# Board of Canyon County Commissioners
# Hearing Date: March 10, 2026
## *Canyon County Development Services Department*

## PLANNING DIVISION - APPEAL

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| **CASE NUMBER:** | **CU2025-0011-APL** |
| **APPLICANT/REPRESENTATIVE:** | **Knife River Corp. – Mountain West** |
| **PROPERTY OWNER:** | **Lewis Living Trust** |
| **APPLICATION:** | **The appellant requests that the Board of Canyon County Commissioners overturn the Planning and Zoning Commission's DENIAL and approve the request for a conditional use permit for a long-term mineral extraction.** |
| **LOCATION:** | **0 Centerpoint Rd, Caldwell, ID**<br>**Parcels: R35968010 & R35973010** |
| **ANALYST:** | **Amber Lewter, Associate Planner** |

**SUMMARY:**
On May 6, 2025, the appellant submitted a conditional use permit for a long-term mineral extraction on parcels R35968010, consisting of approximately thirty (30) acres, and R35973010, consisting of approximately twenty-eight (28) acres, in the "A" (Agricultural) zone for a maximum of twenty (20) years.

Case CU2025-0011 was heard by the Planning and Zoning Commission on November 20, 2025, where staff recommended approval with fifteen (15) conditions (**Exhibit 3**).

On November 20, 2025, the Planning and Zoning Commission considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans. The Canyon County Planning and Zoning Commission denied case CU2025-0011 for the following reasons (**Exhibit 1**):

- **07-07-05(4): The proposed use will be injurious to other property in the immediate vicinity and will negatively change the essential character of the area.**
    - Public testimony by Shaw Holdings stated that they move their cattle on the road that would be used for the proposed project. Verbal testimony on November 20, 2025, stated that the character of the area, along with the subject properties, is productive agriculture.
    - Canyon County Soil Conservation District comments in the Staff Report Exhibit D3 state that they do not recommend a land use change due to the soil classifications.
    - The Planning and Zoning Commissioners found that, based on the evidence provided, a gravel pit would be injurious to agricultural operations and alter the character of the area.
    - Conditions were discussed to limit the location of the rock crusher to an area farther from the nearby residence, along with construction of a 10-foot-high topsoil berm along the northern and western property boundaries (Staff Report Exhibit A8). However, public testimony from neighboring property owners indicated that these conditions would not

adequately mitigate noise impacts. The neighbor located at parcel R35968010B, which is situated between the two proposed parcels (R35968010 and R35973010), works in the healthcare profession and does not have a set work schedule.

- **07-07-05(7): There will be undue interference with the existing and/or future traffic patterns.**
    - There are several approved gravel pits in the area that have yet to improve the roads; adding another gravel pit to the area would further add to the interference.
    - Without the studies requested, such as the Traffic Impact Study for the surrounding area, the Planning and Zoning Commissioners find that, as of now, there is not enough evidence to suggest the proposed use will not interfere with the existing or future traffic patterns.

The appeal of the Planning and Zoning decision with the Findings of Facts, Conclusions of Law, and Order of Decision (FCOs) signed on December 4, 2025, was filed within the 15 days of the appeal period on December 18, 2025 (**Exhibit 4**). The letter of appeal included a statement of reasons for the appeal and the filing fee of $1,100.

The letter of appeal expresses that the proposed conditional use permit for a long-term mineral extraction meets all the required criteria for the following reasons:

- **07-07-05(4): The CUP Application Complies.**
    - The proposed conditions of approval will mitigate any potential negative effects on the character of the area.
    - There are multiple sand and gravel extraction operations in the immediate vicinity of the Property. The proposed use will not be injurious to agricultural operations or alter the character of the area.
    - Knife River can temporarily suspend hauling operations to allow full use of the road by Shaw Holdings for the purpose of transporting cattle.
- **07-07-05(7): The CUP Application Complies.**
    - A Traffic Impact Study (TIS) would be completed if the CUP Application is approved to meet the requirements of the Golden Gate Highway District. This is appropriate to fully address and mitigate any interference with the existing and/or future traffic patterns.
    - There are currently multiple sand and gravel operations within two (2) miles of the property, with much larger operations.
    - The Planning and Zoning Commission noted that at least one of the current operators, IMC, has not yet fulfilled its obligations to construct a westbound right-turn lane at the intersection of SH-19 and Notus Road. The determination of future interference on existing traffic is speculative and appears to penalize Knife River for a different operator's failure to construct improvements that are a condition of its operations.

The appellant requests that the Board of County Commissioners overturn the Planning and Zoning Commission's denial decision and approve the conditional use permit for a long-term mineral extraction

on parcels R35968010, consisting of approximately thirty (30) acres, and R35973010, consisting of approximately twenty-eight (28) acres, in the "A" (Agricultural) zone for a maximum of twenty (20) years.

**BOARD ACTION:**

In accordance with CCCO §07-07-23(2)A. Appeal By Affected Person: Any affected person who is aggrieved by the director's decision as to an application pursuant to this subsection, may file a written notice of appeal in accordance with section 07-05-07, "Appeal Of Director Administrative Decision", of this chapter

*A. At a public hearing held in accordance with this article, the Board shall consider the decision of the Planning and Zoning Commission and any additional evidence that may be offered by the public, applicant, or Director.*

*B. The Board may affirm, reverse, or modify, in whole or in part, the Planning and Zoning Commission's decision.*

**BOARD DECISION OPTIONS**

1) The Board of County Commissioners may **approve** the appeal and **overturn** the Planning and Zoning Commission's denial of the conditional use permit for a long-term mineral extraction with conditions of approval and direct staff to bring back findings in support of the decision.

2) The Board of County Commissioners may **deny** the appeal and **uphold** the Planning and Zoning Commission's decision and direct staff to revise the FCOs to reflect the Board's findings and conclusions.

3) The Board of County Commissioners may **table the hearing** and request additional information on specific items.

