED.

839A

INSTRUMENT NO. 578326

THIS INDENTURE, made this 9th day of March, 1959, between A. B. VAN FLEET and DOROTHY M. VAN FLEET, husband and wife, of Cucamonga, County of San Bernardino, State of California, the parties of the first part and HERBERT QUENZER and VELMA QUENZER, husband and wife, of the County of Canyon, State of Idaho, the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of - - - - -Thirty-five Thousand and no/100 ($35,000.00)- - - - Dollars lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in the County of Canyon, State of Idaho, to-wit:

ONE PARCEL of LAND

The SW¼ of the SE¼ and the SE¼ of the SW¼ of Section 1, the North 20 rods of the NW¼ of the NE¼ and the North 20 rods of the NE¼ of the NW¼ of Section 12, and a strip of land 12½ rods wide extending along the West side of all that tract of land lying South of the middle line of the Middleton Slough of the SE¼ of the SE¼ of Section 1, Township 4 North Range 2 West of the Boise Meridian.

Together with that certain irrigation pump and motor, and hay stacker, all located upon the above described real property; and together with the appurtenant right of the above described real property in and to that certain rock and gravel lane running from the above described real property to the county road, which right has been in existence for many years, openly, adversely and notoriously against the whole world, and which lane right is not in dispute or has not been in dispute during the term of title of the parties of the first part; together with the full mineral rights in and to the above described real property; but subject nevertheless to easements for irrigation and drainage ditches and power lines as now located upon the above described real property.

Together with all water and ditch rights of any type or kind appurtenant to the above described real property or any part thereof, or used in connection therewith, which rights shall include, but not necessarily be limited to Certificate No. 128A for 150 shares of Middleton Irrigation Association, Inc.

Subject to all taxes and assessments for the year 1959 and all subsequent years.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

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

Executed and Delivered in the Presence of

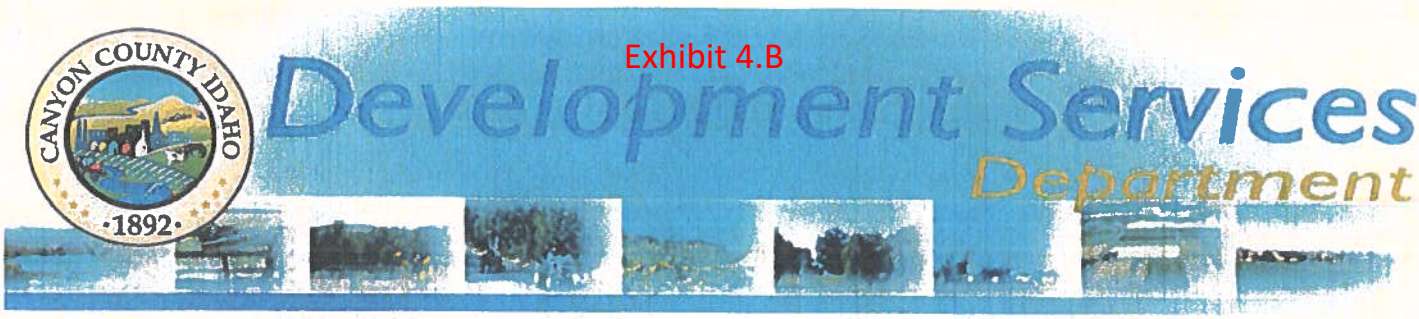
A B Van Fleet [SEAL]

Dorothy M. Van Fleet [SEAL]

[SEAL]

[SEAL]

Exhibit 4.A



Canyon County, 111 North 11th Avenue, Caldwell, ID 83605
(208) 454 7458 • (208) 454 6633 Fax • DSDInfo@canyonco.org • www.canyonco.org/dsd

October 31, 2023

Effective Immediately
This guidance rescinds and replaces all prior memos, guidance or policies related to interpretation of "original parcels" for Canyon County.

Applicability of Chapter 7 Zoning Ordinance in the Canyon County Code shall be based upon this guidance, including availability of administrative land divisions, building permit availability and other land zoning or division provisions.

Canyon County Zoning ordinance 07-02-03 defines "Original Parcel", as-
ORIGINAL PARCEL- A parcel of platted or un-platted land as it existed on September 6, 1979 (the effective date of the Zoning Ordinance 79-0008), including any property boundary adjustments as defined in this chapter and any reduction in area due to creating a parcel for the exclusive use by Canyon County, a municipality within Canyon county, a local highway district, Idaho Transportation Department, utility company or corporation under the jurisdiction of the Idaho Public Utilities Commission, or other local, state or federal agency.

Canyon County Zoning Ordinance Article 18 Administrative Land Divisions, allows original parcels that predate adoption of the Zoning Ordinance on September 6, 1979 and have never been divided, a one-time lot split. Standards for division of original parcels in agriculture zones can be found at 07-18-07. Per 07-18-07,2(B)(3) "Once an administrative land division has been approved in the agricultural zoning district, there shall be no other administrative land divisions from that land regardless of ownership of any of the land involved except as permitted by this Article. Previously approved divisions in the agricultural zoning district may be amended to provide for divisions of the original parcel that were entitled pursuant to Chapter 7 Article 18 but not taken when the first division was approved."

Canyon County Zoning Ordinance 07-18-13 outlines regulations related to the division of a parcel in commercial, industrial and residential zones without being subject to the subdivision regulations. Any further division to non-original parcels (already divided parcels after September 6, 1979) require either a conditional rezone process, a comprehensive plan amendment, and/or a rezone to residential zoning followed by the subdivision process to legally plat and record lots.

Parcel Inquiries should be completed to initiate research and conclusions regarding availability of building permits, and applicable process under Canyon County ordinance for desired changes. All parcel inquiries related to original parcels should be completed by a planning division staff member, and reviewed by a Supervisor if there are portions of the research that are unclear.

When determining the originality of a parcel of land, the following guidance shall be followed. These are not all inclusive and additional research may be required from other sources.

Key steps in research:

#1 WHAT DATE WAS THE PARCEL CREATED?
#2 IS IT IN A PLATTED SUBDIVISION, IF SO WHAT'S THE DATE?
#3 DOES THE LEGAL DESCRIPTION INDICATE A TAX NUMBER (Tax 6)? What's the date?
#3 WHAT PARCELS ARE INDICATED ON THE ASSESSOR'S MAPS? What is the date on the notes?
#4 IS THERE AN ADMINISTRATIVE LAND DIVISION OR CUP ON FILE FOR THE PARCEL? THAT DIVIDED SMALLER LOTS OUT OF A LARGER LOT? Is there a CUP? CUP's for divisions were issued in the 2000's. LOOK IN ONBASE AND PHYSICAL FILES, SOMETIMES ADMINISTRATIVE LAND DIVISIONS ARE IN PHYSICAL FILES BUT NOT ONBASE
#5 IS THERE A RECORD OF SURVEY, CAN YOU FIND A MATCHING DEED IN THE RECORDER'S LINK OR IN THE ASSESSOR'S RECORDS? Follow the tax trail
#6 CHECK THE RECORDER'S LINK FOR EASEMENTS, DEEDS, ETC.? If no record of survey, you may have to read and draw out deed descriptions.
#7 EACH ORIGINAL PARCEL GETS A BUILDING PERMIT, PERMITS MAYBE TRANSFERRED THROUGH THE AD PROCESS. Check for an administrative land division folder.

Other considerations to review:

- Is the lot in question a government lot that has not been divided after the date of the zoning ordinance? A government lot is a PLSS lot that is less than 40 acres, a remainder lot, or oddly shaped due to topographic features such as a river. Government lots have their own building permit available even if attached to another full PLSS division (40 acres).
- A parcel may be an original parcel if the legal description is a PLSS description such as the NE1/4, of the NE1/4 of Section 34 of Township 1 North, Range 2 West (minimum size 40 acres?) Quarter sections can be called out separately or together but must contain the full description including Township and Range to be considered separate original parcels.
- Review Assessor parcel number. Assessor assigns a 5-digit number example 34366 to parcels, 5 digits following with 010, 011, 012 indicate they have been divided from the mother parcel. A 5-digit parcel with no other sequential parcel numbers may be an original.
- A subdivided/platted lot that predates Sept. 6, 1979 can be an original parcel. Sources to determine this include:
    - Assessors' Middle Maps date from 1930 -1970's
    - Assessor's Old Maps date from 1900-1930's
- From 1979-1993 there was not specific application process for land divisions. Land division may just be a recorded deed, after this date there should be an application on file, deed, and recorded survey.
- In 2005, an ordinance passed that moving a property line more than 80' required director approval. These documents should be in county records.
- In 2010, a Boundary Adjustment application process was introduced.
- Prior to 08/16/2010 residentially zoned land was allowed splits by recording deed without an application process. Up to 4 lots are allowed (concurrently or sequentially).
- According to current ordinance Ag zoned parcels that have undergone an Admin split, can rezone to residential and divide more lots by record of survey to a total of 4, before platting/subdivision process.
- 2010 Rural Residential lots size changed from 1 acre to 2 acres, R-1 from ½ acre to 1 acre.

The remedy for illegal lots splits on parcels already zoned residential is platting, and maybe rezone if the lot does not meet the minimum lot size

- Look at Tax designation:

- If Tax 6 is in legal description on GIS, check the OnBase Tax Record/Deed maybe the fastest way to determine if it is an original parcel/date of origin, as it shows the deed of a new taxing parcel
- On old maps, a TX 1 may be indicated on the map it is a Tax designation
- TX 2 designations with single digits or with letters like T 2-A are older and located upstairs in the Assessor's books arranged by Section, Township, Range.
- Designations with 5 digits TX 14445 start with the year it was filed 2014, and are located in the Assessor's deed books by year.
- When the legal description states "Less TX 14445" it means a parcel has been split off the original or mother parcel by deed.
- When the legal description states "TX 14445 in the SW 1/4" it means a parcel has been added back to the original or mother parcel, such as in the case of accretion ground by the river being owned by the state then sold to a private party.
- TX 01510 in the legal description is an Assessor's reference number to a metes and bounds description that's too long for the system
- TCA in the legal description indicates a tax split (the parcel has been split by the assessor's office because it straddles two different taxing districts.)
- T75049 in the legal description means mobile home
- Etux (as indicated on Assessor's maps/notes) = Latin "et uxor" means "and wife"

Process Name: Entitlement Verification Process		Version: 1
Department: Development Services	Process Owner: Administration	Version Date: May 2025

File Name: SOP Entitlement Verifications V#05.19.2025

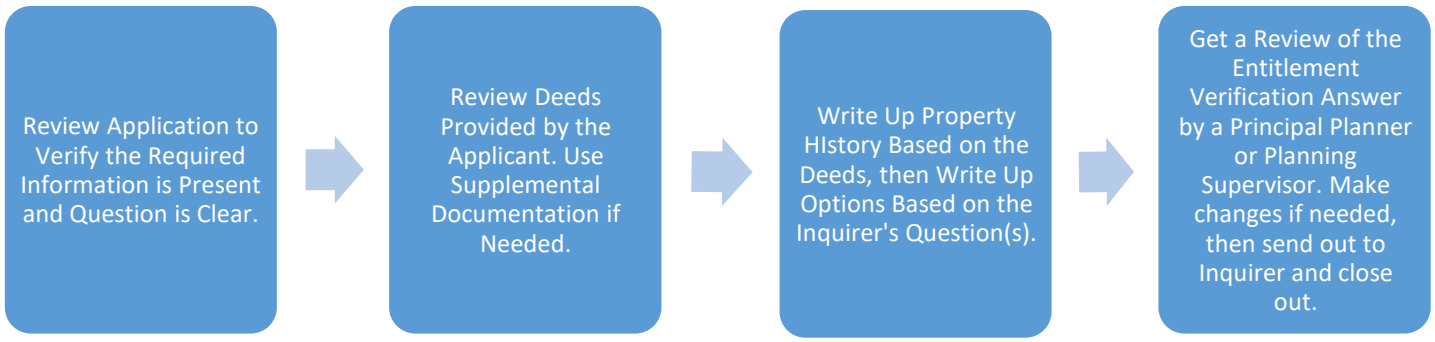
PROCESS DESCRIPTION:

- An entitlement verification is requested by the property owner (or their designee) to determine what entitlements (such as building permits or administrative land divisions) are available to the property. Entitlement verifications require planners to review Canyon County Zoning Code and property research documents (specifically deeds dating back to September 6, 1979) to determine what options are available to the property owner to divide or build on the property.
    - See attached Entitlement Verification Resource Guide for Applicable Zoning Code, Canyon County Property Research Resources Overview, and Instructions on Reading Legal Descriptions.

ROLES AND RESPONSIBILITIES:

- Role 1 – Receiver
    - The individual that verifies an entitlement verification is necessary based previous records. If the entitlement verification is deemed necessary, this individual shall check the application for completeness and verify the question is clear. This may be a member of the administration team, Building Permit Technician, or Planner.
- Role 2 – Researcher
    - The Planner that reviews the deeds provided by the inquirer and supplemental documents and then writes up the report. They also send out the entitlement verification answer to the inquirer and verify it is documented and closed out in Canyon County's systems (CAPs, OnBase, and Monday.com).
- Role 3 – Reviewer –
    - The Principal Planner or Planning Supervisor who reviews the answer written up by the researcher to verify the property history and answer is correct.

HIGH LEVEL PROCESS FLOW):



PROCESS ACTIVITIES/TASKS:

1.0 Verify Entitlement Verification is Needed

1.1. Before taking in the entitlement verification application, the following should be reviewed/addressed:

1.1.1. If it is a general question about land divisions/building permit availability, can it be answered over the counter?

1.1.2. If the general question is a request for a copy of a previous staff report, plans, or previous approval document, have the applicant complete a Public Records Request form. Administrative staff can assist with the request.

1.1.3. Check OnBase to see if a previous entitlement verification or parcel inquiry was completed. If so, provide the information free of charge. ***Upon reviewing a previous parcel inquiry, if the inquiry is out-of-date or appears wrong, then a new inquiry with fees is required.***

2.0 Receive Application

2.1. Verify the application has all required information. The application must include the following:

2.1.1. The form must include a parcel number and/or address. If the applicant does not have either, assist the applicant by completing one of the following: (1) help them find the parcel information by using GIS; or (2) send them to the Assessor's Plat Room to find the parcel number.

2.1.2. Affidavit of Legal Interest (if the property owner is not the individual turning in the form)

2.1.3. Site plan

2.1.4. Complete chain of deeds.

2.1.5. The entitlement verification fee ($150) must only be accepted if the entitlement verification application is deemed completed. The fee is required per parcel researched. The parcel research **may** be one fee if the other parcels are contiguous and share the same mother parcel number.

2.2. Create a "PI" case number in CAPS if the submittal is complete (if there is not already a Project Number created for the parcel, create one under "Project Info" then create "PI" number under "PZ Apps"). Entry into CAPS consists of completing the following fields: App Type to "Parcel Inquiry", PI Question with the applicant's questions, Client Information to property owner and/or applicant, Workflow Events to "Application Packet Received", and Fee Due to "Entitlement Status - Per Parcel – (Deposit Only) - PI". The assigned planner will complete the rest of the required CAPS entries.

2.3. Once the Entitlement Verification has been added to CAPS, fees have been paid, and the receipt is provided to the applicant, Admin. Staff shall add the Entitlement Verification to the list on Monday.com under the "Admin Decisions Cases, Submitted group. The inquiry can then be reviewed and assigned by the Planning Supervisor.

3.0 Initial Review

3.1. Look over Deeds Provided by the Applicant. Verify the chain of deeds is full and complete and date on or before September 6, 1979.

3.1.1. If the chain of deeds is not complete, reach out to inquirer and ask to provide those deeds to fill in those gaps of property history.

3.1.1.1. If the inquirer does not provide the deeds, staff can reach out to a title company and then charge back the inquirer if necessary.

3.1.2. A complete deed chain should allow the planner to track the ownership from Grantor to Grantee with no gaps and show when an owner divided or property boundary adjusted the subject property. Here is an example of what you should see:

3.1.2.1. A. Johnsons (Grantor) sold to the A. Smith (Grantee) in 1978.

3.1.2.2. A. Smith (Grantor) sold to the B. Miller (Grantee) in 1991

3.1.2.3. B. Miller (Grantor) divided the property in 1997 and sold a piece to N. Miller

3.1.2.4. The properties have stayed the same since 1997

3.2. Timeframe: If the Entitlement Verification will take over 72 hours to complete, please contact the applicant to provide an update and a tentative completion date.

3.3. Use the Comments tab in CAPS to document updates or changes in the application.

4.0 Report (see template for Entitlement Verification for a visual of how to write and fill in sections of the report)

4.1. Fill in property history section of report by documenting the changes (or lack thereof) to the subject property based on the deeds provided by the applicant.

4.1.1. During this part of the process, staff may use assessor's property data, old planning and building permits, old plats and records of surveys, old ordinances, comprehensive plans, old assessor's maps data or other supplemental information for assistance in writing up the property history section of the report. However, the above research documents shall not be relied on solely for property research.

4.1.2. If staff needs assistance mapping out a deed, they can reach out Canyon County's DSD GIS Department.

4.1.3. Staff may also reach out to Canyon County's Contract Surveyor(s) at this time for assistance in reading/interpreting deeds. This time shall be charged back to the applicant based on Canyon County's fee schedule.

4.2. Once the property history section is written up, answer the applicant's question at the top of the template (see attached for template) and write up options for their property with more detail below the answer for the inquirer to review. The number of options depends largely on how the inquirer desires to divide the property.

4.2.1. Make sure to add other pertinent information on the entitlement verification form, such as if private road requirements apply, if a secondary residence is an option, if the inquirer should look into annexation to a city if they are touching city limits, building or code violations, if parcel is in a flood zone, if the property contains slopes of 15% or more, etc.

5.0 Review

5.1. Once the Entitlement Verification Report has been drafted by the planner, it shall be given to a Principal Planner or Supervisor to review

5.2. The planner shall then alter the report based on the comments and changes given by the Principal Planner or Supervisor.

6.0 Compilation

6.1. The following documents shall be saved and then compiled together in Kofax/Power PDF in the following order:

6.1.1. Final Version of Entitlement Verification Report

6.1.2. A Site Map of the subject property from DSD's GIS Map

6.1.3. A Parcel Tool Report from DSD's GIS Map

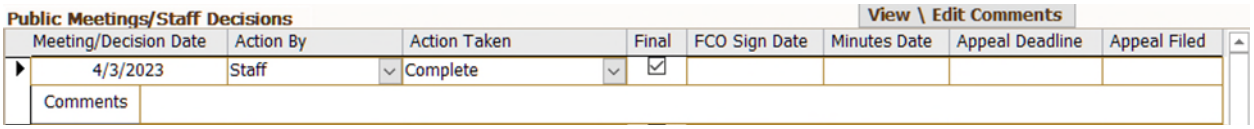
6.1.4. All deeds and any supplemental documents (previous decisions by Canyon County, Canyon County Plat Maps, Assessor's Records, etc.) used to document the property research and decision options shall be compiled with the decision in chronological order

6.1.5. Any Code Sections that are important to include with the rest of the documentation (such as a copy of the private road, setback, or lot size codes).

7.0 Send Answer and Close Out

7.1. Once the Report has been compiled with the above documentation, it shall be sent out to the inquirer with any land use applications given as options in the report.

7.2. Update CAPS and complete the following fields: Staff Assigned to Application, Answer, Status, Approval Status, Date Closed, Date Closed, and Public Meeting/Staff Decisions.

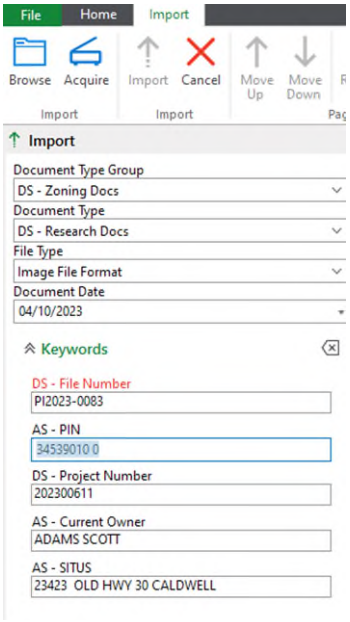


7.3. The response with corresponding documentation must be imported into OnBase for future use. Click the "Import" button at the top of the screen and select:

7.3.1. Document Type Group: DS – Zoning Docs

7.3.2. Document Type – Research Docs. The rest of the files will populate.

7.3.3. DS- File Number – PI Case Number. The rest of the files will populate. If not, CAPS is not updated completely.



7.3.4. At this time, also verify that the entitlement verification application has been scanned into OnBase under "Master Application."

7.4. Once the entitlement verification is closed out in CAPS and OnBase, Monday.com must be updated by marking the item as "Complete" under *Status* and *Next Action* and moving the item to the "Complete" Group." The item may be completely deleted by a supervisor.

7.5. Papers Associated with the Entitlement Verification that have been scanned in/documented may be put in the shred bin at this time.

VERSION CONTROL:

Process Change	Author – Date Change (MM/DD/YYYY)	New Version
Created Entitlement Verification SOP	*Emily Bunn- 4.28.25*	*V1*

Entitlement Verification Resource Guide:

See the SOP here: "O:\SOPs\Planning SOPs\SOP Entitlement Verifications V#05.19.2025.docx"

Building permit eligibility/availability

"Building permit" in the planning world refers to the entitlement a property may have to be able to be issued any number of actual building permits, but most people care about being able to build a primary residence. If the applicant is only asking about building permit eligibility, you may not need to go back too far to get the answer. Check for the following:

1. Is the requested type of building (almost always a house) allowed in the zone?
2. Was the parcel created legally? It should be either original, split prior to 8/24/92, split prior to 8/16/10 if zoned residential, or split through a land division, CUP, or subdivision application. Otherwise it was likely created illegally without approval from our office. Unfortunately, it's very easy to do this; all they have to do is record deeds with separate legal descriptions.
3. Are there any other circumstances that would make it not buildable? (e.g. designated as agricultural-only in a land division decision or subdivision plat note, conditioned in a CR or CUP so that there is no building permit available, not meeting conditions of a CR or CUP)
4. Are there already two residences on the property?
5. Are there any active CDEF cases?
6. Is it feasible to build? (is there legal access per CCZO 07-10-03, is it in a flood zone, is it sloped over 15%, is it under an acre, etc.)

Original parcels

Not every entitlement verification will necessarily require finding out what the original parcel was, but nearly every entitlement verification can be answered if you know what the original parcel was. I usually try to find the original parcel unless it is really a pain and not necessary at all, since it often means I (and anyone else reading my response) can answer follow-up questions without having to do any more research.

> ORIGINAL PARCEL: **A parcel** of platted or unplatted land **as it existed on September 6, 1979** (the effective date of the Zoning Ordinance 79-008), including any property boundary adjustments as defined in this chapter and any reduction in area due to creating a parcel for the exclusive use by Canyon County, a municipality within Canyon County, a local highway district, Idaho Transportation Department, utility company or corporation under the jurisdiction of the Idaho Public Utilities Commission, or other local, State, or Federal agency. (CCZO 07-02-03)

Original parcels are often BUT NOT ALWAYS:

- 40 acres or a multiple of 40 acres (80 acres, 120 acres, 160 acres etc.)
- A parcel with only 5 numbers in the parcel number.
    - The basic parcel number is 5 numbers, sometimes followed by "000 0" depending on the formatting. The Assessor's plat room assigns parcel numbers when parcels are split by adding a "010 0", "011 0", "012 0", etc. When parcels are platted in a subdivision, they add "100 0", "101 0", "102 0", etc.

- Government Lots – Government lots are noted on Assessor's maps and the legal description. Government lots each count as one original parcel even if they have connector bars on Canyon County's Plat Maps and are described together on the deed.

Land division eligibility

In county code, there are two main ways to split parcels:

1. **Administrative Land Divisions.** These are much easier to accomplish but only a limited number of parcels can be created from each original parcel. A maximum of 4 buildable parcels can be created from one original parcel via Administrative Land Division.
2. **Subdivisions**. There is no limit on the number of parcels that can be created via subdivision except the minimum lot size for the zone. The minimum lot size in the Agricultural zone for subdivisions is 40 acres, so if someone wants to split an Ag zoned parcel into many lots, they almost always have to rezone first, which means they have to go through a lengthy and expensive public hearing process and could still be denied at the end. A subdivision is always required to create 5 or more buildable parcels from one original parcel. A subdivision is also required if the parcel is already part of a subdivision that was recorded after 9/6/79.

There are 4 types of Administrative Land Division:

Admin Division in any zone other than A (07-18-13)

Any parcel that is zoned something besides A can be split into 4 parcels from the original, as long as each resulting parcel meets the minimum lot size of the zone. If it's a conditionally rezoned parcel (CR-whatever zone), keep in mind that there are likely conditions about how the parcel can be split.

Basic Admin Division in A Zone (07-18-07)

For land divisions in an A zone, the number available depends on the size of the original parcel. Most original parcels are under 80 acres, so there is only one split available. One (1) additional agricultural-only parcel can be created but it is non-buildable and must be at least 5 acres.

- In order to get more splits, the property owner can try one of the other types of land division or apply for a subdivision.

07-18-07: ADMINISTRATIVE DIVISION IN AGRICULTURAL ZONES:

(1) Purpose: The regulations of this section allow for a division of a parcel in an agricultural zone without being subject to the subdivision regulations as set forth in article 17 of this chapter.

(2) Standards: The proposed division of original parcels created prior to September 6, 1979, shall be allowed in accordance with the following:

Less than 80 acres	1 division (2 residential parcels)
80 to 119 acres	2 divisions (3 residential parcels)
More than 120 acres	3 divisions (4 residential parcels)

A. The proposed parcels created and its remnant shall be at least one (1) acre in size.

B. An additional parcel designated as agricultural only and at least five (5) acres in size may be created in accordance with this article and subject regulations in accordance with article 10 of this chapter.

Nonviable Admin Division in A Zone (07-18-09)

Only for A-zoned parcels. It allows for up to 4 parcels to be created from the original, regardless of the original parcel's acreage, as long as each resulting parcel is at least 1 acre. Importantly, the applicant must prove they meet the following code below as part of the application.

- If you can tell from the aerial imagery and soil classification layer that the entire parcel is obviously a productive farm, don't mention this option unless they ask.
- This type of division requires a property owner notice unlike a regular division, so it has a higher fee.

> C. The parcel, in whole or in part, shall consist of land with site constraints and/or resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricultural use extremely difficult; and
>
> D. The division shall not create a negative impact to surrounding agricultural uses. The director may include conditions of approval to mitigate potential negative impacts.
>
> (6) The applicant has the burden of proving that the application meets these requirements.
>
> A. Deliberate action to withhold agricultural land from productive use strictly to qualify for a land division pursuant to this section shall disqualify such land from treatment under this section.

Building Permit Relocation (aka BP Transfer) in A Zone (07-18-11)

Only for A-zoned parcels. Building permit eligibility can be transferred between contiguous (touching) parcels. They do not have to be owned by the same owner, but all property owners have to sign the application. Building permits are typically transferred and the destination parcel is split at the same time. This still only allows for 4 buildable parcels to be created from one original parcel.

- Generally, don't bring this option up unless the applicant does because it involves time researching the adjacent parcels which they may not be paying for.
- This type of division requires a property owner notice unlike a regular division, so it has a higher fee

> A. The originating and destination parcels must be contiguous. "Contiguous" means touching at a point or along a boundary, including parcels divided by railroad, public right of way, canal, ditch, river, or stream; and
>
> B. The originating parcels must be eligible for an administrative land division under this article or have a building permit available; and
>
> C. The relocation uses the originating parcel's administrative land division/building permit and no other administrative land division is available for the parcel; and
>
> D. The relocation must demonstrate at least one of the following:
>
> 1. Promotion of effective or efficient farming. If the applicant demonstrates that the relocation would create a more cost effective or efficient method of farming the originating parcels or make them more viable for the production of crops; or
>
> 2. Clustering of structures;
>
> E. Deliberate action to withhold productive farm ground from production strictly in order to qualify for administrative relocation of building permits pursuant to this subsection shall disqualify such farm ground from treatment under this subsection.

Bonus options:

When none of the admin division options are feasible and evidence does not appear to support the necessary findings for approval of a rezone and subdivision, the following options may be helpful:

- Property boundary adjustment: If their goal is to sell land to a neighbor, this is the easiest option, but it only moves the property line and does not create another buildable parcel. Per code, PBAs cannot provide for an additional building permit.
- Secondary residence: Parcels zoned A, R-R, and R-1 are allowed to have a secondary residence if the parcel is compliance with County Code, the parcel owner live on site and the secondary residence is addressed.
- Annexing: If the parcel is adjacent or nearly adjacent to city limits, annexing may be possible and could provide a whole host of other options. Applicant should contact the city P&Z if interested.

Helpful dates:

Sept. 6, 1979: Date of originality/date the zoning ordinance took effect

Aug. 24, 1992: Prior to this date, applications for administrative land divisions were not required. A record of survey may have been required, but may not have been scanned in anyways. Splits between 1979 and 1992 still count as administrative land divisions when determining if any divisions are left. Generally, only one division creating two parcels was allowed even though applications were not required.

2010: Prior to this general time, applications for property boundary adjustments were not required. A record of survey may have been required, but may not have been scanned in anyways.

Aug. 16, 2010: Prior to this date, parcels that were zoned residential could split administratively by deed. This still only allowed for up to 4 parcels from the original. This is mostly seen around Nampa where there are a lot of R-1 and R-R zoned parcels.

Helpful Canyon County Research Tools

DSD Viewer/Parcel Tool

- It's always good to look at the property and make sure there's nothing funky going on and that it is not in a city.
- Check the acreage & zoning.
- "Sub Name" - If it is in a subdivision, that could make your job a lot easier. Next step would be to check the date of the subdivision and whether the parcel actually matches the plat.
- FEMA layer – If it is in the floodplain, note that a flood development permit may be needed.
- "Legal" - If it is just a description with no tax numbers like E1/2 W 120', it may be an original parcel. If it has a short tax number indicated by T or TX and 1-2 digits, check it in OnBase Assessor's Tax Records for the date it was created. The longer numbers start with the year and are usually too recent to be very helpful. "LESS" means the following described area is not included. See last page for more on legal descriptions. Longer tax numbers that start with a 7 are for a mobile home, not the property.

CAPS

- Make sure your search type is set to "Parcel number" rather than "File number" so the search results include projects where your parcel number is not the primary parcel. I always choose to sort by file number so it doesn't look weird.
- Try only including the first 5 digits of the parcel # in your search.
- If there are a ton of cases, you can limit the "App Group" to Planning applications.
- AD and LS cases are generally land divisions. SD is subdivision. CU and PH cases were previously used to split property as well. CR and RZ cases are rezones not splits, but they often include parcel history in the staff report in OnBase which may have all the work done for you already! CDEF cases are code enforcement. If there is an active CDEF case, make a note that it will likely need to be resolved before we can approve anything else on the property.
- If you get stuck, just close out and reopen it. But CAPS is a wonderful program that never has those kinds of problems :D

OnBase

- Use Custom Queries > DS DSD Keyword Query > DS File Number to search file numbers from 2018-now and the Historical Search for 2017 or prior.
- You can also just search by parcel number (Custom Queries > AS – PIN) rather than looking in CAPS first, but there may be a lot of files to look through. You have to enter exactly 10 digits, so use asterisks* for a wild card.
- AS - Historical: These can be helpful when trying to find when a parcel was split between 1990 and 2010. Do a regular search for the parcel number and there should be file(s) named "AS – Historical". The first few pages are the property tax assessment (I think). The bottom left side tracks acreage, although there is usually only one entry. The "Platroom notes" on the middle right side sometimes has very helpful notes about splits including the year and deed instrument #.

- Make sure to clear out your searches or they can really build up fast.
- Searching for tax numbers: Click "Retrieval" in the top left, and find "AS - Tax Record" under "Document Types and Groups". Type in the section/township/range and search. Sometimes there are multiple of the same tax number, so always check the legal description and/or acreage to make sure it generally fits what you are looking for. Often the tax number is not scanned in to OnBase, but it may be in the physical binder in the plat room.

Assessor's maps: O:\SCANNEDDOCS\old books\ or O:\SCANNEDDOCS\old maps

- Old books (aka old maps): These track property owners and property lines from about the 1930s to 1970s. They are sorted by Section Township Range (you can find this in the DSD Viewer). The whole section is shown on one page, so it matches with the yellow section lines on the DSD Viewer.
- Old maps (aka middle maps): These track property owners and property lines from about the 1970s to 1990s. They are sorted by Section Township Range and quarter (you can find this in the DSD Viewer). Quarters are numbered as seen to the left. A quarter section is shown on one page, so it matches with a quarter of the yellow section line area on the DSD Viewer.
    - Middle maps also include notes with dates of ownership, deed instrument numbers, and parcel numbers on the next page which correspond with the numbers on the map.

4 NW	1 NE
3 SW	2 SE

- Connector bars show that parcels are connected as if there was not a line between them. However, government lots ignore connector bars. They are still original on their own even if connected to another parcel via a connector bar.
- Up-to-date plat maps are located here: O:\SCANNEDDOCS\PLATMAPS

Subdivisions: S:\Subdivisions

- All subdivisions are scanned in here alphabetically.
- Check for the date it was recorded and if there are any weird easements, building envelopes, or plat notes.
- You can also find some surveys mostly from the 2000s sorted by section/township/range in S:\Surveys.

Recorded Documents

- If you have an instrument number you want to review that was not provided by the applicant, (e.g. 2023-012345 or 2312345), go to the county website then Departments > Recorder > Viewing Records > Search Documents. From there you can enter the year and then the rest of the instrument #. Documents from before 1984 are not viewable online, but can be reviewed by emailing the Recorder's Office with a request to review the instrument number.

Aumentum

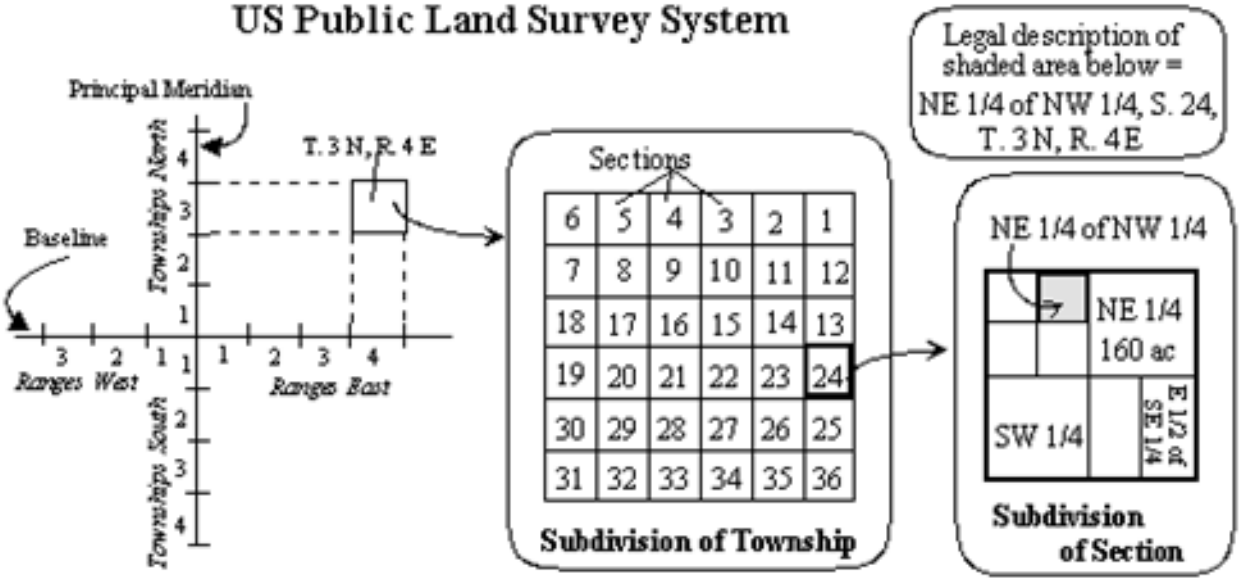
- Using Aumentum is usually not necessary for PIs, but it is helpful if you are unsure of the number of houses on a property, when they were built, what the property is taxed as, or any tax exemptions the property has.
- Aumentum should be on your desktop. The username and password are "planner". From the top left "Information Center", select Appraisal. Enter your parcel number in the PIN section and click Search. If it gives you options, pick check the correct parcel and click Next.

- Improvements including houses and other buildings are listed in the bottom left box. The permit techs know how to find tax exemptions.

Plat Room

- Field trip! The plat room is on the second floor and has physical binders for tax numbers sorted by section/township/range and subdivision. They also have the original old and middle maps in color.

Section, Township, Range/Legal descriptions



Section township range descriptions are easier to read if you start from the end. The yellow boxes on the DSD Viewer are sections. So, if the legal description says "NE1/4 NW1/4, 24 T3N R4E", you would first find that yellow box that is 24 T3N R4E. Then find the NW ¼ of that section, and then find the NE ¼ of that quarter.

Exception/excepting means the following described area is not included. Same for "LESS" in Assessor's legal descriptions.

To get an idea of if a legal description matches a current parcel, you can compare with the current Assessor's maps (O:\SCANNEDDOCS\PLATMAPS). They have measurements and tax numbers right on the map. Another option is to use the measure tool in the DSD Viewer. You can also ask Tony & Maddy to map it out for you! Or sometimes you can just make sure the acreage matches if it is present, usually at the bottom of the description. Note that older acreages and measurements in general are not as accurate as present day, so don't worry if it's off by a slight amount.

PS: This is all very confusing and it takes a while to grasp, plus I'm sure I missed some things. Know that you can always ask for help! People like Dan, Deb, and Emily are generally good candidates. It's better to double check with someone than to give the applicant a wrong answer that they could spend a lot of money on, or that the County could get in legal trouble for.

Karla Nelson

From: Chris Shaver <Chris.Shaver@ishs.idaho.gov>
Sent: Monday, October 20, 2025 2:45 PM
To: Karla Nelson
Subject: [External] Canyon County / Case No. AD2025-0046-APL, AD2025-0047-APL, AD2025-0048-APL, AD2025-0049-APL, and RD2025-0008-APL (SHPO Rev. No. 2026-13)
Attachments: Canyon County Case No. AD2025-0046-APL.pdf

Thank you for the opportunity to comment on the proposed undertaking. Our office has reviewed the project location and its potential concerns for cultural resources and have concluded that archaeological resources may be encountered, and we recommend an archaeological survey prior to any ground disturbing activities. Please see the attached letter from our office. Should you have any additional questions or concerns, please let our office know at your earliest convenience.

Sincerely,
Chris

IDAHO STATE HISTORICAL SOCIETY

Christopher L. Shaver
Compliance Archaeologist
State Historic Preservation Office

(208) 488-7467

HISTORY.IDAHO.GOV

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IDAHO STATE HISTORICAL SOCIETY

20 October 2025

Karla Nelson
Case Planner
Canyon County Development Services Department
111 North 11th Avenue, Suite 310
Caldwell, Idaho 83605

Re: Case No. AD2025-0046-APL, AD2025-0047-APL, AD2025-0048-APL, AD2025-0049-APL, & RD2025-0008-APL2
SHPO Review No.: 2026-13

Dear Ms. Nelson:
Thank you for consulting with our office on the above-referenced project. The State Historic Preservation Office is providing the following comments to the Canyon County Development Services Department regarding potential effects to archaeological and historic built environment resources within the proposed project footprint or its immediate vicinity.

On 3 October 2025, our office received notification of the project application with a request for agency review. The historic property review was initiated in response to an appeal regarding the Director's Decision that denied administrative and non-viable administrative land divisions in the "A" Agricultural zone. If approved, the parcel would be split into eight (8) parcels. The subject property of approximately 81.29 acres located at Map Rock Road in Melba, Canyon County, Idaho. The parcel may also be referenced as Parcel R28800011, a portion of the SE quarter of Section 16, T1N, R3W, BM.

Our office consulted historic aerial images and maps in addition to the Idaho Cultural Resources Information System to identify cultural resources in the area. The project location is within a highly important archaeological region along the Snake River that includes the unique and significant Map Rock Petroglyphs Historic District and numerous known archaeological resources and likely many other sites that yet have not been identified. The sensitivity to this specific vicinity cannot be underestimated, not just to the archaeological history of Idaho but also to the tribes who still consider the area to be a significant part of their history. Therefore, we strongly recommend consultation with the tribes be carried out before the project moves forward. In the event the project is approved, our office recommends an archaeological inventory be conducted to identify any cultural resources within the project area. This survey should be conducted by an individual or firm meeting the Secretary of the Interior's Professional Qualifications for archaeology. Furthermore, the inventory should consider the visual effects to archaeological resources in the vicinity and the adjacent Map Rock Petroglyphs Historic Districts.

Brad Little
Governor of Idaho

Janet Gallimore
Executive Director
State Historic
Preservation Officer

Administration:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2682
Fax: 208.334.2774

Idaho State Museum:
610 Julia Davis Dr.
Boise, Idaho 83702
208.334.2120

Idaho State Archives and State Records Center:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2620

State Historic Preservation Office:
210 Main St.
Boise, Idaho 83702
208.334.3861

Old Idaho Penitentiary and Historic Sites:
2445 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2844

HISTORY.IDAHO.GOV

A list of qualified professionals who meet the requirements for archaeologist can be found on our website at https://history.idaho.gov/wp-content/uploads/Idaho_HP_Consultants_List.pdf. Inclusion on this list should not be viewed as an endorsement or recommendation by the State Historic Preservation Office. More information and guidance about conducting archaeological inventories within Idaho can be found at our website at https://history.idaho.gov/shpo/idaho-shpo-guidance/ .

If you have any questions, or the scope of the project changes, please contact me at chris.shaver@ishs.idaho.gov or (208) 488-7467.

Sincerely,

Chris Shaver

Christopher L. Shaver
Compliance Archaeologist
Idaho State Historic Preservation Office

Karla Nelson

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Sent: Wednesday, July 2, 2025 3:26 PM
To: Karla Nelson
Subject: Re: [External] Re: Best Investments Inc.: Parcel #R2880001100

Thanks, Karla.

No concerns from IDFG on this one.

Brandon Flack
Regional Technical Assistance Manager
Idaho Dept. of Fish and Game
Southwest Region
15950 N. Gate Blvd.
Nampa, ID 83687
Ph: (208) 854-8947

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Monday, June 30, 2025 8:39 AM
To: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Subject: RE: [External] Re: Best Investments Inc.: Parcel #R2880001100

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.

Hi Brandon,
The application packet is attached, the proposed layout it included.

Thank you,

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

Karla Nelson

From: Julia Jones <julia.jones1205@gmail.com>
Sent: Monday, October 13, 2025 12:27 PM
To: Karla Nelson; Bret Jones
Cc: Austin Boschma
Subject: [External] RE: AD2025-0046-APL, AD2025-0047-APL,AD2025-0048-APL, AD2025-0049-APL

Follow Up Flag: Follow up
Flag Status: Flagged

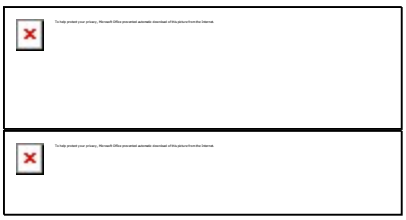
Hi Karla,

I'm contacting you regarding the November 6th hearing. I understand that the appellant had 15 days from the date of the denial to appeal. The November 6, 2025, hearing is months after the decision. Did the appellant respond within the 15-day timeline?
We are the servient property, and the road easement runs through our land. We have several issues to address:
A.)
Easement and intended use
Ownership maintenance burden
Ownership, Liability, and Privacy concerns
B.)
Safety & Environmental Concerns
Drainage and erosion
Dust, Noise, and light pollution.
Traffic safety
Wildlife disruption
C.)
Quality of Life & Property Value
D.)
Legal and Procedural Concern

Is this the email to submit our official written submissions?

Please advise.

Associate Broker, GRI
Michener Investments
106 N. 6th Street # 206
Boise, Idaho 83702
Office 208-336-3202
Cell 208-899-2114



Scott and Mary Beth VerHagen
4365 Cornerstone Lane
Caldwell, ID 83607

Canyon County
Development Services Department
111 North 11th Avenue, Suite 310
Caldwell, ID 83605

RE: Case No. AD2025-0046,0047,0048,0049APL and RD2025-0008APL

To Whom it May Concern:

We would like to speak to the further division of the 81.29 acres in question, also known as Parcel R28800011. We are adamantly opposed to any further land divisions of this parcel.

We currently live approximately 1 mile northwest of the property in question.
To allow further division of this parcel will lead to increased congestion, traffic and otherwise in the surrounding area.
Further division will also lend itself to diminishing the peaceful environment of life along the river that those of us who live here enjoy.

We would ask that you please consider those of us who live near and around the parcel in question and deny any further division of parcels.

Thank you for your consideration,

Sincerely,

Scott and Mary Beth VerHagen

Karla Nelson

From: Austin Boschma <boshify@outlook.com>
Sent: Wednesday, October 22, 2025 8:57 PM
To: Karla Nelson; Julia Jones; Bret Jones; s_gravance@yahoo.com; jeffp1134@gmail.com; Tanna Boschma
Subject: [External] Re: Objection to the proposed subdivision of Parcel R2880001100
Attachments: Cattle fence.jpg; Path from Map rock to top of Property.jpg; Neighbor field fence to prevent grazing cattle from getting in fields.jpg

Hello Karla,

I received a notice that Best Investments LLC has is appealing the decision that denied administrative and non viable administrative land division in the "A" agricultural zone. The notice stated that we have until October 27th to submit written testimony. Can we use the same objection letter that was previously used in the initial request to break up the parcel? If so, we would like to use this slightly revised version with some pictures for reference as our formal written testimony along with some pictures that we have gotten to highlight some of our concerns.

Could you let me know if this is not the correct format to get written testimony added so that it can be reviewed on the hearing on November 6th.

From: Residents of Parcels R28801 (Mr. & Mrs. Gravance), R28800010B (Mr. & Mrs. Boschma), R28800010 (Mr. & Mrs. Jones), and R28800010C (Mr. Peterson)

Date: October 22, 2025

Subject: Formal Objection to Parcel Split Request for R2880001100 (Case Numbers AD2025-0046 through AD2025-0049)

Dear Principal Planner Karla Nelson,

This letter serves as a formal written testimony objection to the appeal by Best investments, LLC represented by T.J. Wellard of Skinner Land Survey to overturn the Directors decision reject the proposed subdivision of Parcel R2880001100 into eight separate parcels, as detailed in the application received on June 20, 2025, under Case Numbers AD2025-0046, AD2025-0047, AD2025-0048, and AD2025-0049. We, the undersigned property owners of adjacent parcels R28801, R28800010B, R28800010, and R28800010C, respectfully urge Canyon County Development Services to uphold its decision to deny this application based on the following significant and unaddressed concerns:

Inconsistency with the Melba Comprehensive Plan and Existing Land Use

The proposed subdivision of Parcel R2880001100 represents a substantial increase in density that is fundamentally inconsistent with the established Melba Comprehensive Plan for areas outside city limits. Our recent property acquisitions were made with the reasonable and informed expectation that Parcel R2880001100 would maintain its historical agricultural density, supporting no more than one potential

residence. This expectation was reinforced by the prevailing agricultural zoning, the absence of published plans for high-density development in this rural sector of Canyon County, and direct communication from the previous seller indicating that the parcel could not be further subdivided. The creation of eight new parcels would drastically alter the rural character and existing density of this agricultural zone, thereby negatively impacting the enjoyment and value of all surrounding properties.