**EXHIBITS:**

1. **Planning & Zoning Commission FCOs Dated: December 4, 2025**
2. **Planning & Zoning Commission Minutes Dated: December 18, 2025**
3. **CU2025-0011 Staff Report Packet Dated: November 20, 2025**
4. **CU2025-0011-APL Staff Report Packet**
    a. Master Application
    b. Letter of Appeal
5. **Public Comments Received by: March 2, 2026**
    a. David Krueck – In Favor; Received: February 26, 2026
    b. Chris Taylor – In Opposition; Received: February 27, 2026
        i. Video Footage
    c. Ron & Irene Snell – In Opposition; Received: February 27, 2026
    d. Growing Together – In Opposition; Received: March 1, 2026
    e. Megan Taylor – In Opposition; Received: February 27, 2026
6. **Additional Supplemental Documentation Received by: March 2, 2026**
    a. Appellants Presentation Materials

**Exhibit 1:**

**EXHIBIT I**

**P&Z Signed FCOs Dated: December 4, 2025**

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Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2026

In the matter of the application of:
**Knife River Corp/Mountain West – CU2025-0011**

The Canyon County Planning and Zoning Commission considers the following:

The applicant, Knife River Corp. – Mountain West, represented by Megan Winter & Joseph Smith, is requesting a Conditional Use Permit to allow a long-term mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel off the site on approximately 59.55 acres in an "A" (Agricultural) zone for a period not to exceed twenty (20) years. The proposed general hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Saturday. Hauling of materials may take place 24 hours a day, seven days a week, to support construction activities that require nighttime operations.

**Summary of the Record**

1. The record is comprised of the following:

   A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2025-0011.
      1. All exhibits are located in the case staff report dated November 20, 2025.

**Applicable Law**

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Canyon County Code §07-14 (Use Standards) and Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures).

   a. Notice of the public hearing was provided pursuant to CCCO §07-05-01, Idaho Code §67-6509 and 67-6512.

   b. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. Idaho Code §67-6512.

   c. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCCO §07-07-01.

   d. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development;(6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCCO §07-07-17, and 07-07-19.

e. Use Standards – Mineral Extraction Long Term: (1) If a conditional use permit is required, the following standards shall apply: A. Setbacks: Front 30', Side 30', Rear 30' Corner 30'; 1. Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street. 2. When making a decision for a conditional use permit for the use, the decision making body shall consider the following: (A) The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses; (B) Duration of the proposed use; (C) Setbacks from surrounding uses; (D) Reclamation plan as approved by Idaho Department of Lands; (E) The locations of all proposed pits and any accessory uses; and (F) Recommendations from applicable government agencies. *See* CCCO §07-14-19.

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

3. There are no mandates in the Local Planning Act as to when conditional permits may or may not be granted, aside from non-compliance with the community master plan. I.C. § 67-6512. Chambers v. Kootenai Cnty. Bd. of Comm'rs, 125 Idaho 115, 117, 867 P.2d 989, 991 (1994).

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

5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

6. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

**The application, CU2025-0011, was presented at a public hearing before the Canyon County Planning and Zoning Commission on November 20, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decides as follows:**

**Table 1. Conditional Use Permit Review Criteria Analysis**

| **HEARING CRITERIA (CCCO §07-07-05):** The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs: | | | | |
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| **Compliant** | | | **County Ordinance and Staff Review** | |
| **Yes** | **No** | **N/A** | **Code Section** | **Analysis** |
| ☒ | ☐ | ☐ | **07-07-05(1)** | **Is the proposed use permitted in the zone by conditional use permit?** |
| | | | ***Analysis*** | The proposed use, mineral extraction (long term), is permitted in the "A" (Agricultural) zone subject to conditional use permit approval pursuant to CCCO §07-10-27.<br><br>According to CCCO §07-02-03, mineral extraction is defined as *"the various activities associated with the extraction of mineral resources, including, but not limited to, gravel, from the ground."*<br><br>Per CCCO §07-07-03, the applicant submitted a conditional use permit application on May 6, 2025 (**Staff Report Exhibit A**). |
| ☒ | ☐ | ☐ | **07-07-05(2)** | **What is the nature of the request?** |
| | | | ***Analysis*** | The nature of the request involves operating a sand and gravel pit on Parcels R35968010, consisting of approximately thirty (30) acres, and R35973010, |

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| | | | | consisting of approximately twenty-eight (28) acres, in the "A" (Agricultural) zone for a maximum of twenty (20) years (**Staff Report Exhibits A2 and A7**).<br>• The activities on site include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the subject parcels.<br>• There are no additional signage, improvements, or structures proposed within the boundaries of the conditional use permit, except for truck scales for monitoring weight.<br>• The mining operation will take place in two (2) phases and is planned to begin in the Northwest corner of the site. Phase one (1) will consist of the plant area and soil/aggregate stockpiles on approximately twenty (20) acres. A portion of the salvaged soil will be used to create a berm around the mining operations. Phase two (2) will result in approximately thirty (30) acres of disturbance (**Staff Report Exhibit A2**).<br>• According to the letter of intent (**Staff Report Exhibit A2**), the site will be mined to a minimum elevation of 2,280 feet, with a maximum depth of twenty (20) feet from the surface elevation. The operational slopes on the mine walls will be between 1:1 and 3:1.<br>• Proposed hours of operation for mining are 7 a.m. – 5 p.m., Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven (7) days a week to support construction activities. In the letter of intent, the applicant states that they will send a notice to the neighbors 10 days prior to starting a 24-hour operation. *See condition of approval number 2b to mitigate disturbances outside of the operation hours* (**Staff Report Exhibits A2 and A3**).<br>• There is expected to be one (1) to ten (10) employees on site at any given time (**Staff Report Exhibit A2**).<br>• Four (4) foot berms along the eastern and southern shared property lines are proposed (**Staff Report Exhibits A2 and A8**). The applicant is proposing a topsoil berm, stabilized with grass or rock, to be placed around the site as mining progresses to serve as the perimeter of the mining area. The berms will be graded and seeded to control stormwater runoff. *See condition of approval number 4.* The topsoil will be removed and reclaimed during the reclamation process.<br>• There will be a 30-foot setback from the subject property boundaries in accordance with CCCO §07-14-19 (**Staff Report Exhibits A2 and A7**). *See the condition of approval number 2d for the rock crusher's designated area.*<br>• A Reclamation Plan has been approved by the Idaho Department of Lands. The applicant proposes to create a 50-acre water feature due to the depth of mining. The remainder will be sold as agricultural land or residential development (**Staff Report Exhibit A7**). |
| ☒ | ☐ | ☐ | **07-07-05(3)**<br>***Analysis*** | **Is the proposed use consistent with the comprehensive plan?**<br>As conditioned, the proposed use is consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan |

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| | | | | designates the subject parcels as "agriculture" with an "Intensive Agriculture Overlay" on the future land use map (**Staff Report Exhibit B2.16**). This area primarily consists of agricultural uses (primarily livestock and grazing, with some crop production), feed lots, and limited residential uses (**Staff Report Exhibits B2.6, B2.7, and B2.9**).<br><br>With recommended conditions, the request aligns with the following goals and policies of the 2030 Canyon County Comprehensive Plan:<br><br>• **Chapter 1 - Property Rights:**<br>○ Property Rights G1.01.00: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."<br>○ Property Rights G1.02.00: "Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition, and preserve it for future generations without becoming a public nuisance."<br>• **Chapter 2 – Population:**<br>○ Population G2.02.00: "Promote housing, business, and service types needed to meet the demand of the future and existing population."<br>• **Chapter 3 – Economic Development:**<br>○ Economic Development G3.01.00: "Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations."<br>○ Economic Development P3.01.02: "Support suitable sites for economic growth and expansion compatible with the surrounding area."<br>○ Economic Development G3.05.00: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."<br>• **Chapter 4 – Land Use and Community Design**<br>○ Land Use P4.02.01: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."<br>○ Land Use P4.03.03: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility."<br>• **Chapter 5 – Natural Resources and Hazardous Areas**<br>○ Natural Resources P5.01.01: Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.<br>○ Natural Resources G5.02.00: "Recognize the importance of air quality and address air pollution in accordance with applicable regulations." |

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| | | | | ○ Natural Resources G5.03.00: "Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands."<br>○ Natural Resources P5.03.01: "Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses."<br>○ Natural Resources G5.07.00: "Protect the quality and quantity of aquifers and protect and enhance the capability of groundwater." recharge areas for the present and future water supply of the County."<br>*See all case analyses within the Staff Report for supporting evidence. See conditions of approval.* |
| ☐ | ☒ | ☐ | **07-07-05(4)**<br>***Analysis*** | **Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?**<br>The proposed use will be injurious to other property in the immediate vicinity and will negatively change the essential character of the area..<br>**Adjacent Existing Conditions:** |

| Direction | Existing Use | Primary Zone | Other Zone |
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| N | Agricultural with Primary Residence | A | CR-RR |
| S | Agricultural with Primary Residence | A | - |
| E | Agricultural Operation | A | - |
| W | Agricultural Operation | A | - |

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

**Surrounding Land Use Cases (Staff Report Exhibit B2.7):**
Within the past 5 years, the following conditional use permits have been approved within 1 mile of the property:

- CU2020-0005 – Mineral Extraction - Idaho Materials and Construction
- CU2024-0009 – Mineral Extraction - Sunroc Corporation

The following conditional use permits have been approved this year within 2 miles of the property:

- CU2023-0019 – Mineral Extraction – Nampa Paving
- CU2024-0007 – Mineral Extraction – JMAC Resources
- CU2024-0014 – Mineral Extraction – Nampa Paving

**Character of the Area:**
The subject properties are zoned "A" (Agricultural) (**Staff Report Exhibit B1**), with the surrounding zoning also "A" (Agricultural). The 2030 future land use designation of the area is "A" Agricultural with an intensive agricultural overlay (**Staff Report Exhibit B1**). There are no subdivisions located nearby. Within 1,000 feet of the subject property, there are 21 parcels (**Staff Report Exhibit B2.2**). The character of the area consists of livestock grazing, feed lots, mineral extraction operations, and some residences (**Staff Report Exhibits B2.6, B2.7, and B2.9**).

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| | | | | Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (**Staff Report Exhibit B2.9**).<br><br>Public testimony by Shaw Holdings stated that they move their cattle on the road that the proposed use would use. Verbal testimony on November 20, 2025, stated that the character of the area, along with the subject properties, is productive agriculture.<br><br>Canyon County Soil Conservation District comments in the Staff Report Exhibit D3 state that they do not recommend a land use change due to the soil classifications.<br><br>The Commissioners found that, based on the evidence provided, a gravel pit would be injurious to agricultural operations and alter the character of the area.<br><br>**Impacts:**<br>The long-term mineral extraction use will impact the surrounding area, due to an increase in dust, noise, lighting, and traffic related to the use.<br><br><u>DUST:</u> The applicant states in the letter of intent that they are proposing watering of roads and stockpiles to mitigate dust concerns. Dust control water will be applied to high-traffic areas during the summer months using processed water via water trucks (**Staff Report Exhibit A2**). According to the applicants' Reclamation Plan, water for dust control will be applied to the crusher and screens to prevent excessive dust at the process equipment (**Staff Report Exhibit A7**).<br><br><u>NOISE:</u> Although a batch plant will not be located on Parcels R35968010 and R35973010, noise levels may increase in the immediate vicinity due to the mining activities and rock crushing that are proposed to take place on site **(Staff Report Exhibit A2).** The berms surrounding the mining activities will act as a noise barrier to decrease noise pollution. The hours of operation proposed are Monday through Saturday, 7:00 a.m. through 5:00 p.m., with the operation closed on Sundays and traditional legal holidays (unless an emergency occurs). There was discussion for the rock crusher to be limited to an area away from the nearby residence (**Staff Report Exhibit A9**), and a 10-foot high topsoil berm constructed along the northern and western property boundaries (**Staff Report Exhibit A8**), it was found by public testimony from the neighbors that would be impacted by the noise that putting these conditions would not mitigate the impact. The neighbor located at parcel R35968010B is in the middle of both proposed parcels R35968010 and R35973010 works in the healthcare profession and does not have a set schedule.<br><br><u>TRAFFIC:</u> An impact on traffic would occur due to the large heavy equipment and the multiple gravel pits that have been approved in the area and that have yet to make the road improvements. Golden Gate Highway District provided comment on October 1, 2025, requesting a traffic impact study to be performed and combined with case CU2025-0009 (**Staff Report Exhibit D5**). On November 7, 2025, the Idaho Transportation Department (ITD) |