Public Safety Concerns Regarding Access

Significant safety concerns arise from the proposed reliance on the existing private drive to access the top of the hillside. This road, cut into the side of the mountain, is notably more narrow and steeper than Pump Road, a nearby public thoroughfare on Map Rock Road. Pump Road is already closed during winter months due to its hazardous conditions. If this proposal is approved, making the current main road (which services what is currently an airport) the sole access for up to five new residences, it would force future inhabitants to traverse a dangerously narrow and steep route, especially during adverse weather. Furthermore, the alternative of using the airstrip or driving through private farmland lacks established easements, placing residents in a precarious position. (picture attached of path from Map Rock to top of hill)

Inadequate Infrastructure Capacity

The current infrastructure is demonstrably unequipped to support the proposed increase in density:

- **Water Supply:** This area lacks accessible municipal water or sewer utilities, relying entirely on private wells. Existing neighbors have already drilled deep wells due to the prevailing water table levels. Adding eight new parcels would place an unsustainable strain on shared groundwater resources, potentially depleting well capacities and compromising the water supply for current residents. Additionally, surrounding agricultural lands utilize nitrates and pesticides, necessitating a thorough review of water quality for future residents of the top hillside locations

- **Electrical Utilities:** Supporting additional parcels will undoubtedly require the expansion of electrical easements, potentially encroaching upon and negatively impacting the use and enjoyment of existing parcel owners' properties.

- **Emergency Services:** This section of Canyon County, bordering the Marsing Fire District, consistently experiences limited fire support and extended response times. Increasing the residential density here significantly escalates the risk of fire and endangers current residents due to insufficient emergency response capabilities in this low-supported area.

- **Stormwater Management:** Given the hillside topography, effective water drainage and stormwater management are paramount. An increase in parcels heightens the risk of altered runoff patterns, increased pollution, and construction debris impacting downhill parcels (R28800010B, R28800010, and R28800010C), leading to potential water damage and erosion. Any proposed stormwater management plan must be rigorously evaluated for its efficacy and long-term sustainability.

Lack of Demonstrated Need for Rezoning/Change in Circumstances

Parcel R2880001100 and its surrounding properties have been consistently zoned and utilized for agricultural purposes for many years. There is no demonstrable change in circumstances or compelling public need to justify an increased density for this parcel. Historically, the property has served agricultural activities, including as a crop duster landing strip, storage for construction and farming equipment, and grazing land for livestock.

This established agricultural use is entirely consistent with the surrounding rural environment. Picture attached of cattle fence used for grazing cattle and newer fence put up by neighboring fields to prevent grazing cattle from getting into their fields from previous owner.

Inconsistency with Surrounding Uses

The proposed increase in parcel density is directly inconsistent with the prevailing land use along Map Rock Road and in the surrounding areas, which are characterized by single-family farmhouses on large agricultural lots. Introducing eight smaller parcels would disrupt the established rural aesthetic and functional integrity of the neighborhood. Residents who have purchased lands in these areas have done so specifically to enjoy the rural culture and a lifestyle that harmonizes with ongoing farming practices.

Potential for Private Nuisance

The addition of seven new parcels to be accessed via an already shared private road (located on Parcel R28800010, and currently serving R28800010B, R28800010, and R28800010C) will substantially and continuously interfere with the use and enjoyment of neighboring properties. The significant increase in traffic will lead to heightened road noise, fundamentally altering the tranquil rural environment that current residents reasonably expected when purchasing their properties, given the surrounding zoning and historical use of Parcel R2880001100.

Concerns Regarding Procedural Adherence and Developer Reliability

During a recent request by Skinner Land Survey to rename the shared road, it was observed that the proposed names submitted by Best Investments, LLC did not comply with application guidelines regarding the use of first names. This incident raises serious concerns about the applicant's willingness or ability to adhere to regulatory requirements. Should Parcel R2880001100 be divided as proposed, this pattern could foreseeably lead to future non-compliance with critical safety regulations and other requirements, potentially imposing undue legal costs, stress, and burdens on current residents who would be forced to continuously monitor development to protect their established property rights.

Adverse Impact on Property Rights and Easements

The proposed development poses several threats to existing property rights and easements:

- **Access and Utility Easements:** Changes to existing road use and electrical utility easements, which may be necessitated by the proposed development, would negatively impact the current residents' established rights and property enjoyment and given the easement to share the cost burden to service the road adding these additional parcels increases the potential for future cost of current residents and adds complexity to the relationships of those on the road when the new proposed parcels higher up the road would likely need higher costs of maintenance than the lower locations thus increasing the overall cost to the current residents.

- **Riparian Rights:** Parcels R28800010B and R28800010 include river frontage. We have already incurred significant legal fees to clarify and confirm that Parcel R2880001100 does not possess legal easements for river access, despite previous erroneous advertising. The introduction of additional parcels in such close proximity to the riverfront, coupled with past misrepresentations, significantly increases the likelihood of future conflicts and legal challenges regarding river access for current residents.

- **Lateral and Subjacent Support:** The potential impact of building on multiple hillside locations within Parcel R2880001100 on the lateral and subjacent support of adjacent properties remains unknown but poses a significant concern for the stability and safety of our parcels.

In conclusion, the proposed subdivision of Parcel R2880001100 presents numerous critical issues, ranging from non-compliance with established planning documents and severe infrastructure limitations to significant environmental concerns and the clear potential for direct, negative impacts on the property rights and quality of life for adjacent landowners. We strongly urge Canyon County Development Services to carefully consider all these points and unequivocally reject the request to split Parcel R2880001100.

Thank you for your time and diligent consideration of this important matter.

Sincerely,

Mr. & Mrs. Gravance (Parcel R28801)

Mr. & Mrs. Boschma (Parcel R28800010B)

Mr. & Mrs. Jones (Parcel R28800010)

Mr. Peterson (Parcel R28800010C)

From: Austin Boschma <boshify@outlook.com>
Sent: Wednesday, June 25, 2025 8:36 PM
To: karla.nelson@canyoncounty.id.gov <karla.nelson@canyoncounty.id.gov>; Julia Jones <julia.jones1205@gmail.com>; Bret Jones <bretjones@classic-kitchen-doors.com>; s_gravance@yahoo.com <s_gravance@yahoo.com>; jeffp1134@gmail.com <jeffp1134@gmail.com>; Tanna Boschma <tannaboschma@gmail.com>
Subject: Objection to the proposed subdivision of Parcel R2880001100

To: Principal Planner Karla Nelson, Canyon County Development Services

From: Residents of Parcels R28801 (Mr. & Mrs. Gravance), R28800010B (Mr. & Mrs. Boschma), R28800010 (Mr. & Mrs. Jones), and R28800010C (Mr. Peterson)

Date: June 25, 2025

Subject: Formal Objection to Parcel Split Request for R2880001100 (Case Numbers AD2025-0046 through AD2025-0049)

Dear Principal Planner Karla Nelson,

This letter serves as a formal objection to the proposed subdivision of Parcel R2880001100 into eight separate parcels, as detailed in the application received on June 20, 2025, under Case Numbers AD2025-0046, AD2025-0047, AD2025-0048, and AD2025-0049. We, the undersigned property owners of adjacent parcels R28801, R28800010B, R28800010, and R28800010C, respectfully urge Canyon County Development Services to deny this application based on the following significant and unaddressed concerns:

Inconsistency with the Melba Comprehensive Plan and Existing Land Use

Exhibit 6.C



Exhibit 6.C



Exhibit 6.C



Exhibit 6.C

Karla Nelson

From: 2c@growingtogetheridaho.org
Sent: Monday, October 27, 2025 10:41 AM
To: Karla Nelson; Canyon County Zoning Info
Subject: [External] Opposition Letter to Best Investments AD2025-46,47, 48, 49 from Growing Together
Attachments: Opposition Letter to Best Investments Appeal from GT.pdf

Dear Karla and Development Services Staff,

Please accept the attached opposition letter signed by George Crookham, President of Growing Together LLC, for inclusion in the official record regarding the appeal submitted by Best Investments, LLC, relating to the designation of original parcels based on aliquot parts.

On behalf of Growing Together LLC, we respectfully urge the Board to deny this appeal. As outlined in the letter, the aliquot-parts rationale is inconsistent with Canyon County's existing zoning ordinance criteria governing parcel eligibility for building rights and lot development potential. Upholding administrative consistency is essential to prevent the creation of de facto parcelization through legal interpretation rather than through lawful land division procedures.

We also reference prior Board commentary clarifying that any prior use of aliquot parts for a development right was expressly limited to a one-time, fact-specific exception—not a policy or precedent of general applicability.

We kindly request that this email and the attached letter be entered into the record for Case AD2025-46 through -49.

Thank you for your attention and for ensuring this is forwarded to the Commissioners as part of the hearing file.

Respectfully,

Connie Lou Aebischer on Behalf of George Crookham

Connie Lou Aebischer
Consultant for
GROWING TOGETHER
Protecting Agriculture.
Empowering Communities.

Growing Together LLC
301 Warehouse St.
Caldwell, ID 83605

October 23, 2025

Canyon County Board of County Commissioners
111 N. 11th Ave.
Caldwell, ID 83605

RE: Opposition to Best Investments Appeal – Administrative Decision (Original Parcel / Aliquot Parts Argument)

Chairman Holton, Commissioners:

On behalf of Growing Together LLC, I respectfully urge the Board to deny the appeal filed by Best Investments LLC relating to the designation of original parcels based on aliquot parts. The applicant is asking the Board to treat aliquot descriptions as separate "original parcels," but this request contradicts both Canyon County's zoning ordinance and the Board's own explicit directive on February 20, 2025, that such reasoning was a one-time exception tied only to conflicting staff opinions in that specific case-not a precedent.

1. The Zoning Ordinance Controls - Not Aliquot Fractions

The Canyon County Zoning Ordinance defines an original parcel by its legal existence as of 1979, not by fractional aliquot descriptions. The ordinance does not state that every aliquot fraction constitutes its own independent parcel; rather, aliquot descriptions are measurement tools, not parcel boundaries.

This is exactly the confusion the Board acknowledged must be corrected through ordinance amendment-not replicated through new appeals.

2. The Director's Decision and Staff Findings Confirm Exhaustion of Divisions

The Director's Decision (AD2025-0046 through 0049) thoroughly reviewed Canyon County Code § 07-18-05, 07-18-07, and 07-18-09, finding that all allowable administrative land divisions for the original parcel and Government Lot 6 have already been exhausted.

Staff determined that the applicant's request for eight new parcels exceeds the number of divisions permitted within the Agricultural Zone and does not comply with § 07-18-07(2) or (3). The Decision clearly states that previous administrative approvals-LS2006-65, AD2019-0093, AD2021-0200, and PI2021-0306-fully utilized the available divisions and that the property is limited to no more than three nonviable divisions under § 07-18-09.

The Director's findings are consistent with the ordinance, supported by the record, and should be upheld.

3. The Board Has Already Declared That Aliquot Treatment Is Not a Precedent

During deliberation in the February 20, 2025, appeal hearing, Chairman Holton stated on the record:

> "I am not saying that my decision is setting a precedence. This is a one-off. Don't count on my decision today going forward to do something on a future decision based off of this. Don't go there."

The Board further clarified that the only reason the appeal was upheld in that prior case was due to conflicting staff guidance that created a unique reliance issue for that applicant-not because aliquot parts were recognized as multiple original parcels.

That condition does not exist in the present case.

4. Granting This New Appeal Would Undermine the Board's Own Findings

If this appeal were granted:

- It would convert a declared "one-off" into a de facto precedent;
- It would create piecemeal "parcel multiplication" across rural Canyon County without legislative amendment; and
- It would circumvent the statutory rulemaking process, effectively rewriting the ordinance through appeal rather than public process.

5. Land Division Rights Run with the Land - Not with Ownership Changes

The County's administrative land division approvals are recorded and run with the land-not with individual ownership. The applicant, Best Investments LLC, purchased property that already carries the full record of prior administrative actions, including LS2006-65, AD2019-0093, AD2021-0200, and PI2021-0306. These filings confirm that all available divisions under §07-18-07 have been exercised.

The previous owner, who submitted and received those approvals, provided the same original deed now being cited by the appellant-but is now claiming that it describes separate "original parcels." That interpretation directly contradicts the County's long-standing administrative record, which has consistently treated the property as parts of two original parcels only: R28800 and Government Lot 6.

The Director correctly found that no new rights are created by a change in ownership. To suggest otherwise would allow each subsequent buyer to reinterpret the same recorded instruments to claim additional entitlements, effectively nullifying administrative finality and undermining the integrity of Canyon County's land-use recordkeeping.

6. Proper Procedure Is Ordinance Revision - Not Appeal-Based Reinterpretation

The Board has already directed staff to update the ordinance to remove ambiguity. Until those amendments are completed, reliance must be placed on the current text of the ordinance. The applicant is attempting to gain the benefit of an ordinance revision before it is enacted-through an appeal process that is not the lawful vehicle for such change.

Upholding the Director's Decision preserves procedural consistency, reinforces reliance on adopted standards, and prevents piecemeal reinterpretations that erode public trust in the zoning ordinance.

For these reasons, I respectfully request the Board to:

- Uphold the Director's administrative decision;
- Affirm that aliquot part descriptions do not create multiple original parcels under Canyon County Code; and
- Preserve the Board's prior statement that the February 20 case was a one-time equity remedy tied to staff error-not a transferable rule.

Thank you for your continued work to ensure fairness, consistency, and adherence to Canyon County's zoning ordinance as written.

Respectfully submitted,

George Crookham
President, Growing Together LLC

Growing Together (GT) LLC
Mission Statement: To improve citizens' knowledge of local land use planning and to support good economic land use decisions.

cc. Growing Together Advisory Board

Outlook

Fw: [External] Parcel R2880001100

From TJ Wellard <TJ@skinnerlandsurvey.com>
Date Wed 7/16/2025 10:15 AM
To Jay Gibbons <jay.gibbons@canyoncounty.id.gov>
Cc Greg Bullock <gregbullock14@gmail.com>

Hey Jay,
Is there policy that is overriding the County Code on this? We have been amending and correcting previous land divisions since I have been surveying. I can made a records request for all the ones we have done in the past to prove this. Now all the sudden we are doing or allowing it anymore. I will reach out to Dan to hopefully discuss this further and include you in that. Please take a look at what is going on here and don't make a decision without hearing from both sides.

"(3) Once an administrative land division has been approved in the agricultural zoning district, there shall be no other administrative land divisions from that land regardless of ownership of any of the land involved except as permitted by this Article. Previously approved divisions in the agricultural zoning district may be amended to provide for divisions of the original parcel that were entitled pursuant to Chapter 7 Article 18 but not taken when the first division was approved."

Thanks,
T.J. Wellard, PLS
Skinner Land Survey
17842 Sand Hollow Road
Caldwell, Idaho 83607
208-454-0933
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835
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From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Thursday, June 26, 2025 3:48 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

TJ,

Regarding AD2025-0046, based on the PI2021-0265 and three decisions (LS2006-65, AD2019-0093, and AD2021-0200), the original parcels were already determined, and divisions were taken accordingly. The land division and original parcel determination were not disputed through an appeal process at that time. Therefore, the statute of limitations has expired, and what was decided stands. DSD is not re-evaluating previous approved decisions. Therefore, DSD recommends amending the application based on well-documented decisions. If not, we can deny the application, at which time you have 15 days to appeal the decision.

Sincerely,

Dan Lister, Planning Supervisor

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday
1 pm – 5 pm
**We will not be closed during lunch hour **

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Thursday, June 26, 2025 3:45 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

I would like to talk to the person making this decision. They are incorrect in their assessment of the original parcels. Previous land divisions can be revised, and property boundary adjustments do not affect the original parcels entitlements. Let me know who I need to meet with so we can avoid having to appeal this denial.

Thanks,
T.J. Wellard, PLS

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From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Thursday, June 26, 2025 2:31 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hello TJ,
Through a series of previous land divisions and property boundary adjustments the county has maintained that R28800011 is part of two original parcels. Based on this history and documented decisions there are no additional divisions available through section 07-18-07 of Canyon County Code. Through the non-viable section of the code 07-18-09, you can request two (2) additional lots within the original configuration of Government Lot 6 and one (1) additional lot within the original parcel excepting Government Lot 6.

Let me know if you would like to resubmit your application. The other option is that we can deny the application and you can appeal that decision.

Let me know how you would like to proceed.

All the best,

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

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From: Karla Nelson
Sent: Monday, June 16, 2025 12:48 PM
To: 'TJ Wellard' <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hello TJ,
The application was just reassigned to me on Friday so I'm looking it over now and working on the agency notice. I'll let you know if any questions or concerns are raised.

Thank you,

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

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From: Debbie Root
Sent: Monday, June 16, 2025 12:46 PM
To: 'TJ Wellard' <TJ@skinnerlandsurvey.com>
Cc: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: RE: [External] Parcel R2880001100

TJ,

Those applications have been re-assigned to Karla Nelson. I have copied her on this message.

Respectfully,

Deb Root, MBA
Canyon County Development Services
debbie.root@canyoncounty.id.gov
208-455-6034

From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, June 16, 2025 11:25 AM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>; Canyon County Zoning Info

<CanyonCounty.ZoningInfo@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Hi,
I am just wanting to check on the status of this project case numbers AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049, and RD2025-0008. I know Madelyn is no longer in the planning department and wanted to see who the planner is assigned to this project and where it stands.

Thanks,
T.J. Wellard, PLS
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Monday, April 21, 2025 1:40 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

For reference, the case numbers for this project are AD2025-0046, AD2025-0047, AD2025-0048, AD2025-0049, and RD2025-0008.

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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Monday, Tuesday, Thursday and Friday: 8am – 5pm
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From: Madelyn Vander Veen
Sent: Monday, April 21, 2025 2:13 PM
To: 'TJ Wellard' <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hi T.J.,

Thanks for doing that. Yes, I did receive the email you forwarded from Tony. The application is complete besides the fee. Per the new fee schedule, the total is $3,975. See breakdown below:

A nonviable land division on each original parcel (3 total): $775*3=$2325
One notification fee for the nonviable land divisions: $100
An administrative land division on one original parcel: $775
Private road: $775
Total: $3975

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, April 21, 2025 9:34 AM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Hey Madelyn,
Attached is the signed private road application. I gave the adjacent land owners 11 days to respond and only had one contact me. I attached a picture of his signed application he sent me as well. Let me know the total and I will get you either a check or credit card. Did you forward you the email from Tony regarding the names?

Thanks,
T.J. Wellard, PLS
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Thursday, April 17, 2025 1:24 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hi T.J.,

Yes, I have confirmed with the Planning Supervisor that a private road name application is required for this land division. Sorry for the delay.

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Thursday, April 10, 2025 11:57 AM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

So, are we being required to do this private road application with our Administrative Land Division?

Thanks,
T.J. Wellard, PLS

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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Wednesday, April 9, 2025 10:43 AM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Good morning T.J.,

Per our current interpretation of code, private roads aren't required until the certificate of occupancy on the third residence using the road. I believe there are just two residences right now so it is still considered a shared driveway rather than a private road. We've gone back and forth on how much code really allows us to ask for on private roads at the time of division. This was before my time so I'm not sure what the policy was at that time but it's not unusual to see this kind of thing, unfortunately. We are aware of the problems this situation can create and are working on changes to the private road code that would resolve these types of issues.
Sounds good, thanks!

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Wednesday, April 9, 2025 11:19 AM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Hey Madelyn,
Not to cause any issues but why wasn't a private road required with any of the other director's decisions or when building permits were issued or pulled? I mean the PBA was just done in 2022 and those houses are brand new. Now my client is left holding the bag for doing a private road application that should have been already done and approved. They where even required to have a RUMA and that is attached as well.
I attached the owners list and yes Tony did get me an email I didn't see it until after I responded to you. I asked him to reserve the names we chose and will forward his email reserving our names once he verifies.

Thanks,
T.J. Wellard, PLS
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Tuesday, April 8, 2025 2:09 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

T.J.,

I understand that the house being built on parcel R28800010 does not need to use an easement to get across their own property, but as far as I can tell they would be using the same already existing physical driveway that the rest of the parcels would be using and therefore would need to be addressed off of the private road name. R28800010C is using the easement and would also need to be addressed off the private road name. If you are planning to use a different easement besides the one marked on the attachment to get to R28800011, please let me know.

Our GIS division is a one man team right now; sorry for the wait. I will nudge Tony about it.



Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Tuesday, April 8, 2025 2:41 PM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

No other properties front the easement. They all front map rock road.
The gis email has not responded to me in over a week, got tired of waiting.

T.J. Wellard, PLS
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Tuesday, April 8, 2025 1:18:06 PM

To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hi T.J.,

Please provide:

- A printed list of names and addresses of all persons having legal right to use the road (in this case, the road refers to the entire easement from Map Rock Road to the furthest buildable parcel). This is so we are all on the same page as far as who is taking access off of the road and so we know who to send change of address notices to.
- Private road name application with 3 proposed road names and signatures from the other property owners on the easement (looks like Copper River Investments LLC, Carol Ann Pedersen, and potentially Austin Boschma). 3 names are required in case it is determined that the road needs multiple names.
- An email from gisaddressing@canyoncounty.id.gov regarding your 3 road name picks or a list of 5 distinct road names in preferential order.

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, April 7, 2025 2:55 PM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>; Canyon County Zoning Info <CanyonCounty.ZoningInfo@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Hi Madelyn,
Attached is the application we discussed. Let me know the total amount and I will submit payment via credit card.

Thanks,
T.J. Wellard, PLS
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Friday, March 21, 2025 1:54 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hi T.J.,

Jay has advised me that you can go ahead and submit and we'll see where it goes from there. Just to let you know of a couple concerns I have, the area described in that deed includes what is now parcel R28802 and most of R28801 as well. Also, I'm sure you're aware but there are some pretty intense slopes in this area.

Thanks,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Thursday, March 20, 2025 12:10 PM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Hi Madelyn,
I researched this further and have the pre 1979 deed which describes the N1/2 SE ¼, SE ¼ SE ¼ and Govt Lot 6. This would mean that this was 3 original parcels. My client wants to submit an application for those additional administrative splits and apply for non-viable splits on those as well. Should I just put the application and supporting evidence together and submit or should I get a meeting with you or the director before we submit? Attached is a sketch of what we will be proposing.

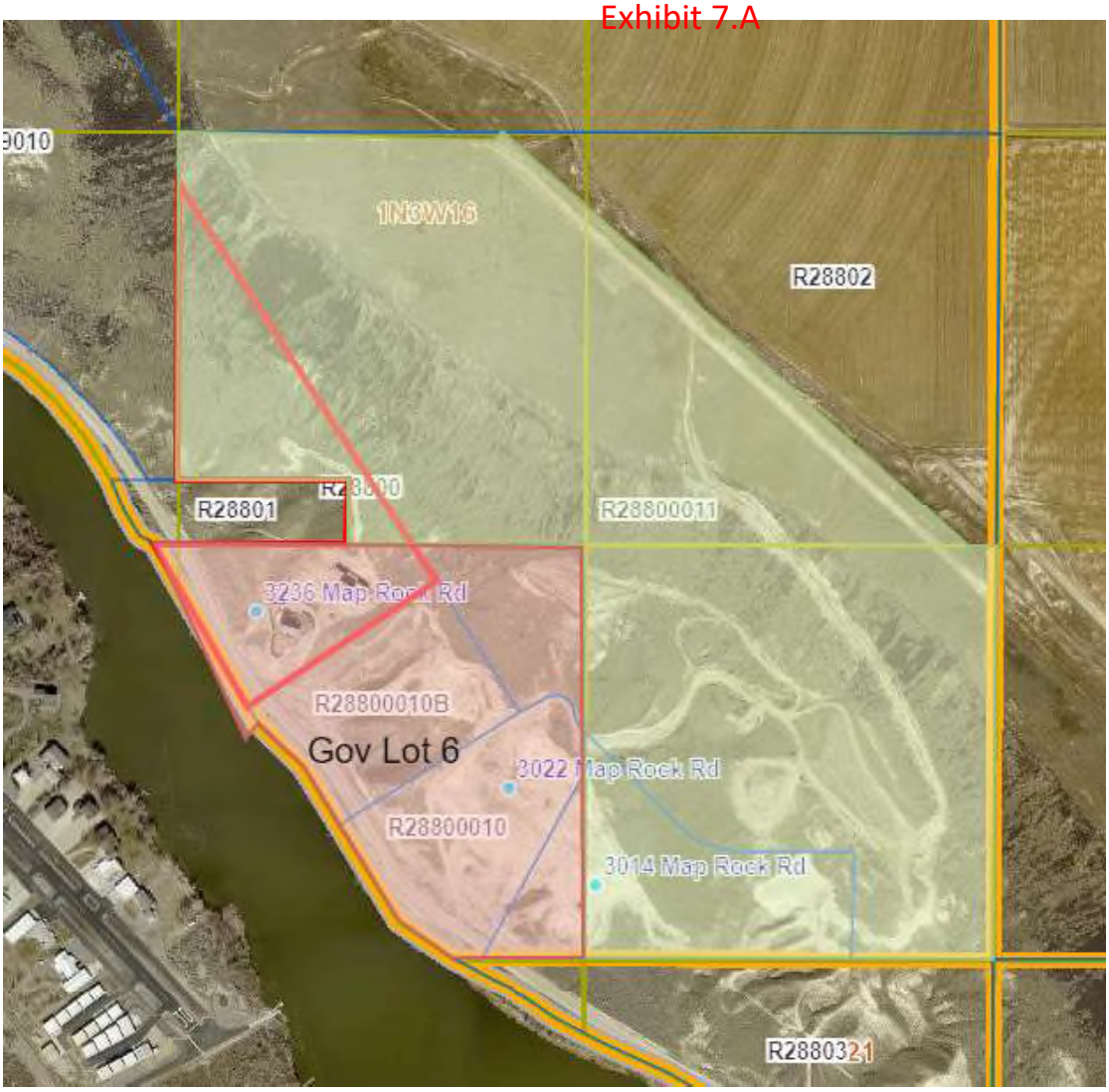
Thanks,
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Thursday, December 12, 2024 7:57 AM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Good morning T.J.,

Please see my sketch below – the light green area was the original parcel and the red area denotes Government Lot 6, which was also considered an original parcel.

Exhibit 7.A



Best,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Wednesday, December 11, 2024 11:14 AM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] Parcel R2880001100

Maddy,
Is it possible to see what was defined as the original parcels to see if we possibly can get any non viable land divisions?

Thanks,
T.J. Wellard, PLS

Exhibit 7.A

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17842 Sand Hollow Road
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From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Monday, December 9, 2024 12:36 PM
To: TJ Wellard <TJ@skinnerlandsurvey.com>
Subject: RE: [External] Parcel R2880001100

Hi T.J.,

I have attached the decision for case AD2021-0200 as well as Parcel Inquiry PI2021-0306. The decision references a different survey but it looks like the only difference in 2022-012678 is that a 30 ft easement was added. Just as a heads up, since it was not a part of the property boundary adjustment application, an easement width reduction has not been approved for that 30 ft easement.

Best,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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From: TJ Wellard <TJ@skinnerlandsurvey.com>
Sent: Monday, December 9, 2024 11:54 AM
To: Canyon County Zoning Info <CanyonCounty.ZoningInfo@canyoncounty.id.gov>
Subject: [External] Parcel R2880001100

Hi,
Parcel R2880001100 was part of a property line adjustment shown on Record of Survey Inst. No. 2022012678. I was wondering if I could get a copy of the decision and also the Parcel Inquiry if there is one. If not I will submit one as I have a client interested in developing the ground.

Thanks,
T.J. Wellard, PLS

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07-18-07: ADMINISTRATIVE DIVISION IN AGRICULTURAL ZONES:

(1) Purpose: The regulations of this section allow for a division of a parcel in an agricultural zone without being subject to the subdivision regulations as set forth in article 17 of this chapter.

(2) Standards: The proposed division of original parcels created prior to September 6, 1979, shall be allowed in accordance with the following:

Less than 80 acres	1 division (2 residential parcels)
80 to 119 acres	2 divisions (3 residential parcels)
More than 120 acres	3 divisions (4 residential parcels)

A. The proposed parcels created and its remnant shall be at least one (1) acre in size.

B. An additional parcel designated as agricultural only and at least five (5) acres in size may be created in accordance with this article and subject regulations in accordance with article 10 of this chapter.

(3) Once an administrative land division has been approved in the agricultural zoning district, there shall be no other administrative land divisions from that land regardless of ownership of any of the land involved except as permitted by this Article. Previously approved divisions in the agricultural zoning district may be amended to provide for divisions of the original parcel that were entitled pursuant to Chapter 7 Article 18 but not taken when the first division was approved.

(Ord. 22-071, 9-14-2022)

First American Title™	Recorded Document Guarantee
	ISSUED BY **First American Title Insurance Company**
Application	GUARANTEE NUMBER

File No.: 890720

APPLICATION FOR THE ISSUANCE OF A CLTA RECORDED DOCUMENT GUARANTEE

Applicant, for the purpose of purchase, sale, lease or loan, is in the process of investigating the prior ownerships and uses of the Subject Property. As only a component of that investigation, Applicant hereby requests the Company to furnish Applicant with a Recorded Document Guarantee, which Guarantee will set forth and attach copies of the Designated Documents. The Guarantee is being provided to Applicant solely for the purpose of facilitating any innocent landowner or purchaser defenses which may be available under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended. It is provided for the sole use and benefit of Applicant and may not be used or relied upon by any other party.

1. The following terms when used in the Application and the Recorded Document Guarantee shall mean:

   a. **Applicant** - The party or parties which have executed this Application and which are shown as the Assured in the Guarantee.

   b. **CERCLA** - Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended.

   c. **Company** – First American Title Insurance Company.

   d. **Designated Documents** - Those documents specifically designated by Applicant in paragraphs 3a or 3b, and in Paragraph 4 and which describe the Subject Property or any portion thereof and which are not Excluded Documents.

   e. **Excluded Documents** - Any of the following:

      (i) documents indexed in the Company's title plant records by name only,

      (ii) documents pertaining to an estate or interest in minerals, gas and oil, or other hydrocarbon substances,

      (iii) documents pertaining to water rights, claims or title to water, or

      (iv) documents recorded or indexed outside the chain of title, whether or not the documents impart constructive notice to purchasers of the Subject Property for value and without knowledge.

   f. **Guarantee** - Recorded Document Guarantee.

   g. **Land Records** - Those records in which under state statutes the Designated Documents must be recorded in order to impart constructive notice to purchasers of the Subject Property for value and without knowledge.

   h. **Subject Property** - The real property described in the Application, but not including any severed mineral estate.

2. The Subject Property is described as follows: BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho. Parcel D, as shown on Record of Survey Instrument No. 2022-012678, located in the N1/2 of the SE1/4, SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows: BEGINNING at an aluminum cap, marking the C1/4 of said Section 16; Thence North 89°51'44" East, coincident with the north line of said SE1/4, a distance of 1042.75 feet to a 5/8" rebar/cap PLS 5617; Thence South 48°43'18" East,

2012.41 feet to the north line of said SE1/4 of the SE1/4, marked by a 5/8" rebar with illegible cap; Thence North 89°55'52" East, coincident with said north line of the SE1/4 of the SE1/4, a distance of 90.40 feet to the S1/16 corner common to said Sections 15 and 16, marked by a 5/8" rebar/cap PLS 5617; Thence South 00°12'13" West, coincident with the east line of said SE1/4, a distance of 1331.37 feet to the southeast corner of said Section 16, marked by an aluminum cap PLS 5617; Thence North 90°00'00" West, coincident with the south line of said SE1/4, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574; Thence North 00°00'00" West, 345.61 feet to a 5/8" rebar/cap PLS 11574; Thence North 89°57'58" West, 366.36 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574; Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing North 67°43'08" West, 208.23 feet to a 5/8" rebar/cap PLS 11574; Thence North 45°28'17" West, 432.33 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574; Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing North 33°11'53" West, 46.69 feet to a 5/8" rebar cap PLS 11574; Thence North 19°04'52" West, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574; Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing North 68°00'20" West, 80.66 feet to a 5/8" rebar/cap PLS 11574; Thence South 63°04'12" West, 106.18 feet to a 5/8" rebar/cap PLS 11574; Thence North 33°08'40" West, 2028.52 feet to the west line of said SE1/4, referenced with a 5/8" rebar/cap PLS 14221, bearing North 33°08'40" West, 1.00 feet; Thence North 00°12'13" East, coincident with said West line, 166.19 feet to the POINT OF BEGINNING.

3. Applicant hereby requests the Company to issue the Guarantee identifying only the following Designated Documents which are:

   a. ☒ currently posted in the Company's title plant and which were recorded in the Land Records from (Patent) through (10/15/2025).

   b. ☐ recorded and indexed in the grantor-grantee indices in the Land Records of (Name of County) (State) from (DATE) through (DATE).

4. Designated Documents as defined in paragraph 1(d) above:

   a. ☒ Deeds

   b. ☐ Leases and Subleases

   c. ☐ Mortgages/Deeds of Trust

   d. ☐ Environmental Protection Liens recorded pursuant to CERCLA

   e. ☐ All documents

5. Applicant specifically instructs the Company to disclose in the Guarantee only the Designated Documents indicated above. Applicant understands that during the course of searching the records covered by the Guarantee the Company may find or have knowledge of documents of a type other than the Designated Documents requested by Applicant. Even if the Company knows or would have reason to know Applicant may have an interest in these other documents, Applicant imposes no duty or responsibility on the Company to disclose those documents or their content to Applicant either through the Guarantee or otherwise.

6. BY THE EXECUTION AND SUBMISSION OF THIS APPLICATION TO THE COMPANY, APPLICANT ACKNOWLEDGES AND SUBMITS:

   a. That the Company's sole obligation under the Guarantee, and this Application, shall be to conduct a search in accordance with the terms and provisions of this Application and to furnish copies of the Designated Documents to Applicant as a part of the Guarantee. The Company shall have no obligation to read, examine, or interpret the Designated Documents.

   b. That the Company shall not be obligated under this Guarantee to pay any costs, attorneys' fees, or expenses incurred in any action, proceeding, or other claim brought against Applicant.

   c. That the Guarantee is limited in scope and is not an abstract of title, title opinion, preliminary or title report, or commitment to issue title insurance.

d. That the Guarantee is not to be relied upon by Applicant or any other person as a representation of the status of title to the Subject Property.

e. That Applicant shall have no right of action against the Company, whether or not based on negligence, except under the terms and provisions of, and subject to all limitations of this Application and the Guarantee.

f. That the Guarantee is not valid and the Company shall have no liability thereunder unless this Application is attached thereto.

g. That the Guarantee does not assure that Applicant will be entitled to any innocent landowner or purchaser defenses which may be available under CERCLA.

LIMITATION OF LIABILITY

APPLICANT RECOGNIZES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF DAMAGES WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN THE GUARANTEE. APPLICANT RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITIES PURSUANT TO CERCLA. THEREFORE, APPLICANT UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REQUESTED GUARANTEE UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. APPLICANT AGREES WITH THE PROPRIETY OF THIS LIMITATION AND AGREES TO BE BOUND BY ITS TERMS.

THIS LIMITATION IS AS FOLLOWS:

APPLICANT AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THIS GUARANTEE, THAT THE COMPANY SHALL BE LIABLE TO APPLICANT UNDER THIS GUARANTEE ONLY IN THE EVENT THAT ENVIRONMENTAL HAZARDOUS WASTE OR TOXIC SUBSTANCE CLEAN-UP COSTS OR PENALTIES ARE ACTUALLY IMPOSED ON APPLICANT, OR AGAINST THE SUBJECT PROPERTY, SOLELY BY REASON OF AN ERROR OR OMISSION BY THE COMPANY IN FAILING TO IDENTIFY AND ATTACH THE DESIGNATED DOCUMENTS TO THE GUARANTEE, WHICH ERROR OR OMISSION BY THE COMPANY HAS CAUSED APPLICANT TO FAIL TO COMPLY WITH THE REQUIREMENTS FOR DUE DILIGENCE INQUIRY OF PRIOR OWNERSHIPS AND USES IN CONNECTION WITH THE INNOCENT LANDOWNER OR PURCHASER DEFENSES UNDER CERCLA; AND THEN THE LIABILITY SHALL BE A ONE-TIME PAYMENT TO APPLICANT OF $.

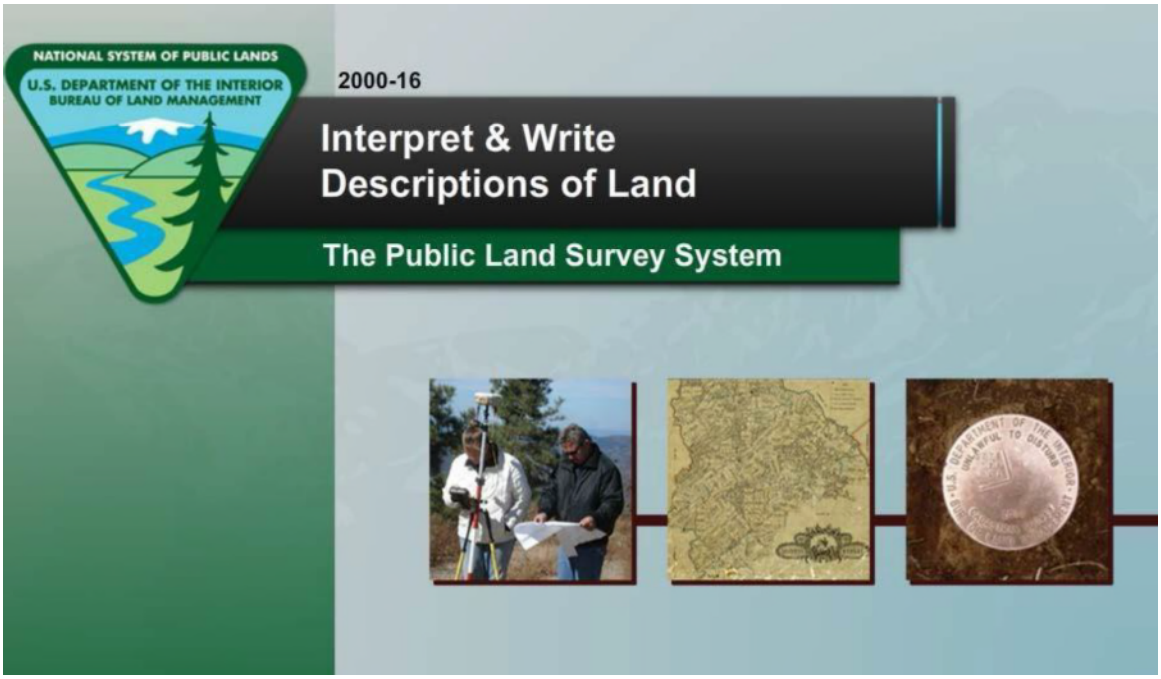
ACCORDINGLY, APPLICANT REQUESTS THAT THE GUARANTEE BE ISSUED WITH THIS LIMITATION AS A PART OF THE CONSIDERATION THAT APPLICANT GIVES THE COMPANY TO PREPARE AND ISSUE THE GUARANTEE.

APPLICANT CERTIFIES THAT HE HAS READ AND UNDERSTANDS ALL OF THE TERMS, LIMITATIONS AND CONDITIONS OF THIS APPLICATION.

Executed this 26 day of October , 2025.

By: _____ PLS
Applicant Signature

[This application must be signed by the Applicant itself or an attorney at law representing the Applicant.]



Interpret and Write Descriptions of Land: The Public Land Survey System

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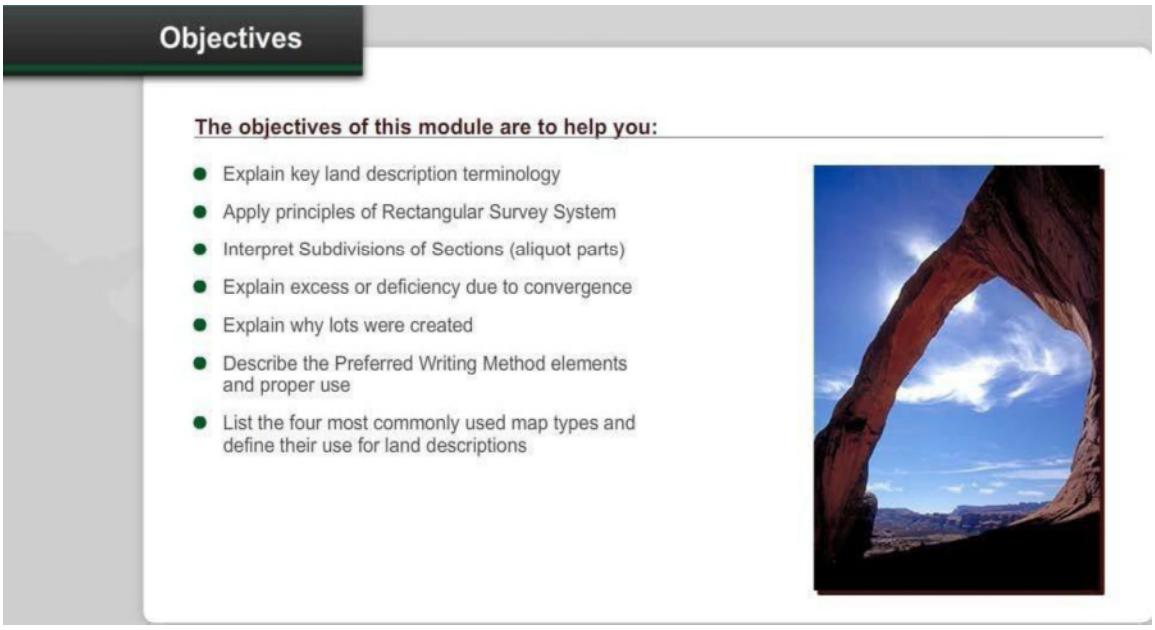
MODULE OVERVIEW



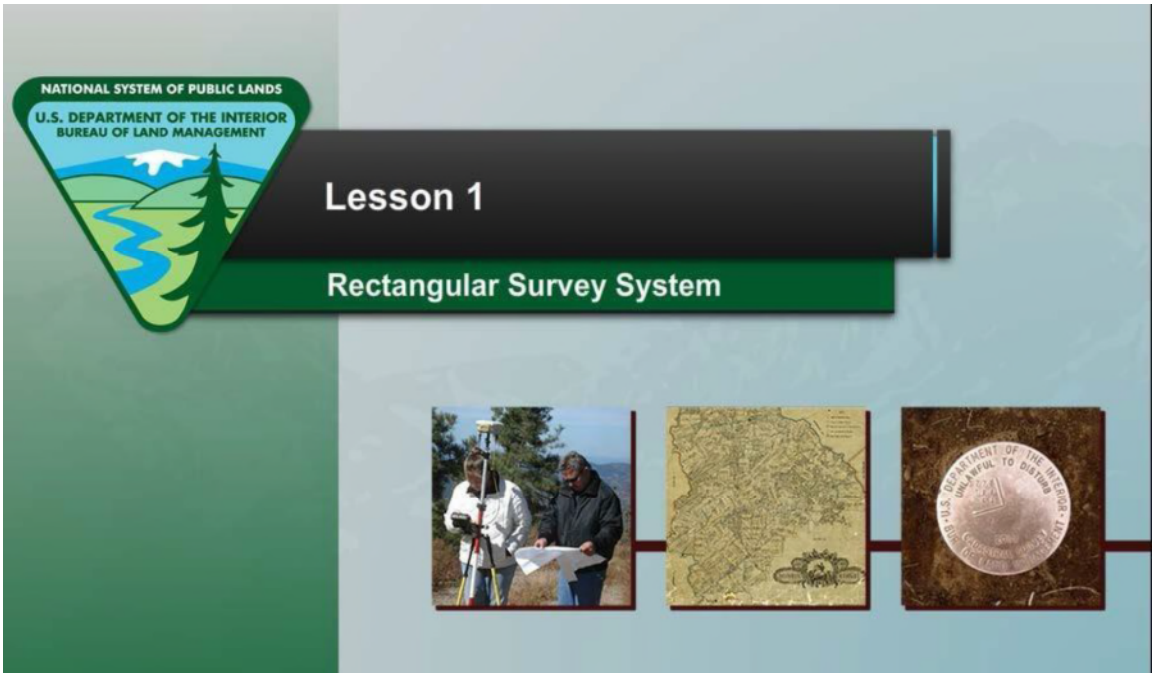
This module provides the foundational concepts and terminology of the Rectangular Survey System:

interpreting land location on a map, writing a description of the land using the nomenclature of the Public Land Survey System, and emphasizing the importance of punctuation placement.

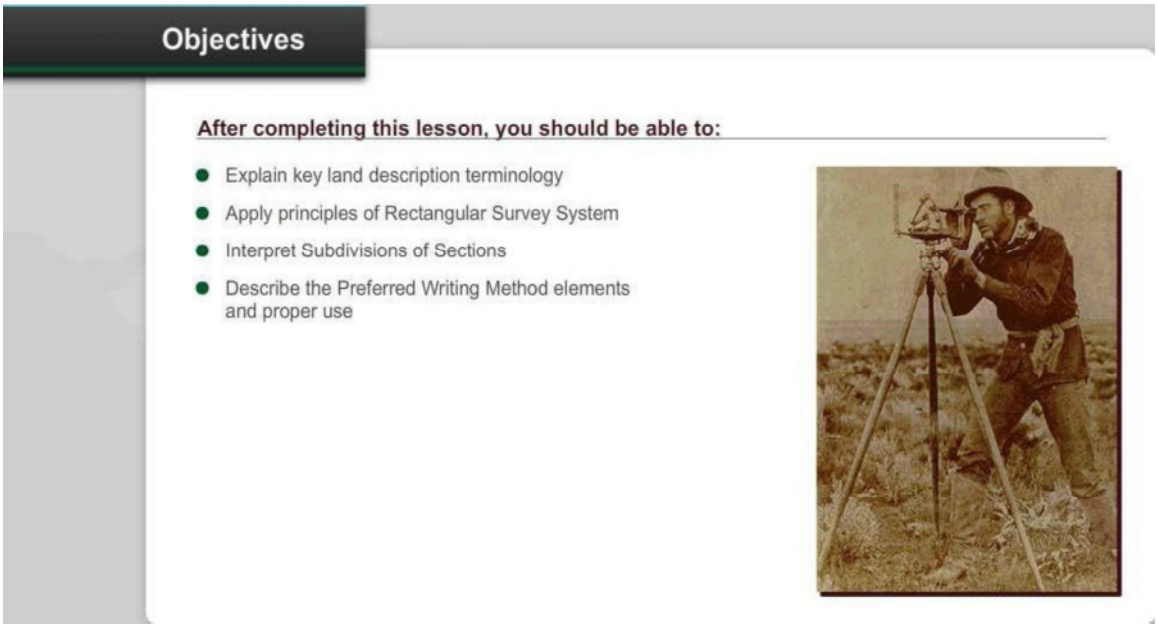
This module provides the foundational concepts and terminology of the Rectangular Survey System: interpreting land location on a map, writing a description of the land using the nomenclature of the Public Land Survey System, and emphasizing the importance of punctuation placement.