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| | | | | provided a comment requesting a westbound right-turn lane at SH-19 and Notus Road. See criterion number 7 for a full analysis of the traffic impact.<br><br>OTHER IMPACTS: According to the letter of intent, during the neighborhood meeting, there were concerns expressed for obstructing the neighbors' views to the valley, road safety, noxious weeds, impacts to the culverts and ditches, and potential impact to the neighboring wells. The applicant has offered conditions to mitigate the concerns. These mitigations include lowering the berms to four feet along the eastern and southern shared property lines (**Staff Report Exhibit A8**), the truck loads to be covered before leaving the pit, a speed limit of 25 miles per hour on Centerpoint Road, monitoring and treating for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules, if the accessibility or functionality of the culverts and ditches become impacted, including the drainage pipe under Centerpoint Road, north of the proposed site entrance, the onsite team will correct the impact, and if operations effect the domestic water wells on the adjoining properties then the applicant will fix or replace the wells. Most of these conditions put in place by the applicant are not enforceable by the County; therefore, conditions could not be made to mitigate these impacts. |
| ☒ | ☐ | ☐ | **07-07-05(5)**<br><br>***Analysis*** | **Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?**<br><br>The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.<br><br>**Water:**<br>Per the land use matrix, there is no well proposed for the use (**Staff Report Exhibit A3**).<br><br>**Sewer:**<br>No septic tank or drain field is proposed, as portable toilets will be provided for employees on site (**Staff Report Exhibit A3**). Southwest District Health was notified of the request on June 5, 2025, and on October 16, 2025. Comments were received on June 6, 2025, stating that a nutrient pathogen study and a septic system are not required (**Staff Report Exhibit D1**).<br><br>**Irrigation:**<br>According to the land use worksheet, the applicant is not proposing to use irrigation water (**Staff Report Exhibit A3**). Eureka Irrigation District was notified of the request on June 5, 2025, and on October 16, 2025. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (**Staff Report Exhibit D8**).<br><br>**Drainage/Stormwater:**<br>Stormwater shall be retained onsite per the applicant's letter of intent and land use worksheet (**Staff Report Exhibits A2 and A3**). The stormwater shall be retained onsite in the proposed settling ponds within the pit. The stormwater will be used for dewatering. The stormwater will be controlled on the site through site grading, permanent or temporary ditches, and berms. Stockpile berms will be seeded for stabilization to act as the first |

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| | | | | control for runoff. Stormwater will be allowed to pond inside the pits. Stormwater will then be channeled into the lower parts of the pit throughout the mining operations.<br><br>**Discharging/ Dewatering into Irrigation Facilities:**<br>According to the letter of intent, dewatering will occur by pumping groundwater and stormwater from the ponds. Discharging of water will be done into an irrigation ditch. The applicant states they will send a Notice of Intent to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit. Staff spoke with Drainage District 6 over the phone on November 10, 2025 (**Staff Report Exhibit D9**). Drainage District 6 requested that drainage occur in the irrigation canal during the summer months. Eureka Irrigation District's comment on November 10, 2025 (**Staff Report Exhibit D8**), advised that Eureka Irrigation District does not grant access for any operations to discharge into Eureka.<br><br>**Utility Systems:**<br>Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on June 5, 2025, and October 16, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed. |
| ☒ | ☐ | ☐ | **07-07-05(6)** | **Does legal access to the subject property for the development exist or will it exist at the time of development?** |
| | | | ***Analysis*** | The subject property does have legal access for the development and will exist at the time of the development.<br><br>The only site access point will be located near the northeast corner of the site, adjacent to Centerpoint Road (**Staff Report Exhibit A2**).<br><br>Golden Gate Highway District was notified of the request on June 5, 2025, and on October 16, 2025. Golden Gate Highway District provided comment on October 1, 2025, advising that an approach permit application is required for the access proposed (**Staff Report Exhibit D5**). |
| ☐ | ☒ | ☐ | **07-07-05(7)** | **Will there be undue interference with existing or future traffic patterns?** |
| | | | ***Analysis*** | There will be undue interference with the existing and/or future traffic patterns primarily because there are several approved gravel pits in the area that have yet to improve the roads, adding another gravel pit to the area would further add to the interference.<br><br>The subject parcels are located on the northwest corner of the Centerpoint Road and Howe Road intersection. Centerpoint Road and Howe Road are under the jurisdiction of the Golden Gate Highway District and are classified as Local Road and Minor Collector, according to the Golden Gate Highway District's comment (**Staff Report Exhibit D5**). A Traffic Impact Study (TIS) is required per the Golden Gate Highway District to determine the impacts of the existing and future traffic patterns. Golden Gate Highway District states that a pavement analysis and improvement recommendation is required for Centerpoint Road from Boise River Road to Howe Road. Due to the proximity of case CU2025-0009 heard on November 6, 2025, Golden Gate Highway District would like to see the traffic impact study and pavement |

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| | | | | analysis combined. See **Staff Report Exhibit D5** for Golden Gate Highway District's comment letter.<br><br>According to the Idaho Transportation Department's (ITD's) comment (**Staff Report Exhibit D7**), IMC, case numbers CU2024-0007 and CU2019-0018 were conditioned for a westbound right-turn lane at SH-19 and Notus Road. As of now, the improvement has not been made. ITD's comment recognizes that the improvement should not be the sole responsibility of the current applicant, but states that the turn lane must be installed for the highway to safely serve the increased traffic demand at this intersection.<br><br>The applicant provided a proposed trucking route that is believed to have the least amount of impact on the existing or future traffic patterns (**Staff Report Exhibit D10**).<br><br>Without the studies requested, such as the Traffic Impact Study for the surrounding area, the Commissioners find that, as of now, there is not enough evidence to suggest the proposed use will not interfere with the existing or future traffic patterns. |
| ☒ | ☐ | ☐ | **07-07-05(8)**<br><br>***Analysis*** | **Will essential services be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**<br><br>Essential services will be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.<br><br>**School Facilities:**<br>The subject properties are serviced by the Notus School District. Agency comments were sent out on June 5, 2025, and October 16, 2025; no comments were received by the school district. The proposed use is not anticipated to impact the Notus School District.<br><br>**Police and Fire protection:**<br>The subject properties are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent out on June 5, 2025, and October 16, 2025, and no comments were received by the Sheriff's Office.<br><br>Wilder Rural Fire District serves the subject properties and sent a comment letter on September 25, 2025. The comment letter did not express any concerns about the proposed use (**Staff Report Exhibit D4**). It was advised that the average response time to the subject properties would be approximately 7-10 minutes.<br><br>**Emergency Medical Services:**<br>Emergency Medical Services are provided to the subject properties. Canyon County Paramedics/EMT and Canyon County's Emergency Management |

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| | | | | Coordinator were notified of the application on June 5, 2025, and October 16, 2025, and no comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding.<br><br>**Irrigation Facilities:**<br>The subject properties are under the Eureka Irrigation District's jurisdiction. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (**Staff Report Exhibit D8**). See CCCO 07-07-05(5) for information on irrigation. |

**Table 2. Article 14 Use Standards Criteria Analysis**
**- Mineral Extraction Long Term –**

| **USE STANDARDS 07-14-03(1):** The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix). | | | | |
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| **CCCO §07-14-19(1): If a conditional use permit is required, the following standards shall apply:** | | | | |
| **Compliant** | | | **County Ordinance and Staff Review** | |
| **Yes** | **No** | **N/A** | **Code Section** | **Analysis** |
| ☒ | ☐ | ☐ | **07-14-19(1)A** | **Setbacks: Required = 30'** |
| | | | ***Analysis*** | The proposed use will comply with the minimum required setbacks for a long-term mineral extraction facility. See further analysis contained below.<br><br>**Setbacks / Front / Side / Rear / Corner**<br>**Required** 30' 30' 30' 30'<br>**Proposed** 30' 30' 30' 30'<br><br>***07-14-19(1) A.1.*** **Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street.**<br><br>According to the letter of intent (**Staff Report Exhibit A2**), the applicant is proposing to establish a 30' setback from the property lines. |
| **CCCO 07-14-19(1)A.2 When making a decision for a conditional use permit for the use, the decision-making body shall consider the following:** | | | | |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (A)** | **The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses.** |
| | | | ***Analysis*** | The surrounding property uses consist of agricultural practices, mineral extractions, feedlots, and residential uses (**Staff Report Exhibits B2.6, B2.7, and B2.9**). The subject properties are zoned "A" (Agricultural) (**Staff Report Exhibit B1**), with the surrounding zoning also "A" (Agricultural). Within 1,000 feet of the subject property, there are 21 parcels (**Staff Report Exhibit B2.2**).<br><br>Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (**Staff Report Exhibit B2.9**).<br><br>Within a 2-mile radius, there are three (3) active conditional use permits for mineral extractions awaiting the public hearing process in this area.<br><br>As conditioned, the proposed and existing uses are not anticipated to directly or indirectly interfere with or negatively impact one another. |

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| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (B)** | **Duration of the proposed use.** |
| | | | ***Analysis*** | According to the Reclamation Plan (**Staff Report Exhibit A7**), the applicant is proposing to be in operation for a maximum of twenty (20) years. |

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| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (C)** | **Setbacks from surrounding uses.** |
| | | | ***Analysis*** | A minimum of a 30' setback is proposed along the property boundaries (**Staff Report Exhibit A2**). *See the condition of approval number 2c.* |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (D)** | **Reclamation plan as approved by Idaho Department of Lands.** |
| | | | ***Analysis*** | A reclamation plan was approved by the Idaho Department of Lands on February 3, 2025, subject to conditions (**Plan No. S603017, Staff Report Exhibit A7**).<br><br>The operation consists of two (2) phases. Phase one (1) will begin in the northwest corner of the site (**Staff Report Exhibit A7**). Phase one (1) will be approximately thirty (30) acres, and phase two (2) will be approximately twenty-eight (28) acres. The aggregate deposit will be mined using both dry and wet extraction techniques. The material will be crushed, screened, washed, and stockpiled at the mining site. As mining progresses, the pit floor will be smoothed and flattened. Once mining operations have completed, the site will be graded to establish a large pond. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (E)** | **The locations of all proposed pits and any accessory uses.** |
| | | | ***Analysis*** | See Reclamation Plan (**Staff Report Exhibit A7**) for discussion of the location of the two (2) phases of the mineral extraction.<br><br>Accessory uses include, but are not limited to, handling construction aggregate and overburden soil onsite, parking for the equipment and vehicles, and servicing the vehicles. The vehicles will be serviced with fuel and lubricating oil. Fuel will be kept on-site for the vehicles and crusher. All fuel tanks will be double-walled or installed in a second containment. Heavy equipment to be used for the operations includes hydraulic excavators, dozers, front-end loaders, and crushing and screening equipment (**Staff Report Exhibit A2**).<br><br>The rocker crusher shall be located within the designated area in **Staff Report Exhibit A9**. |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (F)** | **Recommendations from applicable government agencies.** |
| | | | ***Analysis*** | Southwest District Health provided comments on June 6, 2025; no recommendations or conditions were provided (**Staff Report Exhibit D1**).<br><br>Idaho Department of Environmental Quality (DEQ) provided comments on June 9, 2025; general recommendations were provided (**Staff Report Exhibit D2**).<br><br>Canyon County Soil Conservation District provided comments on June 10, 2025; a recommendation of not changing the land use was provided with no conditions to mitigate (**Staff Report Exhibit D3**).<br><br>Wilder Rural Fire District provided comments on September 25, 2025; no recommendations or conditions were provided (**Staff Report Exhibit D4**). |