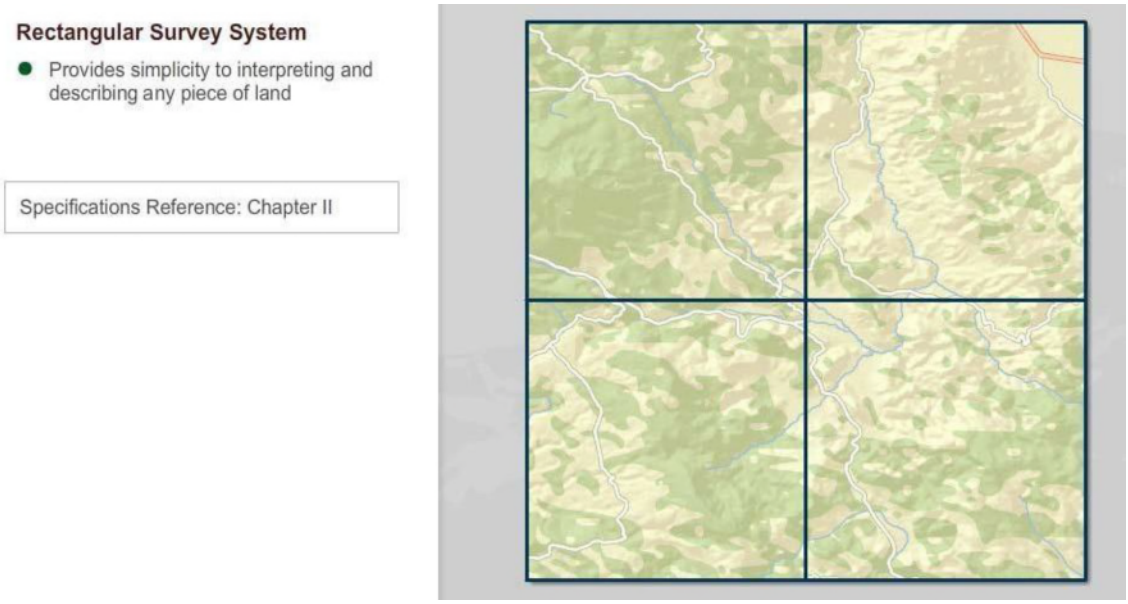
The objectives of this module are to help you: explain key land description terminology, apply principles of Rectangular Survey System, interpret subdivisions of sections (aliquot parts), explain excess or deficiency due to convergence, explain why lots were created, describe the preferred writing method elements and proper use, and list the four most commonly used map types and define their use for land descriptions.



Lesson 1: Rectangular Survey System



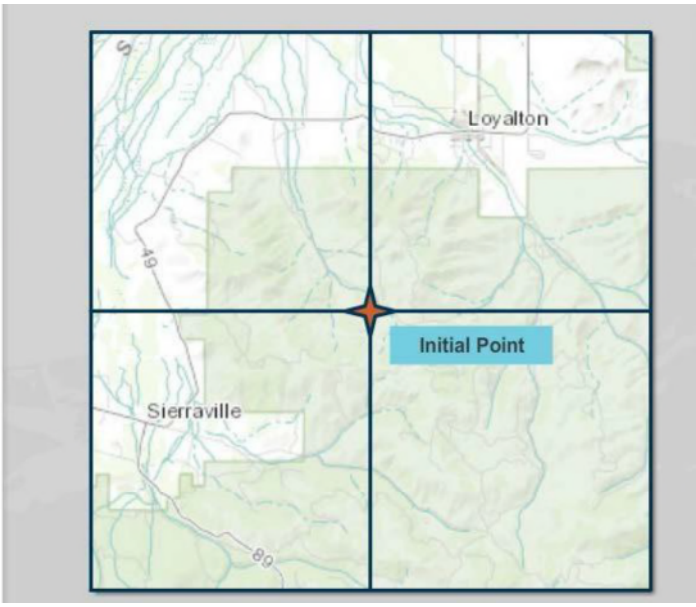
After completing this lesson, you should be able to: explain key land description terminology, apply principles of Rectangular Survey System, interpret subdivisions of sections, and describe the preferred writing method elements and proper use.



The Rectangular Survey System was created to provide simplicity to interpreting and describing any piece of land, located on a map or on the ground, and where practicable, its units are in a rectangular grid form. Rectangular Survey information can be found in Chapter II of the Specifications.

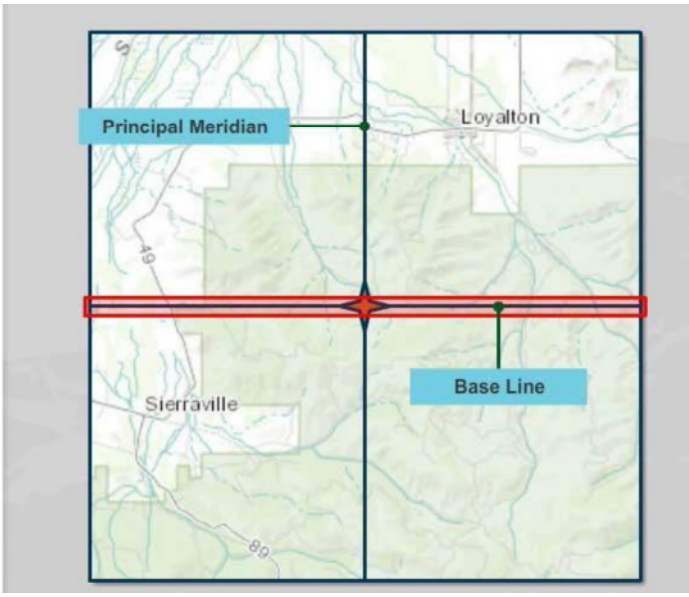
The Rectangular Survey System is a grid of lines based upon a true meridian and is originated from an ***initial point***.

The surveyor establishes an initial point.



The Rectangular Survey System is basically a grid of lines based upon a true meridian and is originated from an initial point. To begin the grid, the surveyor establishes an initial point from which to begin surveying.

From the initial point, the surveyor extends a north-south line called a ***Principal Meridian*** and a ***Base Line*** running east and west parallel to the equator.



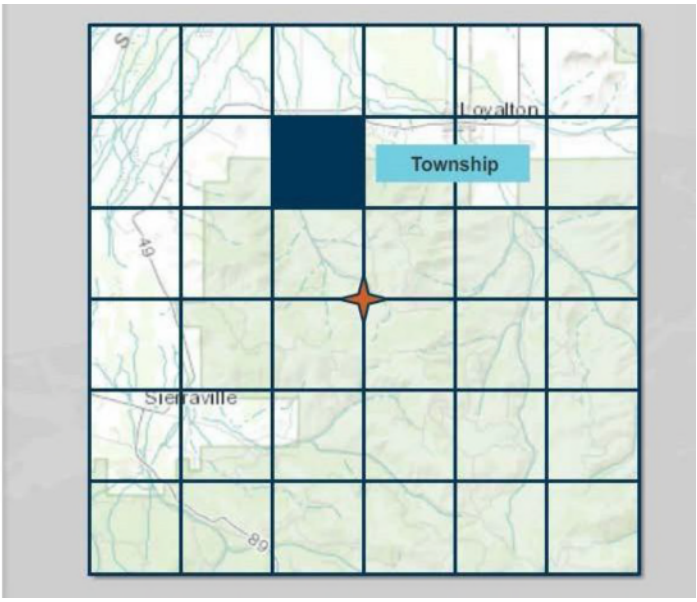
From the initial point, the surveyor extends a north-south line called a Principal Meridian and a Base Line running east and west parallel to the equator.

Along the north-south line, the surveyor establishes ***township lines*** north and south from the initial point.

Each line is created at 6 ***nominal mile intervals***.

Along the east-west line, the surveyor establishes ***range lines*** east and west from the initial point also at 6 nominal mile intervals.

Each of these 6 by 6 nominal mile squares is called a ***township***.

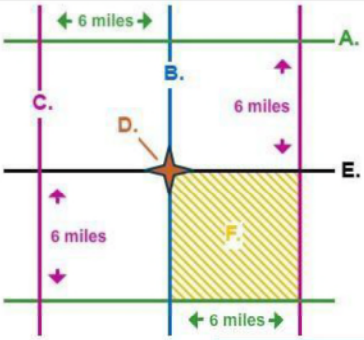


Along the north-south line, the surveyor establishes township lines north and south from the initial point. Each line is created at 6 nominal mile intervals. Along the east-west line, the surveyor establishes range lines east and west from the initial point also at 6 nominal mile intervals. Each of these 6 by 6 nominal mile squares is called a township.

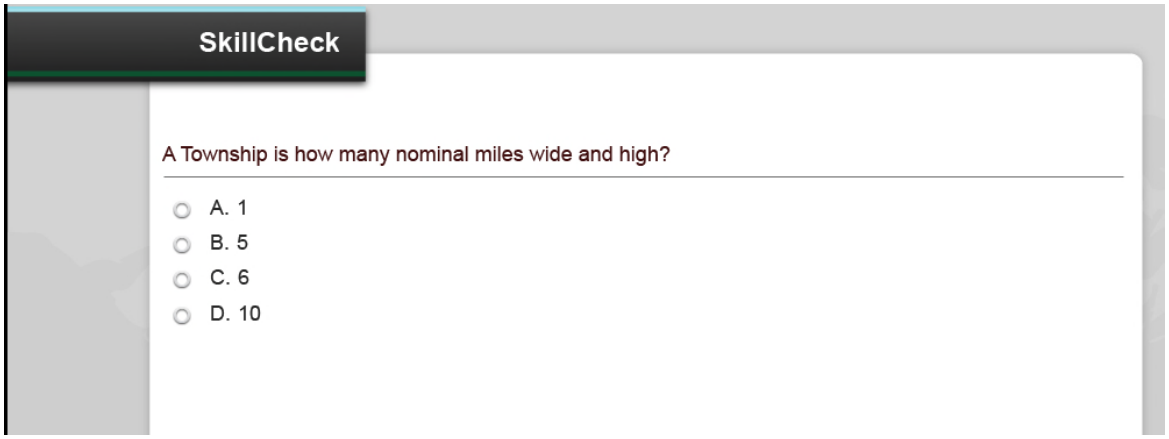
SkillCheck

Match the letter to its term.

	Township
	Base Line
	Township Line
	Initial Point
	Range Line
	Principal Meridian



Correct Answers: A. Township Line, B. Principal Meridian, C. Range Line, D. Initial Point, E. Base Line, and F. Township.

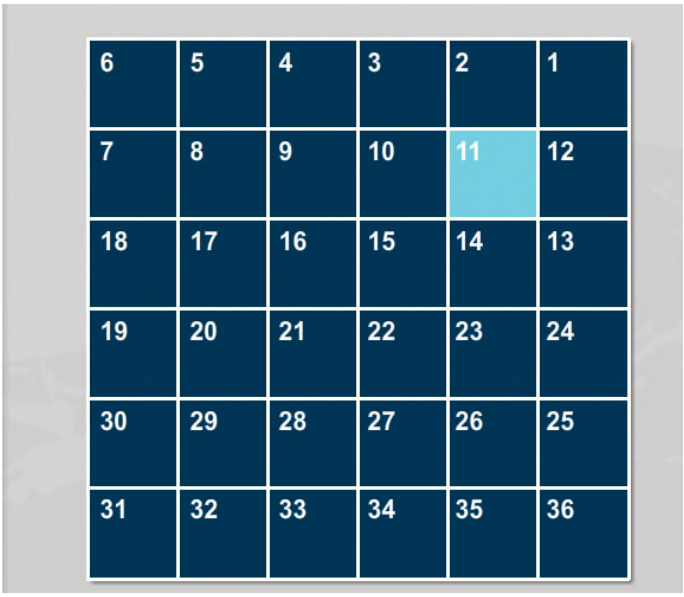


Correct Answer: B. 5

Each township is subdivided into 36 sections of one square nominal mile each.

Section numbering begins at number one in the upper right northeast.

Sections are numbered right to left and left to right down the rows until reaching the lower right southeast section.



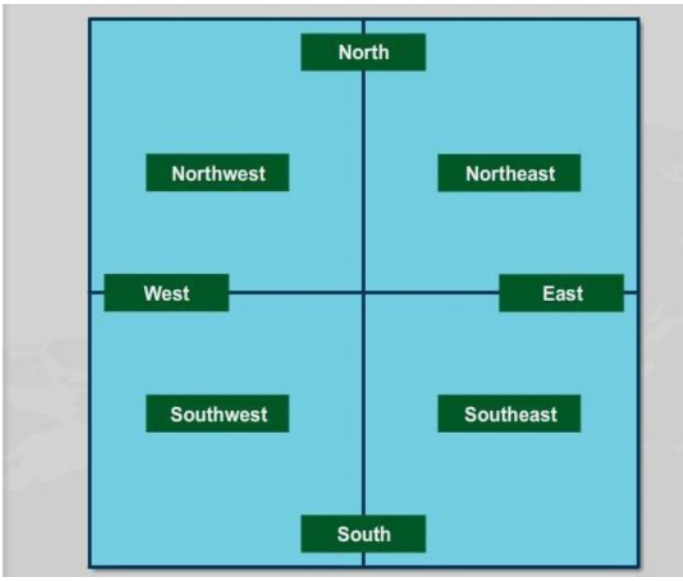
Each township is further subdivided into thirty-six sections of one square nominal mile each. Section numbering begins at number one in the upper right northeast. Sections are numbered right to left and left to right down the rows until reaching the lower right southeast section. This wandering arrangement is based on how farmers plowed their land or "as the ox plows." The benefits of this numbering system guarantee that a section is always adjoined by its preceding and succeeding section. A section will never end up next to a confusingly numbered section in an adjoining township.

Each township is subdivided into 36 sections of one square nominal mile each.

Section numbering begins at number one in the upper right northeast.

Sections are numbered right to left and left to right down the rows until reaching the lower right southeast section.

When describing portions of regular sections, ***aliquot*** parts, or exact divisions of the whole are used. Quarters are described in their relative position within the section.



When describing portions of regular sections, aliquot parts, or exact divisions of the whole are used. In other words, quarters are described in their relative position within the section. Any parcel listed as northeast, northwest, southwest, or southeast is a quarter part. A combination of aliquot parts, for example two equal quarters, can be described as half of a section. Aparcel reading north, south, east, or west is a half part. Later you will learn the use of "half of a half" descriptions that must be avoided in writing descriptions ofland.

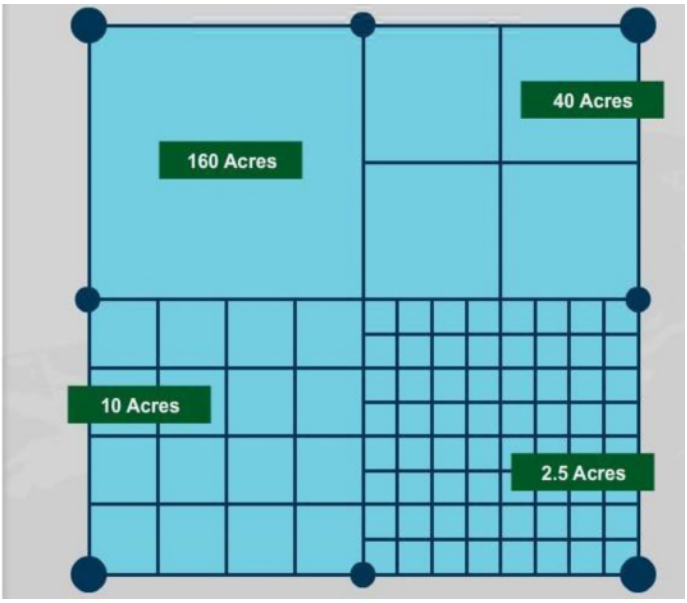
Along the township and range lines, ***corner monuments*** are set every nominal mile at all ***section corners***.

Monuments, called ***quarter corners***, are set at mid-point between each mile marker.

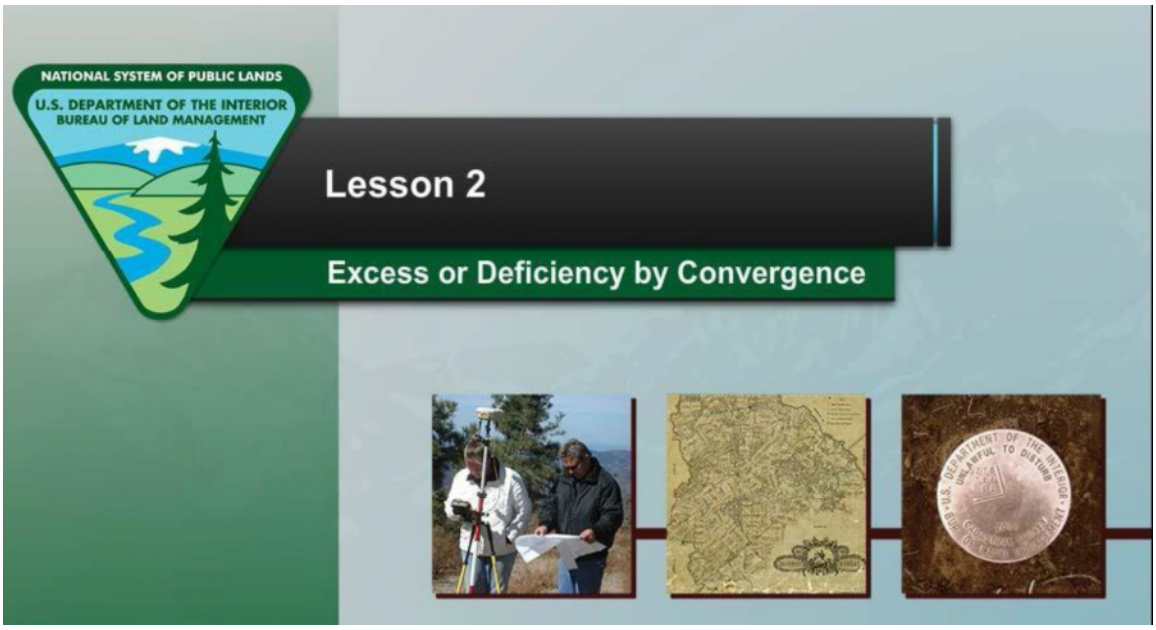
These monuments are called quarter corners because when connected, they form the legal boundaries that divide each section into quarters.

Quarter parts can be subdivided into quarters equal to 40 acres each. The 40 acre quarter-quarter is considered the standard land unit.

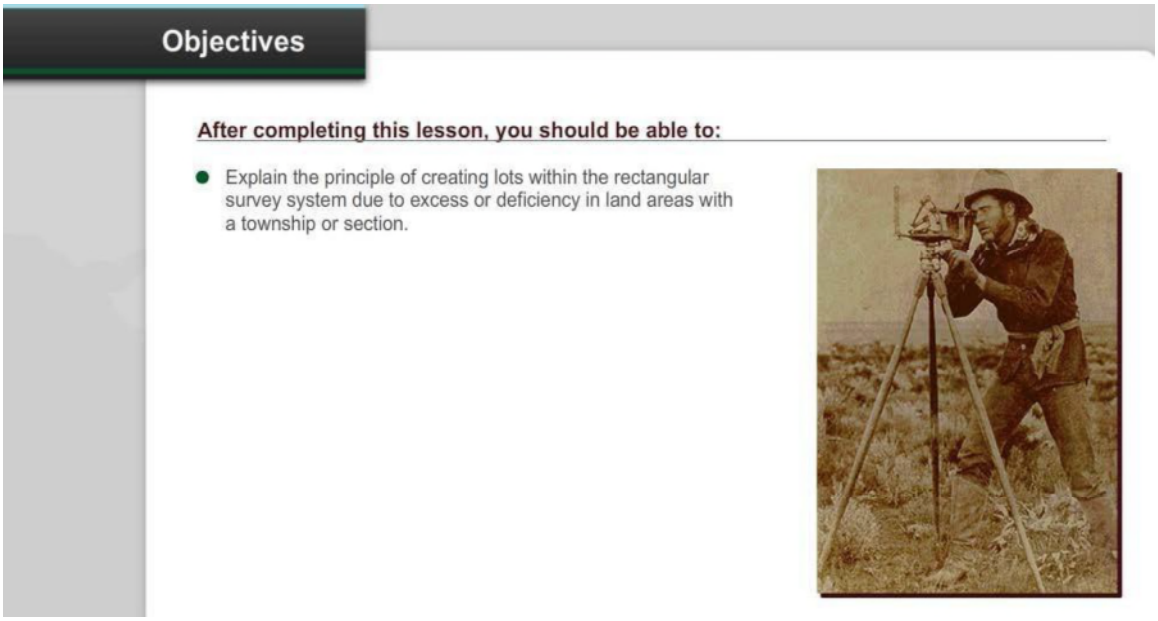
Quarters can then be subdivided into quarters equal to 10 acres each. These 10 acre quarters can be subdivided into quarters equal to 2 ½ acres each.



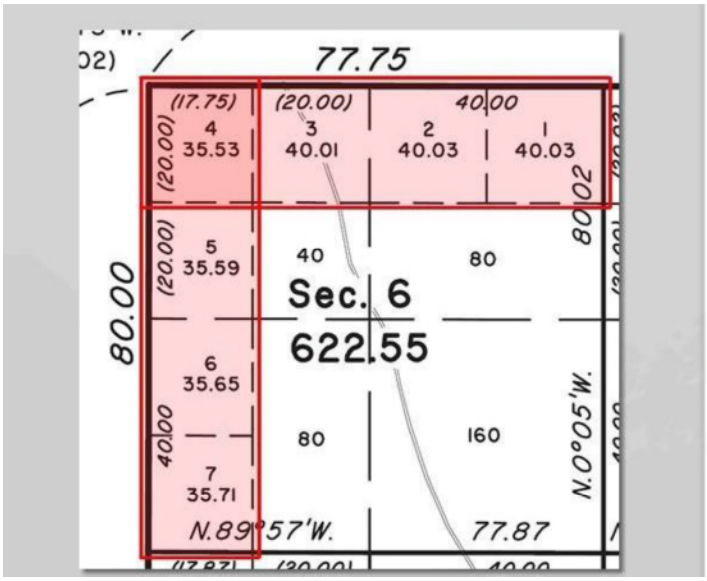
Along the township and range lines, corner monuments are set every nominal mile at all section corners. Monuments, called quarter corners, are set at mid-point between each mile marker. These monuments are called quarter corners because when connected, they form the legal boundaries that divide each section into quarters. Quarter parts can be further subdivided into quarters and each quarter equal to 40 acres. The 40 acre quarter-quarter is considered by BLM as the standard land unit for management purposes. However, these quarters can then be further subdivided into quarters and each quarter equals to 10 acres. These 10 acre quarters can then be further subdivided into quarters and each of these quarters is equal to 2 ½ acres.



Lesson 2: Excess or Deficiency by Convergence



After completing this lesson, you should be able to: Explain the principle of creating lots within the rectangular survey system due to excess or deficiency in land areas with a township or section.



Not all sections contain 640 acres contrary to the plan of the rectangular system shown.

Sections along the north tier and west range of a regular township are often ***irregular sections*** and contain lots.

Lots:

- Designated by section
- Given a lot number
- May contain more or less than 40 acres
- Considered a subdivision unit of a section

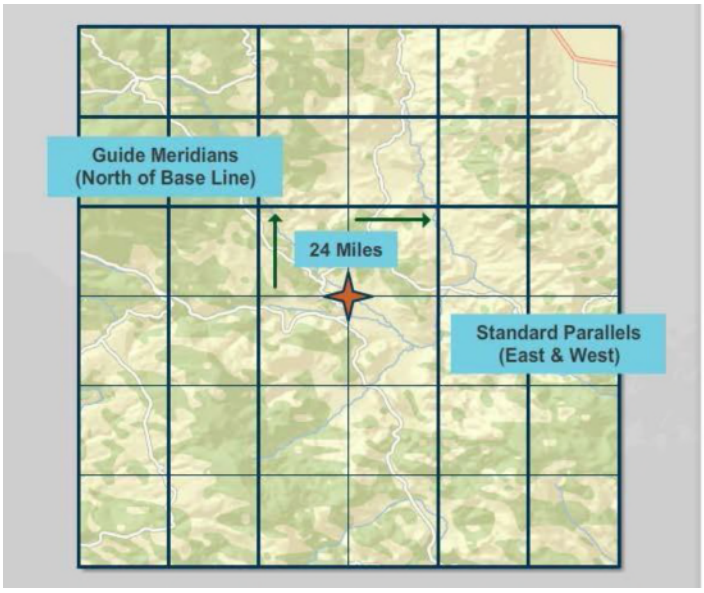
For various reasons, not all sections contain 640 acres, which is contrary to the plan of the rectangular system as shown here. The sections along the north tier and the west range of a regular township are often irregular sections and contain lots. These non-aliquot parts are designated by section and given a lot number. Though lots may contain more or less than 40 acres, they are considered a subdivision unit of a section.



Range lines do not continue in a straight line because of the curvature of the Earth's surface.

If not corrected, the township on the baseline would contain more area than one further north.

As a surveyor works north from the initial point, range lines do not continue in a straight line because of the curvature of the Earth's surface. If not corrected, the township on the baseline would contain more area than one further north.

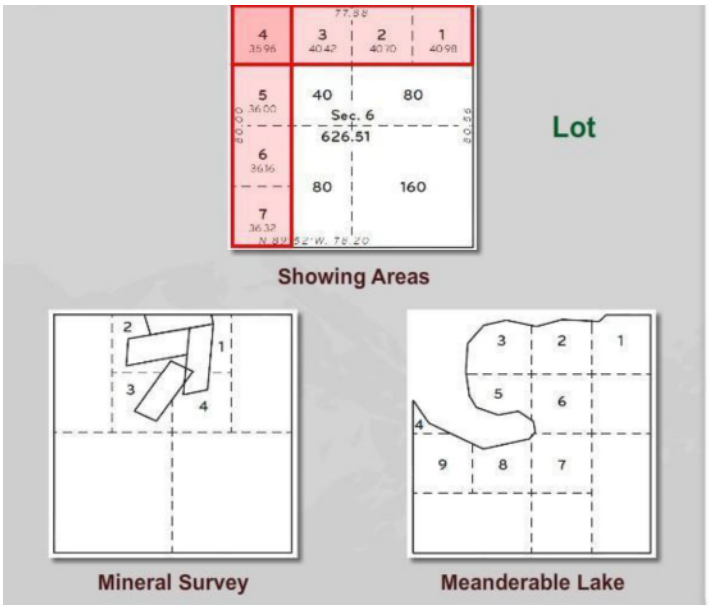


Range lines do not continue in a straight line because of the curvature of the Earth's surface.

If not corrected, the township on the baseline would contain more area than one further north.

To correct for this convergence, surveyors establish ***guide meridians*** and ***standard parallels*** every 24 miles in each direction from the initial point.

To correct for this convergence, surveyors establish guide meridians and standard parallels every 24 miles in each direction from the initial point.



A land unit called ***lots*** was created.

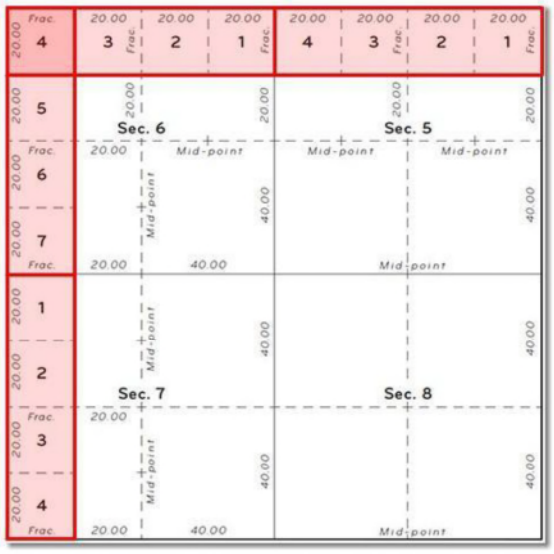
Lotting usually occurs in the north and west of each township due to:

- Excess and deficiency created by convergence
- Abutting a previously surveyed township
- Mineral surveys
- ***Meandering*** of rivers and lakes

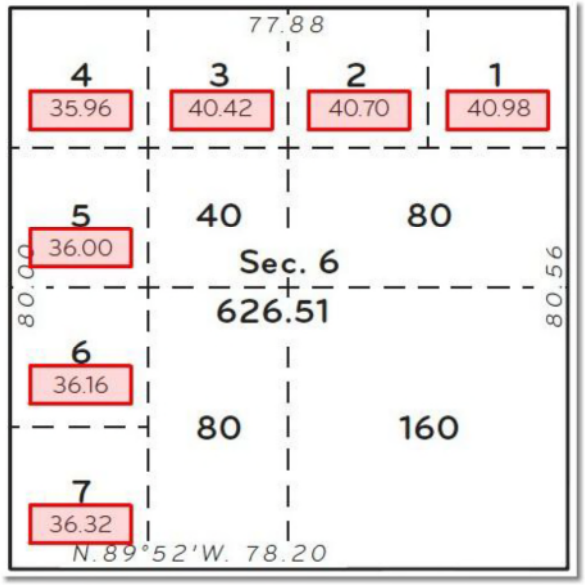
Reference: 2009 Manual of Survey Instructions Reference: Chapter 3, Subdivision of Sections

To compensate for loss in acreage to the convergence a land unit called lots was created. Lotting usually occurs in the north and west of each township. This is due to excess and deficiency in area created by convergence or because the township is abutting a previously surveyed township. Lotting also occurs when special surveys such as mineral surveys, and the meandering of rivers and lakes because the reduced land area around them cannot be described in aliquot parts. Lots are numbered similar to the 36 sections of a township. Lots are normally numbered starting in the northeast corner of the section in a counterclockwise direction but because of irregularities of land features lot numbering systems do vary. Following are visual examples of how a lotting scheme is portrayed on plats. Additional details can be found in Chapter 3, Subdivision of Sections in the 2009 Manual of Survey Instructions.

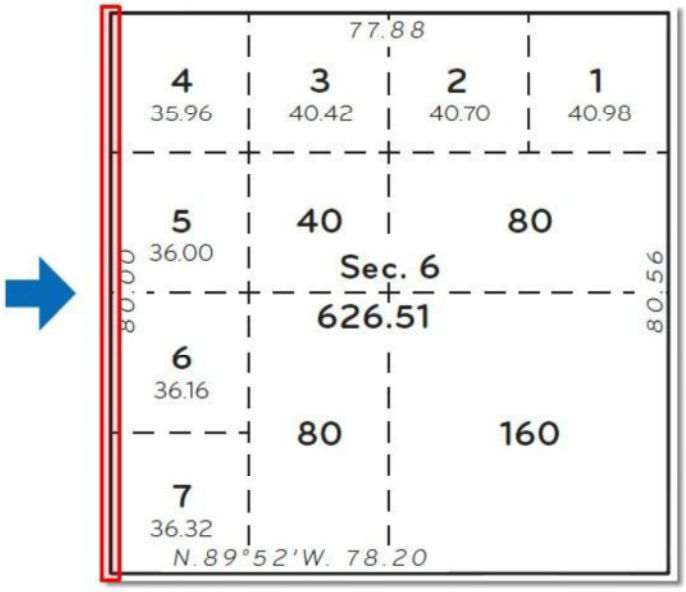
Aliquot Parts



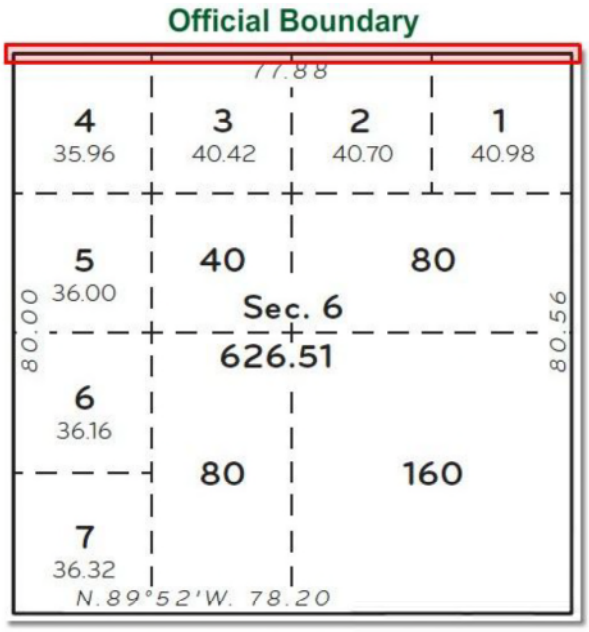
Displayed here is an example of typical lotting. Notice all quarters are aliquot parts. The lots displayed here are equal. Also, notice how the lots are numbered. In the northeast quarter, the lots are numbered right to left across the top. In the southwest quarter, the lots are numbered top to bottom. In the northwest quarter, the lots are numbered right to left across the top and then from the top down.



Again, you must consider the Earth curves moving north. To adjust for this, the boundary lines along the north and west sides of a township do not make a perfect square. Notice here each lot includes a differing acreage. Starting at lot seven and moving up to lot four, you will notice the acreage decreases as does lot one to lot four.

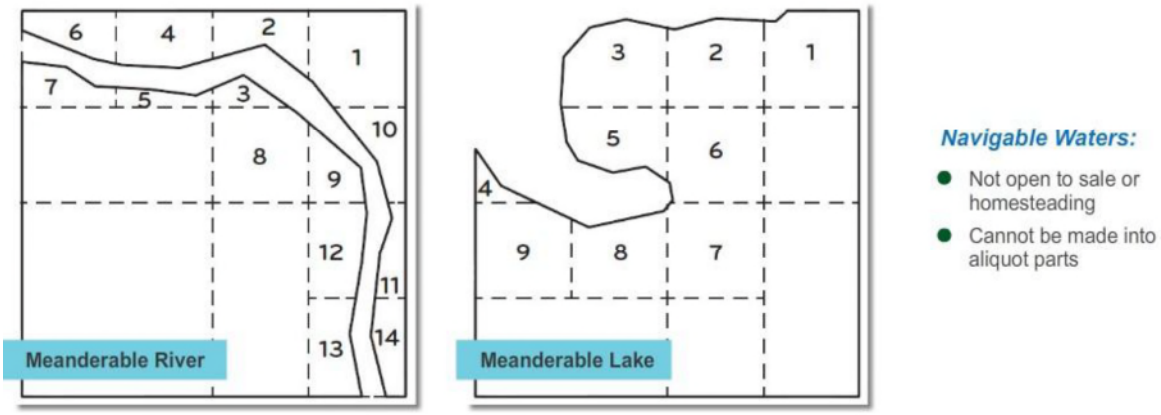


The reality is the lines running north and south are slowly moving to the right due to convergence.



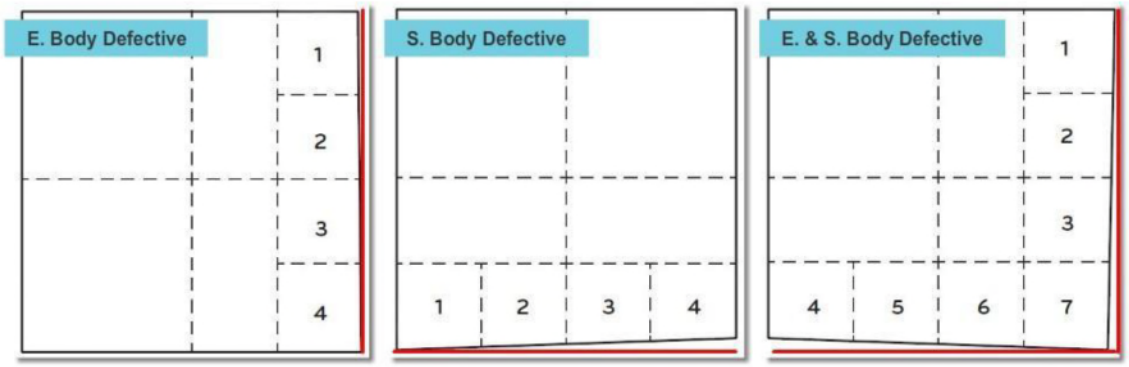
The lines runningeast-west may be running into a previously surveyed area and therefore cannot move past the official boundary.

Numbering Varies from State to State



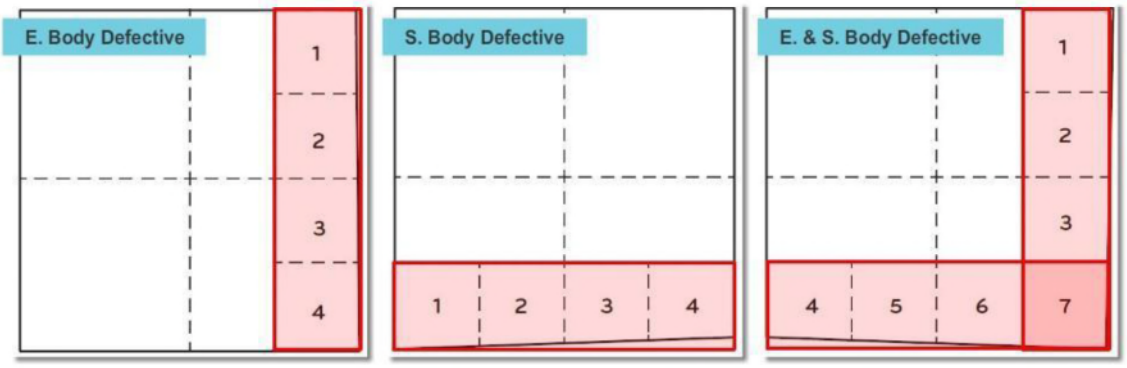
When navigable bodies of water are involved, such as a meandered river or lake, lots are used to define those areas. The beds of those waters are not open to sale or homesteading and cannot be made into aliquot parts within the section. It is important to note lot numbering procedures vary from state to state.

Runs into Previously Surveyed Area
Surveyed under 2009 Manual of Survey Instructions



In these examples, the borders have been exaggerated so that you can see the defects in border alignment. These are cases where the township runs into a previously surveyed area or have been resurveyed under the rules set forth in the 2009 Manual of Survey Instructions. In the first example, the east border is defective, in the second the south, and in the third both the east and south borders.

Lots Identified by Unique Number



With few exceptions, lots are identified and described by the unique number it is assigned within the section. You will learn how to reference lots in writing land descriptions in the next lesson, Preferred Order and Preferred Writing Method.

SkillCheck

True or False: Like aliquot parts, lots within a section contain equal acreage.

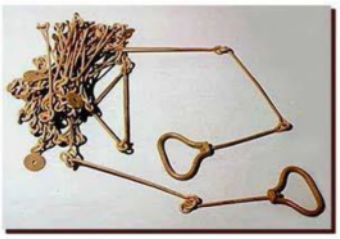
- A. True
- B. False

Correct Answer: B. False.



Various Units of Measures:
- Linear
- Area

Chain Unit



- Invention of Edmund Gunter
- 100 links measure 66 feet

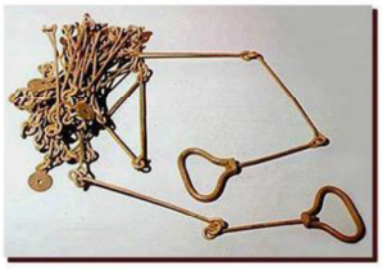
Referenced on Plats and Maps Today





When reading from a map or plat, you will notice various units of measures: units of linear measure and units of area measure. These will most likely be represented by the terminology used at the time the plat was created. During the early growth of our nation, the United States adopted the use of a linear measurement called the chain unit. It was the 17th-century invention of Edmund Gunter, an English astronomer. Gunter's link chain was 66 feet long and divided into 100 equal links. The chain unit term and measurement is still referenced on plats and maps today.

Units of Linear Measure	Units of Area
1 chain = 100 links = 66 feet (U.S. Survey Foot) 1 mile = 80 chains = 5,280 feet (U.S. Survey Foot)	1 acre = 43,560 square feet (U.S. Survey Foot) 1 square mile = 640 acres = 80 chains by 80 chains







As you see here in the chart, the chain measurement is used both in linear and area measures. Regarding linear measure, a chain includes 100 links with each link being 7.92 inches. The 100 links measure 66 feet with 1 mile being equivalent to 80 chains when strung end to end. Regarding area measure, one acre is equivalent to 43,560 square feet formed into a square. One square mile equates to 640 acres or 80 chains by 80 chains.



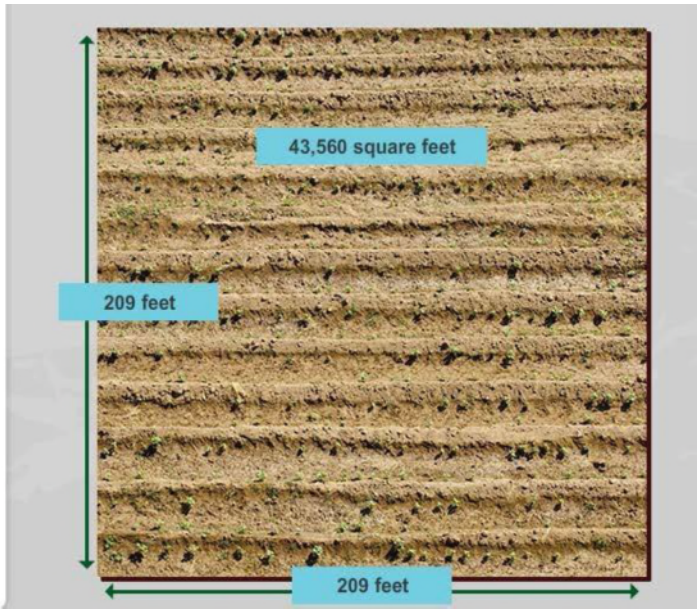
Arizona BLM Standard Yard - courtesy Az. State Office

Colonial Unit of Measure:

- Pole or rod
  - Can be used as a standard unit of measure
- Perch
  - Derived from Latin meaning pole or staff

Another historic unit of measure was the pole or rod or perch. Like the acre, common units of linear measure were brought to the American Colonies from Europe. A pole or rod of an exact length can be used as the "standard" like other identical forms measuring tools can be copied. The word perch is derived from the Latin word meaning a pole or staff.

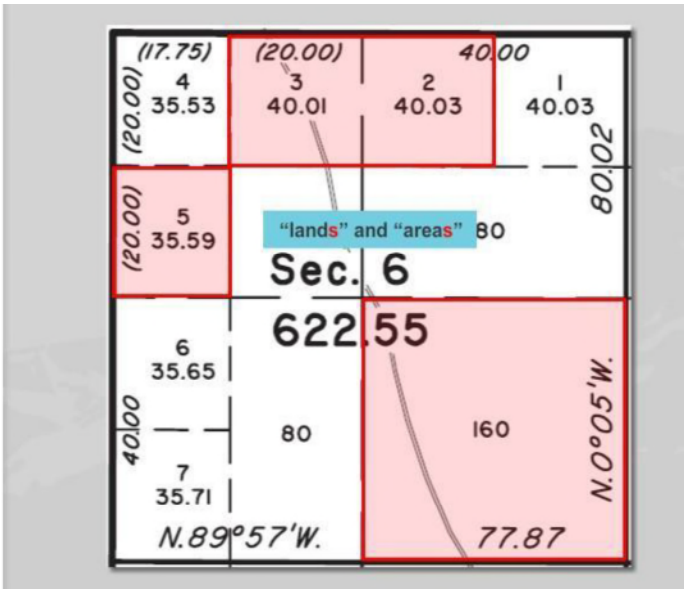
The quantity of land within the bounds of a description is most commonly expressed in "acres."



The quantity of land within the bounds of a description is most commonly expressed in "acres." It is said that during the Middle Ages, an acre was the amount of land that could be ploughed in one day with a yoke of oxen. One acre equals 43,560 square feet, and is approximately the land contained in a 209 foot by 209 foot square.

The quantity of land within the bounds of a description is most commonly expressed in "acres."

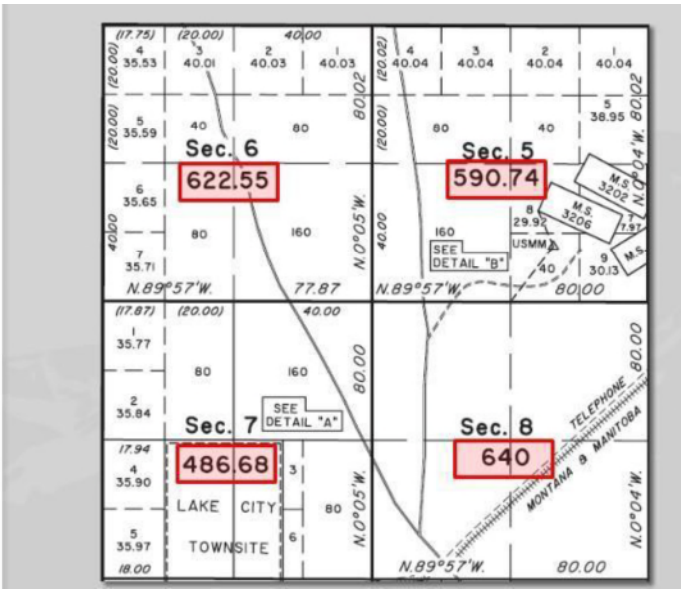
The terms "land" and "***area***" are used when referring to a group of parcels that have common boundaries.



When preparing land descriptions in accordance to the "Specifications," the terms "land" and "area" are used when referring to a group of parcels that have common boundaries. The terms "lands" and "areas" are used when referring to a group of parcels being described that do not have common boundaries.

Where ***unsurveyed land*** is included, the acreage as shown upon the official ***protraction diagrams*** of the township will be used.

Where land is not returned on an official survey plat and there is no official protraction diagram, an approximate area will be given in even acres.



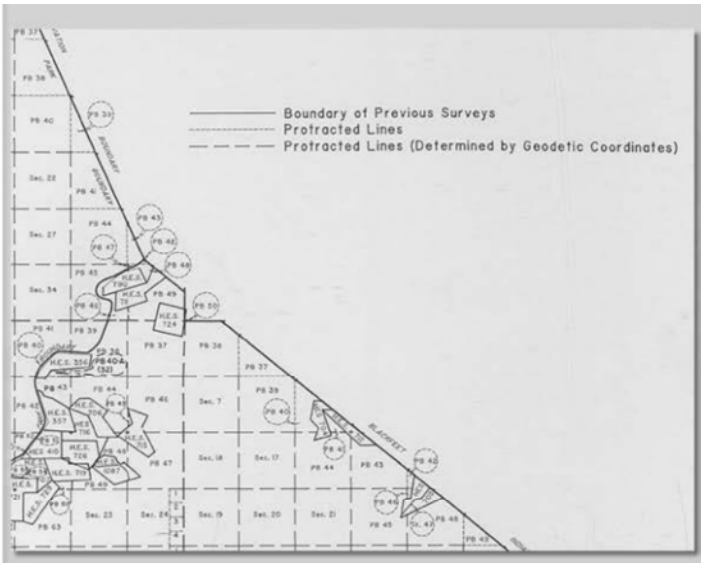
If the lands described are entirely surveyed, the legal acreage as shown upon the official plats of survey is used. Where unsurveyed land is included, the acreage as shown upon the official protraction diagrams of the township will be used. Where land is not returned on an official survey plat and there is no official protraction diagram, an approximate area will be given in even acres.

Where ***unsurveyed land*** is included, the acreage as shown upon the official ***protraction diagrams*** of the township will be used.

Where land is not returned on an official survey plat and there is no official protraction diagram, an approximate area will be given in even acres.

Protraction diagrams serve as a plan of survey for if an Official Cadastral Survey were to be performed over unsurveyed land.

Specifications Reference: Area, Chapter II



Protraction diagrams serve as a plan of survey for if an Official Cadastral Survey were to be performed over unsurveyed land. See Area in Chapter II of the Specifications for more information.

SkillCheck

One chain unit is equivalent to how many feet?

- A. 66 feet
- B. 80 feet
- C. 100 feet
- D. 5,280 feet

Correct Answer: A. 66 feet

SkillCheck

BLM considers how many acres to be the standard land unit for management purposes?

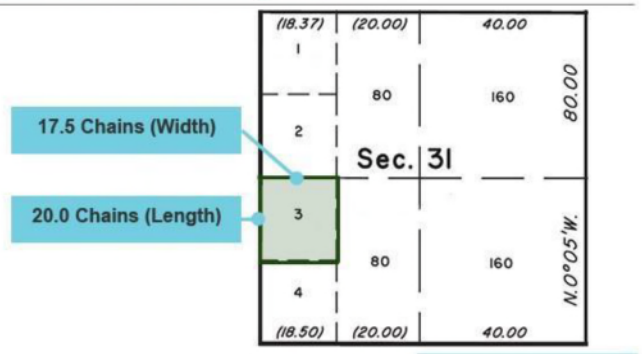
- A. 160 acres
- B. 40 acres
- C. 10 acres
- D. 2.5 acres

Correct Answer: 40 acres

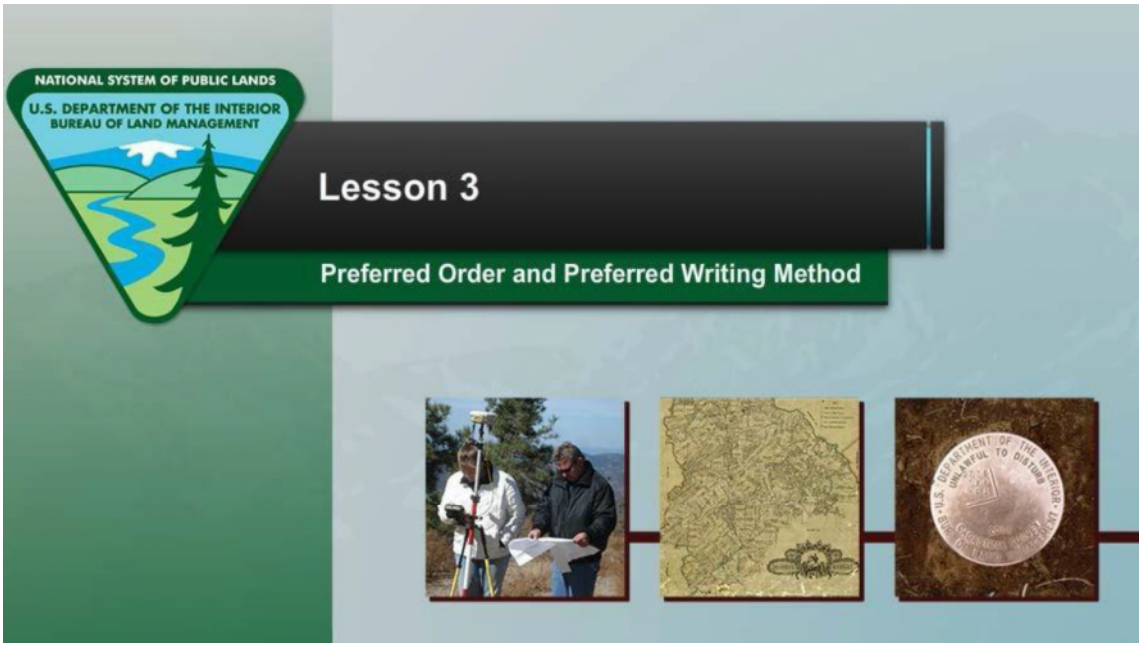
SkillCheck

Using the example plat measurements, what is the width and length in feet?

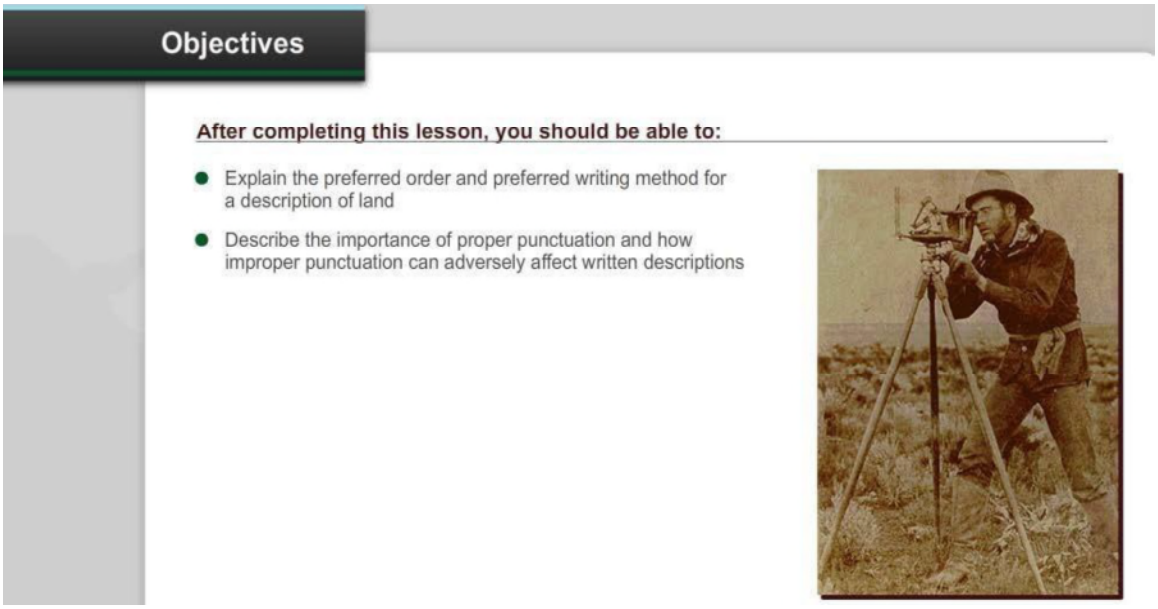
- A. 1,055 feet x 1,320 feet
- B. 1,155 feet x 1,220 feet
- C. 1,255 feet x 1,220 feet
- D. 1,155 feet x 1,320 feet
- E. 1,055 feet x 1,220 feet



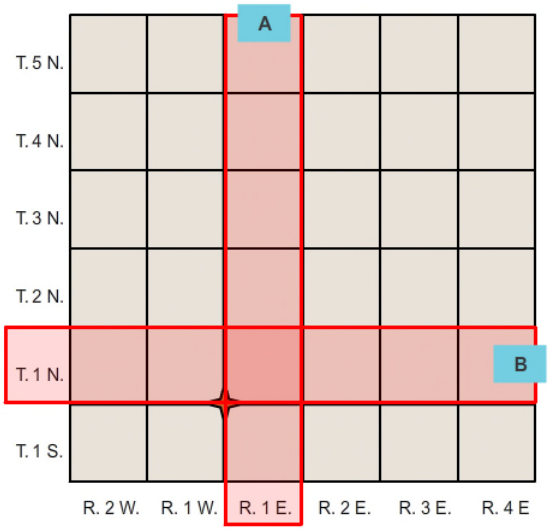
Correct Answer: D. 1,555 feet x 1,320 feet



Lesson 3: Preferred Order and Preferred Writing Method



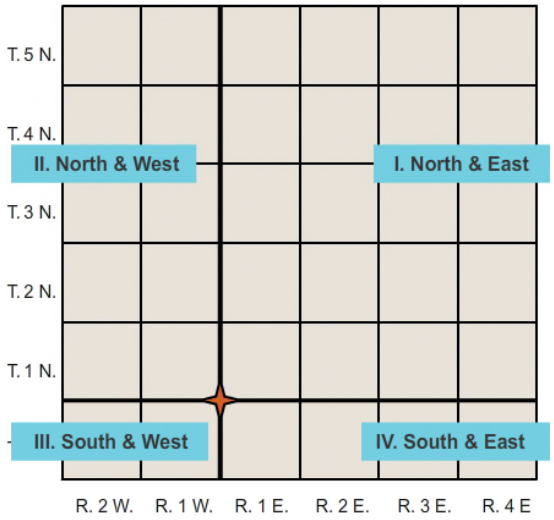
After completing this lesson, you should be able to: explain the preferred order and preferred writing method for a description of land and describe the importance of proper punctuation and how improper punctuation can adversely affect written descriptions.



Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number

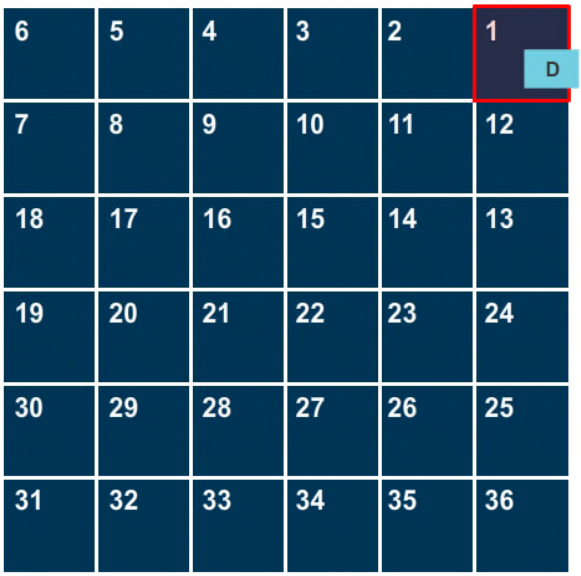
The preferred numerical order of listing of a land description is to begin with the lowest range number. Also start with the lowest number within each range by the township numbers.



Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number
C. Principal Meridian/Base Line
   I. North & East
   II. North & West
   III. South & West
   IV. South & East

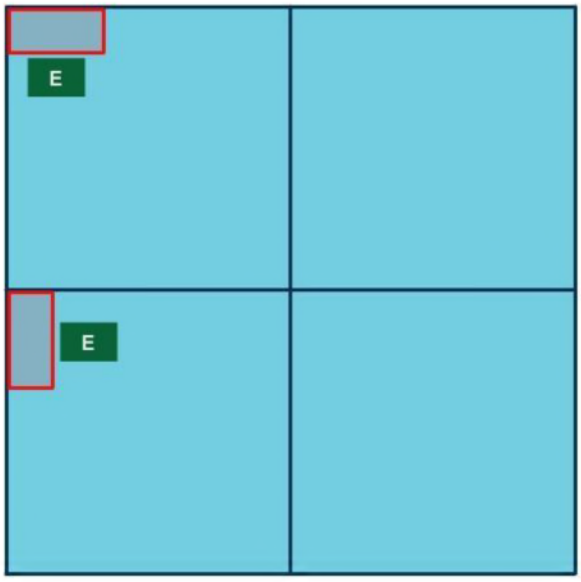
Where townships east and west of the principal meridian or north and south of the base line or both are involved, first list those north and east of the initial point, followed by those north and west, south and west, and finally south and east. Describe all the parts of each township and range before proceeding to the next township and range.



Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number
C. Principal Meridian/Base Line
   I. North & East
   II. North & West
   III. South & West
   IV. South & East
D. Lowest Section number

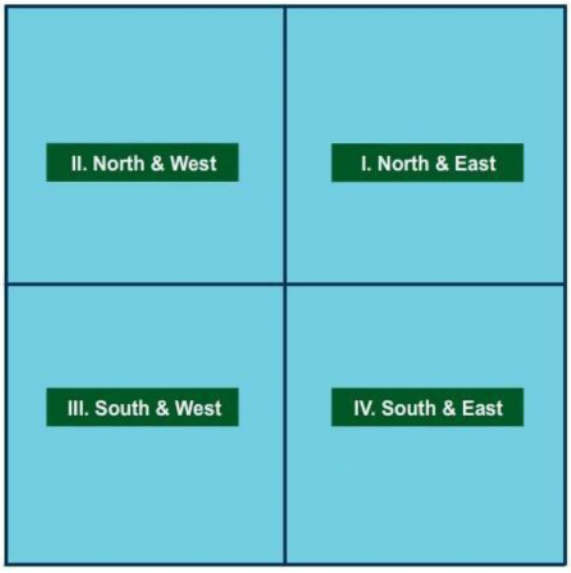
For sections, begin with the lowest-numbered section in eachtownship.



Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number
C. Principal Meridian/Base Line
   I. North & East
   II. North & West
   III. South & West
   IV. South & East
D. Lowest Section number
E. Lot numbers

First, give the lot numbers in order.



Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number
C. Principal Meridian/Base Line
   I. North & East
   II. North & West
   III. South & West
   IV. South & East
D. Lowest Section number
E. Lot numbers
F. Subdivisions
   I. North & East
   II. North & West
   III. South & West
   IV. South & East

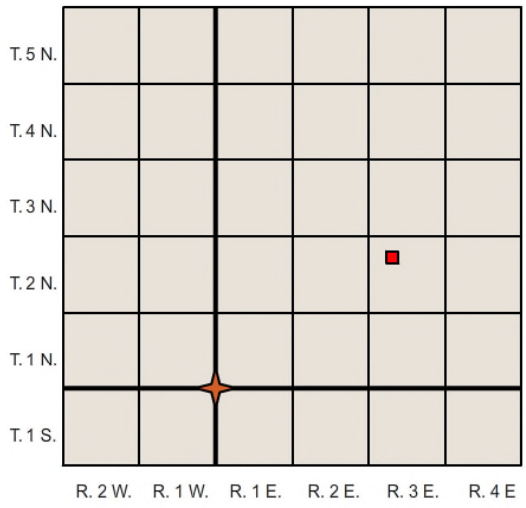
Then list the subdivisions within each quarter section in the order NE, NW, SW, and SE. If parts of the quarter-sections are to be described, follow the same order and describe all the parts of each quarter section before proceeding to the next quarter-section.



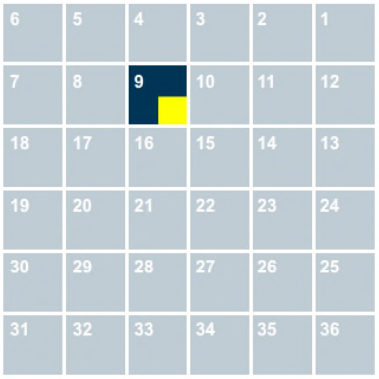
Preferred (Numerical) **Order:**

A. Lowest Range number
B. Lowest Township number
C. Principal Meridian/Base Line
   I. North & East
   II. North & West
   III. South & West
   IV. South & East
D. Lowest Section number
E. Lot numbers
F. Subdivisions
   I. North & East
   II. North & West
   III. South & West
   IV. South & East
G. ***Tracts***

Tracts should follow the sections because a tract is part of a township, as is a section. It is numbered the same as a section, beginning with 37 or the next highest unused numerical designation to avoid confusion with section numbers. Tracts should be listed before nonrectangular surveys, such as mineral surveys or donation land claims.



BLM Meridian, (State)
T. 2 N., R. 3 E.,
sec. 9, SE1/4
The area described contains 160 acres.

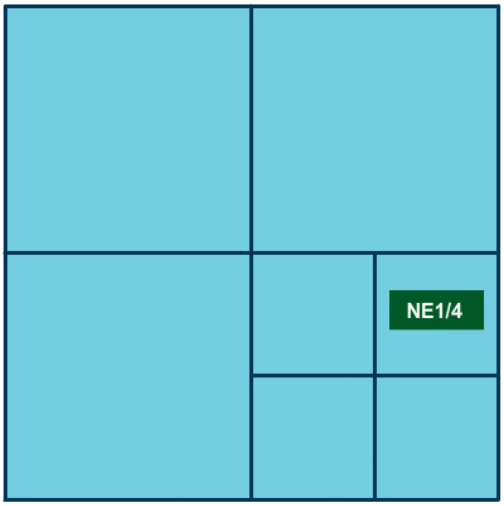


Specifications Reference: Preferred Writing Method, Chapter II

Before you can write a description of land, you must first understand what the references mean. A proper aliquot part description should contain all of the reference elements within it: principal meridian, the state the land is in, township and range, section, and lots or aliquot parts. In this lesson, you will learn some of the basic abbreviations and the order in which a description of land is written. In this example, we begin with the fictitious Bureau of Land Management Principal Meridian or BLM Meridian, (the State the land is in). Next, comes the township and range. Thisis written as T. 2 N., R. 3 E.. and pronounced township two north, range three east. Next is the section and any subdivision. Continuing with our example, this is written as sec. 9, SE1/4 and pronounced as section nine, the southeast quarter. Finally, the area in acres is described. This happens to be a quarter of one section and therefore is equivalent to 160 acres. See Preferred Writing Method in Chapter II of the Specifications for more information.

Land Description Part	Abbreviation	Example
Township(s)	T. or Tps.	T. 3 N.
Range(s)	R. or Rs.	R. 2 W.
Section(s)	sec. or secs.	sec. 19
North South East West	N. S. E. W.	T. 3 N., R. 2 W.
Northeast Southeast Northwest Southwest	NE SE NW SW	NE1/4
Lot(s)	lot or lots	lot 1 or lots 1, 2, and 4
Tract(s)	tract or tracts	tract 43 or tracts 43, 44, and 46

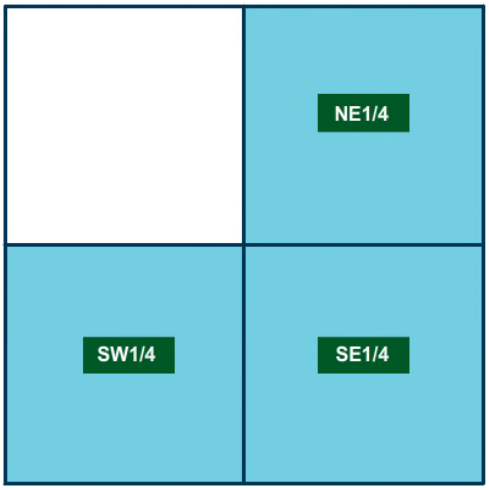
Please take a few moments now and review the abbreviations with their references.



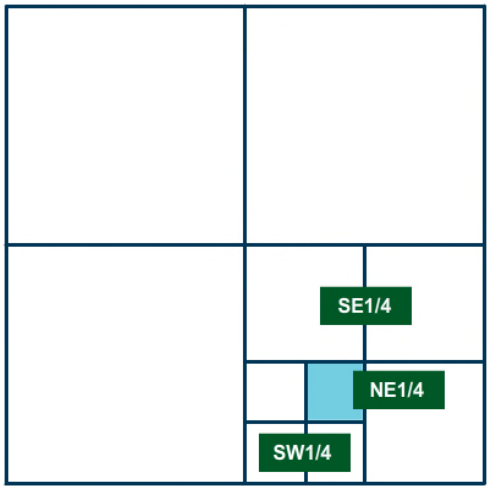
NE1/4SE1/4

The usual punctuation is omitted in the aliquot part description. The period is omitted after N, NE, S, SE, etc., within the aliquot parts description, and there is no comma and no space between symbols indicating a quarter-quarter section (NE1/4SE1/4).

Comma Means AND THE
NE1/4, SW1/4, SE1/4 = 480 Acres

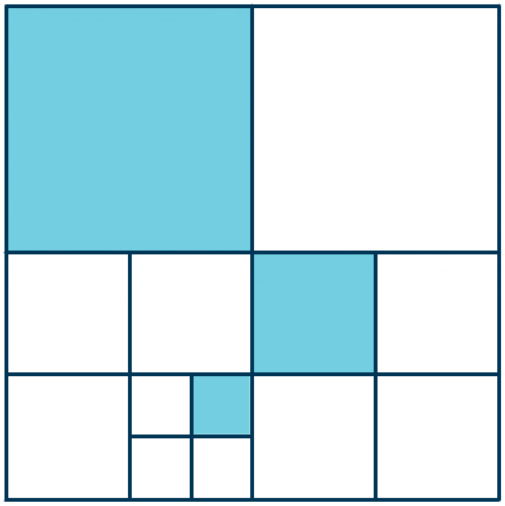


No Comma Means OF THE
NE1/4SW1/4SE1/4 = 10 Acres



The use of a comma is significant in writing the descriptions of the subdivisions of a section. A comma means AND THE and the absence of a comma means OF THE. The improper use or placement of a comma could drastically change an aliquot description and the intended acreage to be described. For example, given the description NE1/4SW1/4SE1/4 without a comma describes an aliquot part of 10 acres. With a comma, as such NE1/4, SW1/4, SE1/4 describes three aliquot parts totaling 480 acres.

NW1/4, NE1/4SE1/4SW1/4, NW1/4SE1/4 = 210 Acres



The proper use of the comma in an aliquot description is as follows: The NW1/4, NE1/4SE1/4SW1/4, NW1/4SE1/4, describes three aliquot parts containing 210 acres.

SkillCheck

Which of the following should you begin with when writing a land description in the preferred numerical order?

- A. Highest tract number
- B. Lowest range number
- C. Highest township number
- D. Lowest township number

Correct Answer: B. Lowest range number.

SkillCheck

True or False: The use of a comma is significant in writing the descriptions of the subdivision of a section. A comma means OF THE and the absence of a comma means AND THE.

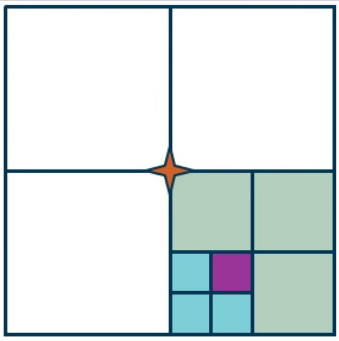
- A. True
- B. False

Correct Answer: B. False

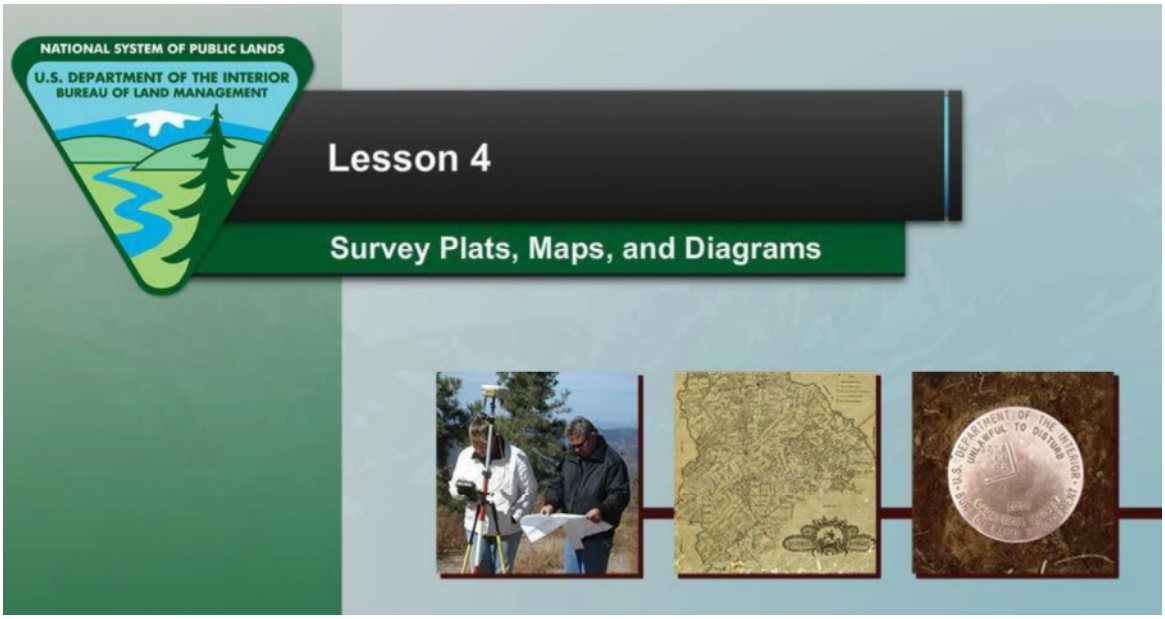
SkillCheck

Which of the following descriptions is written correctly based on the graphic displayed?

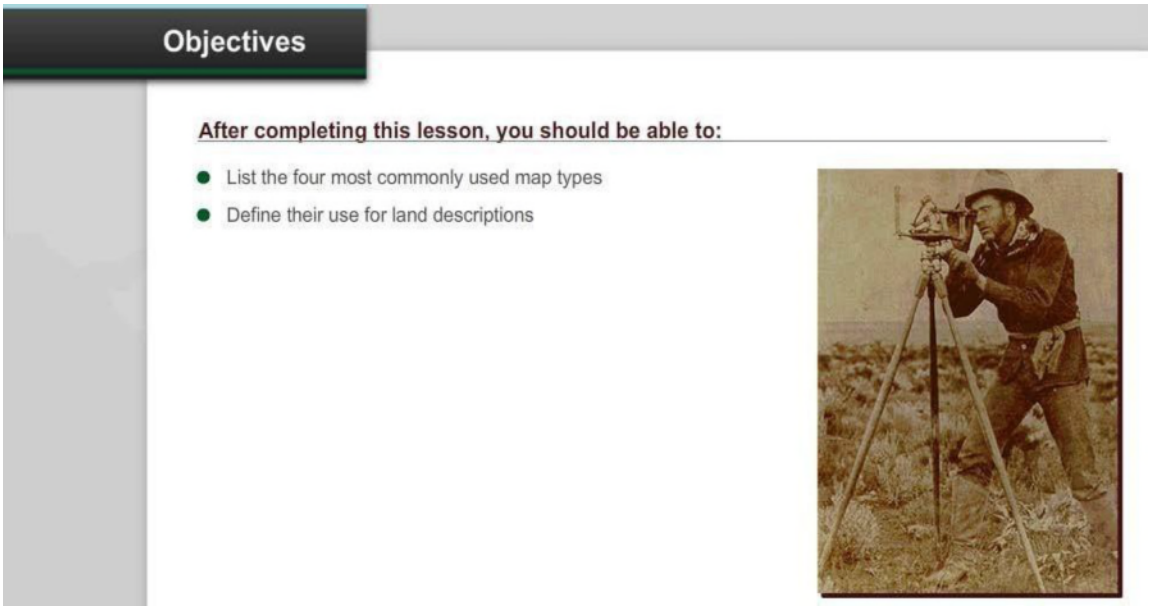
- A. NE 1/4, SW 1/4, SE 1/4
- B. NE1/4SW1/4SE1/4
- C. N.E.1/4 of the S.W. 1/4 of the S.E. 1/4
- D. E 1/4 SW 1/4 SE 1/4
- E. NE1/4SE1/4SW1/4



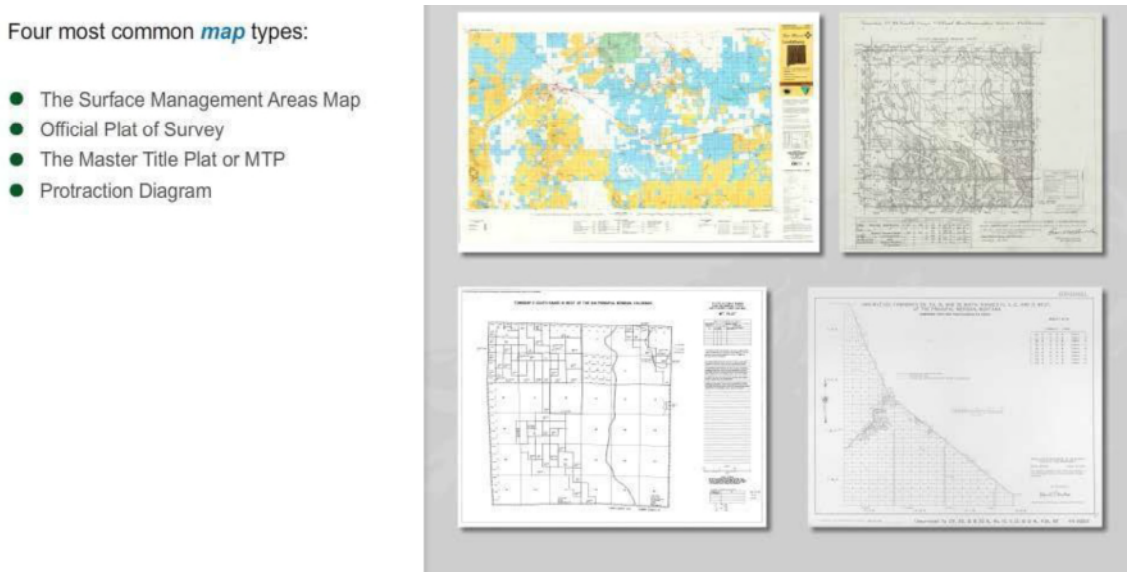
Correct Answer: B. NE1/4SW1/4SE1/4



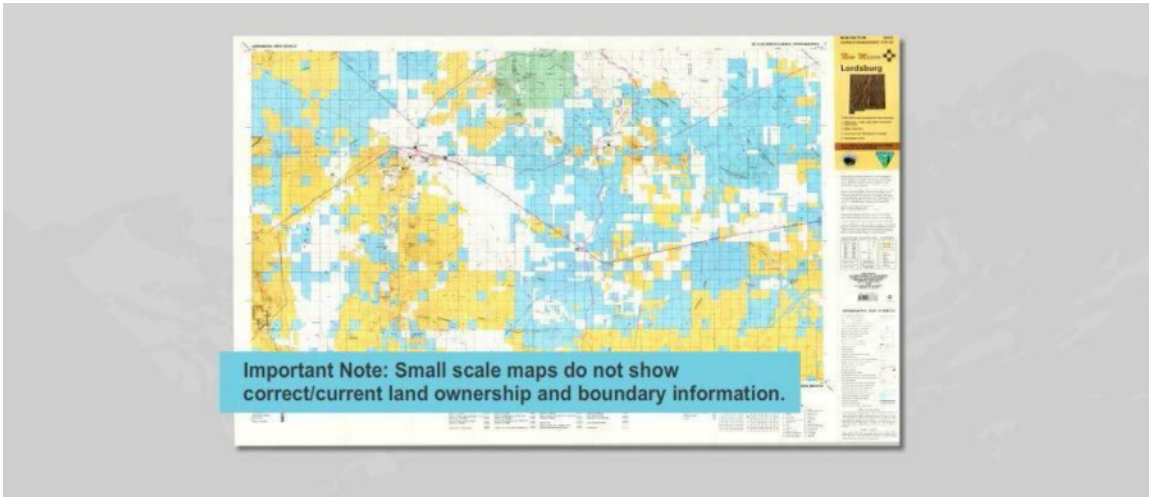
Lesson 4: Survey Plats, Maps, and Diagrams



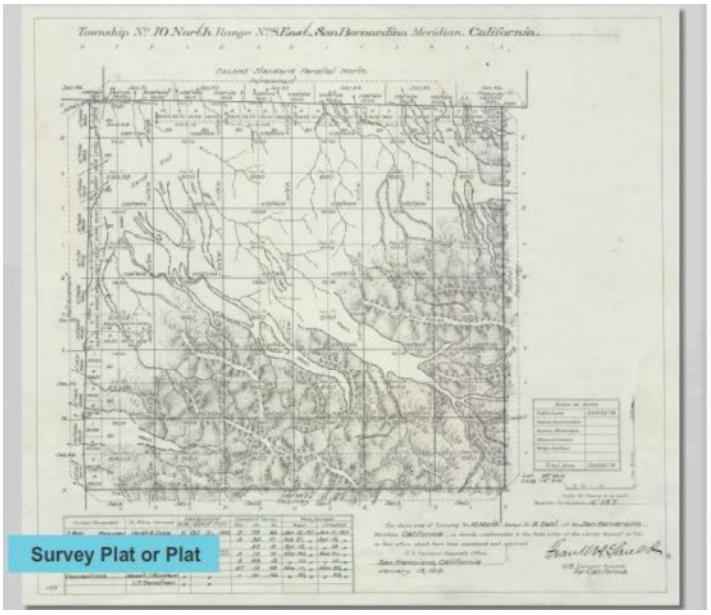
After completing this lesson, you should be able to: list the four most commonly used map types and define their use for land descriptions.



In this lesson, you will be introduced to the four most common map types you will use when interpreting and writing descriptions of land. These are: the Surface Management Areas Map, Official Plat of Survey, the Master Title Plat or MTP, and Protraction Diagram. Please note that there is a legal distinction between the terms of map and plat. Official surveys are always referred to as a plat. Let's begin with an overview of the Surface Management Areas map.



The small scale map, BLM Surface Management Map, can be used to find the general area of a parcel of land and its relation to major landmarks and transportation routes. Small scale maps also are a handy way to find a location using the PLSS grid. But it is important to know that small scale maps DO NOT necessarily show the correct and current land ownership and boundary information! Displayed here is an example of a Surface Management Map.



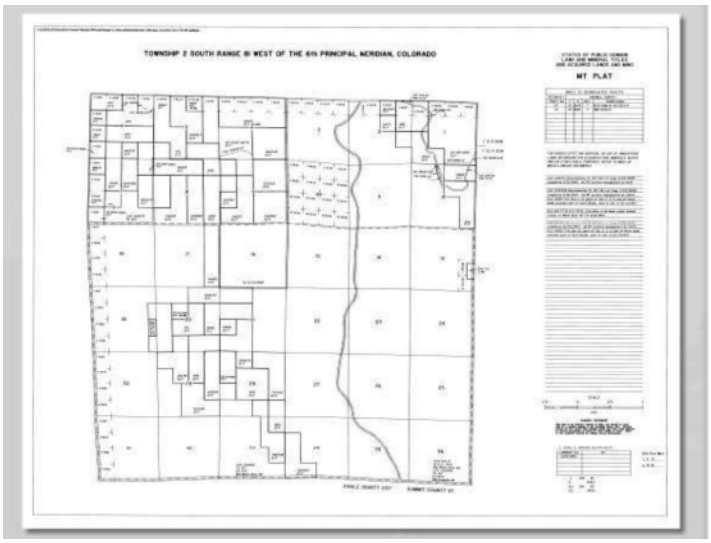
Record of Official Government Survey:

- Survey measurements
- Calculated acreage
- Land parcels that do not conform to rectangular survey system

Plats Found at:

- BLM State Office Public rooms
- BLM State Office web sites
- GLO Records Automation web site

The Official Plat of Survey is commonly called a survey plat or plat. This is the record of official government survey and includes the survey measurements and calculated acreage. It also displays land parcels that do not conform to the rectangular survey system. These plats can be found at BLM State Office Public rooms, online at some BLM State Office web sites or General Land Office (GLO) Records Automation web site (The Official Federal Land Records Site). An example of a survey plat is shown here.



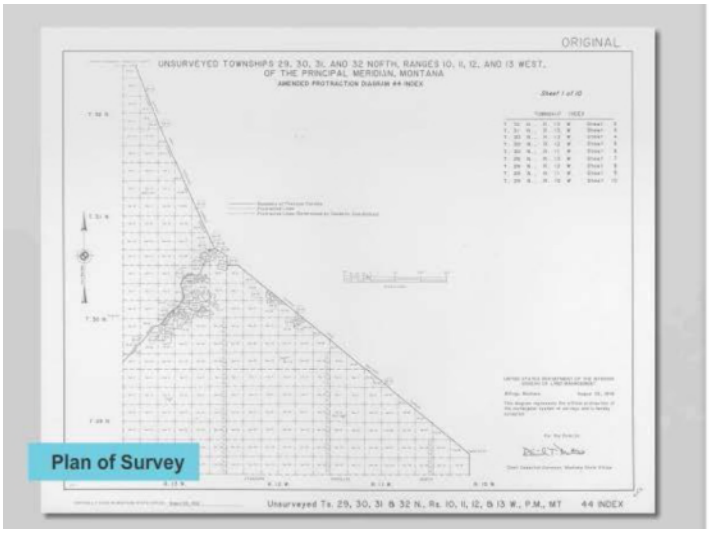
Master Title Plat (MTP):

- Federal land ownership information
- Rights and reservations (patented) to private individuals

Plats Found at:

- BLM State Office Public rooms
- BLM State Office web sites
- GLO Records Automation web site

The Master Title Plat or MTP shows Federal land ownership information, including rights and reservations the Government retained on lands convey (patented) to private individuals. These plats can be found at BLM State Office Public rooms, online at some BLM State Office web sites or General Land Office (GLO) Records Automation web site (The Official Federal Land Records Site). An example of an MTP is shown here.



Protraction Diagram:

- Describes un-surveyed land areas
- Governs until an official survey is performed

Where to access:

- Respective State Offices of the BLM

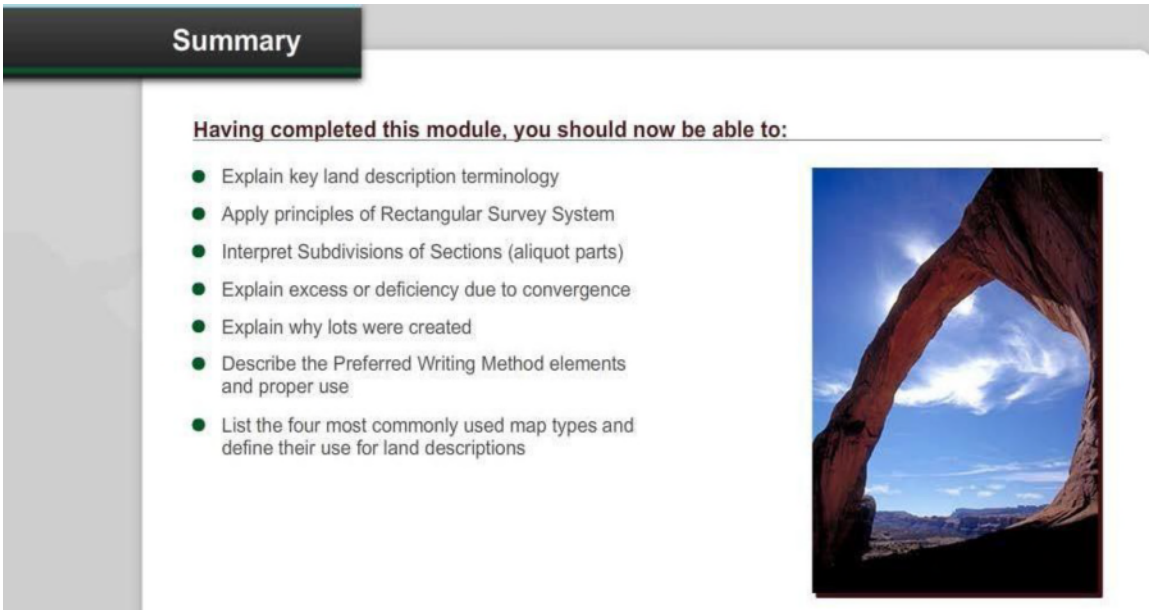
A Protraction Diagram is prepared for the purpose of describing unsurveyed land areas. In essence, the protraction diagram can be considered a "plan of survey" for if and when an on-the-ground survey was performed (i.e. it governs until an official survey is performed). The diagram is approved for the Director by the Chief, Division of Cadastral Survey, and filed in the respective state offices of the BLM. An example of a Protraction Diagram is shown here.

SkillCheck

Match the map type to its description.

Surface Management Map	A. Used to find the initial reference area of the parcel of land in question.
Official Plat of Survey	B. Used to find the survey measurements and calculated acreage and is commonly referred to as a survey plat or plat.
Master Title Plat	C. Used to find Federal land ownership information.
Protraction Diagram	D. Prepared for the purpose of describing un-surveyed land areas.

Correct Answers: A. Surface Management Map, B. Official Plat of Survey, C. Master Plat Title, and D. Protraction Diagram.

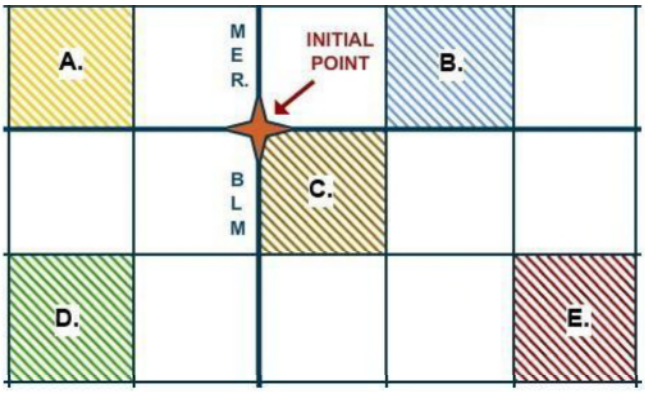


Having completed this module, you should now be able to: explain key land description, terminology, apply principles of Rectangular Survey System, interpret subdivisions of sections (aliquot parts), explain excess or deficiency due to convergence, explain why lots were created, describe the preferred writing method elements and proper use, and list the four most commonly used map types and define their use for land descriptions.

Quiz Answer Key

1. Review the graphic. Match the letter to its corresponding part on the image.

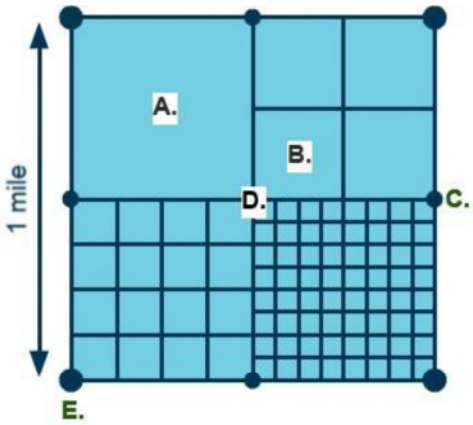
T. 2 S., R. 3 E.
T. 1 N., R. 2 W.
T. 1 N., R. 2 E.
T. 1 S., R. 1 E.
T. 2 S., R. 2 W.



Correct Answers: A. T. 1 N., R. 2 W.; B. T. 1 N., R. 2 E.; C. T. 1 S., R. 1 E.; D. T. 2 S., R. 2. W.; and E. T. 2 S., R. 3 E.

2. Match the letter to its term.

Section
Aliquot Part
Section Corner
Quarter Corner
40-acre Quarter-Quarter



Correct Answers: A. Aliquot Part, B. 40- acre Quarter-Quarter, C. Quarter Corner, D. Section, and E. Section Corner.

3. How many nominal miles wide and high is a Township versus a Section?

- **A. Township: 1 mile and Section: 6 miles**
- **B. Township: 10 miles and Section: 4 miles**
- **C. Township: 5 miles and Section: 1 mile**
- **D. Township: 10 miles and Section: 5 miles**
- **E. Township: 6 miles and Section: 1 mile**

Correct answer: E. Township: 6 miles and Section: 1 mile

4. True or False: For management purposes, BLM considers 160 acres to be the standard land unit.

Correct Answer: False

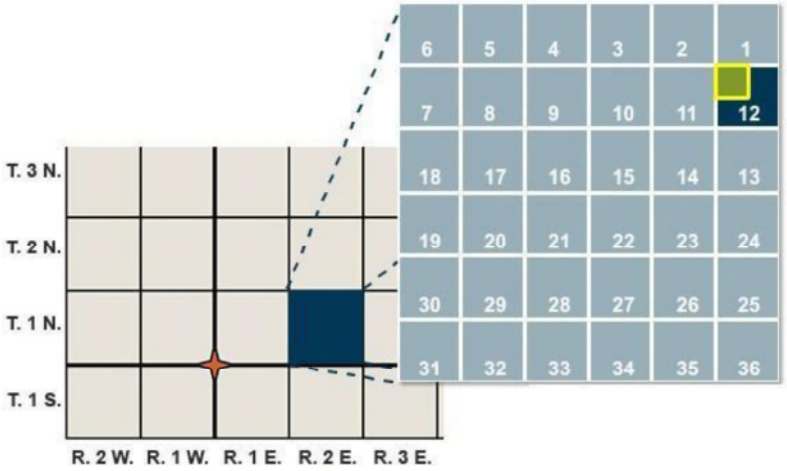
5. 132 feet is equivalent to how many chain units and how many feet is the equivalent of 5 chains?

- **A. 2 chain units and 330 feet**
- **B. 4 chain units and 165 feet**
- **C. 3.3 chain units and 200 feet**

Correct Answer: A. 2 chain units and 330 feet

6. Which written description of land is represented in the graphic?

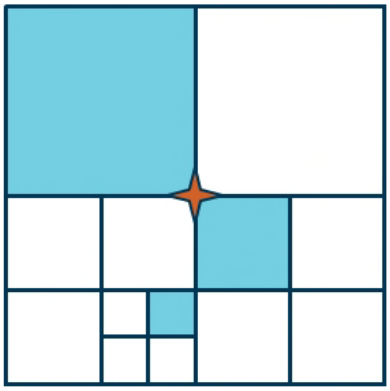
- A. BLM Meridian, Idaho T. 3 N., R. 2 E., sec. 12, SW1/4
- B. BLM Meridian, Idaho T. 1 S., R. 2 E., sec. 12, SW1/4
- C. BLM Meridian, Idaho T. 1 N., R. 2 E., sec. 12, NW1/4



Correct Answer: C. BLM Meridian, Idaho T. 1 N., R. 2 E., sec. 12, NW1/4

7. Which is the correctly written description for aliquot parts displayed in the graphic?

- A. NW1/4, NE1/4SE1/4SW1/4, NW1/4SE1/4
- B. NW1/4, SW1/4SE1/4NE1/4, SE1/4NW1/4



Correct Answer: A. NW1/4, NE1/4SE1/4SW1/4, NW1/4SE1/4

8. What is used to find the initial reference area of the parcel of land in question?

- **A. Surface Management Map**
- **B. Map of Official Survey**
- **C. Master Title Plat**
- **D. Protraction Diagram**

Correct Answer: A. Surface Management Map

9. What is used to review the survey measurements and calculated acreage and is commonly referred to as a survey plat or plat?