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| | | | | Golden Gate Highway District provided comments on October 1, 2025; proposed conditions were provided (**Staff Report Exhibit D5**).<br><br>Canyon County GIS Department provided comments on November 6, 2025; proposed conditions were provided (**Staff Report Exhibit D6**).<br><br>Idaho Transportation Department (ITD) provided comments on November 7, 2025; proposed conditions were provided (**Staff Report Exhibit D7**).<br><br>Eureka Irrigation District provided comments on November 10, 2025; proposed conditions were provided (**Staff Report Exhibit D8**).<br><br>Drainage District 6 had a phone conversation with staff on November 10, 2025; proposed conditions were provided (**Staff Report Exhibit D9**).<br><br>See **Staff Report Exhibit D** for all agency recommendations and comments. |

**Order:**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **denies** Case # CU2025-0011, a conditional use permit for a mineral extraction (long term).

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

1. A traffic impact study and pavement analysis of the truck's primary and secondary routes.
2. The Commission does not find that any actions can be taken at this time to mitigate the impact on the productive agricultural operations in the area.

**DATED** this 4 day of December, 2025.

**PLANNING AND ZONING COMMISSION**
**CANYON COUNTY, IDAHO**

Robert Sturgill, Chairman

State of Idaho )

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County of Canyon County )

On this 4th day of December, in the year 2025, before me Caitlin Ross, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

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

Notary: Caitlin Ross

My Commission Expires: 5/7/2031

**Exhibit 2:**

**EXHIBIT II**

**P&Z Minutes Dated: December 18, 2025**

**-**

Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2026

CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, November 20, 2025
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

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| Commissioners Present : | Robert Sturgill, Chairman<br>Brian Sheets, Vice Chairman<br>Harold Nevill, Commission Secretary<br>Matt Dorsey, Commissioner<br>Geoffrey Mathews, Commissioner<br>Holley Werhanowicz, Commissioner<br>Anita Johnston, Commissioner |
| Staff Members Present: | Jay Gibbons, Director of Development Services<br>Dan Lister, Planning Supervisor<br>Emily Bunn, Principal Planner<br>Amber Lewter, Associate Planner<br>Caitlin Ross, Hearing Specialist |

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

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

**Item 1: Consent Agenda – Action Items**

A. **Case No. CU2025-0009 – Knife River-Notus West Pit:** Approve FCO's
B. **Case No. CR2024-0007 – Evans:** Approve FCO's

Commissioner Mathews and Commissioner Dorsey abstained from voting on the Consent Agenda due to not being present for the November 6, 2025 hearing.

**Motion:** Commissioner Nevill moved to approve the Consent Agenda, amended as discussed, seconded by Commissioner Sheets. Voice vote, motion carried.

**Item 2A:**

**Case No. RZ2022-0015 – Bublik**: The applicant, Anatoliy and Vera Bublik, represented by Daniel Bublik, is requesting a conditional rezone from an "A" (Agricultural) zone to a "CR-C-2" (Service Commercial) zone. The requested rezone will cover approximately 0.72 acres of the western portion of the subject property. The remaining 0.28 acres on the eastern portion of the property will retain the "A" (Agricultural) zoning designation. The request includes a Development Agreement that would limit the rezoned area to a single allowed use of vehicle sales. The subject property is located at 8160 Hwy 20/26, Nampa, ID 83687, also referenced as Parcel R34170.

**Case was withdrawn by Applicant.**

**Item 2B:**

**Case No. CU2025-0011 – Knife River Corp-Mountain West**: The applicant, Knife River Corp. – Mountain West, represented by Megan Winter & Joseph Smith, is requesting a Conditional Use Permit to allow a long-term mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel off the site

on approximately 59.55 acres in an "A" (Agricultural) zone for a period not to exceed ten (10) years. The proposed general hours of operation are 7am-5pm, Monday through Saturday, hauling of materials may take place 24 hours a day, seven days a week to support construction activity that requires nighttime operations. The subject property is located at 0 Centerpoint Rd, Caldwell, Idaho, also referenced as Parcels R35968010 and R35973010.

**Chairman Sturgill** affirmed the applicant to testify.

**Megan Winter – (Applicant) IN FAVOR – 5450 W Gowen Rd, Boise, ID 83709**

Ms. Winter explained this site will address a growing need for construction aggregates in the community, while also honoring the landowner's original goal of creating a water feature on their property. Once mining is complete, the reclamation plan is to transform the site into a 50-acre water feature. Ms. Winter stated that Knife River is currently the prime contractor on the Idaho Transportation Department State Highway 55 improvements project between Farmway Road and Middleton Road, which requires more than 1 million tons of aggregate. The subject property will supply Knife River with the aggregates needed for current and future phases of the State Highway 55 improvements project. Ms. Winter described the proposed haul routes, stating trucks will run south on Centerpoint Road, west on Howe Road, south on Notus Road, west on Highway 19 and then south on Farmway Road to State Highway 55. Understanding the concerns for improvements to the Highway 19 and Notus Road intersection, Ms. Winter stated Knife River is committed to addressing those improvements, and will provide a traffic impact study as requested by the Golden Gate Highway District upon approval, which is combined with a prior gravel pit approval. Ms. Winter emphasized a priority in community engagement, and stated this project will reflect some of the neighbor's concerns with lowering the berms to not obstruct the views. Road safety concerns were also addressed; loads will be covered and a 25 MPH speed limit will be enforced on Centerpoint. Ms. Winter talked about the water concerns, explaining that Knife River's geological studies and GSI environmental hydrology memo confirms that mining will occur within the superficial groundwater table with confining layers beneath the mine floor. These layers prevent any significant impact on the quantity or quality of water in nearby domestic wells. Ms. Winter concluded with they believe application and project is aligned with the policies outlined in the 2020 comprehensive plan.