- **A. Surface Management Map**
- **B. Official Survey**
- **C. Master Title Plat**
- D. **Protraction Diagram**

Correct Answer: B. Official Survey

10. What is used to review Federal land ownership information?

- **A. Surface Management Map**
- **B. Official Survey Plat**
- **C. Master Title Plat**
- D. **Protraction Diagram**

Correct Answer: C. Master Title Plat

11. How many miles in each direction from the initial point do surveyors establish guide meridians and standard parallels to correct for convergence?

- **A. 1 mile**
- **B. 6 miles**
- **C. 24 miles**
- **D. 36 miles**

Correct Answer: C. 24 miles

12. True or False: When bodies of water are involved, such as a meandered river or lake, lots are used to define those areas that cannot be made into aliquot parts.

Correct Answer: True

Understanding Legal Descriptions in Idaho: A Comprehensive Guide

landifyr.com/understanding-legal-descriptions-in-idaho-a-comprehensive-guide/

August 28, 2025



Introduction to Legal Descriptions in Idaho

Legal descriptions serve as a foundational aspect of property law in Idaho, providing a precise method for identifying the location and boundaries of real estate. These descriptions are crucial during land transactions, as they ensure clarity and prevent disputes regarding property ownership. A legal description must be accurate and unambiguous, containing specific details that delineate the property in question. This section aims to enhance understanding by introducing the primary types of legal descriptions utilized in the state, along with their significance.

In Idaho, there are several types of legal descriptions, each serving a distinct purpose. The most prevalent formats are the Public Land Survey System (PLSS), metes-and-bounds, and plats. The PLSS is a grid system established to simplify the identification of land parcels by dividing them into townships and ranges. This method is especially beneficial in rural areas where traditional land surveying methods may be less practical. Understanding the PLSS is essential for anyone engaged in property transactions, as it provides an organized framework for land identification.

Metes-and-bounds descriptions, on the other hand, utilize physical features of the landscape along with directional measurements to define property boundaries. This type of legal description is often found in regions of Idaho where the topography is varied and does not conform to standard grid patterns. Additionally, plats are detailed maps created by surveyors that illustrate subdivisions and other developments, making it easier for buyers and sellers to visualize property boundaries.

Key terms such as “parcel,” “boundary,” and “easement” are integral to understanding legal descriptions. Familiarity with these terms can aid in navigating the complexities of real estate law in Idaho. By grasping the importance and types of legal descriptions, individuals will be better equipped to handle property transactions confidently and with clarity.

Public Land Survey System (PLSS) in Idaho

The Public Land Survey System (PLSS) serves as a foundational method for subdividing and describing land in the United States, including Idaho. Established by the Land Ordinance of 1785, this system was created to facilitate the orderly survey and distribution of land as the nation expanded westward. In Idaho, the PLSS is essential for legal land descriptions, making it easier to identify and locate specific parcels of land for various purposes, such as real estate transactions, development projects, and land management.

The PLSS divides land into a grid of squares, known as townships. Each township measures six miles on each side and is further divided into sections, which each contain 640 acres. This hierarchical structure enables precise land descriptions using a combination of township, range, and section numbers. For instance, a legal description might read “Section 15, Township 2 North, Range 4 East,” which precisely indicates the location of a parcel within the PLSS framework.

Idaho’s implementation of the PLSS has a historical significance; it dates back to the 19th century when the federal government sought to promote settlement in the area. This systematic method not only simplified land sales but also provided a means for land dispute resolution, making it a key component of Idaho’s development. Over the years, the PLSS has undergone refinements, but its fundamental principles remain unchanged.

Understanding the structure of PLSS descriptions is vital for anyone involved in real estate, land ownership, or legal matters relating to property in Idaho. By grasping the basics of how townships and sections function within the system, stakeholders can better navigate land-related issues, fostering clearer communication in transactions and official documents.

Metes-and-Bounds Legal Descriptions

Metes-and-bounds is a traditional method of legally describing property boundaries, particularly prevalent in states like Idaho. This technique utilizes physical features of the land, along with specific measurements, to define and delineate a parcel of land. The term 'metes' refers to the distances between points, typically measured in feet or rods, while 'bounds' signifies the defined boundaries marked by natural or artificial landmarks. Such landmarks may include rivers, trees, roads, or fences, providing a practical understanding of the property limits based on recognizable features.

When formulating a metes-and-bounds description, a surveyor will often begin at a designated starting point known as the point of beginning (POB). From this point, the measurement will extend in a specific direction and for a set distance, then change direction based on the designated bounds, until returning to the POB. For example, a legal description might state that a property begins at a certain oak tree, proceeds east for 100 feet, turns south for 50 feet, and then west for 100 feet before returning to the original point. This method can effectively create a highly specific and illustrative picture of the property in question.

One advantage of metes-and-bounds descriptions is their flexibility and adaptability to irregularly shaped parcels of land. Unlike the Public Land Survey System (PLSS), which reduces land into square plots, metes-and-bounds can accurately represent complex terrains. However, this method also has its limitations. The accuracy of the description relies heavily on landmarks that may change or erode over time, leading to potential disputes over boundaries. Additionally, the legal interpretation of these descriptions can sometimes lead to ambiguity if not managed properly. Therefore, while metes-and-bounds serves as a valuable tool in property description, it is critical to recognize both its strengths and weaknesses in the context of Idaho's legal landscape.

Plats and Their Role in Property Description

A plat is a detailed drawing or map that depicts the subdivision of land into lots, providing a graphic representation of the boundaries, dimensions, and layout of a specific parcel. In the context of legal descriptions, plats serve a crucial function as they clarify the boundaries of properties, making it easier for landowners, surveyors, and legal professionals to understand the ownership and usage rights associated with a particular tract of land. Unlike other forms of legal descriptions, such as metes and bounds, which rely on physical monuments and measurements, a plat focuses on the visual representation of land divisions, contributing significantly to urban planning and development.

The process of creating a plat typically involves several steps, beginning with a survey of the land to identify its boundaries and existing features. Once the survey is complete, the information is transferred to a map format, outlining individual lots, roads, public spaces, and

easements within the designated area. This visual document must then be submitted to local government authorities for approval, ensuring compliance with zoning regulations and land use policies. The approved plat is subsequently recorded in public records, creating a permanent record that establishes legal ownership and the rights associated with each lot.

Plats hold great importance for landowners as they provide a clear visualization of property lines and can facilitate future developments or transactions. For instance, in densely populated urban areas, a well-structured plat is essential for effective planning, as it influences everything from infrastructure to public utilities. Examples of plat maps can illustrate how these diagrams guide property delineation and help resolve potential disputes over boundaries. Thus, understanding plats and their role is indispensable for anyone involved in real estate transactions or property development in Idaho.

Correction Standards in Idaho Legal Descriptions

In Idaho, legal descriptions play a crucial role in accurately defining property boundaries and ownership. However, there are instances when corrections may become necessary due to various factors, such as errors in measurements, outdated descriptions, or changes in the legal status of the property. Understanding the correction standards established by Idaho law is essential for ensuring that property records are accurate and legally valid.

Common reasons for the correction of legal descriptions in Idaho include discrepancies stemming from surveying mistakes or clerical errors during the documentation process. Inadequate or outdated descriptions can lead to legal disputes, misunderstandings regarding property boundaries, and potential loss of ownership rights. It is vital to address these issues swiftly to maintain clear and accurate property records.

The formal process for correcting legal descriptions in Idaho requires adherence to specific guidelines. Typically, the property owner or their authorized representative must file a correction application with the appropriate governing authority, such as the county recorder’s office. The application must include a detailed explanation of the error, along with the corrected legal description and any supporting documentation, such as survey plats or relevant maps.

The timeline for processing corrections may vary depending on the complexity of the case and the specific requirements set forth by local authorities. Generally, applicants can expect a review period, during which the governing body assesses the submitted information. Fees may apply during this process, varying by jurisdiction. Accurate completion of forms and adherence to guidelines will streamline the review process, minimizing potential delays.

In summary, understanding the correction standards in Idaho is essential for property owners seeking to update their legal descriptions. By recognizing the reasons necessitating corrections and following the proper procedural steps, property owners can ensure their legal

descriptions are accurate, thereby protecting their property rights and minimizing disputes.

County and City Nuances in Legal Descriptions

Legal descriptions in Idaho are subject to variations influenced by local regulations and practices, which can differ significantly across different counties and cities. Understanding these nuances is essential for accurate property transactions and effective conflict resolution. Each jurisdiction may have unique requirements or formatting styles that impact how legal descriptions are drafted or interpreted.

For instance, while some counties may rely solely on the Public Land Survey System (PLSS) for delineation, others might incorporate additional local surveying methods or historical context. In urban settings, where property lines are often affected by previous development and municipal zoning regulations, legal descriptions may need to accommodate more intricate boundaries. Conversely, rural areas may utilize simpler, more straightforward approaches reflecting their less complex property layouts.

Moreover, specific examples illustrate how local nuances can impact real estate transactions. In Ada County, representatives emphasize the importance of detailing easements and rights-of-way explicitly in legal descriptions. Special attention is given to how these can affect property value and usage, and therefore, omitting such details could lead to complications or disputes post-purchase. In contrast, neighboring counties may prioritize agricultural designations and incorporate language that reflects land-use limitations, which can significantly shape property rights and access.

The interpretation of legal descriptions can also vary by municipal codes and ordinances. For example, some cities may have additional recording requirements necessary for validity, such as including a signed affidavit or certification from a licensed surveyor. Ignoring these local nuances can result in legal challenges, delays in property transactions, or increased litigation costs. Hence, it is crucial for prospective buyers, sellers, and real estate professionals to familiarize themselves with the specific legal description practices in their respective county and city before engaging in property dealings.

Edge Cases and Complications in Legal Descriptions

Legal descriptions serve as a foundational element in property law, but they are not without their intricacies. Various complications can arise, leading to disputes among landowners or creating ambiguities concerning property boundaries. One prevalent issue is overlapping boundaries, which can occur particularly in densely populated areas or where surveys have been conducted poorly. Overlapping descriptions can result from inaccuracies in earlier surveys or from adjoining landowners interpreting their property lines differently. Such situations require careful resolution, often necessitating professional surveys or the intervention of legal authorities to clarify ownership.

Another common complication is unclear descriptions. Legal descriptions that lack detail may leave room for interpretation, leading parties to dispute the intent and extent of property ownership. This lack of clarity can stem from outdated legal language, imprecise measurements, or even typographical errors in the recorded documents. Engaging a qualified land surveyor can be essential in these scenarios, as they are equipped to provide definitive boundaries based on the original intent of the property description.

Disputes can also arise from changes in the landscape or usage patterns over time. For example, roads, fences, or other developments might encroach upon boundary lines, causing friction between neighboring property owners. Additionally, easements or rights-of-way established in one legal description may conflict with new uses of adjoining land, further complicating the interpretation and enforcement of property rights. Both new and existing landowners must be proactive in maintaining clear lines of communication and documentation to mitigate potential conflicts.

When navigating these complexities, seeking legal counsel or engaging in mediation can be valuable processes for ensuring that property rights are upheld. Understanding the potential edge cases and complications in legal descriptions can empower landowners to address issues collaboratively and minimize the risk of litigation.

Penalties for Inaccurate Legal Descriptions

In Idaho, the importance of accurate legal descriptions cannot be overstated, as they serve as a fundamental component in property transactions. Errors or inaccuracies in these descriptions can lead to a multitude of negative consequences, from compromised property rights to legal disputes. The penalties associated with inaccurate legal descriptions can manifest in various forms, which both buyers and sellers must consider seriously.

One of the most significant implications arising from inaccurate legal descriptions is the potential for disputes between parties involved in a transaction. When a legal description does not accurately reflect the property being conveyed, it may give rise to confusion regarding ownership, boundaries, and limitations. Such discrepancies can prompt legal action from aggrieved parties, leading to costly litigation and prolonged resolution processes. These disputes not only consume time and financial resources but can also damage reputations and trust among participants in the real estate market.

Moreover, individuals who prepare or rely on inaccurate legal descriptions may also face civil liabilities. In cases of negligence or failure to comply with state standards, the affected parties can seek damages for any losses incurred. This may include compensation for lost opportunities or other financial repercussions resulting from the flawed documentation. Additionally, the governing authorities may impose administrative penalties or fines against professionals who consistently fail to ensure the accuracy of legal descriptions.

Inaccurate legal descriptions can also hinder the ability to secure financing. Mortgage lenders require precise details to assess the value of the property being used as collateral. A flawed legal description may jeopardize not only the transaction but also future financial opportunities for the involved parties. Hence, ensuring the integrity of legal descriptions is paramount in facilitating effective property transactions in Idaho.

Cross-References and Additional Resources

For individuals seeking further information regarding legal descriptions in Idaho, several valuable resources and cross-references are available. The Idaho Secretary of State's website serves as an authoritative source for official documents related to property ownership and legal descriptions. This platform provides access to property records, including transactions that may clarify ownership boundaries and descriptions.

Another important resource is the Idaho Society of Professional Land Surveyors (ISPLS). This organization primarily advocates for land surveying professionals and provides guidelines on property surveying standards. Individuals uncertain about their property lines may consider consulting a licensed land surveyor listed on the ISPLS website, where relevant contact details and credentials are typically provided.

Additionally, the Idaho State Bar Association offers legal aid resources that can be beneficial for individuals navigating property disputes or other legal matters related to property descriptions. They provide a list of legal practitioners who specialize in real estate law, along with instructional materials that cover common legal issues associated with property ownership in Idaho.

For guidance on interpreting legal descriptions, several online resources offer educational materials, including guides and articles that explain the types of descriptions and how to read them accurately. These platforms can enhance an individual's understanding of property matters, thereby empowering property owners to handle issues more effectively.

In terms of practical steps, property owners or prospective buyers should confirm the accuracy of legal descriptions in documents before completing any property transactions. Engaging a land surveyor can ensure definitive boundaries, effectively minimizing disputes later on. Overall, the combination of these resources and steps will aid in understanding legal descriptions, ensuring informed decision-making in Idaho's property landscape.

TITLE 55
PROPERTY IN GENERAL

CHAPTER 16
CORNER PERPETUATION AND FILING

55-1601. SHORT TITLE. This chapter may be cited as the "Corner Perpetuation and Filing Law."

[55-1601, added 1967, ch. 215, sec. 1, p. 647; am. 1993, ch. 206, sec. 1, p. 564.]

55-1602. DECLARATION OF POLICY. It is the purpose of this chapter to protect and perpetuate public land survey corners and information concerning the location of such corners by requiring the systematic establishment of monuments and filing of information concerning the marking of the location of such public land survey corners and to allow the systematic location of other property corners, thereby providing for property security and a coherent system of property location and identification; and thereby eliminating the repeated necessity for reestablishment and relocations of such corners once they are established and located.

[55-1602, added 1967, ch. 215, sec. 2, p. 647; am. 1993, ch. 206, sec. 2, p. 564.]

55-1603. DEFINITIONS. Except where the context indicates a different meaning, terms used in this chapter shall be defined as follows:

(1) "Accessory to a corner" means any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference points, line trees, pits, mounds, charcoal-filled bottles, steel or wooden stakes, or other objects.

(2) "Benchmark" means a material object, natural or artificial, whose elevation is referenced to an adopted datum.

(3) "Board" means the board of licensure of professional engineers and professional land surveyors.

(4) "Control survey" means a survey that provides horizontal or vertical position data for the support or control of subordinate surveys or for mapping.

(5) "Corner," unless otherwise defined, means a property corner, or a property controlling corner, or a public land survey corner, or any combination of these.

(6) "Establish" means to determine the position of a corner either physically or mathematically.

(7) "Monument" means a physical structure intended to mark, reference, or witness a line, corner, or position.

(8) "Professional land surveyor" means any person who is authorized by the laws of this state to practice land surveying.

(9) "Property controlling corner" for a property means a public land survey corner, property corner, reference point or witness corner that controls the location of one (1) or more of the property corners of the property in question.

(10) "Property corner" means a geographic point on the surface of the earth and is on, a part of, and controls a property line.

(11) "Public land survey corner" means any point actually established and monumented in an original survey or resurvey that determines the boundaries of remaining public lands, or public lands patented, represented on an official plat and in the field notes thereof, accepted and approved under authority delegated by congress to the U.S. general land office (GLO) and the U.S. department of interior, bureau of land management. This excludes GLO-surveyed townsite lot corners, except those marking exterior angle points or block corners within the townsite.

(12) "Reference point" means a special monumented point that does not occupy the same geographical position as the corner itself, and where the spatial relationship to the corner is recorded, and which serves to locate the corner.

(13) "Witness corner" means a monumented point on a lot line or boundary line of a survey, near a corner, and established in situations where it is impracticable to occupy or monument the corner.

[55-1603, added 1967, ch. 215, sec. 3, p. 647; am. 1993, ch. 206, sec. 3, p. 565; am. 1997, ch. 190, sec. 13, p. 526; am. 2008, ch. 378, sec. 27, p. 1046; am. 2011, ch. 136, sec. 13, p. 391; am. 2020, ch. 127, sec. 11, p. 403; am. 2022, ch. 43, sec. 6, p. 120.]

55-1604. FILING REQUIREMENTS. A professional land surveyor shall complete, sign, and file with the county clerk and recorder of the county where the corner is situated a written record of the establishment, reestablishment, or rehabilitation of a corner monument and its accessories. This record shall be known as a "corner record" and such a filing shall be made for every public land survey corner, center one-quarter (1/4) corner, corners used as ties as described in section 50-1304(2)(g) or 55-1906(5), Idaho Code, and accessory to such corner established, reestablished, monumented, remonumented, rehabilitated, perpetuated or used as control in any survey. The survey information shall be filed within ninety (90) days after the survey is completed, unless the corner and its accessories are substantially as described in an existing corner record filed in accordance with the provisions of this chapter.

In lieu of filing as heretofore provided, corner records may be recorded electronically in those counties that have such facilities.

[55-1604, added 1967, ch. 215, sec. 4, p. 647; am. 1972, ch. 162, sec. 1, p. 363; am. 1993, ch. 206, sec. 4, p. 565; am. 2020, ch. 127, sec. 12, p. 404; am. 2022, ch. 43, sec. 7, p. 121.]

55-1605. FILING OR RECORDING. A professional land surveyor may file or record any corner record as to any property controlling corner or accessory to a corner.

[55-1605, added 1967, ch. 215, sec. 5, p. 647; am. 1972, ch. 162, sec. 2, p. 363; am. 1993, ch. 206, sec. 5, p. 566; am. 2011, ch. 136, sec. 14, p. 392.]

55-1606. FILING OR RECORDING INFORMATION. The board shall, by regulation, provide and prescribe the information which shall be necessary to be included in the corner record and the board shall prescribe the form in which such corner record shall be presented and filed or recorded.

[55-1606, added 1967, ch. 215, sec. 6, p. 647; am. 1972, ch. 162, sec. 3, p. 363.]

55-1607. COUNTY CLERK TO KEEP RECORD -- FEES. (a) The county clerk and recorder of the county containing the corner shall receive the completed corner record and preserve it in the same manner as any other recorded instruments. Proper indexes shall be kept of such corner records by section, township and range.

(b) The county clerk and recorder shall make these records available for public inspection during all usual office hours.

(c) For purposes of determining the filing fee hereunder, the corner record shall be considered as a similar service to the filing or recording of instruments as provided in section 31-3205, Idaho Code.

[55-1607, added 1967, ch. 215, sec. 7, p. 647; am. 1972, ch. 162, sec. 4, p. 363; am. 1993, ch. 206, sec. 6, p. 566; am. 1997, ch. 190, sec. 14, p. 527; am. 2020, ch. 127, sec. 13, p. 404.]

55-1608. PROFESSIONAL LAND SURVEYOR TO ESTABLISH OR REHABILITATE MONUMENTS. (1) In every case where a corner record of a survey corner is required to be filed or recorded under the provisions of this chapter, the professional land surveyor must rehabilitate or remonument any corner in accordance with subsection (2) of this section. Where the corner position is monumented with a stable, permanent, substantial, accessible, magnetically detectable, and uniquely identifiable monument, a new monument will not be required. The professional land surveyor must also recover, establish, or rehabilitate a minimum of three (3) accessories to such corner where practicable. Where the professional land surveyor determines accessories are impracticable, an explanation shall be included on the corner record.

(2) Any monument set shall conform to the provisions of section 54-1227, Idaho Code, and shall be surmounted with a cap of such material and size that can be permanently and legibly marked as prescribed by the manual of surveying instructions issued by the United States department of the interior, bureau of land management, including the license number of the professional land surveyor responsible for placing the monument. Monuments shall be marked such that measurements between them may be made to the nearest one-tenth (0.1) foot. If the monument is set by a public officer, it shall be marked by an appropriate official designation. Where it is impracticable to monument a corner due to situations beyond the professional land surveyor's control, reference points or a witness corner shall be recovered or established. The professional land surveyor must also document the reason the monument cannot be set, the method of establishing the corner location, and the presence of any found or set reference point or witness corner on his corner record and record of survey or plat.

(3) Where closing corners that are not on or controlling for the line closed upon were set in any government survey authorized by the congress of the United States and the true point of intersection of the pertinent lines is controlling in a survey, resurvey, or subdivision of a section, the true point of intersection shall be monumented with a monument conforming to subsection (2) of this section. Any professional land surveyor establishing such a monument shall prepare and file a corner record for the true point of intersection monument, including any evidence related to and the pedigree of the original closing corner. If found, the original closing corner monument

position must be remonumented as an amended monument in accordance with subsection (2) of this section.

[55-1608, added 1967, ch. 215, sec. 8, p. 647; am. 1972, ch. 162, sec. 5, p. 363, am. 1978, ch. 107, sec. 2, p. 224; am. 1993, ch. 206, sec. 7, p. 566; am. 2008, ch. 378, sec. 28, p. 1047; am. 2011, ch. 136, sec. 15, p. 392; am. 2020, ch. 127, sec. 14, p. 404.]

55-1609. TO BE SIGNED BY PROFESSIONAL LAND SURVEYOR OR GOVERNMENT AGENT. No corner record shall be filed or recorded unless the same is signed by a professional land surveyor as defined herein, or, in the case of an agency of the United States government, the certificate may be signed by the survey party chief making the survey.

[55-1609, added 1967, ch. 215, sec. 9, p. 647; am. 1972, ch. 162, sec. 6, p. 363; am. 1993, ch. 206, sec. 8, p. 567.]

55-1611. FEDERAL GOVERNMENT FILINGS WITHOUT FEES. All federal government surveys performed by authorized personnel of agencies of the federal government shall not be subject to the provisions of this chapter, except that federal agencies may comply with the provisions of the chapter, and shall be exempt from filing fees required in section 55-1607(c), Idaho Code.

[55-1611, added 1967, ch. 215, sec. 11, p. 647; am. 1993, ch. 206, sec. 10, p. 567.]

55-1612. PENALTY. Professional land surveyors failing to comply with the provisions hereof shall be deemed to be within the purview of section 54-1220, Idaho Code, and shall be subject to disciplinary action as in said section provided.

[55-1612, added 1967, ch. 215, sec. 12, p. 647; am. 1989, ch. 103, sec. 1, p. 236; am. 1993, ch. 206, sec. 11, p. 567; am. 1997, ch. 190, sec. 15, p. 528; am. 2008, ch. 378, sec. 29, p. 1047.]

55-1613. MONUMENTS DISTURBED BY CONSTRUCTION ACTIVITIES -- PROCEDURE -- REQUIREMENTS. The physical existence and location of the monuments of property controlling corners and accessories to corners, as well as benchmarks established and points set in control surveys by agencies of the United States government or the state of Idaho, shall be determined by a field search and location survey conducted by or under the direction of a professional land surveyor prior to the time when project construction or related activities may disturb them. Construction documents or plans prepared by professional engineers shall show the existence and location of all such monuments, accessories to corners, benchmarks and points set in control surveys. All monuments, accessories to corners, benchmarks and points set in control surveys that are lost or disturbed by construction shall be reestablished and remonumented, at the expense of the agency or person causing their loss or disturbance, at their original location or by the setting of a witness corner or reference point or a replacement benchmark or control point, by or under the direction of a professional land surveyor. Professional engineers who prepare construction documents or plans that do not indicate the existence and location of all such monuments, accessories to corners and benchmarks and points set in control surveys by agencies

of the United States government or the state of Idaho shall be deemed to be within the purview of and subject to disciplinary action as provided in section 54-1220, Idaho Code.

[55-1613, added 1978, ch. 107, sec. 3, p. 224; am. 1993, ch. 206, sec. 12, p. 567; am. 1997, ch. 190, sec. 16, p. 528; am. 2008, ch. 378, sec. 30, p. 1047; am. 2011, ch. 136, sec. 16, p. 393.]

Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 31
COUNTIES AND COUNTY LAW
CHAPTER 27
COUNTY SURVEYOR

31-2709. SURVEYS MUST CONFORM TO UNITED STATES MANUAL. No surveys or resurveys hereafter made shall be considered legal evidence in any court within the state, except such surveys as are made in accordance with the United States manual of surveying instructions, the circular on restoration of lost or obliterated corners and subdivisions of sections, issued by the general land office, or by the authority of the United States, the state of Idaho, or by mutual consent of the parties.

History:

[(31-2709) 1897, p. 19, sec. 1; reen. 1899, p. 295, sec. 1; reen. R.C. & C.L., sec. 2095; C.S., sec. 3674; I.C.A., sec. 30-2209; am. 1963, ch. 90, sec. 4, p. 286.]

How current is this law?

Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 55
PROPERTY IN GENERAL
CHAPTER 19
RECORDING OF SURVEYS

55-1906. RECORDS OF SURVEY — CONTENTS. The records of survey shall, at a minimum, show:

(1) All monuments found or set or reset or replaced, or removed, describing their kind, size, location using bearings and distances, and giving other data relating thereto;

(2) Evidence of compliance with chapter 16, title 55, Idaho Code, including instrument numbers of the most current corner records related to the survey being submitted and instrument numbers of corner records of corners which are set in conjunction with the survey being submitted; basis of bearings, bearing and length of lines, graphic scale of map, and north arrow;

(3) Section, or part of section, township and range in which the survey is located and reference to surveys of record within or crossing or adjoining the survey;

(4) Certificate of survey;

(5) Ties to at least two (2) monuments from the following list:

(a) Public land survey corners;

(b) Center of section, quarter section corners, or sixteenth section corners, any of which were not monumented in an original survey of the United States, provided such corners have a corner record meeting the current requirements of chapter 16, title 55, Idaho Code; or

(c) Monuments recognized by the county surveyor.

Additionally, if required by the city or county governing bodies, the record shall provide coordinates based on the Idaho coordinate system.

Records of survey within previously platted subdivisions of record need not be tied to public land survey corner monuments; and

(6) Surveyor's narrative. The narrative must explain:

(a) The purpose of the survey and how the boundary lines and other lines were established or reestablished and the reasoning behind the decisions;

(b) Which deed records, deed elements, survey records, found survey monuments, plat records, road records, or other pertinent data were controlling when establishing or reestablishing the lines; and

(c) For surveys that contain a vertical component, the narrative shall show the benchmarks used, the vertical datum referenced, and the methodology used to achieve the elevations.

History:

[55-1906, added 1978, ch. 107, sec. 1, p. 223; am. 1997, ch. 190, sec. 19, p. 530; am. 2004, ch. 83, sec. 2, p. 312; am. 2015, ch. 48, sec. 7, p. 107; am. 2019, ch. 58, sec. 2, p. 147; am. 2022, ch. 43, sec. 9, p. 122.]

Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 50
MUNICIPAL CORPORATIONS
CHAPTER 13
PLATS AND VACATIONS

50-1304. ESSENTIALS OF PLATS. (1) All plats offered for record in any county shall be on stable base drafting film with a minimum base thickness of 0.003 inches. The image thereon shall be by a photographic process or a process by which a copy is produced using an ink jet or digital scanning and reproduction machine with black opaque drafting film ink or fused toner that will ensure archival permanence. The copy and image thereon shall be waterproof, tear resistant, flexible, and capable of withstanding repeated handling, as well as providing archival permanence. If ink or toner is used, the surface shall be coated with a suitable substance, if required by the county where the plat is to be recorded, to assure permanent legibility. Plats shall be eighteen (18) inches by twenty-seven (27) inches, with a three-and-one-half (3 1/2) inch margin at the left end for binding and a one-half (1/2) inch margin on all other edges. No part of the drawing or certificates shall encroach upon the margins. Signatures shall be in reproducible black ink. The sheet or sheets that contain the drawing or diagram representing the survey of the subdivision shall be drawn at a scale suitable to ensure the clarity of all lines, bearings and dimensions. In the event that any subdivision is of such magnitude that the drawing or diagram cannot be placed on a single sheet, serially numbered sheets shall be prepared and match lines shall be indicated on the drawing or diagram with appropriate references to other sheets. The required dedications, acknowledgments and certifications shall appear on any of the serially numbered sheets.

(2) The plat shall show:

(a) The streets and alleys, with widths and courses clearly shown;

(b) Each street named;

(c) All lots numbered consecutively in each block, and each block lettered or numbered, provided however, in a platted cemetery, each block, section, district or division and each burial lot shall be designated by number or letter or name;

(d) Each and all lengths of the boundaries of each lot shall be shown, provided however, in a platted cemetery, that lengths of the boundaries of each burial lot may be shown by appropriate legend;

(e) The exterior boundaries shown by distance and bearing;

(f) Descriptions of survey monuments;

(g) The point of beginning with ties to at least two (2) monuments from the following list:

(i) Public land survey corners;

(ii) Center of section, quarter section corners, or sixteenth section corners, any of which were not monumented in an original survey of the United States, provided such corners have a corner

record meeting the current requirements of chapter 16, title 55, Idaho Code; or

(iii) Monuments recognized by the county surveyor.

Additionally, if required by the city or county governing bodies, the plat shall provide coordinates based on the Idaho coordinate system.

(h) The easements;

(i) Basis of bearings, bearing and length of lines, graphic scale of plat, and north arrow;

(j) Subdivision name;

(k) Narrative as described in section 55-1906, Idaho Code; and

(l) Any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point one thousand (1,000) feet or less from the planned subdivision, provided that the pipeline company operating the interstate natural gas transmission pipeline or interstate petroleum products pipeline is in compliance with section 62-1104, Idaho Code.

(3) When coordinates in the Idaho coordinate system are shown on a plat, the plat must show the national spatial reference system monuments and their coordinates used as the basis of the survey; the zone; the datum and adjustment; and the combined adjustment factor and the convergence angle and the location where they were computed.

(4) Plats that are re-subdivisions of subdivisions of record need not meet the requirements set forth in subsection (2)(g) of this section.

History:

[50-1304, added 1967, ch. 429, sec. 222, p. 1249; am. 1978, ch. 106, sec. 1, p. 218; am. 1990, ch. 170, sec. 2, p. 368; am. 1997, ch. 190, sec. 4, p. 520; am. 2010, ch. 256, sec. 2, p. 650; am. 2015, ch. 48, sec. 1, p. 101; am. 2019, ch. 58, sec. 1, p. 147; am. 2022, ch. 43, sec. 3, p. 115; am. 2023, ch. 140, sec. 1, p. 384.]

How current is this law?

Exhibit 7.J

Specifications for Descriptions of Land:

For Use in Land Orders, Executive Orders, Proclamations, *Federal Register* Documents, and Land Description Databases

Revised 2017



Exhibit 7.J



Specifications for Descriptions of Land:

For Use in Land Orders, Executive Orders, Proclamations, *Federal Register* Documents, and Land Description Databases

Produced in coordination with the
Office of Management and Budget,
United States Federal Geographic Data Committee,
Cadastral Subcommittee

Washington, DC: 2015; Revised 2017
U.S. Department of the Interior

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Find these Specifications and other information at www.blm.gov.

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U.S. Department of the Interior

The mission of the Department of the Interior (Department) is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian tribes and our commitments to island communities.

The Department works to assure the wisest choices are made in managing all of the Nation's resources so each will make its full contribution to a better United States—now and in the future.

The Department manages about 500 million acres, or one-fifth, of the land in the United States. The Bureau of Land Management (BLM), an agency within the Department, manages more than 245 million of these surface acres and also administers more than 700 million acres of subsurface mineral estate.

The BLM is the Nation's surveyor and maintains extensive current and historical information about land ownership in the United States. Most titles to land, public or private, begin with a land description established by an original cadastral survey. Security of legal title to land is the fundamental object of the cadastral surveyor's work.

Persons preparing land descriptions must be knowledgeable of the requirements for the various types of land descriptions. They must use the proper format, terms, and phrases and clearly state the intent, with qualification, to ensure the content of the land description is free of ambiguity. The ambiguous descriptions of the past are the boundary disputes of the future.



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Introduction and Purpose

The Federal Board of Surveys and Maps (Board) was established by Executive order in 1919 to coordinate and promote improved surveying and mapping activities by Federal agencies. In 1930, the Department of State requested that the Board prepare rules and specifications for descriptions of tracts of land appropriate for use in Executive orders and proclamations. The original edition, *Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations* (Specifications), was completed and published in 1931, with subsequent editions issued in 1941, 1942, 1960, and 1979 (see appendix). Since 1931, the Specifications have been used by those who must write and interpret land descriptions, including experts in the legal, survey, public administration, and geospatial data analyst professions.

Since the publication of the 1979 edition of the Specifications, the reorganization and transfer of functions of various Federal agencies[1] have rendered certain procedures inapplicable, prompting a revision to the Specifications. New survey and digital applications and methods also mandate this revision. Further experience in using the Specifications and improvements to survey and digital data collection since 1979 indicate the need for additional and updated explanations and examples. These revised Specifications supersede all previous Specifications on the technical subjects contained therein.

The Specifications provide guidance for writing accurate boundary descriptions and locations by survey, the form and arrangement to be followed for Executive and public land orders and proclamations, and examples of boundary descriptions. A boundary is the fixing of a limit or extent of property and, in this publication, is associated with uplands and inland waters and tidelands with application to marine boundaries. The Specifications also provide a standardized process for review of descriptions to assure that only the best available descriptions are published. When an executive department or any agency or establishment of the Federal Government describes or specifies any parcel of land or marine area by boundary or subdivisional unit, the description should be a model of precision, to the extent the available record data permit. A law, regulation, or order cannot fulfill its intent if the boundary description is inaccurate, vague, or ambiguous.

Data Content Standard

Many land descriptions are used to develop products for Federal administrative purposes. Accurate and precise geographic (or geospatial) information is critical to promote economic development, improve stewardship of natural resources, and protect the environment. Standardized land descriptions avoid wasteful duplication of effort and promote effective and economical management of land and resources by Federal agencies. The information in the *Specifications for Descriptions of Land* assures consistency with the Cadastral Data Content Standard for the National Spatial Data

[1] The policies and procedures for publication in the *Federal Register* are established by the Administrative Committee of the *Federal Register*. The functions connected with the presentation of public land orders, Executive orders, and proclamations are carried on by the Office of the *Federal Register*, National Archives and Records Administration, under the provisions of the *Federal Register* Act, as amended, and the Administrative Procedure Act. The pertinent regulations are published in Title 1 of the Code of Federal Regulations.

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Infrastructure[2] (NSDI) developed by the Federal Geographic Data Committee's Subcommittee for Cadastral Data in support of the requirements of the Office of Management and Budget (OMB) Circular No. A-16, revised.[3]

The Federal Geographic Data Committee (FGDC) was established by OMB's revised Circular No. A-16 to coordinate the Federal Government's development, use, sharing, and dissemination of geographic data. The FGDC Subcommittee for Cadastral Data developed the Cadastral Data Content Standard and the CadNSDI Publication Standard[4] covering the development, maintenance, and dissemination of the core set of digital geospatial cadastral information (see section 2(b)(1), A-16), including descriptions of tracts of land. Core data is the minimal set of information needed for sharing data among agencies for initial search and discovery by the user community and use in basic business operations.

To facilitate the sharing of land description information in an electronic database format, all datasets should be accompanied with essential cadastral metadata that conforms to the FGDC geospatial metadata as refined for cadastral data.[5] The Cadastral Data Content Standard provides the logical design definitions and relationship of land description elements. Physical implementations should be consistent and compliant with the Cadastral Data Content Standard definitions and intent.

Executive Order No. 12906, as amended, requires each agency to document all new geospatial data it collects or produces, using the standard developed by the FGDC.[6] It also defines geospatial data as "information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth." The geospatial information necessary to describe the geographic extent of and the rights and interests in a tract of land includes surveys, legal description reference systems, parcel-by-parcel surveys, and descriptions.[7]

Land Orders

The term "land order," by common usage, has come to mean "Executive order" and "public land order." In the past, the terms "legal description" and "land description" were commonly used interchangeably. In reality, the "legal description" contains the "land description" within the legal document or order. The "legal description" also defines the use, purpose, encumbrances, and timeframe (four-dimensional) of the tract(s) being described. The actual "land description" defines the delimitation[8] of an area of the subsurface, submerged lands, water column, water surface, land surface, or air column, and two-dimensional or three-dimensional limits.



[2] http://nationalcad.org/projects/cadastral-data-standards-and-guidelines/.

[3] The revised Office of Management and Budget Circular No. A-16, entitled *Coordination of Geographic Information and Related Spatial Data Activities*, was issued August 19, 2002.

[4] http://nationalcad.org/projects/cadastral-data-standards-and-guidelines/.

[5] Ibid.

[6] E.O. 13286 (02/28/03) 68 FR 10619 transferred certain functions to the Secretary of Homeland Security.

[7] Federal Geographic Data Committee, 1997, *Framework Introduction and Guide*, p. 21.

[8] Delimitation/delimited/delimiting means the determination of a boundary; it includes all phases of boundary development.

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Chapter I—Land Descriptions

Purpose

Public land orders, Executive orders, and proclamations containing land descriptions are usually designed to reserve and set apart certain tracts[9] or areas owned or controlled by the Federal Government for specific uses or purposes or for Indian trust responsibilities. These tracts or areas could be reserved or set apart for military and naval requirements; national forests, parks, and monuments; game and bird refuges; Indian or Alaska Native lands; minerals development; various administrative uses; or classification in aid of proposed legislation. An initial action is ordinarily taken by the bureau or agency exercising administrative control or jurisdiction over the land.[10]

A proclamation is normally an announcement by the President of the United States issued to carry out the provisions of an Act of Congress. Proclamations are usually of wider public distribution than public land orders and Executive orders, which normally apply to affairs of the Federal Government, have a more limited and particular purpose, and may be of a temporary nature or duration. An example of a Proclamation would be the establishment of a new national monument. It is the practice of the Federal Government to withdraw land by Executive order or public land order to survey, examine, and permanently establish the monument. Subsequent modification of the boundaries of such a reservation may become necessary, and the general practice is to accomplish these purposes by Executive order or public land order. In some cases the authorizing legislation specifies the manner in which the action should be taken.

All proclamations are published in the United States Statutes at Large. Proclamations, Executive orders, and public land orders are published in the *Federal Register* under the provisions of the Acts of July 26, 1935 (49 Stat. 500) and October 22, 1968 (82 Stat. 1274; 44 U.S.C. § 1505).

Authority

The President has the power to reserve or withdraw lands owned or controlled by the United States for public purposes. As stated in 6 Pub. Lands Dec. 317: "The President is vested with general authority in the matter of reserving lands for public uses and land so set apart is not subject to disposal under the public land laws during the existence of such reservation." Section 2 of the Act of June 8, 1906, (34 Stat. 225; 16 U.S.C. § 431 *et seq.*) authorizes the President of the United States, in his discretion, "to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States as national monuments."

Section 204 of the Federal Land Policy and Management Act of 1976, Public Law 94-579,

[9] The term "tract" by common usage is applied to an expanse of land of no particular size. In modern Federal land surveys, the term is used specifically to mean (a) in a rectangular survey, an expanse of land that lies in more than one section or that cannot be identified in whole as part of a particular section and is described by principal meridian, State, township, range, and tract number and (b) in a metes-and-bounds survey, an expanse of land that for identification purposes is labeled tract and is often described by tract number or letter.

[10] By Public Law 94-579, the Federal Land Policy and Management Act of 1976, as amended (90 Stat. 2743; 43 U.S.C. § 1701 *et seq.*), the Secretary of the Interior is authorized to sign all orders withdrawing or reserving public lands of the United States and all orders revoking or modifying such orders.

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90 Stat. 2743; 43 U.S.C. § 1714, authorizes the Secretary of the Interior (Secretary) to make, modify, extend, or revoke withdrawals in accordance with the provisions and limitations of the section. The Secretary may delegate this withdrawal authority only to individuals in the Office of the Secretary who have been appointed by the President of the United States, by and with the advice and consent of the U.S. Senate.

Descriptions of Land

The land description portion of a land order, proclamation, or any document delimiting limits of land or space must be susceptible to one, and only one, interpretation. Simplicity and clarity are paramount and are to be achieved through established proper usage of terminology, phraseology, punctuation, arrangement, and paragraphing. The land description should furnish sufficient information for the identification of the spatial limits or area by a land surveyor. It should contain clear "intent" and proper "qualification" of the lands being described for the present and the future without ambiguity.

The definition of a legally sufficient real property description is one that can be located on the ground by a land surveyor. R. H. Skelton wrote in *The Legal Elements of Boundaries and Adjacent Boundaries*: "The only rule that can be definitely given for the writing of deed descriptions is—The scrivener should place himself as nearly as possible in the seats which will be occupied by those who, twenty years hence, attempt to lay down the grant—describe the land conveyed with such clarity and certainty that the intention as effectively expressed will be as significant to the next generation as it is to the writer."

Executive orders have prescribed certain requirements in connection with the preparation of land descriptions. These requirements state that each document will have a suitable title; the citation under which it is issued; proper punctuation, capitalization, spelling, and style; and the correct spelling of geographic names. The land descriptions of tracts or areas must conform to Bureau of Land Management (BLM) cadastral survey standards, when applicable.

The drafting of public land orders, Executive orders and proclamations is subject to review by a legal expert regarding the correctness of the legal subject matter, as to the citation of the appropriate statutes and previous land orders and proclamations and reference to Federal court decisions. In like manner, equal care should be taken to formulate the land description of a tract or area in plain technical terms and using the nomenclature and scheme of corner identification in accordance with chapter IV of the *Manual of Surveying Instructions* (Survey Manual). Each land description should be written, or at a minimum scrutinized, by a boundary survey expert. This review will consider not only the technical sufficiency and form of the land description but also the feasibility and practicability of the boundary from the viewpoint of proper administration.

The originating bureau or agency is responsible for the authenticity and accuracy of the data upon which the land descriptions are based. Field notes and plats of the basic surveys or copies of deed records or comparable documents, together with maps or diagrams showing the tract, spatial limits, or area to which the description refers should be available for review and reference.

Types of Descriptions

Descriptions of land in land orders and proclamations are of three general types, with many land descriptions combining two or more of these types:

1. Those cases where the lands are described by reference to designated Public Land Survey System (PLSS) subdivisions based upon surveys of official character and shown upon plats filed in the United States survey records (figure 1). The most common of these are aliquot parts of the rectangular system of surveys.

2. Those cases where the location and limits of land are described in specific terms by recital of its boundaries and/or adjoiners, generally termed a metes-and-bounds description.

3. Those cases where the lands are described by reference to designated subdivisions based upon surveys and shown upon plats or maps filed in a public office, generally termed a lot and block survey or residential subdivision survey.

Reference to Official Records

The first type of land description referred to in the preceding paragraph was considered by the United States Supreme Court in the case of *Cragin* v. *Powell*, 128 U.S. 691, 696 (1888), from which the following is quoted:

> It is a well-settled principle that when lands are granted according to an official plat of the survey of such lands, the plat itself, with all its notes, lines, descriptions, and landmarks, becomes as much a part of the grant or deed by which they are conveyed, and controls, so far as limits are concerned, as if such descriptive features were written out upon the face of the deed or the grant itself.

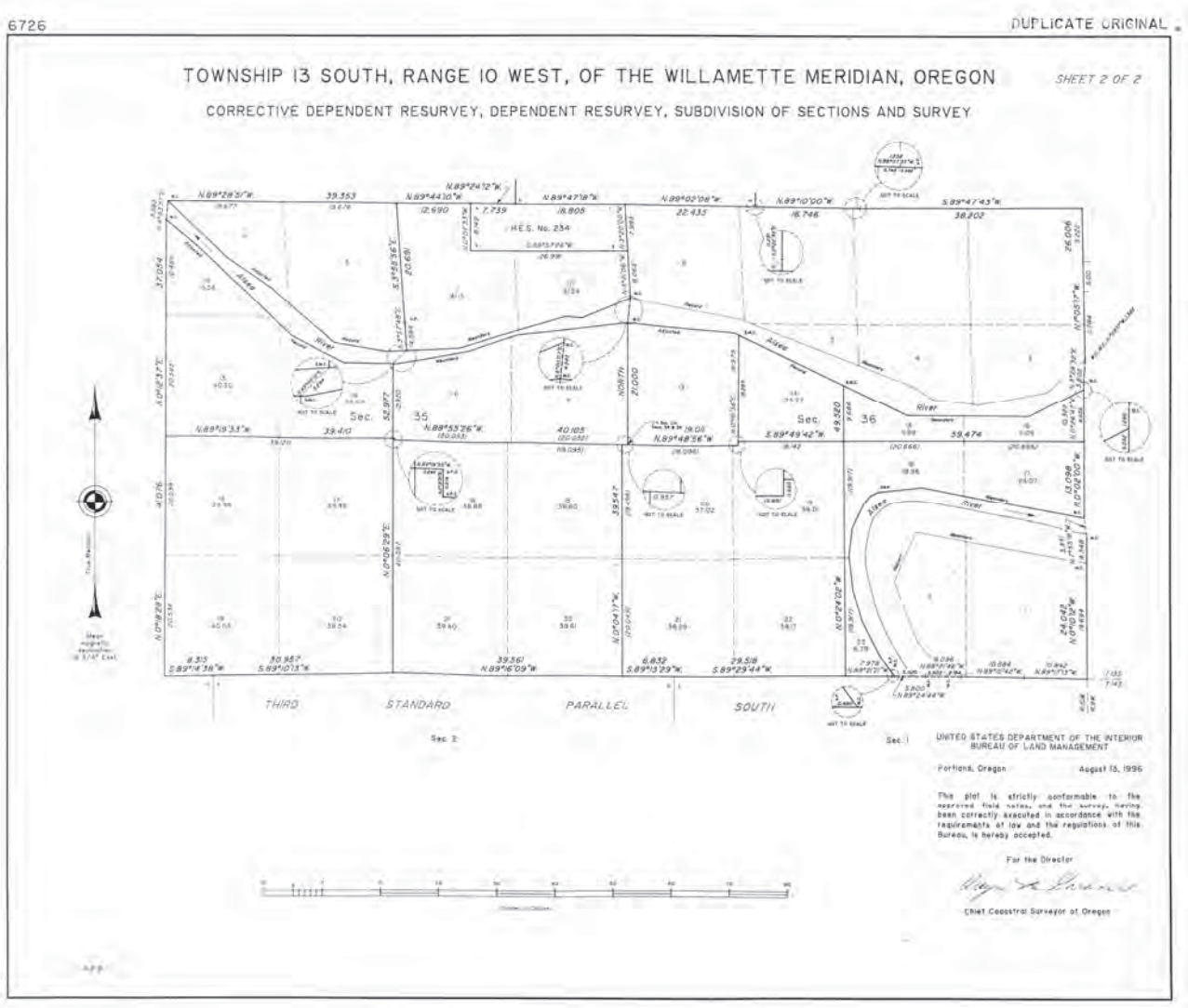


Figure 1. Example of an official plat.

This fundamental principle finds wide application in the description of tracts and areas located both within and outside of the original public domain. Because of the large volume of land orders and proclamations involving lands in the 30 public land states, chapter II is devoted to land descriptions based on the official plats of that system.

However, the principle of reference to a record of survey is generally applicable to all kinds of land descriptions. For example, parcels may be described by lot and block numbers of a city or townsite subdivision based upon a properly identified plat duly recorded in a public office of record.

Descriptions based on recorded plats and maps of the character just referred to by designation of subdivision shown thereon should identify the particular plat or map by title and date, giving the name and location of the place of record as well as the approving or certifying authority. Such methods will have the advantage of a plat or map being incorporated as part of the description and will show intent. Below is an example of a land description referring to a survey:

> It is hereby certified That, the application 1234, filed pursuant to the Act of May 17, 1906, as amended, has been approved pursuant to the act, as amended, for the following described land:
>
> U.S. Survey No. 14188, Alaska.
>
> Containing 80.00 acres, as shown on the plat of survey officially filed on September 30, 2011.

Exhibit 7.J



Chapter II—The Public Land Survey System

Rectangular Surveys

On May 20, 1785, the Congress of the Confederation passed "an ordinance for ascertaining the mode of locating and disposing of lands in the western territory and for other purposes therein mentioned." Shortly thereafter, the part of the Northwest Territory that became the State of Ohio was used to experiment and develop the system of rectangular surveys prior to disposing of the land. This system became known as the Public Land Survey System. Revisions to the rules of survey and disposition were made as the survey and settlement progressed westward. The revisions to the General Plan are codified in the editions of the Survey Manual, published by the Department of the Interior.[11]

The rectangular system was used in that part of the United States acquired by the Federal Government by cession from the states, treaty, and purchase, now embraced in the public land states of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, which comprised the original public domain. The rectangular system of surveys has been extended or is now in progress over this area as the basis for the identification, administration, and disposal of the remaining Federal interest lands and is the basis for the identification of the disposed lands.

The land description within the scope of the PLSS rectangular surveys should conform to the accepted nomenclature of that system, citing the name of the proper principal meridian, the state, the appropriate township and range numbers, and where necessary, the section and sectional subdivisions shown upon the official plats of survey.[12] Each principal meridian has its own base line; therefore, the words "and base line" are usually omitted from the meridian. The name of the principal meridian should be spelled in full. If the lands have not been surveyed, the description should conform to the subdivisions shown on the approved protraction diagram. If the lands have not been surveyed and there is no approved protraction diagram, the description should conform to the legal subdivisions that will, when established, include the lands.

A detailed description of the rectangular system of survey and its nomenclature is given in the Survey Manual. Figure 1-1 in the Survey Manual depicts the principal meridians and base lines of the PLSS.

The rectangular survey system is basically curvilinear lines based upon true meridian and is originated from an "initial point."[13] Once the initial point is established a north and south line is configured through the point with reference

[11] The current edition is the *Manual of Surveying Instructions* (2009) at http://bit.ly/surveymanual2009.

[12] Most PLSS land descriptions by law are implicitly descriptions by reference, i.e., the area of interest has previously been delimited on an official survey plat. When the Federal Government writes the land description, the presumption is that the intention is in conformance with the PLSS for establishment of survey monuments and the survey record prior to a land description, unless explicitly stated otherwise.

[13] Lines of constant bearing (rhumb lines), reported as horizontal distance at average ground elevation of the end points. True meridian is defined by the axis of the earth's rotation. See chapter II of the Survey Manual for a discussion of the Public Land Survey System datum.

Exhibit 7.J

to "true north," not magnetic north. This line is referred to as the "principal meridian" and is extended as far north or south as necessary for the lands to be referenced to this meridian. Next, an east and west line is configured through the initial point parallel to the equator. This line is referred to as the "base line" and is extended east and west as far as necessary for the lands to be referenced to this base line. "Township lines" are then established north and south of the base line at 6-mile intervals and numbered north or south from the base line as necessary. Then "range lines" are established east and west of the principal meridian at 6-mile intervals and numbered east or west of the principal meridian as necessary. The intersection created by the township lines and the range lines form a nominal 6-mile square creating what is referred to as a "township."

Two different meanings have been applied to the term "township." The first use of the term "township" is to describe a series of nominal 6-mile-wide horizontal rows north and south of the base line. The second use of the term "township" is to describe the nominal 6-mile-square area that is situated between two adjacent range lines and two adjacent township lines. By the General Plan, this 6-mile-square township is the unit of survey. Each township is subdivided into 36 "sections," with each section being nominally 1 mile square, 640 acres, and numbered from 1 to 36, according to the plan shown in figure 2. The section lines are normally surveyed from south to north and from east to west, with any excess or deficiency placed against the north and west boundaries of the townships.

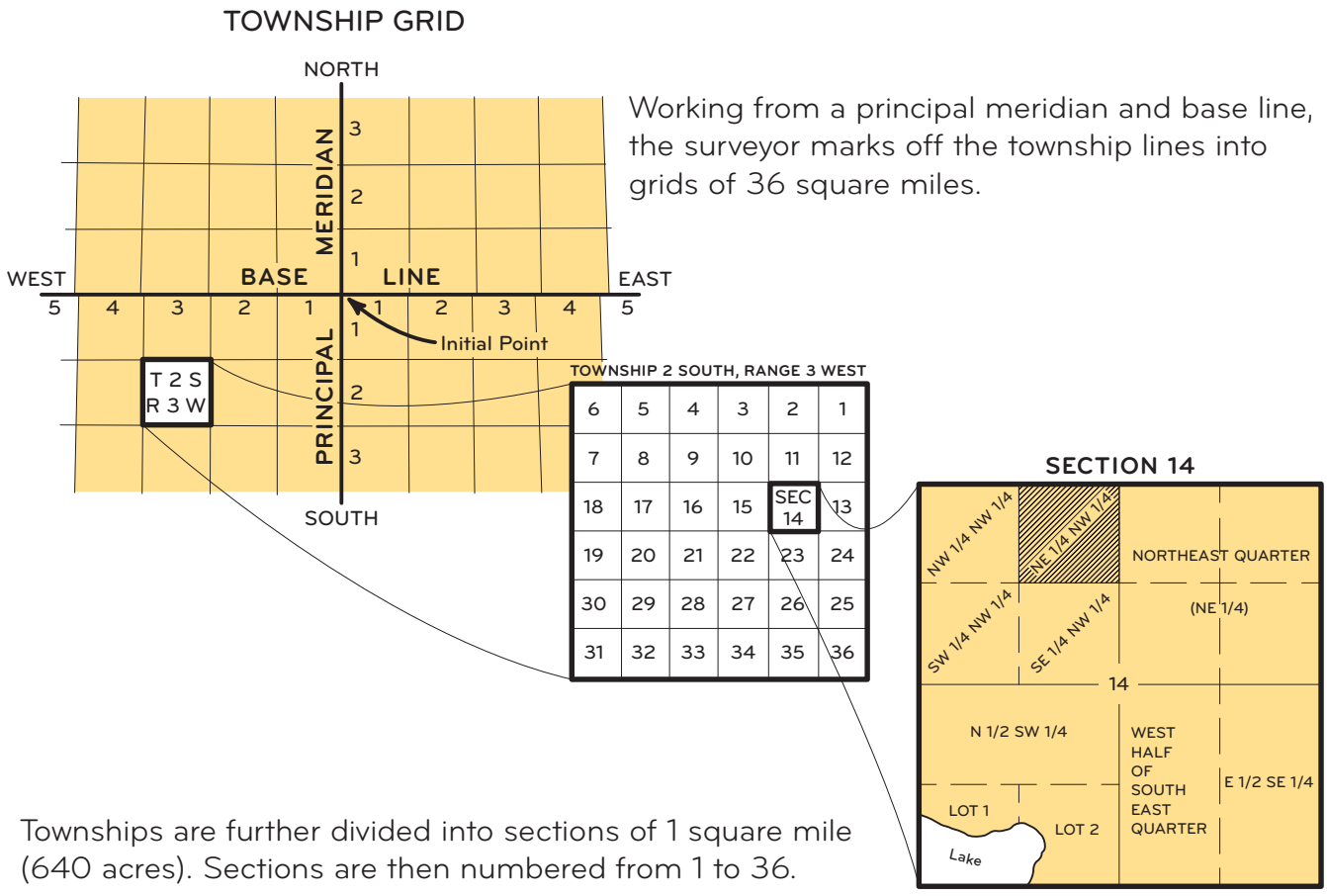


Figure 2. Example of township and range lines for the establishment of townships, section lines for the establishment of sections, and subdivision of section lines for the establishment of aliquot parts and lots of a section.

Under the general land laws, the unit of administration is the quarter-quarter section of nominally 40 acres or the lot, either of which is often referred to as the smallest legal subdivision. Under mining and reclamation laws, the smallest legal subdivision is the quarter-quarter-quarter section of 10 acres. Some special statutes specified even smaller legal subdivisions.

By the General Plan, the section is subdivided into units of administration, called legal subdivisions. These are of two types, aliquot parts and lots.[14] The section is subdivided into quarter-sections by running straight[15] lines from the established quarter-section corners to the opposite corresponding quarter-section corners. These nominal 160-acre units are designated by symbol in tabular descriptions as NE1/4, NW1/4, SW1/4, and SE1/4.

The quarter-section is subdivided into quarter-quarter sections by running straight lines from the established quarter-quarter section corners to the opposite corresponding quarter-quarter section corners. These nominal 40-acre units are designated by symbol in tabular descriptions as, for example, SW1/4NE1/4. Occasionally the quarter-quarter section is further subdivided into its aliquot parts by connecting opposite corresponding corners. These resulting nominal 10-acre units are designated by symbol as, for example, NW1/4SW1/4NE1/4.

In theory, aliquot parts can be divided *ad infinitum*. However, the lengthy descriptions that result from this practice tend to invite error in the preparation and recordation of documents. Such lengthy descriptions also further complicate the maintenance and interpretation of the land records. As a policy (Survey Manual sections 3-33 and 9-90), land descriptions by aliquot part must not go beyond a four component description. For example, a 5-acre unit described as the S1/2NE1/4NW1/4SE1/4 is acceptable, as is a 2½-acre[16] unit described as the SE1/4NE1/4NE1/4SW1/4. Aliquot parts of 1¼-acre or less described with five components or more, e.g., W1/2SE1/4NE1/4SW1/4SE1/4, are unacceptable. When subdivision of lands into aliquot parts of less than 2½-acres is anticipated, an official survey will be conducted or a supplemental plat will be prepared and lot numbers assigned. Exceptions may be granted in cases where the actual on-the-ground location of the division line does not and will not govern. If the originating bureau or office determines there is a need for an exception, requesting a Standards for Boundary Evidence Certificate(s) (SBE) from a Certified Department of the Interior Land Surveyor (CILS)[17] is advised.

Preferred Order

If more than one township is included, the preferred numerical order of listing is to begin with the lowest range number, and within each range by the township numbers, also beginning with the lowest. Where townships east and west of the principal meridian or north and south of the base line or both are involved, the preferred order of listing is first those north and east of the initial point, followed by those north and west, south and west, and south and east in the order named. All the parts of each township and range will be

[14] For definitions of terms related to describing PLSS aliquot lands and lots, see the *Glossaries of BLM Surveying and Mapping Terms* publication, which includes the following:
ALIQUOT – A process of dividing an area such that the results contain an exact number of times in another; a part of a measurement that divides the measurement without a remainder. Divisions based on the mid-points of linear measurement of the opposing lines and the intersection of the lines connecting these mid-points.
ALIQUOT PART – An area that is a legal subdivision of a section by division into halves or fourths *ad infinitum*; except lots.
LOT – A legal subdivision of a section that is not described as an aliquot part; without aliquot characteristics; the lot is generally designated by a numerical value, e.g., lot 2. The term "government lot" is commonly used by persons in the non-Federal sector in referring to such a legal subdivision of a section. "Lot" is also the name given individual parcels of recorded subdivision of private tracts, i.e., lot and block subdivisions.

[15] By statute, in the PLSS datum, the term "straight line" is used when describing a line of constant bearing.

[16] Some word processing software may automatically replace certain full-sized fractions (1/2) with single-character fraction symbols (½). These symbols are acceptable when describing numerical measurements, e.g., 2½ acre unit, but full-sized fractions should be used in land descriptions, e.g., SE1/4NE1/4SW1/4SE1/4.

[17] See Department of the Interior Departmental Manual "Standards for Federal Lands Boundary Evidence" (600 DM 5).

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described before proceeding to the next township and range.

The preferred order of listing sections is to begin with the lowest-numbered section in each township, giving first the lot numbers in order, then the subdivisions within each quarter section, in the order NE, then NW, SW, and SE; if parts of the quarter-sections are to be described, the same order is observed, and all the parts of each quarter-section will be described before proceeding to the next quarter-section and so on. Tracts should follow the sections because a tract is part of a township, as is a section, and is numbered the same as a section, beginning with 37 or the next highest unused numerical designation to avoid confusion with section numbers. Tracts should be listed before nonrectangular surveys, e.g., mineral surveys, donation land claims.

Preferred Method for Writing Descriptions

A proper aliquot part description should contain all of the reference elements within it: principal meridian, State, township and range, section, and lots or aliquot parts.

> Example: Assume it is section 15, township 4 north, range 20 east,[18] Mount Diablo Meridian, Nevada. The proper aliquot description should contain all of the reference elements within it:
>
> Mount Diablo Meridian, Nevada
> T. 4 N., R. 20 E.,
> sec. 15, NW1/4, NE1/4SE1/4SW1/4, and NW1/4SE1/4.
> The areas described aggregate 210 acres.

The use of a comma is significant in writing the descriptions of the subdivisions of a section. A comma means "AND THE" and the absence of a comma means "OF THE." The improper use or placement of a comma could drastically change an aliquot description and the intended acreage to be described. The description NE1/4SW1/4SE1/4 without a comma describes an aliquot part of 10 acres. With a comma, as such NE1/4, SW1/4, SE1/4 describes three aliquot parts totaling 480 acres. The proper use of the comma in an aliquot description is as follows: The NW1/4, NE1/4SE1/4SW1/4, and NW1/4SE1/4, describes three aliquot parts containing 210 acres.

In using symbols, the usual punctuation is omitted in the aliquot part description. The period is omitted after N, NE, S, SE, etc., within the aliquot parts description, and that there is no comma and no space between symbols indicating a quarter-quarter section (NE1/4SE1/4). The usual punctuation is included in the portion of the land description where township and range are abbreviated (T. 4 N., R. 20 E.).

Some contiguous units may be combined. For example, if section 10, NW1/4 and section 10, SW1/4 are included, the resulting 320-acre unit can be designated as "sec. 10, W1/2." Where section 22, NE1/4NW1/4 and SE1/4NW1/4 are included, the resulting 80-acre unit can be designated as "sec. 22, E1/2NW1/4." And where section 22, NE1/4NW1/4, NW1/4NW1/4, and SE1/4NW1/4 are included, the unit can be designated as "sec. 22, N1/2NW1/4 and SE1/4NW1/4." The combination will follow the preferred order of listing. When the entire section is included, whether containing lots or not, the whole section can be designated (sec. 6).

One half of a regular section consists of two quarter-sections having a common boundary, and the section is divided by a line between opposite quarter-section corners. Half of a half description should not be used as it could cause ambiguity to the intended location of the division

[18] Within the rectangular survey system, when used in text, the terms parcel, tract, lot, section, township, and range should be lowercase.

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line.[19] For example if section 10, W1/2NW1/4 and W1/2SW1/4 are included, the symbol "sec. 10, W1/2W1/2" is not used. The latter description is ambiguous and subject to more than one interpretation.

For half of a half description of acquired lands, the prevailing rule does vary from State to State as to whether the presumption is to describe half by area or half by government measurement. Half of half descriptions should not be used or used only with extreme caution, and if there is doubt as to the location of the division line, further explanation of the intent is required.[20]

The sections along the north tier and west range of a regular township are typically irregular sections and contain lots. These lots are a legal subdivision of a section and designated by section and lot numbers such as "sec. 3, lot 1." Lots cannot be described as aliquot.[21] For example, an irregular section 3 will normally contain four lots adjoining the north boundary of the township. A contiguous unit, such as lots 1 and 2, and S1/2NE1/4 should not be combined as NE1/4. The latter description is ambiguous and subject to more than one interpretation. See figure 3 for other situations for lots within irregular sections. When a whole section containing lots is to be described, just the section number should be cited.

Lots have been erroneously patented in halves or quarters. Without explicit evidence of the Federal Government's intent, the location of the division line is uncertain. For example, is the division line to be determined by a straight line between equally divided opposing lines, or at proportionate linear measurement of opposing lines, or with regard to equal areas? If the latter, it is still a question of how the equal areas are to be achieved, i.e., whether the division line to be determined is parallel with the opposing boundary or run to form a parallelogram, etc.

Lots and other irregular tracts/parcels do not have aliquot characteristics. When they are subdivided there is a remainder. The uncertainty of the location of the remainder intended by the subdivision renders the description ambiguous and subject to more than one interpretation. When subdividing lots or tracts, an official survey will be conducted or a supplemental plat will be prepared with lot numbers assigned to each subdivision to clearly show the intent.



[19] HALF – A part of a section subdivision (section, quarter-section, quarter-quarter section, quarter-quarter-quarter section, etc.), by government measurement, is determined according to equally divided or at proportionate linear measurement of opposing lines without consideration of the areas of the halves. This is the rule unless a contrary intent is explicitly shown. See *Glossaries of BLM Surveying and Mapping Terms*.

(1) How to subdivide quarter-sections is defined by Federal statute law;

(A) 43 U.S.C. § 752 (Act of February 11, 1805; 2 Stat. 313):

"The boundaries and contents of the several sections, half-sections, and quarter-sections of the public lands shall be ascertained in conformity with the following principles:"

First. " . . . and the corners of half- and quarter-sections, not marked on the surveys, shall be placed as nearly as possible equidistant from two corners which stand on the same line."

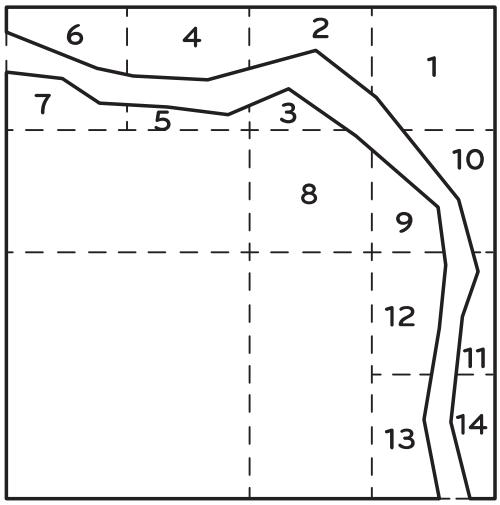
Second. "And the boundary lines which have not been actually run and marked shall be ascertained, by running straight lines from the established corners to the opposite corresponding corners;"

(B) 43 U.S.C. § 753 (Act of April 24, 1820; 3 Stat. 566, and Act of April 5, 1832; 4 Stat. 503): Describes that the division and content of a quarter-section and of a half quarter-section shall be ascertained in the manner and on the principles directed and prescribed by 43 U.S.C. § 752. That is, a quarter-section is divided by a straight line connecting the opposite corresponding quarter-quarter (1/16) section corners. To subdivide the NE and NW quarter sections into halves, the center 1/16 section corner must be established. Running a straight line from one exterior 1/16 section corner to the opposite exterior 1/16 section corner will not intersect the center 1/16 section corner, except in very rare cases.

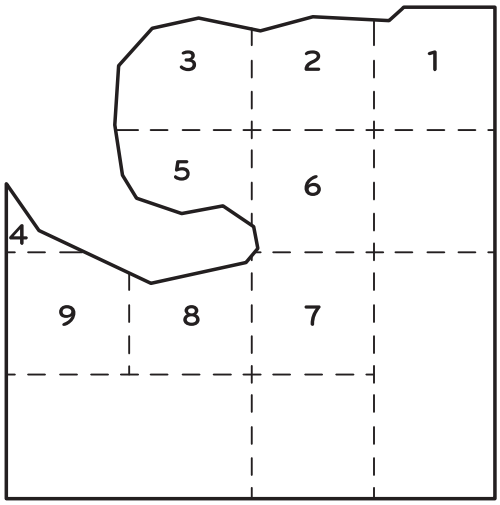
[20] In the rare instance where half (1/2) of a half (1/2) is used in a land description, a statement at the end of the description, after the area statement, similar to "Any area described as a half (1/2) of a half (1/2) is based on the proper subdivision of section in accordance with the *Manual of Surveying Instructions*" will be included.

[21] See footnote 14.

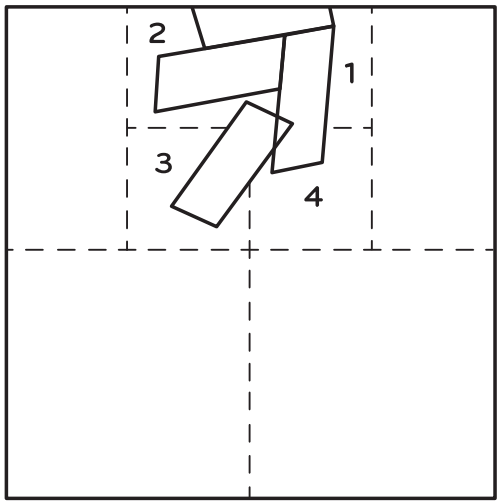
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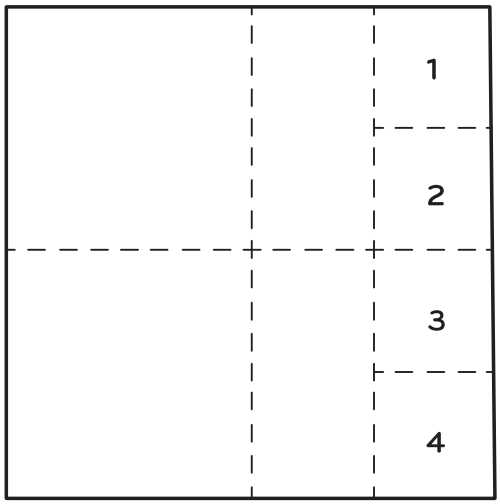
Meanderable River.



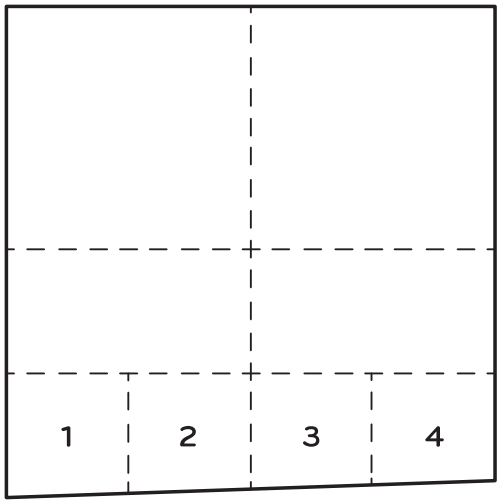
Meanderable Lake.



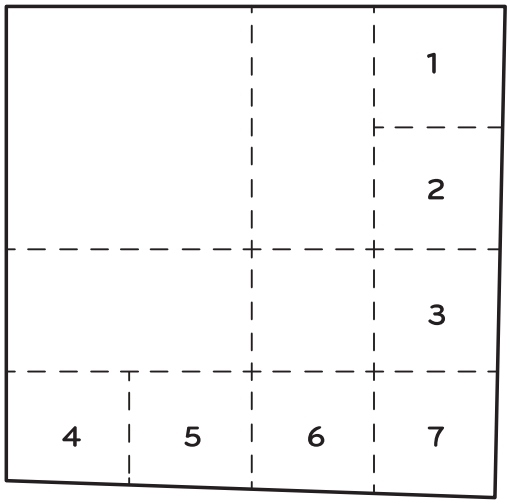
Mineral Claims.



E. bdy. defective in alinement.



S. bdy. defective in alinement.



E. & S. bdrs. defective in alinement.

Figure 3. Examples of subdivision of sections by protraction and showing lots.

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Area

In some cases, a statement of the total area follows the description. If the lands described are entirely surveyed, the legal (nominal) acreage as shown upon the official plats of survey will be used. Where unsurveyed[22] land is included, the acreage as shown upon the official protraction diagrams of the township will be used. Where land is not returned on an official survey plat and there is no official protraction diagram, an approximate area will be given in even acres.

The terms "land" and "area" are used when referring to delimited land or area that has contiguity.[23] The terms "lands" and "areas" are used when referring to delimited lands or areas that do not have contiguity.

When referencing the acreage for land or area having contiguity, the following statement will be used: The area described contains _____ acres.

When referencing the acreage for lands or areas not having contiguity, the following statement will be used: The areas described aggregate _____ acres.

Where both Federal and non-Federal interest lands are included, the following statement will be used: The areas described, including both Federal and non-Federal lands, aggregate _____ acres.

Descriptions containing the legal acreage as shown upon the official plats of survey will carry a statement as follows: The area (or areas) described contains (or aggregate) _____ acres, according to the official plat (or plats) of the survey (or surveys) of the said land (or lands), on file with the BLM.

Where a section contains one or more lots, its aliquot parts show the usual areas as 40, 80, or 160 acres; the lots each show the assigned lot number and are shown to the nearest 0.01 acre. Where aliquot parts are according to the official plat of survey of the said land, the words "more or less" are not used. Delimited areas having a rounded acreage of less than 0.01 acre should be shown as having 0.01 acre. The square footage of a delimited area justified by the accuracy of the survey may be shown as an additional exhibit.

When acreage other than the legal acreage according to the official plat of survey of the said land is used, the source for the acreage and an explanation of its derivation should be included in the documents to be reviewed. A great deal of confusion is needlessly interjected into the management of special areas when acreage either is derived from unofficial sources or is based upon erroneous assumptions.[24]

It is not expected that every bureau or office will have the mathematical necessities to provide official or accurate acreage. To determine or confirm the status of the acreage it is advisable to request a SBE Certificate(s) from a CILS.

[22] In the Federal survey system, unsurveyed means not returned (described) on an official survey plat.

[23] Contiguity means where delimited lines of land or area touch. Lands or areas that touch only at a corner are not contiguous.

[24] For a discussion of the Public Land Survey System Datum and associated area computations, see chapter II of the *Manual of Surveying Instructions*.

Using plane computational techniques within the PLSS will create problems due to the orthogonal nature of basic trigonometric functions. Geodetic computations or the use of geodetic projections will eliminate many problems. To properly use these projections, many factors must be addressed, such as proper conversion to and from the true meridian, to and from mean bearings, and between ground horizontal distances and grid distances. To properly use geodetic computations, the correction between mean, forward and back bearings, and the elevation of the lines must be considered.

The mathematical conversions between field measurements and plane coordinate values involve many relationships. Some of the considerations to be treated correctly before accurate acreage can be assured are: Sea level factors relate ground distances to sea level or geoid equivalents. Elevation factors relate ground distances to geodetic equivalents on the ellipsoid. Grid scale factors relate ellipsoidal or geodetic distances to an equivalent on the projection or grid surface. The mapping angle, or convergence angle, relates geodetic north to grid north. Arc to chord, or second-term corrections, relate observed pointings to equivalents on the grid and are relevant to both bearings and angles. The grid bearing is a true bearing only along the central meridian of a given State Plane Coordinate System zone, and a grid distance is not generally a true ground distance.

Many popular commercial computing software applications do not compute PLSS areas accurately. For example, when the software is written for plane coordinate computations, the acreages computed can be significantly different from acreage derived from geodetic coordinate computations based upon PLSS constraints. Acreage on the grid surface differs from the sea level surface, and both differ from the ground surface used in the PLSS.

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Table 1. Conversions used in PLSS surveying.

Units of Linear Measure

1 chain = 100 links
= 66 feet (U.S. Survey Foot)
= 4 poles, perches, rods
1 mile = 80 chains
= 5,280 feet (U.S. Survey Foot)

Units of Area

1 acre = 10 square chains
= 43,560 square feet (U.S. Survey Foot)
1 square mile = 640 acres

Metric Conversions

U.S. Survey Foot
1 meter = 39.37 inches (exact)
1 U.S. Survey Foot = 0.3048006096… meter
1 link = 0.2011684023… meter
1 meter = 3.2808333333… U.S. Survey Foot
1 acre = 0.40468726099… hectare

International Foot (SI)

1 inch = 25.4 millimeters (exact)
1 SI foot = 0.3048 meter (exact)
1 meter = 3.2808398950… SI Foot

Conventional Symbols and Abbreviations

The conventional symbols for degrees (°), minutes (′), and seconds (″) of arc should usually be employed in giving the direction of lines.

The abbreviations for the units most frequently used are:

Chains(s) ……ch., chs.
Link(s) ……lk., lks.
Foot (feet) ……..ft.
Meter(s) ……m.

The words "township" and "range" and the designations "north" or "south" and "east" or "west" are sometimes written in full when used in the text, but the land description itself should be in tabular form, and these terms should be abbreviated and capitalized where appropriate. The principal abbreviations are as follows:

Township(s) ……..…T. or Tps.
Range(s) ……R. or Rs.
Section(s) ……..…..…sec. or secs.
North ……N.
Northeast ……..…....NE

Where two or more township units are to be grouped in the description, the plural abbreviation "Tps." and/or "Rs." should always be used, even though all the townships have the same number east or west of the principal meridian or north or south of the base line. The term "township" and "range" is abbreviated in the singular or plural as the meaning may require, for example:

T. 13 N., R. 11 E.
(1 township)
Tps. 4 and 5 N., R. 14 W.
(2 townships)
Tps. 3 S., Rs. 16 and 17 W.
(2 townships)
Tps. 1 thru 4 S., Rs. 6 thru 9 E.
(16 townships)

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Examples of Descriptions of Lands Based upon the Rectangular Surveys of the Public Land Survey System

Single Section
Example No. 1

Fourth Principal Meridian, Illinois
T. 28 N., R. 8 E.,
sec. 9, SE1/4.
The area described contains 160 acres.

Multiple Sections
Example No. 2

Fifth Principal Meridian, North Dakota
T. 160 N., R. 66 W.,
sec. 6, lots 4 thru 7,[25] SE1/4NW1/4, and E1/2SW1/4;
sec. 7, lots 1 thru 4, E1/2NW1/4, and E1/2SW1/4;
sec. 17, W1/2SW1/4;
sec. 18, NE1/4;
sec. 20, W1/2NW1/4 and SW1/4.
The areas described aggregate 1,090.18 acres.

Multiple Sections and Townships
Example No. 3

Black Hills Meridian, South Dakota
T. 3 S., R. 1 E.,
sec. 6;
sec. 8, SE1/4;
sec. 21;
sec. 28, E1/2, N1/2NW1/4, SE1/4NW1/4, and NE1/4SW1/4;
sec. 31, lots 2 and 4, NW1/4NE1/4, NE1/4NW1/4, and SE1/4;
sec. 34, W1/2NE1/4, W1/2, W1/2SE1/4, and W1/2SE1/4SE1/4.
T. 5 S., R. 2 E.,
sec. 17, N1/2, excepting SDM 43307;
sec. 22, N1/2, reserving SDM 43308;
sec. 34, N1/2, subject to SDM 43309.
T. 5 S., R. 3 E.
T. 6 S., R. 3 E.,
sec. 4, lots 1, 2, 3, 7, and 8, SW1/4NE1/4, S1/2NW1/4, and SE1/4;
secs. 15, 17, and 18.
The areas described, including both Federal and non-Federal lands, aggregate 28,184.79 acres.

[25] It is stipulated that the word "thru" implies inclusive, i.e., lots 4, 5, 6, and 7. For three items, the word "and" is preferred; however, the word "thru" can be used, i.e., lots 4 thru 6. Either word should be used consistently within a land description.

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Example No. 4

Salt Lake Meridian, Utah
T. 39 S., R. 10 W.,
sec. 31, lots 4 thru 14 and lots 19 thru 30.
T. 40 S., R. 101/2 W.,
sec. 1, that portion lying southerly of the southerly right-of-way boundary of UTU 43433;
sec. 2, unsurveyed.
T. 38 S., R. 11 W.,
secs. 31, 32, and 33, those portions lying northerly and easterly of the centerline of U.S. Highway 93.
T. 39 S., R. 11 W.,
secs. 4 thru 9 and secs. 16 thru 21, partly unsurveyed;
sec. 24, NE1/4 and S1/2;
secs. 25 thru 29 and secs. 33 thru 36.
T. 40 S., R. 11 W.,
secs. 2, 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, and 34.
T. 41 S., R. 11 W.,
sec. 4;
sec. 5, lots 1 and 2, S1/2NE1/4, and SE1/4;
sec. 8, NE1/4;
secs. 9, 16, and 21.
T. 38 S., R. 12 W.,
sec. 10, N1/2 and SW1/4;
sec. 11, W1/2 and SE1/4;
sec. 12, N1/2 and SE1/4;
sec. 13, NE1/4 and S1/2;
sec. 21, E1/2;
secs. 22, 23, and 24;
sec. 29, lot 1 and lots 3 thru 8;
secs. 33 thru 36.
T. 39 S., R. 12 W.,
secs. 1 thru 4 and secs. 9 thru 15, partly unsurveyed;
sec. 16, E1/2;
secs. 22, 23, and 24, partly unsurveyed.

Example No. 5

Mount Diablo Meridian, California
T. 45 N., R. 21 E.,
secs. 1, 2, 4, 6, and secs. 8 thru 17.
T. 46 N., R. 21 E.,
secs. 20 thru 29;
sec. 30, E1/2NE1/4 and E1/2SE1/4;
sec. 31, W1/2NW1/4SE1/4 and W1/2SW1/4SE1/4;
secs. 32 thru 36.
T. 46 N., R. 22 E.,
secs. 4 thru 9, secs. 11 thru 14, and secs. 16 thru 21, partly unsurveyed.

T. 45 N., R. 23 E.,
sec. 8, W1/2SE1/4;
sec. 10, N1/2NE1/4 and SW1/4NE1/4;
sec. 11, W1/2NW1/4 and SE1/4NW1/4;
sec. 12, N1/2SW1/4 and SE1/4SW1/4;
sec. 13, NE1/4SE1/4 and S1/2SE1/4;
sec. 20, W1/2NE1/4, unsurveyed;
sec. 28, W1/2SW1/4;
secs. 29 thru 32.

Example No. 6

Principal Meridian, Montana
Tps. 1, 2, and 3 N., R. 1 E., unsurveyed.
Tps. 1 thru 4 N., Rs. 2 and 3 W., partly unsurveyed.
T. 1 S., R. 18 W.,
secs. 1 thru 18.
Tps. 1 S., Rs. 19 and 20 W., partly unsurveyed.
T. 1 S., R. 19 E.,
sec. 33, lots 1, 2, and 4, and lots 6 thru 9;
sec. 34, that part lying northwesterly of the medial line, an ambulatory line, of Snake Creek;
tracts 43, 44, 46, and tracts 48 thru 53.

Example No. 7

Sixth Principal Meridian, Wyoming
T. 37 N., R. 67 W.,
secs. 4 thru 9, secs. 16 thru 21, and secs. 28 thru 33.
T. 38 N., R. 67 W.,
secs. 4 thru 9, secs. 16 thru 21, and secs. 28 thru 33.
T. 39 N., R. 67 W.,
secs. 1 thru 24 and secs. 28 thru 33.
Tps. 40, 41, and 42 N., R. 67 W.
Tps. 37 thru 40 N., R. 68 W.
Tps. 38 N., Rs. 69, 70, and 71 W.
Tps. 39 N., Rs. 70 thru 73 W.
T. 44 N., R. 70 W.,
secs. 1, 2, and 3, secs. 10 thru 13, secs. 22 thru 27, and secs. 34, 35, and 36.

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Example No. 8

Gila and Salt River Meridian, Arizona
T. 23 N., R. 32 W.,
sec. 4;
tract 37.
T. 23 N., R. 33 W.,
sec. 9;
tract 46;
M.S. No. 3202.
Tps. 23 N., Rs. 34 and 35 W.,
tract 57;
M.S. No. 246.
The areas described aggregate 3,233.86 acres.





Chapter III—Metes-and-Bounds Surveys

The land description by this method should be prepared from surveyed information (map, plat, or notes of the survey) or record information that has been verified, is locatable on the ground, and can be written without ambiguity.

Metes-and-bounds descriptions are used to describe the boundaries of parcels that involve unusual applications of or departures from the rectangular system of the PLSS. In the PLSS, there are many special surveys of nonrectangular parcels, including mineral lode claims, forest homestead entries, private claims, small holding claims, ranchos, U.S. surveys, donation land claims, reservations, and congressionally designated areas. Almost all will be a description by reference, e.g., to U.S. Survey No. 12345. All metes-and-bounds land descriptions published in the *Federal Register* either should be copied from official records, written by a land surveyor, or referred to a land surveyor for review of the accuracy and sufficiency of the description.

A monument may consist of an object or mark that serves to identify the location of a line constituting a part of the boundary; it may be either natural, such as a river, lake, rock ledge, tree, or ridge, or artificial, such as a wall, fence, ditch, road, marked stone, or post.

The location and the delimiters of land or marine area(s) may be defined by describing its boundaries; by naming natural or artificial monuments to, from, or along which it runs; by stating the lengths and directions of the lines connecting successive corners and/or monuments; or by giving the boundaries of abutting lands or marine areas.

If the lines of adjoining land or marine area(s) form a common boundary with the land or area in question, the description should note this fact, identifying the adjoining land or area by the name of the owner, survey designation, description designation, or other appropriate means.

Natural and Artificial Boundaries

The controlling elements within a description have importance and hierarchy in their use. It is important that the scrivener of a land description is as familiar with these as the retracing land surveyor. If the scrivener understands the controlling elements and their order of importance, he or she should be able to prepare the land description with clear intent and minimal or no ambiguity. In law, the hierarchy of calls is often called "rules of construction." Detailed discussion of controlling elements, their order of importance, and examples of their application are beyond the scope of this publication.

Occasionally the boundaries of land are defined entirely or in part by natural monuments, such as inland waters, divides, or straight lines connecting prominent features of topography. In such cases, each boundary should be described so definitely and specifically that there is no uncertainty as to its location by identification of features.

Descriptions referring to an inland stream or river can be susceptible to more than one interpretation, and it is imperative that the intent be stated with particularity. In navigable waters, the ordinary high water mark, the deepest navigable channel

(thalweg), or a medial line is usually specified. In meandered nonnavigable waters, the ordinary high water mark, the medial line, or the deepest channel (thread) is specified. And in nonmeandered nonnavigable waters, the medial line or the deepest channel (thread) is usually specified. In the case of tidal waters, the line of mean high tide is usually specified.

In referring to a natural monument such as a divide or peak, or to such permanent artificial monuments as ditches or stone walls, the specific line or point intended to be used should be described with sufficient particularity as to be capable of definite identification and susceptible to only one interpretation. Boundaries of this sort are normally winding, and they may be technically defined by the location of the feature and not by the straight lines between angle points. The intent should be clear in these cases whether the boundary is defined by straight (mean bearing) lines between angle points or by the meander of the feature.

Similarly, in referring to such permanent artificial monuments such as highways, railroads, or utility lines, the specific line must be described with sufficient particularity as to be capable of definite identification and susceptible to only one interpretation. The description should specify whether a right-of-way line, center line, or another location is intended. Also, over time, roadways and utility lines can move via official actions or unofficial activity; typically, the location on the date of the description will be considered the best available evidence of the party's intent.

In connection with these types of boundaries, the agency preparing the land description must consider not only the technical sufficiency and form of the description but the feasibility and practicability of the boundary from the viewpoint of proper administration. For example, the selection of a boundary described as an elevation contour or as paralleling a road at a distance of 2 miles should be avoided as such lines would be difficult to establish, sufficiently ambiguous to require evidence aliunde, and impractical from an administrative standpoint.

By Executive Order No. 11988 of May 24, 1977, entitled *Floodplain Management*, as amended by Executive Order No. 12148 of July 20, 1979, special areas, such as floodplain locations, must be described. In some cases, it may be feasible to describe the lands subject to the restrictive covenant by aliquot parts or by metes-and-bounds. In other cases, the Department of Housing and Urban Development (HUD) floodplain map or a more detailed map of an area may be used. If neither is available, use of the best available information is referenced in the description. The agency should subject proposed descriptions to review by persons experienced in on-the-ground determinations.

Area

A statement of the delimited land or area usually follows the description and, in most cases, is expressed in acres. Where justified by the accuracy of the survey, the value may be carried to the nearest hundredth of an acre or be expressed by square footage. Approximate areas should be indicated as such and given to the nearest full acre.

The Parts of Metes-and-Bounds Descriptions

There are three primary parts of a metes-and-bounds description:

- Caption or preamble
- Body
- Clauses

Caption or Preamble

The caption or preamble provides a general location of the lands to be described, such as city, county, and state. The description could include the section, township, and range; principal meridian; county and state; or subdivision or map reference with the city, county, and state. It may be a combination of any of these. The caption or preamble is used to locate the general vicinity of the land being described. The details of the location of the lands being described are contained within the body of the description.

Caption Example
(see figure 4)

A parcel of land situated in the northeast quarter (NE1/4) of the northeast quarter (NE1/4) of section 21, township 35 north, range 27 west, Fourth Principal Meridian, Sherburne County, Minnesota, being a portion of that parcel of land described in Document No. 4311, filed January 1, 1956, in the official records of Sherburne County and shown in Exhibit "A" and being more particularly described as follows:

Body

The body of a description contains all the specifics for locating the land or space it delineates. The body is a combination of all or portions of the following elements used to describe the land and to reference its location to the surrounding lands:

- Point of commencement
- Point of beginning
- Course (bearing or direction)
- Distance
- Calls by reference
- Calls for monuments and bounds or adjoining lands with qualifying terms and descriptions
- Closing call to the point of beginning or other known locatable point or line
- Area of land contained (if applicable)
- Basis of bearings
- Any additional information that can assist with the accurate location of the land being described (such as clauses)

Abbreviations should be avoided whenever possible.

Body Example
(see figure 4)

COMMENCING at the corner of sections 15, 16, 21, and 22, marked with a 3 inch diameter iron pipe with cap marked R.L.S. 910, identical with the southeast corner described in Document No. 1314, filed March 01, 1923, the southwest corner described in Document No. 1516, filed April 01, 1920, and the northwest corner described in Document No. 1718, filed May 03, 1918, all in the official records of Sherburne County, Minnesota;

THENCE, South 00° 16' 00" West, on the line between sections 21 and 22, identical with the west line of the aforesaid parcel described in Document No. 1718, a distance of 867.90 feet to the center line of a 66 foot wide road parcel described in Document No. 652, filed February 01, 1906, marked with a 1/2 inch diameter iron pipe and the POINT OF BEGINNING of the herein described parcel;

THENCE, South 00° 16' 00" West, continuing on the section line, a distance of 450.78 feet to the north 1/16 section corner of sections 21 and 22, marked with a 3 inch diameter iron pipe with cap marked R.L.S. 1516, identical with the southwest corner described in aforesaid Document No. 1718, the northwest corner described in Document No. 1920, filed June 06, 1913, and the northeast corner described in Document No. 2122, filed July 04, 1921, all in the official records of Sherburne County, Minnesota;

THENCE, South 89° 54' 41" West, on the east and west center line of the northeast 1/4 of section 21, identical with the north line described in aforesaid Document No. 2122, a distance of 1325.26 feet to

the northeast 1/16 section corner of section 21, marked with a 3 inch diameter iron pipe with cap marked R.L.S. 1516, identical with the northwest corner described in aforesaid Document No. 2122, the northeast corner described in Document No. 2324, filed September 12, 1930, and the southwest corner described in Document No. 2526, filed November 11, 1934, all in the official records of Sherburne County, Minnesota;

THENCE, North 00° 12' 00" East, on the north and south center line of the northeast 1/4 of section 21, identical with the east line described in said Document No. 2526, a distance of 823.02 feet to the center line of the aforesaid 66 foot wide road parcel described in Document No. 652, marked with a 1/2 inch diameter iron pipe;

THENCE, along the center line of said road parcel and crossing a portion of the aforesaid described parcel in Document No. 4311, filed January 1, 1956, the following four (4) courses and distances:

1. South 78° 48' 00" East, a distance of 462.00 feet to a 1/2 inch diameter iron pipe for a point of curvature to the right, concave southwesterly,
2. With said curve through a central angle of 42° 57' 00", having a radius of 419.43 feet, an arc distance of 314.42 feet to a 1/2 inch diameter iron pipe,
3. South 35° 51' 00" East, a distance of 327.16 feet to a 1/2 inch diameter iron pipe,
4. North 70° 20' 02" East, a distance of 447.26 feet to a 1/2 inch diameter iron pipe being the **POINT OF BEGINNING**, containing 17.64 acres of land.

BASIS OF BEARINGS: South 00° 16' 00" West, being the north 1/2 of the north 1/2 of the line between sections 21 and 22, by solar observation, referenced to the true meridian.