Commissioner Nevill confirmed that the plan is to operate this pit at the same time as the prior 2 pits that were approved. Ms. Winter explained the prior West Notus pit that was approved supports the Notus pit a mile west of that site, while this site will be specifically for the ITD State Highway 55 project. Commissioner Nevill asked for clarification on the truck routes, and Ms. Winter confirmed the truck route for the currently proposed site will be different to alleviate the amount of truck traffic on Notus Road. Commissioner Nevill inquired on the proposed improvements for the Notus Road and Highway 19 intersection. Ms. Winter described the plan that was discussed at the prior hearing regarding expanding the shoulder of the turning radius and other improvements that may be brought up during the traffic impact study. Commissioner Nevill confirmed the conditions reflecting those improvements should be consistent with the prior approval.

Commissioner Mathews asked for clarification on the proposed water feature. Ms. Winter stated it would be a pond.

Commissioner Sheets asked how this application will affect the requirement of completing a traffic impact study. Ms. Winter confirmed the traffic impact study would not be completed until after this application was approved, and explained that it made sense to combine the traffic impact study to cover both sites as they are within a mile of each other.

Commissioner Dorsey asked what the alternate route will be until Farmway Road is opened back up. Ms. Winter offered to provide that information during rebuttal.

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

Chairman Sturgill confirmed that the FCOs that were provided to the Commission were the same as what is reflected in the staff report. Chairman Sturgill asked about the distance between the rock crushing sites and the nearest residence. Planner Lewter needed time to obtain that information.

Commissioner Nevill inquired on the 10-year proposal that was noticed and posted on the agenda versus the 20 years that was listed on the application. Planner Lewter confirmed the applicant did want to ensure this project was completed as quickly as possible, so they may be amendable to 10 years. Commissioner Nevill deferred the concern to the Director of Development Services, Jay Gibbons. Director Gibbons stated the code speaks to "long-term" being at least 10 years, and this shouldn't be a stumbling block considering the application and preliminary hearing materials have been available to the public since the case was scheduled for a hearing.

Commissioner Sheets asked if there were trip generation numbers available. Planner Lewter said there were not.

Planner Lewter found the information regarding the distance between rock crushing sites and the nearest residence. She stated it is approximately 100 feet to the nearest residence to the north. Chairman Sturgill asked for clarification to condition 9b regarding traffic impact study results and mitigation actions prior to gravel pit operations. Planner Lewter confirmed condition 9b is for the TIS and condition 10 is outlining Idaho Transportation Department requirements, which would include the improvement to the Hwy 19 and Notus Road intersection.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Brodie Lewis – IN FAVOR – 22283 Celebration Ln, Caldwell, ID 83607**

Mr. Lewis is the owner of the subject property. After much consideration, Mr. Lewis believes this is the best use of the property. He explained that the simplicity of working hard and getting a first home has become more challenging with cost of affordable housing going up, so this project would help keep costs down with mining product within the community.

Commissioner Nevill asked what the current use of the land is. Mr. Lewis said it is currently alfalfa, they raise some triticale, and they plan on planting winter rye. They also have a few cows. Commissioner Nevill confirmed the farming has productive yields. Mr. Lewis specified that costs to operate go up every year and the amount they receive for the yields stays pretty close to the same each year.

**Joseph Smith – IN FAVOR – 5450 W Gowen Rd, Boise, ID 83709**

Mr. Smith agreed with Mr. Lewis on creating affordable housing by keeping resources local. Mr. Smith clarified conversations held with the highway district regarding the TIS, stating they decided to combine the 2 applications since they were being processed in similar timelines, and it allows them to look at the impacts of both projects. He stated that if this application does not get approved, the TIS for the other location would be implemented right away.

Commissioner Sheets asked how many trips this operation is going to generate. Mr. Smith stated 40-50, with some days where that will be less. Commissioner Sheets asked if there is a pending construction bid associated with this application. Mr. Smith said they are the prime contractor on this phase of Farmway and they anticipate several more phases in the near future, confirming that this will be depleted within the 10 years.

Commissioner Mathews inquired on any discussions with ITD regarding the improvements to Hwy 19 and Notus Road. Mr. Smith stated that they are waiting for a TIS to better address what type of improvements need to be made, but Knife River is committed to improving that intersection until the TIS comes back for any additional improvements. Commissioner Mathews asked for clarification on the 40-50 trips and whether that includes employees. Mr. Smith said that would not include employees, but the employees would get there in the morning and leave at the end of the shift, so the 40-50 trips would primarily be material leaving the site.

**Mark Christensen – IN FAVOR – 21728 Boise River Rd, Caldwell, ID 83607**

Mr. Christensen lives 1 mile from the subject property and would not have any negative impact from this project.

**Megan Taylor – IN NEUTRAL – 23267 Centerpoint Rd, Caldwell, ID 83607**

Ms. Taylor lives between the 2 subject parcels and will be directly impacted by this project. She expressed concerns about being told this project would be 5 years, then seeing 10 years on the noticing, but hearing 20 years at the hearing. Ms. Taylor wants clarification on where her irrigation will be drained as the drain canal goes directly through one of the subject parcels, as well as whether her source for irrigation will be affected. She would also like to confirm how far her house will be from the rock crusher and that the 10-foot berm on Centerpoint could be lowered.

Chairman Sturgill asked Ms. Taylor to point out her property in comparison to the site and proposed rock crusher locations. Chairman Sturgill asked what hours of operation, if approved, would be the most non-disruptive. Ms. Taylor stated she might be moving to night shifts as a CNA, which would be detrimental especially if this takes up to 20 years.

Commissioner Nevill confirmed that Ms. Taylor would rather have 10-foot berms surrounding her property if the operations were located as they are displayed in the staff report. Commissioner Nevill commented there is a condition that states the operations cannot interfere with the delivery of water, and asked if that alleviated the concerns regarding irrigation. Ms. Taylor stated it depends on where the berm is placed, and clarified it is currently an open ditch. Commissioner Nevill confirmed the differing timelines Ms. Taylor has heard/seen.