Clauses

Clauses are usually at the end of the body of a land description and are for the purpose of clarifying, encumbering, taking away from, adding to, or restricting something with reference to the land being described.

A clarifying clause can clearly define the intent of the party(s). For example, when a land description has been updated by survey:

> Meaning and intending to convey a portion of the land acquired by the grantor from Dom Smith as shown on Lincoln County Record of Survey No. 9437.

A qualifying clause can imply an encumbrance such as an easement, or a reservation for some use, or a restriction of how the land described may or may not be used, or a reversionary interest. A qualifying clause may also be "*subject to*" any previous recorded encumbrances such as, easements, reservations, restrictions, or reversions on the land being described.

An augmenting clause can imply the addition of some right or privilege with the property being described such as an access easement, restrictions on adjacent properties for view purposes, or utility easements that are attached to the land described.

Except means excluding from the area or cutting off a portion of the whole area that has just been described, or withdrawals from the description of the property conveyed. *Reserving* means keeping a certain right from the area just granted or taking back a part of something granted. *Subject to* refers to a reservation already existing; when used in a conveyance, it means "subordinate to," "subservient to," "limited by," or "charged to."

When *exception* and *reservation* are used together, the customary meaning holds that certain property is both withdrawn from the description of what is conveyed and/or an independent right

to an interest in the land is created and vested in the grantor. In the context of split estates, a provision *excepting and reserving* the mineral estate retains and creates title to the mineral estate in the grantor.

External evidence may prove that the terms were not used according to their usual and different connotations.

Clauses Examples
Example No. 1 (see figure 4)

Reserving all minerals; except coal.
Subject To a 66 foot wide road parcel, Document No. 652, filed February 01, 1906, in the official records of Sherburne County, Minnesota.
Exhibit "A": Attached hereto and made a part of.



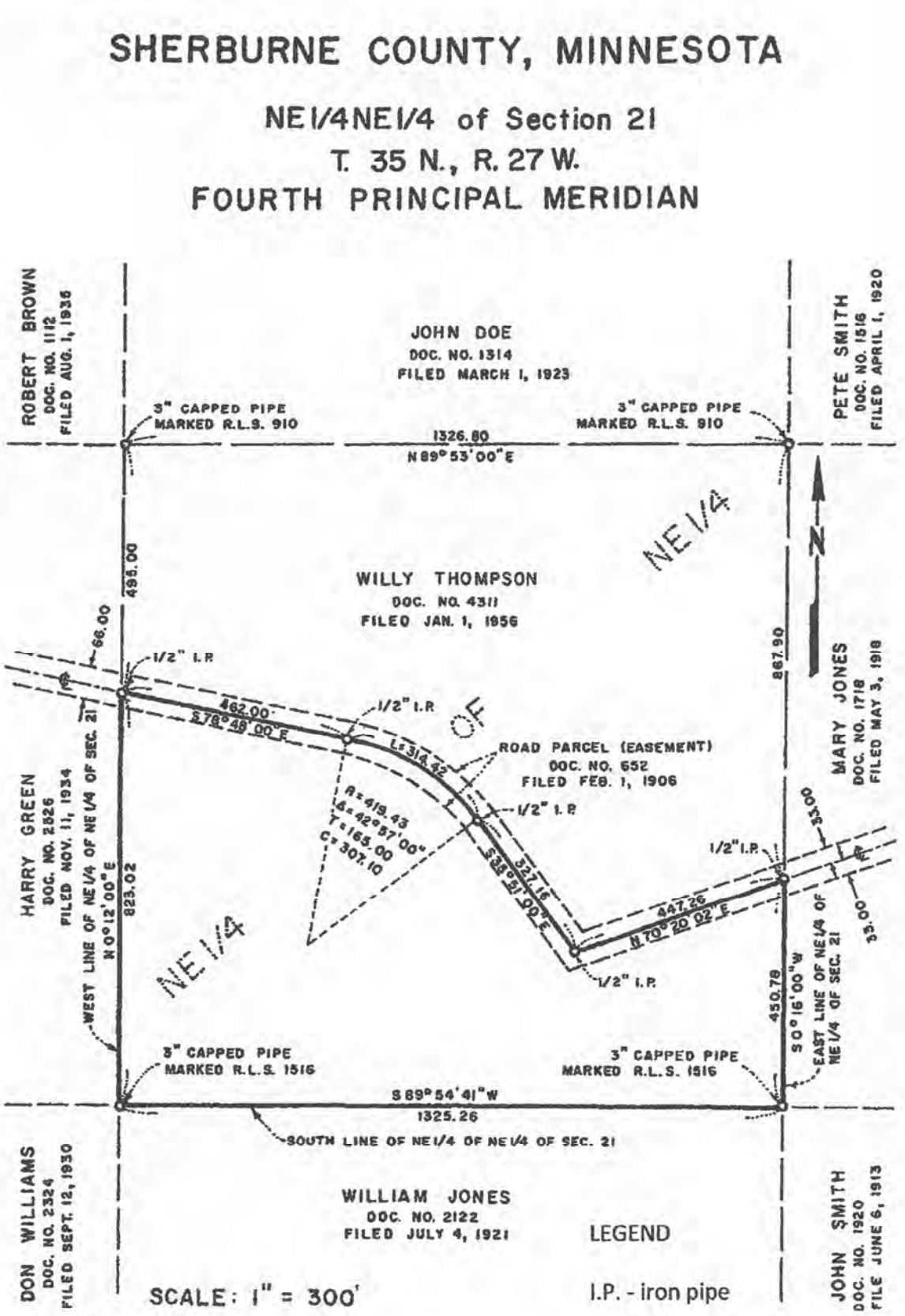


Figure 4. Exhibit "A."

Example No. 2

A portion of land situated in the northwest quarter (NW1/4) of section 15, township 30 north, range 33 west, Seward Meridian, Yukon – Koyukuk Borough, Alaska, being the results of a survey of an irregular bounded portion of land and being more particularly described as follows:

BEGINNING at a 4 inch square hemlock post protruding 24 inches above the ground on the northerly right-of-way line of the Takotna Highway and being 1/4 mile more or less southeasterly from the intersection of said highway line and the left bank of the Kuskokwim River at an approximate latitude of 62°52' N., longitude 155°40' W. Said **POINT OF BEGINNING** hereinafter referred to as "Corner No. 1" for this description. From said **POINT OF BEGINNING**, Corner No. 2 of U.S. Survey No. 999 bears N. 26° 59' W., a distance of 327.6 feet.

THENCE, S. 25° 43' W., a distance of 1900 feet to a found 4 inch square hemlock post protruding 22 inches above the ground with no markings and accepted as Corner No. 2;

THENCE, S. 57° 30' W., a distance of 3000 feet to a found 4 inch square hemlock post protruding 18 inches above ground scribed "No. 3";

THENCE, S. 32° 30' E., a distance of 830 feet to a found 4 inch square hemlock post protruding 20 inches above ground scribed "No. 4";

THENCE, N. 57° 30' E., a distance of 4000 feet to a found 4 inch square hemlock post protruding 24 inches above the ground scribed "No. 5";

THENCE, N. 25° 43' E., a distance of 1650 feet to a found 4 inch square hemlock post protruding 20 inches above the ground with no markings and accepted as Corner No. 6;

THENCE, N. 34° 17' W., a distance of 550 feet to a found 4 inch square hemlock post protruding 22 inches above the ground scribed "No. 7"; and

THENCE, S. 85° 38' W., a distance of 871.6 feet to the **POINT OF BEGINNING** containing 121.66 acres of land.

BASIS OF BEARINGS – N. 26° 59' W., being the bearing from said Corner No. 2 of U.S. Survey No. 999 to the **POINT OF BEGINNING** of this survey.

Strip Descriptions

A strip description is a modified form of a metes-and-bounds description used to describe linear features such as a utility corridor or road right-of-way. Strip descriptions are composed with reference to a center line with proper citation of the location and/or width with respect to the described line(s). Since strip descriptions do not describe along the perimeter of a closed figure, they can be used to avoid lengthy land descriptions in certain cases.

The actual composition of a strip description is very similar to a metes-and-bounds description, with some key differences to the caption and body. The caption should contain a citation stating the width of the strip and the position of the described center line. The body is constructed mostly the same, except the end point of the described line is referred to as the "point of termination," and no call is made back to the "point of beginning" or the "point of commencement." The described center line is assumed, by definition, to be located exactly midway between both sidelines, unless stated otherwise. The sidelines are assumed to be perpendicular and parallel to the described line, unless stated otherwise. A qualifying clause should be included to state how the beginnings and ends of the sidelines should be interpreted. For example, property ownership boundaries will seldom be perpendicular to the described line, which if the description is intended to terminate at such property boundaries, will create "gaps" and "overlaps" in the described area. The intended land interest, whether fee, easement, etc., should be stated clearly in a qualifying clause.

Strip Description Example
(see figure 5)

A portion of the east half of the southeast quarter (SE1/4) of section 9, township 45 south, range 11 east, Willamette Meridian, County of Klamath, State of Oregon, and shown in Exhibit "A," being a 100 foot wide strip of land, the center line of which is more particularly described as follows:

BEGINNING AT A POINT on the line between sections 9 and 10, 694 feet along the section line from the corner of sections 9, 10, 15, and 16. Thence from the **POINT OF BEGINNING**, the following two courses:

1) North 40° 56'West, 1468 feet; and
2) North 65° 06'West, 395 feet, more or less, to the north and south center line of the southeast 1/4 of section 9 and the **POINT OF TERMINATION**.

The sidelines of said strip shall be lengthened or shortened, as necessary, so as to intersect with the east and west lines of said E1/2SE1/4.

Containing 4.28 acres of land.

The bearings shown herein are based upon the south 1/2 of the line between sections 9 and 10, bearing North 0° 48' East as shown upon the official plat thereof. All distances stated are in U.S. Survey Foot and all bearings are referenced to the true meridian.

The interest to be conveyed is an easement for the purposes of installation and maintenance of an overhead transmission line.

Exhibit "A": Attached hereto and made a part of.

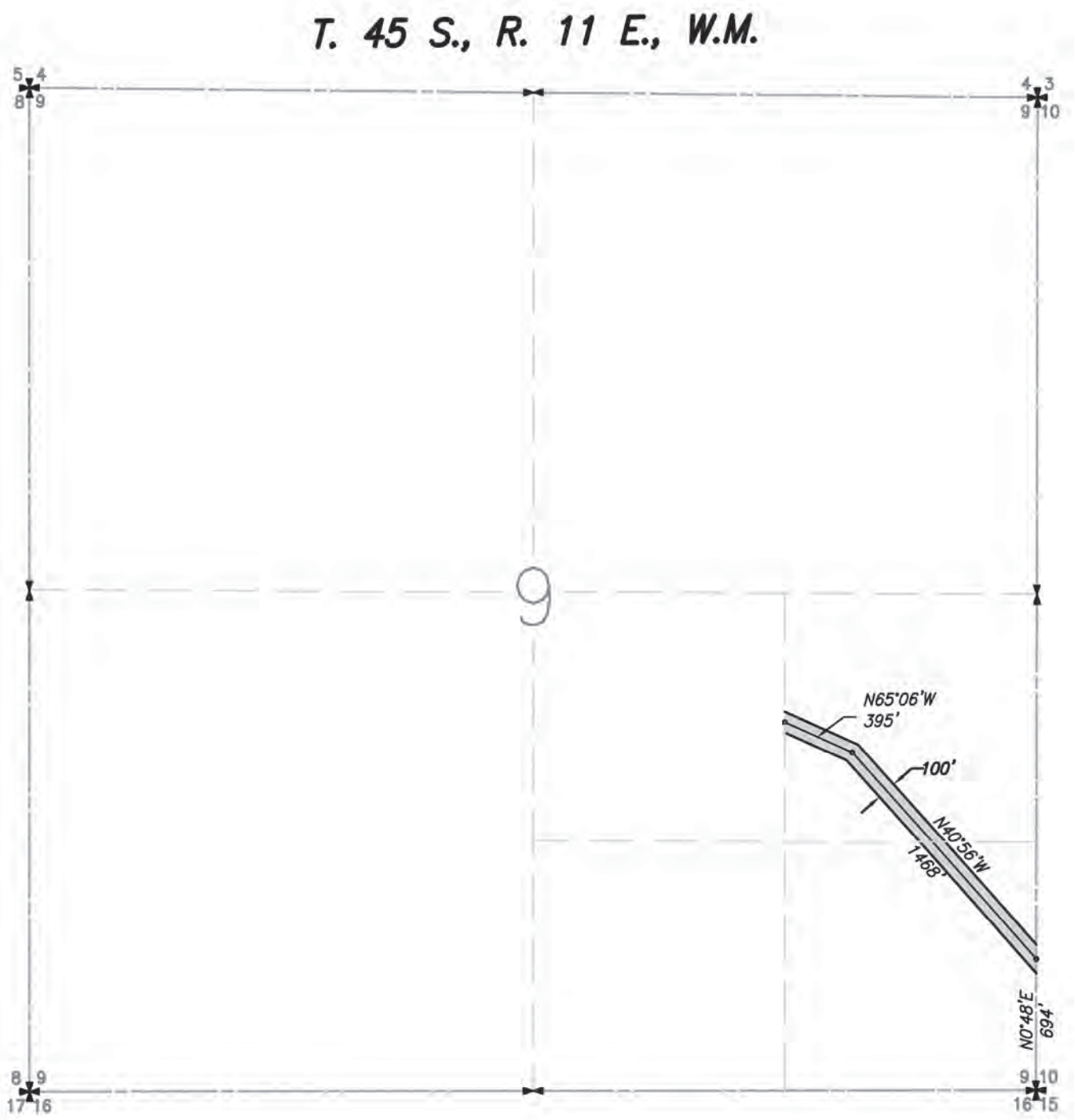


Figure 5. Exhibit "A" (strip description example).

Ambulatory Descriptions

Ambulatory descriptions are those that contain references to described limits that do not have fixed positions or positions that are subject to change over time.

An example is describing land to limits on water boundaries. These descriptions are generally referenced to a specific line along a water body such as the ordinary high water mark, medial line, thread, line of mean high tide, etc. Water boundaries are always subject to change by

natural forces and may add or take land away from an upland owner. Beginning a description from a location that is ambulatory is not advised; a description should begin from another fixed position within the land being described. Descriptions of boundaries running parallel with an ambulatory line must be very specific whether the boundary is ambulatory or fixed. Before a description incorporates a body of water as a boundary, the effects of subsequent movement and whether riparian rights are intended must be considered.

Another example of an ambulatory line would be one not clearly defined to a vertical reference datum or one referenced to natural surface contour lines. If the line is referenced to a qualified vertical reference and straight lines are referenced between physical monuments, the line becomes fixed in its location. When reference to a contour line is used without the clear delineation of its vertical reference or physical monuments and without lines run between the monuments, the line can become ambulatory over time. Natural forces of erosion or accumulation may create an ambulatory situation. For example, 0.5 foot of erosion or accumulation over a period of time on a 1 percent slope could change the horizontal position of the original location by 50 feet. Even if the contour reference is well defined, it would be located in a new position without physical monuments and lines run between the locations for a retraceable boundary. For these reasons, making reference to contour lines of elevation for delimitation of lands should be avoided.

Boundaries involving water bodies can fall within the category of previously described ambulatory descriptions. Describing such boundaries would be similar to, if not the same as, writing a metes-and-bounds description. The difficulties are (a) clearly stating whether the boundary is fixed or ambulatory and (b) unambiguously describing a boundary that is ambulatory. Descriptions written along the meanders of a water body probably are not describing a fixed boundary line but courses and distances in the near vicinity of the water body to be used for the purpose of calculating closure and computing acreage of the land, with the water body being the boundary. If writing to meanders, including a qualifying clause at the end of the description is prudent to clarify the reason for the meanders and that the boundary is to the actual delineating water boundary, e.g., ordinary high water mark, line of mean high tide, medial line, or thread.

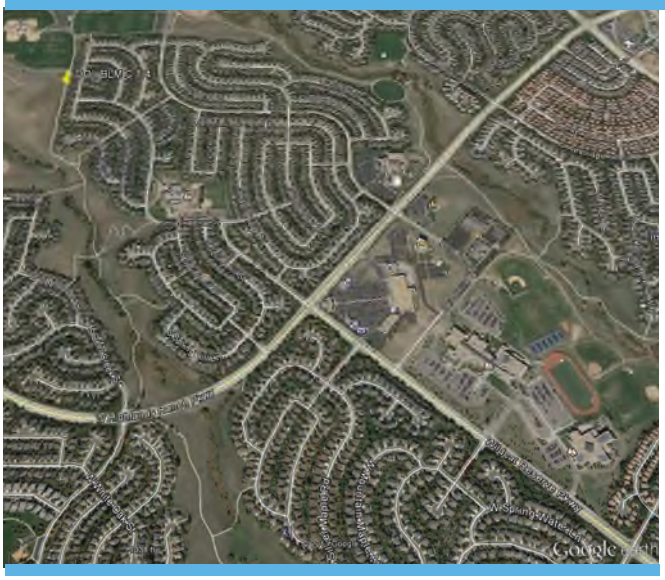
Following are a few excerpt examples of describing water boundaries:

1. Thence, with the meanders of the navigable Johnson Lake the following nine (9) courses and distances:
2. Thence, along the meanders of the shoreline of the Pacific Ocean the following seven (7) courses and distances:
3. Thence, along the center line meanders of nonnavigable Otter Creek the following three (3) courses and distances:
4. Thence, with the meanders of the navigable Truckee River the following six (6) courses and distances:

An example of a qualifying clause follows:

The meanders described within this land description are for the convenience of computing mathematical closure and computing acreage for the described parcel. Actual ownership is to the ordinary high water mark, and the acreage delineated may or may not include the area between the meanders and the ownership boundary.

Exhibit 7.J



Chapter IV—Lot and Block Descriptions

Lot and block descriptions are primarily created within the private sector; however, Federal townsites fall into this category also. These types of descriptions create land divisions of varying acreage sizes commonly referred to as "lots" and generally have a "lot" identifier that could be numeric or alpha characters or a combination thereof. When the map creates these divisions, they are commonly referred to as a "simultaneous conveyance." In reality there may not be any conveyance performed at all and the process simply has created multiple divisions of land at the same moment in time, similar to sections returned on the same official rectangular survey plat of the General Land Office (GLO) or the BLM. Not all lot and block descriptions will contain all the elements required for a description listed below. The scrivener and/or the reviewer should ascertain from the subject map or plat the proper elements for a description.

The basic elements are:

1. Lot, parcel, or unit identifier.
2. Block identifier, if applicable (some land divisions may not contain a block identifier).
3. Name or plat/map reference title, e.g., "Sunny Acres Subdivision."
4. Recording information (which could be file, book, or volume with page number) to include date and location of recordation.
5. County and State.

Example descriptions:

1. Lot 2, Block R, Bandy Subdivision in Book 99, page 10 of official records recorded May 9, 1998, Document No. 10225, El Dorado County, Missouri.
2. Lot 101, Tidelands Subdivision, recorded in File 73, page 23 of County Surveyor Records, dated August 1, 2001, Document No. 555555, Lincoln County, State of California.



Exhibit 7.J



Chapter V—Illustrations (Maps) and Coordinates

Maps to be Published

Under some conditions, incorporating a plat, map or diagram as an integral part of a land order or proclamation, either in place of or in addition to a written description, is essential.

Federal Register regulations (1 CFR 18.10) apply to the preparation of documents required to be filed in the Office of the *Federal Register* for publication:

(a) If it is necessary to publish a form or illustration, either a clear and legible original form or illustration or a clear and legible 8½ by 11 inch reproduction shall be included in the original document and each certified copy.
(b) A document that includes tabular material may be assigned to the deferred publication schedule. See § 17.7 [1 CFR 17.7].

The Office of the *Federal Register* encourages Federal agencies to submit all notices and any accompanying maps and illustrations as electronic files together with the original documents and certified copies. When submitting maps or illustrations, the map or illustration should be inserted in the same electronic file that contains the notice and in the approximate location where the map or illustration is to appear.

Preparation

The following should be observed in preparing the plat, map, or diagram (see figure 6 for example):

(a) The title should be identical to that of the land order or proclamation insofar as practicable.
(b) The date should be the same as that of the land order or proclamation.
(c) Two or more parallels and meridians, with the latitude and longitude of each, should be shown where the size of the tract warrants; otherwise the latitude and longitude of one point and an orientation arrow should be shown.
(d) The plat, map, or diagram should carry an appropriate graphic scale.
(e) The lines and lettering should be in black only and legible when reduced for publication.
(f) The name of the originating bureau or agency, list of sources, and a statement that the plat, map, or diagram is attached to and forms a part of the land order or proclamation should be shown.

The text of the land order or proclamation should include a clause, reading substantially as follows:

> . . . the boundaries (or tract) shown upon the (survey plat) (map) (diagram) attached hereto and made a part hereof . . .

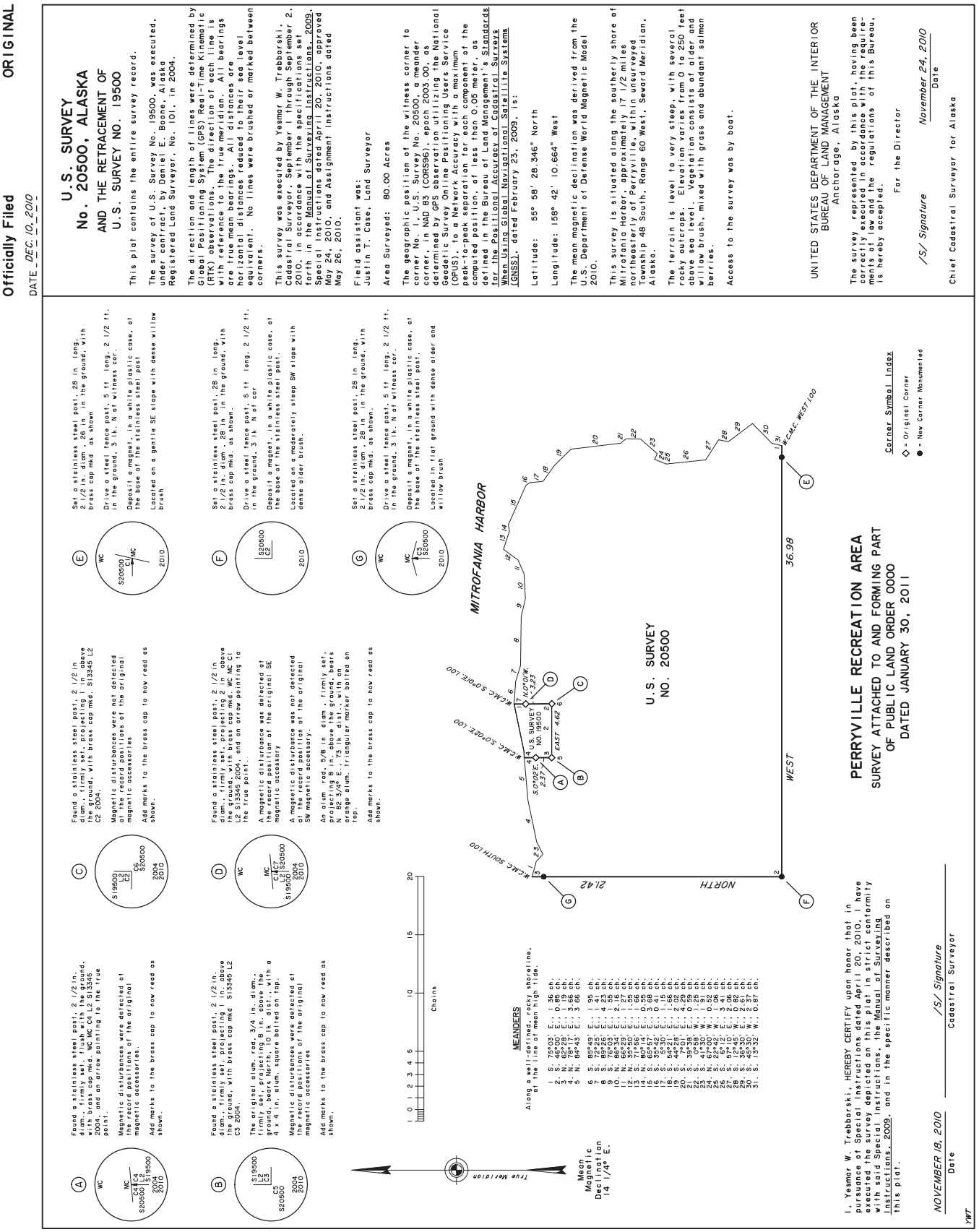


Figure 6. *Federal Register* illustration.

Survey Plats, Maps, or Diagrams Forming Official Supplements

Where the reduction in scale is so great as to impair the legibility of the plat, map, or diagram, the publication of the land order or proclamation should be avoided. In such cases, it is preferable to file a full-scale plat, map, or diagram as an official supplement with a duplicate copy filed with the Secretary's copies in the public lands records. The principle that an official plat, map, or diagram cited in a deed or other document is in fact a part of such a document as if incorporated in it has already been referred to in chapter I.

This principle (of description by reference) may be used under these conditions by the originating bureau or agency. A properly identified plat, map, or diagram supplement, bearing the certificate of an officer of the bureau or agency, may be placed on record in the appropriate Federal files.

A file of plats, maps, or diagrams that serve as official supplements to land orders or proclamations should comply with the following requirements:

1. The plats, maps, or diagrams should be adequately indexed, classified, and described.

2. They should be available for inspection and consultation by interested persons.

3. Copies of the plats, maps, or diagrams should be available for sale to the public at uniform listed prices.

Full-scale copies of these plats, maps, or diagrams may be folded and attached to printed copies of land orders and proclamations for administrative use or for sale at uniform listed prices to interested persons.

Where official supplements are used, the text of the land order or proclamation should include a statement reading substantially as follows:

> The boundaries (or tract) described (or referred to) are shown upon _____ _____ _____ (bureau or agency) (survey plat or map or diagram) entitled _____, dated _____, filed in _____ (place of filing), supplementing this land order (or proclamation).

Description by Coordinates

The location of a point on the surface of the earth may be accurately described by expressing its position on any well-established system of coordinates.

Two general classes of coordinates are available for such use in the United States: geographic positions (latitudes and longitudes) and plane-coordinate (x and y) positions which are derived from and are dependent upon geographic positions.

A point can be reestablished after its coordinates have been determined. Every geographic coordinate pair should be defined by the datum, date of adjustment or epoch date, and the geoid model used. If coordinates are reported in a projection, the projection used, as well as the previously stated attribute data, will be stated (see figure 7 for example). However, great care must be exercised to ensure that the original coordinate pairs were produced by a process that is repeatable within a quantifiable accuracy standard. Occasionally, coordinates can be the best available evidence for the position of a point if the coordinate data is determined and reported with an adequate degree of precision.

Geographic Positions

The United States is covered by a network of triangulations and traverses, which determines the latitudes and longitudes of thousands of marked points based on a standard geodetic datum known as the North American Datum of 1983 (NAD 83).

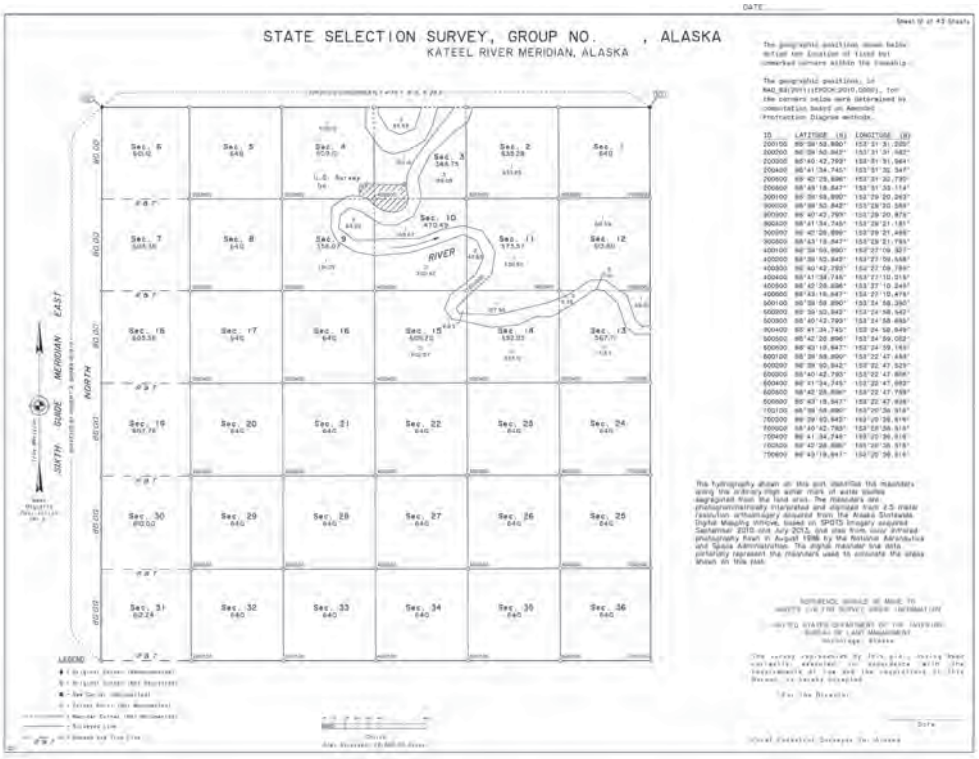


Figure 7. Protraction diagram.

In addition, a network of continuously operating reference stations (CORS) provides for global positioning system (GPS) code range and carrier phase data in support of 3-dimensional positioning activities.

The sum is the National Spatial Reference System (NSRS), which is the official system of the Federal Government that allows users to determine geodetic latitude, longitude and height, plus orthometric height, geopotential, acceleration of gravity, and deflection of the vertical at any point within the United States or its territories. The responsible agency for this network is the National Geodetic Survey (NGS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

As NAD 83 superseded earlier datums, it is essential that all computations and recorded values on a geodetic datum be accompanied by a legend identifying the datum used. There is nothing in the form of a geographic position itself to identify it as being on a certain geodetic datum or as an independent astronomical position.

The earth is dynamic, meaning that every point has some movement, called velocity, relative to other points. Therefore, all new coordinates of defining points of the NSRS will have an epoch tag. In particular, an epoch-tagged set of coordinates will identify the date and instant corresponding to the position of a coordinate system, with all subsequent positions being referred to the position at that epoch. In this sense, an epoch tag is equivalent to a date. Descriptions are created for different purposes and providing a significantly higher degree of geographic position accuracy than is necessary can be a wasted effort.

Awareness of the relative accuracy that is rendered by the values displayed for the latitude and longitude coordinates is essential. A rough rule of thumb is that every second of arc equals 100 feet of position change. This rule is consistent with latitude values; however, with longitude values, this distance decreases due to convergence of the meridians as distance progresses north or south from the equator to the poles. Providing values to the nearest second results in a positional accuracy of +/- 100 feet, to the nearest 1/10 of a second

results in a positional accuracy of +/- 10 feet, to the nearest 1/100 of a second results in a positional accuracy of +/- of 1 foot, and to the nearest 1/1000 of a second results in a positional accuracy of +/- 1/10 of a foot, etc.

If the geographic position is referenced by a physical monument or natural feature, the preceding could become irrelevant, but if position only with no physical reference is given, it could be perceived to be within the positional tolerances described. Making the intent of the positional accuracy for the latitude and longitude coordinate clear is important.

Where a boundary is defined by expressing the geodetic latitudes and longitudes of its corners, the forward and back azimuths and the lengths of the lines forming the boundary should also be given. This data should be arranged in the tabular form generally adopted for such data by the various Federal survey bureaus. The descriptions of the station and corner sites and of their monuments and marks should follow the table of positions and be in short paragraphs arranged in the same sequence as the positions.

While considered a complete, legal, and satisfactory description, many state laws may not require a party to a real property transaction to rely wholly on a description, any part of which depends exclusively upon coordinates or geographic positions.

Obtaining a statement from the appropriate cadastral survey office relative to the appropriate coordinates to be employed is advisable. If you have questions about geographic coordinates, contact your local cadastral survey office.

Examples of Geographic Coordinate Positions

(note decimal accuracy of the coordinates)

Example No. 1

Witness Corner to Meander Corner No. 1, U.S. Survey No. 14280, Alaska

NAD 83 (2011)	–	62°59'14.370" (N)	144°29'00.461" (W)
EPOCH DATE	–	2010.00	

Example No. 2

Southeast Corner of Township 16 South, Range 15 East, Umiat Meridian, Alaska

NAD 83 (2011)	–	68°00'22.214" (N)	148°32'23.603" (W)
EPOCH DATE	–	2010.00	

The geographic positions, in NAD 83 (2011), epoch 2010.00, for the corners above were determined by GPS observations, using the National Geodetic Survey (NGS) Online Positioning User Service (OPUS), to a network accuracy, with a maximum peak-to-peak separation for each component of the computed position of less than 0.05 meters, semi-major axis 95 percent error ellipse, as defined in the current *Standards for the Positional Accuracy of Cadastral Surveys When Using Global Navigation Satellite Systems*.

Exhibit 7.J



Chapter VI—Form and Arrangement

Executive Order No. 11030 of June 19, 1962, as amended by Executive Order No. 11354, May 23, 1967; Executive Order No. 12080, September 18, 1978; and Executive Order No. 12608, September 9, 1987, under section one, prescribe certain requirements in connection with the preparation of Executive orders and proclamations. Land descriptions of such documents should follow these requirements and also incorporate the guidance found in other Executive orders, regulations, and policies.

Executive Order No. 11030, as Amended—Preparation, Presentation, Filing, and Publication of Executive Orders and Proclamations

By virtue of the authority vested in me by the *Federal Register* Act (49 Stat. 500, as amended; 44 U.S.C. § 301 *et seq.*), and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and publication of Executive orders and proclamations:

Section 1. *Form.* Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

Section 2. *Routing and approval of drafts.*

(d) After determining that the proposed Executive order or proclamation conforms to the requirements of Section 1 of this order and is free from typographical or clerical error, the Director of the Office of the *Federal Register* shall transmit it and three copies thereof to the President.

[History and authority: The provisions of Executive Order No. 11030 of June 19, 1962, appear at 27 FR 5847, 3 CFR, 1959-1963 Comp., p. 610, unless otherwise noted.]

1 CFR 18.10—Illustrations, Tabular Material, and Forms

The guidance found in the Title 1, Part 18, of the Code of Federal Regulations (CFR) is applicable to all documents filed with the *Federal Register*, including plats and maps:

§ 18.10 Illustrations, tabular material, and forms.

(a) If it is necessary to publish a form or illustration, a clear and legible original form or illustration, or a clear and completely legible reproduction approximately 8½ by 11 inches, shall be included in the original document and each certified copy.

Exhibit 7.J

[History and authority: 54 FR 9681, Mar. 7, 1989: 44 U.S.C. § 1506, sec. 6, E.O. 10530, 19 FR 2709; 3 CFR, 1954-1958 Comp., p. 189.]

1 CFR 19.1—Form

Pertinent to the requirement in Executive Order No. 11030, as amended, regulations prescribed by the order are codified under Title 1, Part 19 of the Code of Federal Regulations and are applicable to all proposed Executive orders and proclamations:

> § 19.1 Form.
> Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:
> (e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations,"[26] prepared by the Bureau of Land Management, Department of the Interior.

[History and authority: 37 FR 23610, Nov. 4, 1972, as amended at 54 FR 9681, Mar. 7, 1989; E.O. 11030, secs. 1 to 6, 27 FR 5847, 3 CFR, 1959-1963 Comp., p. 610; E.O. 11354, 32 FR 7695, 3 CFR, 1966-1970 Comp., p. 652; and E.O. 12080, 43 FR 42235, 3 CFR, 1978 Comp., p. 224.]

43 CFR 2300—Land Withdrawals, Reservations, and Classifications of Land

The Federal Land Policy and Management Act[27] and Executive Order No. 10355[28] delegate authority regarding the withdrawal, reservation, and classification of lands to the Secretary of the Interior. The land description portion of applications, proposals, petitions, and orders for the making, modification, relinquishment, revocation, extension, correction, review, and termination of withdrawals or reservations is required to be suitable for publication in the *Federal Register*.

> § 2300.0-5 Definitions
> (n) *Legal description* means a written land description based upon either an approved and filed Federal land survey executed as a part of the United States Public Land Survey System or, where specifically authorized under Federal law, upon a protraction diagram. In the absence of the foregoing, the term means a written description, approved by the authorized officer, which defines the exterior boundaries of a tract of land by reference to a metes and bounds survey or natural or other monuments.

The acreage listed in the applications, proposals, petitions, and orders for the making, modification, revocation, or extension of a withdrawal or reservation shall be based upon the actual acreage as shown upon the official plats of survey, diagrams or maps used for the written land description.[29] In the absence of the foregoing the acreage used shall be approved by the authorized officer.

Land classification land descriptions are systematically reviewed as part of the BLM's withdrawal program.

[History and authority: 43 CFR Group 2300, 35 FR 9558, June 13, 1970; 42 FR 28721, June 3, 1977; 46 FR 5796, Jan. 19, 1981; E.O. 10355, May 28, 1952, 17 FR 4831, 3 CFR, 1949-1953 Comp., p. 873; 43 U.S.C. §§ 2, 1201, 1714 (FLPMA sec. 204), and 1740.]

[26] Agencies with computer processed data are urged to consult with the Office of the *Federal Register* staff about possible use of the data in the publication process.

[27] 43 U.S.C. 1714; 43 CFR 2300.0-3(a)(1).

[28] 43 CFR 2300.0-3(a)(2).

[29] 43 CFR 2310.1-3(b)(3).

Department of the Interior Secretary's Orders

Section 1.3D of Departmental Manual Part 012, "Secretary's Orders," Chapter 1, "Preparation and Issuance of Secretary's Orders," requires that proposed orders containing a description of land, drafted by other than the BLM, will be referred to that Bureau for review of the accuracy and sufficiency of the description. The BLM's policy is to coordinate this review through its cadastral survey program.

Public Land Orders

A public land order should be prepared in a form as set forth in the BLM's *Preparation of Public Land Orders and Associated Documents* guidance. Land descriptions must be in conformance with the guidance contained in this edition of the *Specifications for Descriptions of Land*.

Executive Order No. 13327—Federal Real Property Asset Management

> Section 1. Policy. It is the policy of the United States to promote efficient and economical use of America's real property assets and to assure management accountability for implementing federal real property management reforms.

Section 5(c) states that a single, comprehensive, and descriptive database of all real property under the custody and control of all executive branch agencies shall be maintained. It also states that descriptive information, except for classified information, that is considered the best available to describe the nature, use, and extent of the real property holdings of the Federal Government, shall be collected from each executive branch agency.

Marine Managed Areas: Best Practices for Boundary Making

This manual, written by the FGDC Marine Boundary Working Group, should be referenced for marine boundary delimitation and for developing those boundaries within a digital environment. It offers the following guidance to boundary developers:

> "This manual attempts to provide guidelines to reduce boundary misunderstandings and litigation. Haste, inexperience, and lack of consulting with boundary experts are common reasons for poor boundary development. The lesson that this experience teaches is important: boundary developers must resolve or account for all boundary issues before they can develop effective boundaries. Heeding this advice and employing best technical practices are beneficial to creating effective marine boundaries."



Appendix: Introductions to Previous Editions

2015 Edition

Since the publication of the 1979 edition of the Specifications, the reorganization and transfer of functions of various Federal agencies have rendered certain procedures inapplicable, prompting a revision to the Specifications. New survey and digital applications and methods also mandate this revision. Further experience in using the Specifications and improvements to survey and digital data collection since 1979 indicate the need for additional and updated explanations and examples. These revised Specifications supersede all previous Specifications on the technical subjects contained therein.

1979 Edition

Certain procedures have been rendered inapplicable due to reorganizations and transfer of functions of various Federal agencies. The issuance of certain Executive Orders and the enactment of Public Law 94-57[9], Federal Land Policy and Management Act of 1976, 90 Stat. 2743 have introduced numerous changes.

A general revision has been found necessary and work was undertaken by the Bureau of Land Management in 1979.

1960 Edition

This edition of "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations" was issued in 1931, revised in 1942, and reprinted without change pending revision April 1960.

1942 Edition

This revision of "Specification for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations" issued in 1931 and reprinted in 1941 is published through the cooperation of the Commissioner of the General Land Office, United States Department of the Interior.

In 1930 the Department of State requested the Federal Board of Surveys and Maps to prepare rules and specifications for descriptions of tracts of land appropriate for use in Executive orders and proclamations. The preparation of these specifications was undertaken by the following members of the Board's Committee on Cadastral Surveys:

A. D. Kidder, General Land Office, Chairman;
S. W. Boggs, Department of State;
C. H. Squire, Forest Service;
W. T. Paine, General Land Office.

The original edition, entitled "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," was completed and published in 1931, and reissued, with some corrections as to procedure, in 1941.

The functions connected with the preparation and presentation of Executive orders and proclamations, formerly performed by the Department of State, are now carried on by the Division of the *Federal Register*, the National Archives, under the provisions of the *Federal Register* Act, approved July 26, 1935. This has introduced certain changes in procedure and requirements and has rendered inapplicable some of the material contained in the first edition. Further experience in the use of the specifications during the ten-year period which has elapsed since their first publication has indicated the need for additional explanatory text and examples.

A general revision of the publication was, therefore, found advisable, and the work was undertaken in 1940, 1941 and 1942 by the following members of the Board's Committee on Cadastral Surveys and Maps:

W. H. Richards, General Land Office, Chairman;
S. W. Boggs, Department of State;
J. E. Burch, Forest Service;
H. C. Mitchell, U.S. Coast and Geodetic Survey;
P. A. Rosendorn, Bureau of Reclamation;
J. M. Stewart, Office of Indian Affairs.

The revision was nearly complete on March 10, 1942, when the functions of the Federal Board of Surveys and Maps were transferred to the Director of the Bureau of the Budget by Executive Order No. 9094. The completion of this work and the publication of this edition were carried out at the request of the Bureau of the Budget.

1941 Edition

This edition is a re-issue under the supervision and approval of the Federal Board of Surveys and Maps in cooperation with the Commissioner of the General Land Office, Department of the Interior, to supplement the original issue of 1931, the stock of which is exhausted, pending a more general revision and the preparation of new material.

Corrections that show the current practice are indicated by marginal and footnote references; the principal amendments are set out on pages 3 and 33.

Exhibit 7.J

CERTIFICATE No. 6496

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

WHEREAS Abraham Lincoln of Hancock County Illinois has deposited in the GENERAL LAND OFFICE of the United States, a Certificate of the REGISTER OF THE LAND OFFICE at Quincy whereby it appears that full payment has been made by the said Abraham Lincoln according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," for the North West quarter of the South West quarter of Section twenty five, in Township Six North of the base line, of Range Six West of the Fourth Principal Meridian in the District of Lands subject to sale at Quincy, Illinois, containing forty acres,

according to the official plat of the survey of the said Lands, returned to the General Land Office by the SURVEYOR GENERAL, which said tract has been purchased by the said Abraham Lincoln

NOW KNOW YE, That the United States of America, in consideration of the Premises, and in conformity with the several acts of Congress, in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Abraham Lincoln and to his heirs, the said tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging, unto the said Abraham Lincoln and to his heirs and assigns forever.

In Testimony Whereof, I, Martin Van Buren PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the third day of November in the Year of our Lord one thousand eight hundred and forty and of the INDEPENDENCE OF THE UNITED STATES the Sixty fifth

BY THE PRESIDENT: Martin Van Buren

By M. Van Buren Jr. Sec'y.

J. S. Wilson Acting RECORDER of the General Land Office, ad interim.



Exhibit 7.J


N. 89° 56' W.
E, 2.0.5
160
80.00
459.30
Sec. 16.
80
40
24.95 West
20.50
29.30
6
5
20.50
4.50
15.00
SNAKE
RIVER
HUTSPRINGS FERRY
1
2
3
4.42
4.88
5.00


N.89°56'W
80.00
34.50
160
80
459.30
Sec.16.
20.50
80
SNAKE
HOT SPRINGS FERRY
1
6
29.30
40
24.95 West
20.50
2

Township No. 1 North Range No. 3 West of the Boise Meridian



Total number of Acres 119107.78 add.

Scale 40 Chains to an Inch.

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M.	Ch.s	Lk.s	When Surveyed	Mean Declination
Township lines (Re-Surveyed)	Frederick J. Mills	February 17th 1891.	6	00	00	May 21-22-1891.	19° E.
Subdivisions	"	"	32.	32	62	May 23-27-1891	"
Meanders	"	"	8	42	78.	"	"

Meanders of

Posts	Courses	Ch.s Lk.s	Posts	Courses	Ch.s Lk.s	Posts	Courses	Ch.s Lk.s

The above Map of Township No. 1 North of Range No. 3 West of the Boise Meridian Idaho is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

Surveyor Generals Office.
Boise City, Idaho, March 25th 1892.

Willis H. Platt
Sur. Gen.l for Idaho.

Exhibit 7.M

Exhibit 7.M

Thank you for your payment!

This service has been provided by Canyon County Development Services, ID and Point & Pay. We value your business. Please keep this receipt for future reference.

You have made a payment to Canyon County Development Services, ID. Canyon County Development Services thanks you for your payment. You will receive a separate email from Development Services with your application permit number after it is processed. For questions about your account, please call 208-454-7458.

Name:	Thomas Wellard
Address:	17842 San Hollow Rd, Caldwell ID, US, 83607
Contact:	2084540933
Comments:	
Payment ID:	**180107022**
Date:	07/30/25 10:41 AM
Subtotal:	$1100.00
Fee:	$26.29
Total:	$1126.29
Method:	Credit Card(**********5383)

Item Purchased	Transaction Description	Account	Amount
Public Hearing	Canyon Dev Srvc GOV	AD2025-0047-APL	$1,100.00

Signature: online payment **Date:** 7 / 30 / 25

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *Canyon Dev Srvc GOV* . If you have any questions about the charges please call 1-888-891-6064.

Print Receipt Close Window

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

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

Receipt Number: 85975 Date: 7/30/2025

Date Created: 7/30/2025 **Receipt Type:** Normal Receipt **Status:** Active

Customer's Name: Thomas Wellard

Comments: Appeals for group of cases: under AD2025-0046-APL

Site Address: 0 MAP ROCK RD, Melba ID 83641 / Parcel Number: 28800011 0

CHARGES

Item Being Paid For:	Application Number:	Amount Paid:	Prevs Pymnts:	Unpaid Amnt:
Planning - Appeal to the Board of County Commissioners	AD2025-0046-APL	$750.00	$0.00	$0.00
Planning - Notification - Public Hearing Level Cases (1 Hearing)	AD2025-0046-APL	$350.00	$0.00	$0.00

Sub Total:	$1,100.00
Sales Tax:	$0.00
Total Charges:	$1,100.00

PAYMENTS

Type of Payment:	Check/Ref Number:	Amount:
Credit Card	180107022	$1,100.00

Total Payments:	$1,100.00

ADJUSTMENTS

Receipt Balance:	$0.00

Issued By: pdilbeck

Exhibit 7.N

July 10, 2024
Order No.: 856990

RE: TBD Map Rock Road, Nampa, ID 83686

Dear Valued Customer,

Thank you for giving Pioneer Title Company the opportunity to serve you. We appreciate your business and will strive to merit the confidence you have shown in us. Please find attached your title commitment. In it, you'll find your preliminary title report with supporting documentation related to the property at TBD Map Rock Road.

Should you have any questions regarding the documents contained herein including concerns related to exceptions, legal descriptions, or vesting, please contact any one of your Pioneer Title Company team members:

Escrow Officer

Tammy Kratzberg
Ph: (208) 455-7306
Email: tkratzberg@pioneertitleco.com

Title Officer

Stephanie Lee
Ph: (208) 455-7320
Email: slee@pioneertitleco.com

Best Regards,
Your Pioneer Title Co. Team

File No. 856990

Please review the following questions and contact your Escrow Officer or Title Officer if the answer to any is "Yes."

- Are any principals using a Power of Attorney?
- Are any of the parties in title incapacitated or deceased?
- Has a change in marital status occurred for any of the principals?
- Is the property now vested, or will the property be transferred, to a new trust, partnership, or corporation?
- Has any construction or remodeling been done to the property in the last 90 days?

Escrow Officer

Tammy Kratzberg
Ph: (208) 455-7306
Email: tkratzberg@pioneertitleco.com

Title Officer

Stephanie Lee
Ph: (208) 455-7320
Email: slee@pioneertitleco.com

Property Address:	TBD Map Rock Road, Nampa, ID 83686
Buyer/Borrower:	Best Investments LLC
Seller:	Scott Ver Hagen and Mary Beth Ver Hagen and Dennis Smith and Denise Smith

PioneerTitleCo.
GOING BEYOND

Title Fees & Breakdown

Policy Issuing Agent For:
Old Republic National Title Insurance Company

File No.: 856990

COVERAGE

Sales Price	$735,000.00	**Owner's Coverage**	2021 Standard
Loan Amount		**Lender's Coverage**	

TITLE POLICY CALCULATIONS FOR DISCLOSURE

Product	CD Disclosed Premiums	Actual Premiums	Premium Adjustments
Loan		$0.00	(Title Premium Adjustment) $0.00
Owners	$2,395.00	$2,395.00	(Short Term Discount – If Any) $0.00

OTHER FEES

Owners Endorsements:	
Lenders Endorsements:	
Owners Inspection	N/A
Owners Additional Chain	N/A
Lenders Inspection:	N/A
Lenders Additional Chain:	N/A
Recording Fees:	**Deeds $15.00 (up to 30 pages)** **Deed of Trusts $45.00 (up to 30 pages)** **For all other documents the rate shall be:** **$10 for the first page / $3 each additional page**
E-file Fee:	An additional $4.75 per document
CPL Fee:	$25.00

Please contact Stephanie Lee at slee@pioneertitleco.com or (208) 455-7320 with any questions.

ALTA COMMITMENT FOR TITLE INSURANCE

Issued by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida corporation, (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued By:
Pioneer Title Company of Canyon County
610 S. Kimball Avenue
Caldwell, ID 83605

Authorized Agent for Old Republic National Title Insurance Company

Stephanie Lee

Authorized Signatory

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By C Monroe President

Attest David Wold Secretary

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

COMMITMENT CONDITIONS

1. DEFINITIONS

a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.

b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.

c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.

d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.

e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.

f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.

g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.

i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.

j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

a. the Notice;

b. the Commitment to Issue Policy;

c. the Commitment Conditions;

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

d. Schedule A;

e. Schedule B, Part I—Requirements; and

f. Schedule B, Part II—Exceptions; and

g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:

i. comply with the Schedule B, Part I—Requirements;

ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or

iii. acquire the Title or create the Mortgage covered by this Commitment.

b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.

e. The Company is not liable for the content of the Transaction Identification Data, if any.

f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.

c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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AMERICAN LAND TITLE ASSOCIATION

e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.

f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is $2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

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Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:
Issuing Agent: Pioneer Title Company of Canyon County
Issuing Office: 610 S. Kimball Avenue Caldwell, ID 83605
Issuing Office's ALTA® Registry ID: 0004384
Loan ID Number:
Issuing Office File Number: 856990
Property Address: TBD Map Rock Road, Nampa, ID 83686
Revision Number: First Report

SCHEDULE A

1. Commitment Date: July 3, 2024 at 7:30AM

2. Policy to be issued:

		Amount of Insurance	Premiums:
(a)	2021 ALTA Owner's Policy - 2021 Standard	$735,000.00	$2,395.00
	Proposed Insured: Best Investments LLC		
	Endorsements:		$0.00
(b)	2021 ALTA Lender's Policy -		
	Proposed Insured:		$0.00
	Endorsements:		$0.00

3. The estate or interest in the Land at the Commitment Date is: FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:
Dennis L. Smith and Denise A. Smith, Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, as to 17% ownership and Scott and Mary Beth VerHagen, husband and wife,

5. The Land is described as follows:
SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

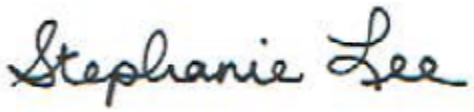
Pioneer Title Company of Canyon County

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By:

Authorized Signatory

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SCHEDULE B, PART I—Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

5. This Company will require the enclosed Seller or Borrower Affidavit (regarding State Liens and Indigent Care Services) be signed and returned in order to issue the policy herein.

SCHEDULE B, PART II—Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

2. Rights or claims of parties in possession not shown by the public records.

3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.

4. Easements, or claims of easements, not shown by the public records.

5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

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6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

7. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

   (Exceptions 1 through 7 will not appear as printed Exceptions on Extended Coverage Policies or the ALTA Homeowners Policy)

8. General taxes for the year 2023, which were liens, are paid.
   Parcel No.: 28800011 0
   Amount: $888.29
   NOTE: A Property Tax Relief Credit in amount of $9.73 has been applied resulting in net due of $878.56.

9. General taxes for the year 2024, which are liens and are not yet due and payable.
   Parcel No.: 28800011 0

10. Taxes and assessments, if any, on water rights for irrigation and drainage, the lands not being in any regularly organized irrigation district.
    No search made.

11. Reservations in United States Patent or State Deeds.

12. Rights and claims in and to those portions of said premises lying within the right of ways of ditches, canals, laterals, and roads.

13. An easement affecting the portion of said premises and for the purposes stated herein, and for incidental purposes.
    For: Construction and maintaining an electric power line
    In Favor of: Idaho Power Company
    Recorded: April 25, 1963
    Instrument No.: 532418

14. All matters, rights, easements, interests or claims as disclosed by Record of Survey
    Recorded: November 18, 2005
    Instrument No.: 200577180

15. All matters, rights, easements, interests or claims as disclosed by Record of Survey
    Recorded: February 21, 2006
    Instrument No.: 200611908

16. Administrative Land Decision
    Recorded: March 1, 2006
    Instrument No.: 200614512

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17. All matters, rights, easements, interests or claims as disclosed by Record of Survey Property Boundary Adjustment
Recorded: October 9, 2019
Instrument No.: 2019-048383

18. All matters, rights, easements, interests or claims as disclosed by Amended Record of Survey Property Boundary Adjustment
Recorded: October 11, 2019
Instrument No.: 2019-048863

19. Administrative Land Division Amendment
Recorded: March 2, 2020
Instrument No.: 2020-011454

20. All matters, rights, easements, interests or claims as disclosed by Record of Survey-Property Boundary Adjustment
Recorded: December 21, 2021
Instrument No.: 2021-086536

21. Director Decision - Property Boundary Adjustment
Recorded: December 23, 2021
Instrument No.: 2021-087065

22. All matters, rights, easements, interests or claims as disclosed by Amended Record of Survey-Property Boundary Adjustment
Recorded: March 8, 2022
Instrument No.: 2022-012678

23. Terms, conditions, and provisions of River Access User Agreement:
Between: Scott VerHagen and Mary Beth VerHagen and Dennis L. Smith and Denise A. Smith, Trustees of The Smith Family Trust u/t/a dated June 5, 2003
Dated: March 8, 2020
Recorded: March 17, 2022
Instrument No.: 2022-014482

Second Addendum/amendment to said Agreement
Recorded: February 28, 2024
Instrument No.: 2024-005983

Addendum/amendment to said Agreement
Recorded: February 29, 2024
Instrument No.: 2024-005994

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24. Terms, conditions, and provisions of Shared Roadway and Maintenance Agreement:
Between: Scott and Marybeth Ve Hhagen and Dennis L. Smith and Denise A. Smith, Trustees of The Smith Family Trust and Austin and Tanna Boschma and Jeff Pedersen
Dated: December 13, 2023
Recorded: February 12, 2024
Instrument No.: 2024-004145

End of Exceptions

NOTE: As an accommodation and not part of this Commitment, no liability is assumed by noting the following conveyances describing all or part of the subject property, which have been recorded within the last 24 months:

Deed Type: Quit Claim Deed
Grantors: Dennis L. Smith and Denise A. Smith Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, who acquired title as The Smith Family Trust, as to 17% ownership and Scott and Mary Beth VerHagen, husband and wife
Grantees: Dennis L. Smith and Denise A. Smith Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, who acquired title as The Smith Family Trust, as to 17% ownership and Scott and Mary Beth VerHagen, husband and wife
Dated: June 5, 2003
Recorded Date: December 20, 2023
Instrument:: 2023-040212

NOTE: We have searched for tax liens and judgments against Best Investments LLC and find the following in the public records:

NONE

NOTE: The County Records and/or the City Engineer's Office show the address to be:

TBD Map Rock Road, Nampa, ID 83686

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges, or fees for sewer, water, garbage, irrigation, or other possible utility services.

NOTE: If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

NOTE: Pursuant to the State of Idaho insurance regulations, a cancellation fee may be charged on all cancelled orders. Unless otherwise advised, orders will be considered cancelled six months after the effective date on the Commitment. The amount of the fee assessed shall be in accordance with our rate filing with the Idaho Department of Insurance.

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EXHIBIT A

BASIS OF BEARINGS for this legal description is South 0°12’13” West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel D, as shown on Record of Survey Instrument No. 2022-012678, located in the N1/2 of the SE1/4, SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows:

BEGINNING at an aluminum cap, marking the C1/4 of said Section 16;

Thence North 89°51'44" East, coincident with the north line of said SE1/4, a distance of 1042.75 feet to a 5/8" rebar/cap PLS 5617;

Thence South 48°43'18" East, 2012.41 feet to the north line of said SE1/4 of the SE1/4, marked by a 5/8" rebar with illegible cap;

Thence North 89°55'52" East, coincident with said north line of the SE1/4 of the SE1/4, a distance of 90.40 feet to the S1/16 corner common to said Sections 15 and 16, marked by a 5/8" rebar/cap PLS 5617;

Thence South 00°12'13" West, coincident with the east line of said SE1/4, a distance of 1331.37 feet to the southeast corner of said Section 16, marked by an aluminum cap PLS 5617

Thence North 90°00'00" West, coincident with the south line of said SE1/4, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574;

Thence North 00°00'00" West, 345.61 feet to a 5/8" rebar/cap PLS 11574;

Thence North 89°57'58" West, 366.36 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing North 67°43'08" West, 208.23 feet to a 5/8" rebar/cap PLS 11574;

Thence North 45°28'17" West, 432.33 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing North 33°11'53" West, 46.69 feet to a 5/8" rebar cap PLS 11574;

Thence North 19°04'52" West, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing North 68°00'20" West, 80.66 feet to a 5/8" rebar/cap PLS 11574;

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Thence South 63°04'12" West, 106.18 feet to a 5/8" rebar/cap PLS 11574;

Thence North 33°08'40" West, 2028.52 feet to the west line of said SE1/4, referenced with a 5/8" rebar/cap PLS 14221, bearing North 33°08'40" West, 1.00 feet;

Thence North 00°12'13" East, coincident with said West line, 166.19 feet to the POINT OF BEGINNING.

Also, TOGETHER with an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A and B of said Record of Survey, located in Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the POINT OF BEGINNING, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, TERMINUS POINT of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned "Point A";

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

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Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the TERMINUS POINT of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 feet from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.

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OLD REPUBLIC TITLE

FACTS	WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions When you are *no longer* our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	**Yes**	**No**
For our marketing purposes — to offer our products and services to you	**No**	**We don't share**
For joint marketing with other financial companies	**No**	**We don't share**
For our affiliates' everyday business purposes — information about your transactions and experiences	**Yes**	**No**

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For our affiliates' everyday business purposes — information about your creditworthiness	**No**	**We don't share**
For our affiliates to market to you	**No**	**We don't share**
For non-affiliates to market to you	**No**	**We don't share**

Questions?	Go to www.oldrepublictitle.com *(Contact Us)*

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit https://www.oldrepublictitle.com/privacy-policy
How does Old Republic Title collect my personal information?	We collect your personal information, for example, when you: • Give us your contact information or show your driver's license • Show your government-issued ID or provide your mortgage information • Make a wire transfer We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only: • Sharing for affiliates' everyday business purposes - information about your creditworthiness • Affiliates from using your information to market to you • Sharing for non-affiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights section location at policy for your rights under state law.

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Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • *Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.*
Non-affiliates	Companies not related by common ownership or control. They can be financial and nonfinancial companies. • *Old Republic Title does not share with non-affiliates so they can market to you*
Joint marketing	A formal agreement between non-affiliated financial companies that together market financial products or services to you. • *Old Republic Title doesn't jointly market*.

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Affiliates Who May be Delivering This Notice				
American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.	eRecording Partners Network, LLC
Genesis Abstract, LLC	Guardian Consumer Services, Inc.	iMarc, Inc.	Kansas City Management Group, LLC	L.T. Service Corp.
Lenders Inspection Company	Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Escrow of Vancouver, Inc.	Old Republic Exchange Company	Old Republic National Ancillary Services, Inc.
Old Republic National Commercial Title	Old Republic Title and Escrow of Hawaii, Ltd.	Old Republic National Title Insurance Company	Old Republic Title Company	Old Republic Title Companies, Inc.
Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma	Old Republic Title Company of Oregon
Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.	Old Republic Title, Ltd.
RamQuest Software, Inc.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	Surety Title Agency, Inc.	The Title Company of North Carolina
Trident Land Transfer Company, LLC				

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Exhibit 7.O

Return | New Search | Tax Info | Print

General Information

Owner: Smith Family Trust
Mailing Address: 16057 Map Rock Rd Caldwell Id 83607
Property Address: Map Rock Rd
Neighborhood: 330000 Melba Rural Tracts & Subs

Parcel ID: 28800011 0
Property Class: 512 Rural Res Tract
Deeded Acres: 81.2900
District: 044-00

Last updated: 7/01/2024 05:32:04 PM

Map Info

Parcel ID	Link to Interactive Map (Click Below to Navigate to Map)
28800011 0	1025017

Legal Descriptions

Description
16-1N-3W SE TX 23618 IN NWSE

Sales History

Instrument	Date	Owner	Grantee	Type
No sales history data exists.				

Exemption History

Effective Year	Modifier	Override Amount	Percent	Exemption Expires	Total Value	Exemption Value	Net Taxable Value
No modifier data is available for this record.							

Net Taxable Value

Tax Year	Description	Value
2024	Original	266,430
2023	Correction	222,620

Value History

Year	Reason	Land Value	Improvement Value	Total Value
2024	02- Assessment Update	266,430	0	266,430
2023	07- Assr Corr - Tax Roll Corr	222,620	0	222,620
2023	02- Assessment Update	225,010	0	225,010
2022	02- Assessment Update	255,730	0	255,730
2021	01- Revaluation	157,410	0	157,410

Exhibit 7.O

1 2 5 items per page 1 - 5 of 6 items

Values Eligible for State Reimbursement Credits

Tax Year	Value Desc	Value Amount
2023	ATR Value	$222,620.00

Land Details

Land Type	Acres	Total Value
EXCESS LAND	47.11	$47,110
EXCESS LAND	33.18	$3,320
180K SCHEDULE	1.00	$216,000

Improvements

Property Record	Improvement ID	Use Code	Description	Year Built	Length (ft.)	Width (ft.)	Area	Area Units
No improvements data present.								

Additional Commercial Info.

Property Record	Use Code	Description	Gross Square Footage
No additional commercial improvements data is present.			

Floor Areas

Commercial Floor Area

Permits

Filing Date	Inactive Date	Sq Ft	Permit Description
No permits data is available.			

Exhibit 7.O

Return | New Search | Assessment | Print

Account Information

PIN: 28800011 0

Owner: SMITH FAMILY TRUST

AIN: 01N03W167202

TAG: 044-00

Mailing Address:
16057 Map Rock Rd Caldwell Id 83607

Tax Roll: Real Property

Legal Desc.:
16-1N-3W SE TX 23618 IN NWSE

Last updated: 7/01/2024 05:32:04 PM

Tax Bills Due

Total Payable: $0.00

Pay Partial:

Tax Charge History

2023 | BILL: 2023183723 | REAL PROPERTY | TOTAL PAID: $878.56

PAID

Taxing District Charge Breakdown

Installment	Due Date	Taxes And Charges Due
1	12/20/23	$0.00
2	6/20/24	$0.00

2022 | BILL: 2022184304 | REAL PROPERTY | TOTAL PAID: $1,055.38

PAID

Taxing District Charge Breakdown

2021 | BILL: 2021184986 | REAL PROPERTY | TOTAL PAID: $1,021.58

PAID

Taxing District Charge Breakdown

2020 | BILL: 2020184646 | REAL PROPERTY | TOTAL PAID: $965.74

PAID

Taxing District Charge Breakdown

Payment History

*Select the "Tax Year" link to **View Tax Assessment Values** for the entire tax year.*

Tax Year	PIN	Date Paid	Paid By	Receipt Number	Amount Paid
2023	28800011 0	6/20/24	Smith Family Trust	U24.18524	$434.57
2023	28800011 0	12/20/23	Mary Beth Ver Hagen	B24.548	$443.99
2022	28800011 0	6/19/23	Smith Family Trust	B23.5691	$527.69
2022	28800011 0	12/20/22	Scott Ver Hagen	U22.36931	$527.69
2021	28800011 0	6/21/22	Mary Beth Ver Hagen	U22.20202	$510.79
2021	28800011 0	12/20/21	Mary Beth Van Hagen	U21.37964	$510.79
2020	28800011 0	6/21/21	Mary Beth Ver Hagen	U21.22732	$482.87
2020	28800011 0	12/21/20	Mary Beth Ver Hagen	U20.41734	$482.87

Exhibit 7.O

Return | Account | Print

Taxing District Charges

For Tax Year: 2023 **Net Tax: $878.56**

PIN: 28800011 0 **AIN: 01N03W167202**

For information regarding the charges listed here, please contact the respective taxing agency directly, or call 208-454-7354.

▲ **Authority** *: 112 PEST CONTROL*

Fund	Exemption	Taxable Value	Rate	Gross Tax	State Credit	Net Tax
Pest Control	$0.00	222,620	0.000025115	$5.59	-$0.06	$5.53

			Gross Tax	State Credit	Net Tax
			$5.59	-$0.06	$5.53

▼ **Authority** *: 653 CANYON AMBULANCE DISTRICT*

			Gross Tax	State Credit	Net Tax
			$22.59	-$0.25	$22.34

▼ **Authority** *: 668 MOSQUITO ABATEMENT*

			Gross Tax	State Credit	Net Tax
			$21.21	-$0.23	$20.98

▼ **Authority** *: 690 NAMPA HWY DIST #1*

			Gross Tax	State Credit	Net Tax
			$132.02	-$1.45	$130.57

▼ **Authority** *: 767 MELBA SCHOOL DIST #136*

			Gross Tax	State Credit	Net Tax
			$327.92	-$3.60	$324.32

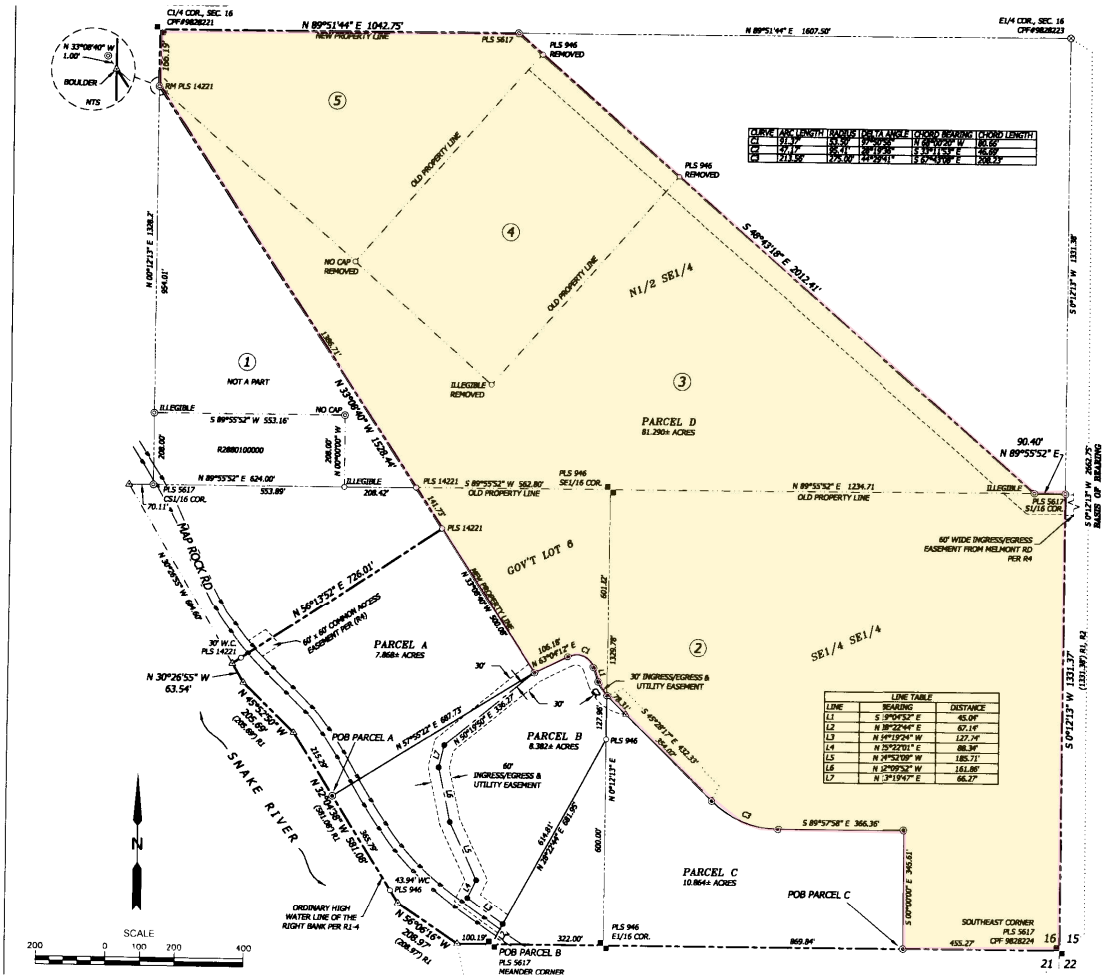
▼ **Authority** *: 775 COLLEGE OF WESTERN IDAHO*

			Gross Tax	State Credit	Net Tax
			$19.48	-$0.21	$19.27

▼ **Authority** *: 998 CANYON COUNTY*

			Gross Tax	State Credit	Net Tax
			$359.48	-$3.93	$355.55

All Totals						
				Gross Tax	State Credit	Net Tax
				$888.29	-$9.73	$878.56



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	91.7'	33.00'	159°09'58"	N 68°09'20" W	65.65'
C2	47.1'	30.00'	90°00'00"	S 34°11'53" E	42.43'
C3	1713.58'	1775.00'	44°24'41"	S 67°47'58" E	1671.29'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 19°04'52" E	45.09'
L2	N 38°22'44" E	67.14'
L3	N 14°11'24" W	127.74'
L4	N 75°52'01" E	88.36'
L5	N 24°52'09" W	185.71'
L6	N 12°09'52" W	161.86'
L7	N 13°19'47" E	66.27'

LEGEND

- PROPERTY BOUNDARY LINE
- EXISTING DEED OR PROPERTY LINE
- SECTIONAL LINE
- NEW PROPERTY LINE
- EASEMENT
- EXISTING EDGE OF PAVEMENT
- FOUND 5/8" REBAR AS NOTED
- FOUND 1/2" REBAR AS NOTED
- FOUND IRON PIPE
- FOUND ALUMINUM CAP
- SET 5/8" REBAR/CAP PLS 11574
- SET 1/2" REBAR/CAP "EASEMENT PLS 11574"
- CALCULATED POINT
- ( ) RECORD INFORMATION
- (1) EXISTING PARCEL NUMBER
- POB POINT OF BEGINNING
- WC WITNESS CORNER
- RM REFERENCE MONUMENT

SURVEYOR'S NARRATIVE

SAWTOOTH LAND SURVEYING WAS CONTRACTED BY SCOTT VERHAGEN TO ADJUST THE PARCEL LINES
POB PARCELS 3-5 AS SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 2019-046863, CANYON COUNT
RECORDS AND DESCRIBED IN THE QUITCLAIM DEEDS REFERENCED HEREON.

THE SECTIONAL AND EXTERIOR BOUNDARY MONUMENTS WERE RE-TRACED, FOUND AND ACCEPTED FI
THE BOUNDARY OF THIS SURVEY. THE NEW INTERIOR PROPERTY LINES AND THE 60-FOOT-WIDE
INGRESS/EGRESS AND UTILITY EASEMENT SHOWN IN PARCELS A AND B WERE CREATED AT THE
DIRECTION OF THE OWNER.

THIS SURVEY AMENDS RECORD OF SURVEY INSTRUMENT NO. 2021-086536 TO ADD THE ADDITIONAL
-FOOT-WIDE INGRESS/EGRESS AND UTILITY EASEMENT THROUGH PARCELS B AND C.

REFERENCES:

R1) RECORD OF SURVEY INST. NO. 200577180
R2) RECORD OF SURVEY INST. NO. 200811908
R3) RECORD OF SURVEY INST. NO. 198805S5746
R4) RECORD OF SURVEY INST. NO. 2019-046863
R5) QUITCLAIM DEED INST. NO. 2019-045100
R6) QUITCLAIM DEED INST. NO. 2019-051982
R7) QUITCLAIM DEED INST. NO. 2019-051983
R8) QUITCLAIM DEED INST. NO. 2019-045099

CERTIFICATE OF SURVEYOR

I, JEFF BEAGLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSE
BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY ON THE
GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS
MAPPED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO
PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE.

JEFF BEAGLEY — P.L.S. 11574

PROFESSIONAL LAND SURVEYOR LICENSED 11574 STATE OF IDAHO JEFF BEAGLEY

SURVEY INDEX NO. 134-16-2-0-0-00-00

SAWTOOTH
2030 S. WASHINGTON AVE.
EMMETT, ID 83617
(208) 398-8104
FAX (208) 398-8105

Exhibit 7.O

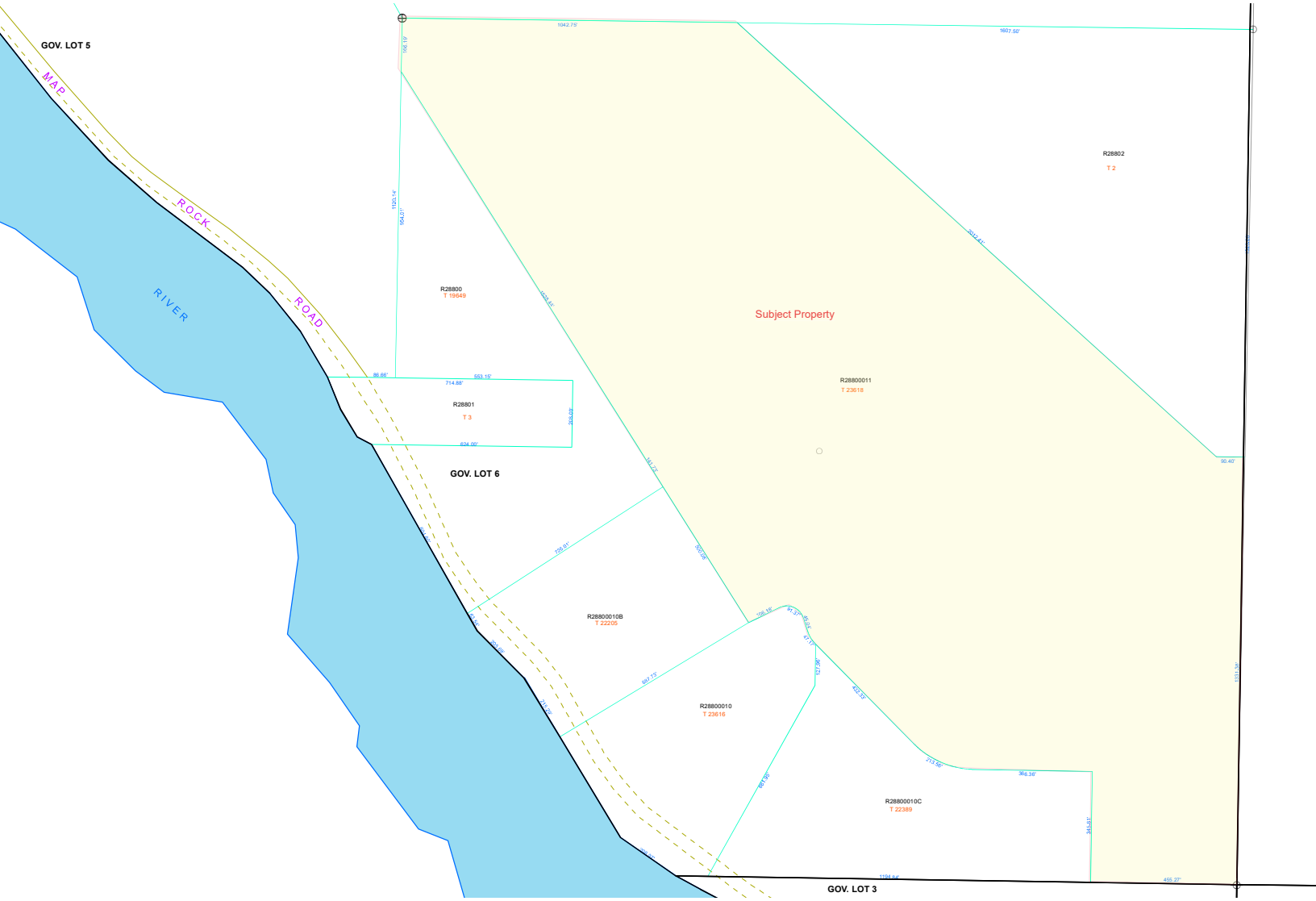


Exhibit 7.O

QUITCLAIM DEED

FOR VALUE RECEIVED, Dennis L. Smith and Denise A. Smith, Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, who acquired title as The Smith Family Trust, as to 17% ownership and Scott and Mary Beth VerHagen, husband and wife does hereby convey, release, remise and forever quit claim unto Dennis L. Smith and Denise A. Smith, Trustees of the Smith Family Trust u/t/a dated June 5, 2003 and amended April 29, 2010 and September 3, 2019, as to 17% ownership and Scott and Mary Beth VerHagen, husband and wife whose current address is:

4365 Cornerstone Ln Caldwell, ID 83607

the following described premises:

See attached EXHIBIT A

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date:

The Smith Family Trust u/t/a dated June 5, 2003

By: Dennis L. Smith, Trustee

By: Denise A. Smith, Trustee

Scott VerHagen

Mary Beth VerHagen

See attached for notary seal.
California state law.

2023-040212
RECORDED
12/20/2023 09:21 AM

00790207202300402120060067

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=6 AVEGA $15.00
DEED
MARY BETH VARHAGEN

Sawtooth Land Surveying, LLC
P. (208) 398-8104 F (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Parcel D Legal Description

BASIS OF BEARINGS for this legal description is South 0°12'13" West, between a found iron pipe, marking the 1/4 corner common to Sections 15 & 16 and an aluminum cap PLS 5617, marking the southeast corner of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho.

Parcel D, as shown on Record of Survey Instrument No. 2022-012678, located in the N1/2 of the SE1/4, SE1/4 of the SE1/4 and Government Lot 6 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho, more particularly described as follows;

BEGINNING at an aluminum cap, marking the C1/4 of said Section 16;

Thence North 89°51'44" East, coincident with the north line of said SE1/4, a distance of 1042.75 feet to a 5/8" rebar/cap PLS 5617;

Thence South 48°43'18" East, 2012.41 feet to the north line of said SE1/4 of the SE1/4, marked by a 5/8" rebar with illegible cap;

Thence North 89°55'52" East, coincident with said north line of the SE1/4 of the SE1/4, a distance of 90.40 feet to the S1/16 corner common to said Sections 15 and 16, marked by a 5/8" rebar/cap PLS 5617;

Thence South 00°12'13" West, coincident with the east line of said SE1/4, a distance of 1331.37 feet to the southeast corner of said Section 16, marked by an aluminum cap PLS 5617;

Thence North 90°00'00" West, coincident with the south line of said SE1/4, a distance of 455.27 feet to a 5/8" rebar/cap PLS 11574;

Thence North 00°00'00" West, 345.61 feet to a 5/8" rebar/cap PLS 11574;

Thence North 89°57'58" West, 366.36 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 213.56 feet along the arc of said curve, having a radius of 275.00 feet, with a central angle of 44°29'41", subtended by a chord bearing North 67°43'08" West, 208.23 feet to a 5/8" rebar/cap PLS 11574;

Thence North 45°28'17" West, 432.33 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing North 33°11'53" West, 46.69 feet to a 5/8" rebar/cap PLS 11574;

Thence North 19°04'52" West, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing North 68°00'20" West, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 63°04'12" West, 106.18 feet to a 5/8" rebar/cap PLS 11574;

Thence North 33°08'40" West, 2028.52 feet to the west line of said SE1/4, referenced with a 5/8" rebar/cap PLS 14221, bearing North 33°08'40" West, 1.00 feet;

Thence North 00°12'13" East, coincident with said west line, 166.19 feet to the **POINT OF BEGINNING**.

The above described parcel contains 81.290 acres more or less.

Also, **TOGETHER WITH** an ingress/egress and utility easement for the benefit of Parcels C and D as shown on Record of Survey Instrument No. 2022-012678, Canyon County Records, over and across portions of Parcels A, B and C of said Record of Survey, located in Government Lot 6 and the SE1/4 of the SE1/4 of Section 16, T. 1 N., R. 3 W., B.M., Canyon County, Idaho:

A 60-foot-wide easement being 30 feet on either side of the following described centerline:

COMMENCING at an aluminum cap, marking the southeast corner of said Section 16;

Thence North 90°00'00" West, coincident with the south line of said Section 16, a distance of 1647.11 feet to a meander corner of the Snake River, marked by an aluminum cap PLS 5617, said corner being the common corner to said Parcels B and C;

Thence North 28°22'44" East, coincident with the common line between said Parcels B and C, 67.14 feet to a 1/2" rebar with cap PLS 11574 and the **POINT OF BEGINNING**, the sidelines of said easement to be lengthened or shortened to begin at said common line;

Thence North 54°19'24" West, 127.74 feet to a 1/2" rebar/cap PLS 11574;

Thence North 25°22'01" East, 88.34 feet to a 1/2" rebar/cap PLS 11574;

Thence North 24°52'09" West, 185.71 feet to a 1/2" rebar/cap PLS 11574;

Thence North 12°09'52" West, 161.86 feet to a 1/2" rebar/cap PLS 11574;

Thence North 13°19'47" East, 66.27 feet to a 1/2" rebar/cap PLS 11574;

Thence North 50°19'50" East, 336.27 feet to a 5/8" rebar/cap PLS 11574 marking the easterly corner of said Parcel A, hereafter referred to as **"POINT A"** and the **TERMINUS POINT** of said 60-foot-wide easement, the left (northerly) sideline of said easement to terminate at the northeasterly boundary of said Parcel A as shown on said Record of Survey.

TOGETHER WITH a 30-foot-wide easement being 30 feet right (southerly) of the following described line:

BEGINNING at the aforementioned **"POINT A"**;

Thence coincident with the common line between said Parcels B and D the following four (4) courses and distances:

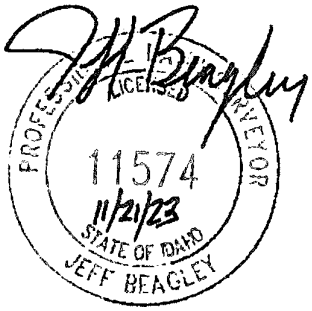
Thence North 63°04'12" East, 106.18 feet to the beginning of a curve to the right, marked by a 5/8" rebar/cap PLS 11574;

Thence 91.37 feet along the arc of said curve, having a radius of 53.50 feet, with a central angle of 97°50'56", subtended by a chord bearing South 68°00'20" East, 80.66 feet to a 5/8" rebar/cap PLS 11574;

Thence South 19°04'52" East, 45.04 feet to the beginning of a curve to the left, marked by a 5/8" rebar/cap PLS 11574;

Thence 47.17 feet along the arc of said curve, having a radius of 95.41 feet, with a central angle of 28°19'36", subtended by a chord bearing South 33°11'53" East, 46.69 feet to the east line of said Government Lot 6, marked by a 5/8" rebar/cap PLS 11574 marking the most northerly corner common to said Parcel B and C and the **TERMINUS POINT** of said 30-foot-wide easement;

The right (southerly) sideline of said easement to extend along the same radius to terminate at the northeasterly line of said Parcel C, said point bears S. 45°28'17" E., 78.31 from a 5/8" rebar with cap PLS 11574 marking said northerly corner common to Parcels B and C.



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer)

On December 9, 2023 before me, Maria Allen, Notary Public
(insert name and title of the officer)

personally appeared Dennis L Smith / Denise A Smith,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MGC1 MARIA ALLEN MGC1
COMM. # 2402760
NOTARY PUBLIC - CALIFORNIA
PLACER COUNTY
COMM. EXPIRES MAY 1, 2026

Signature Maria Allen (Seal)

STATE OF

COUNTY OF

On this 20 day of Dec in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Ver Hagen, Scott Ver Hagen known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Adeline Doores

Residing at:
My commission expires: 9-15-28

ADELINE DOORES
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20224470
MY COMMISSION EXPIRES 9-15-2028

STATE OF

COUNTY OF

On this _____ day of _____ in the year of _____, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis L. Smith and Denise A. Smith as Trustees of The Smith Family Trust

_____

Residing at:
My commission expires:

Best Investments LLC

Skinner Land Survey

Exhibit 7.U

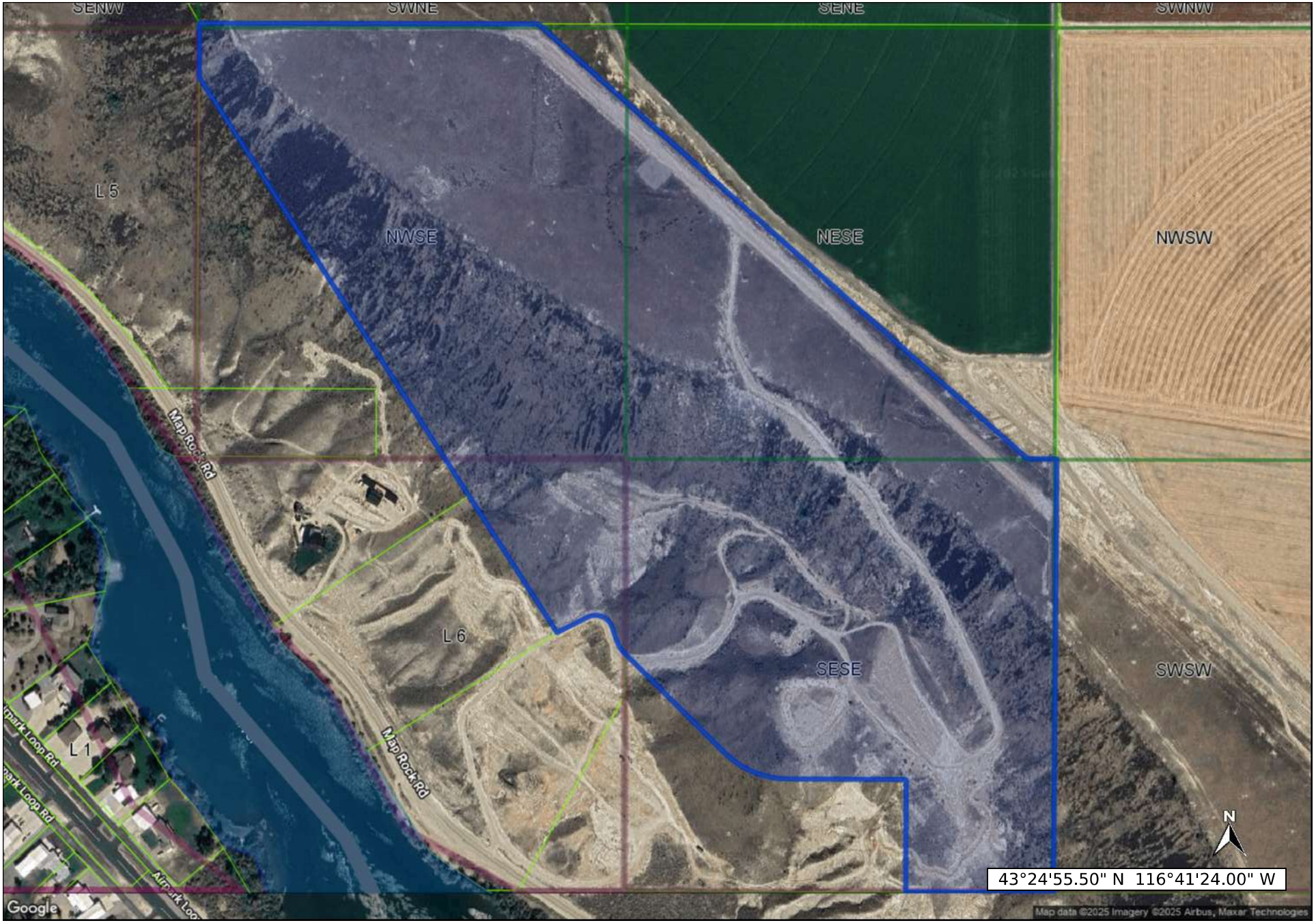


Exhibit 7.U

Oct 27, 2025 - landproDATA.com
Scale: 1 inch approx 400 feet

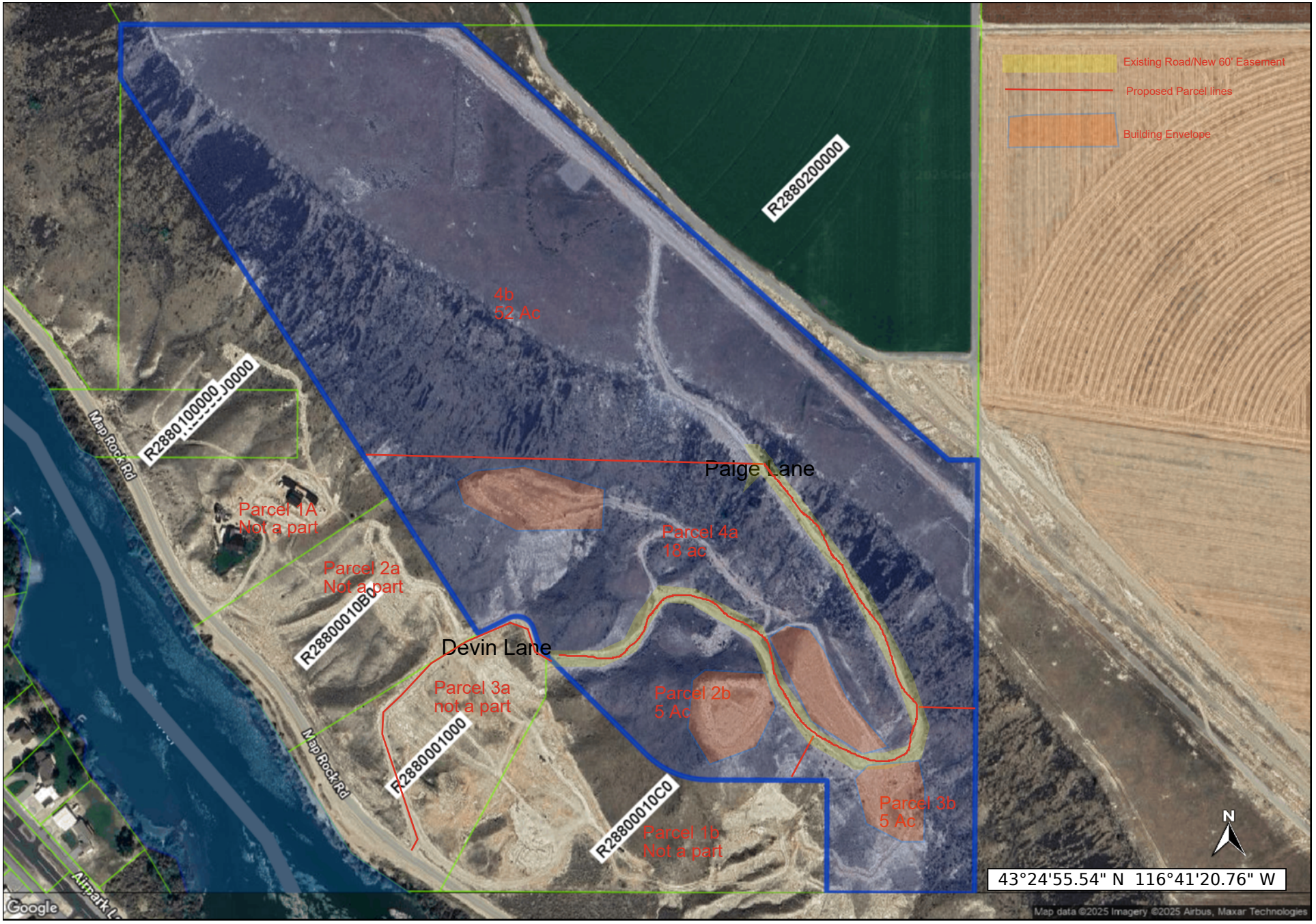
The materials available at this website are for informational purposes only and do not constitute a legal document.

NV1124 Best Investments, LLC

Exhibit 7.V

Map Rock Road

Skinner Land Survey



Apr 03, 2025 - landproDATA.com
Scale: 1 inch approx 400 feet

Exhibit 7.V

The materials available at this website are for informational purposes only and do not constitute a legal document.