Planner Lewter clarified the distances from the nearby residences to the rock crushing locations, and confirmed they were further than she indicated in her staff report. She also clarified that the rock crusher locations were staff recommendations since there was not a designated area on the application.

Commissioner Dorsey confirmed Ms. Taylor's concerns regarding keeping the water runoff source open.

**Greg Shaw – IN NEUTRAL – 22893 Howe Rd, Caldwell, ID 83607**

Mr. Shaw stated they have had a cattle ranch in this area since 1959 and is concerned about how much disruption they will have for their business as they use the roads to move cattle constantly. He also expressed concerns about the 50 MPH speed limit on Howe Road with the bigger trucks with heavy loads going through. Mr. Shaw also mentioned that he has been the president of the Eureka Ditch Company for 20 years and no one has spoken to him about dewatering in the Eureka Ditch.

Chairman Sturgill asked if the cattle is moved in trailers or driven down the road, and also asked how long the cattle are on the road. Mr. Shaw said both, and they could be on the road for 30 minutes. Chairman Sturgill asked how traffic is managed. Mr. Shaw stated currently there isn't a lot of truck traffic, so any cars can either go through or they will pull over.

Commissioner Nevill asked how many cattle Shaw Cattle has. Mr. Shaw stated they run about 1600 mother cows. Commissioner Nevill asked if there was anything wrong with the subject property that it couldn't stay in agriculture. Mr. Shaw said irrigation has never been an issue for raising grass.

**Sam Shaw – IN NEUTRAL – 22453 Howe Rd, Caldwell, ID 83607**

Mr. Shaw clarified that in 2003 this area was open range then got changed to herd district. Shaw Cattle moves cows on the nearby roads frequently, and because it is not open range, any accidents with the cows is a liability. Mr. Shaw is concerned about the estimated trips per day the applicant's operation is going to cause.

Chairman Sturgill asked if cattle is on the road year-round. Mr. Shaw stated they are more so in the summertime, and the cows get run through the chute 5 times in 10 days and are moved each time. They try not to move the cattle more than ½ a mile to a mile. Chairman Sturgill asked if Mr. Shaw had any proposed coordination that could be done with Knife River to prevent conflict. Mr. Shaw confirmed that there can be coordination with Knife River, and mentioned they already coordinate with the Sherrif's Office to stop traffic if they need to cross Highway 95, so this could be just another call to make prior to transporting cattle.

Commissioner Nevill asked Mr. Shaw to share the difference between herd district and open range. Mr. Shaw stated that open range is the responsibility of the driver, while herd district is the responsibility of the cattle owner in regard to accidents involving cattle.

Commissioner Mathews asked if there is another route Knife River could take for their hauls. Mr. Shaw suggested traveling up north to Boise River Road, but that could negatively affect the Christensens.

Chairman Sturgill asked if this alternative route for Knife River operations would be viable if prior arrangements were made when transporting cattle. Mr. Shaw believes that Centerpoint Road and Boise River Road will also need improvements if there will be a significant increase in truck traffic.

Commissioner Dorsey asked if asking Knife River to alternate their routes temporarily is feasible. Mr. Shaw agreed that it would be challenging.

Chairman Sturgill asked if there is another way to move the cattle down the path. Mr. Shaw stated the road runs east to west and part of the road is the Drain District 6, so it is difficult to build another fence to have an alleyway. They would have to bridge over the Eureka Ditch for a connection. Chairman Sturgill confirmed the road is their right of way.

**Chris Taylor – IN OPPOSITION – 23267 Centerpoint Rd, Caldwell, ID 83607**

Mr. Taylor clarified that the request for the 4-foot berm around their property was requested not knowing that the crusher placement could be on the northern parcel. Mr. Taylor talked about a plan to take care of any impacts to property wells within the area, and requested a TIS be completed prior to any approvals as there are concerns with the increase of truck traffic.

Commissioner Nevill asked for Mr. Taylor to describe the road conditions. Mr. Taylor explained there are no stripes and the grass is growing onto the road due to the high-water table. There are potholes and patches and dips where the pipes and ditches cross. Commissioner Nevill asked about the elevation of the roads and if they are typically built up above the ditches and fields. Mr. Taylor stated the water is within 6 inches of one of the crossings and the road shows signs of people cutting corners.

Chairman Sturgill asked if a traffic impact study should be done before discussing the roads to ensure what is recommended meets the needs of the uses on the roads. Mr. Taylor agreed, and explained that there is nothing holding anyone accountable to these requirements.

**Taylor Wood – IN OPPOSITION – 23447 Centerpoint Rd, Caldwell, ID 83607**

Ms. Taylor expressed concerns about the long-term impacts a 20-to-30-year gravel extraction operation will have on the surrounding community. There is a risk of fuel leaks, chemical spills and sediment entering the aquifer affecting the wells. The aforementioned hydrology memo is commissioned by the applicant, not an independent party, so there is no proof of protection of the wells and groundwater. The memo also acknowledges that mining will occur within the superficial groundwater table, which increases vulnerability. For that reason, Ms. Taylor urges the commission to not approve this case or require a truly independent hydrogeologic review, ongoing groundwater monitoring and clear action thresholds rather than relying solely on an applicant funded memo. Ms. Taylor explained this application states that the hauling of construction materials may take place 24 hours a day, which will have a big impact. Neighbors will constantly experience engine noises, vibration, and low impact headlight, which can probably still glare, affecting sleep health and overall quality of life. Ms. Taylor pointed out that while a berm may provide some visual screening, it is unlikely to fully mitigate noise from 24/7 hauling heavy trucks, crushing, vibrations, engine noises or the blight glare of headlights at night. Berms also do not control dust drifting from stockpiles or haul ropes onto neighboring properties. Ms. Taylor requests the commission to consider prohibiting 24/7 hauling and restrict nighttime operations unless absolutely necessary. Neighbors may face decreased home and land values, and this economic impact adds to the personal environmental concerns.

Commissioner Nevill confirmed that Ms. Taylor is at the northeast corner of the proposed development. Commissioner Nevill asked if the preference is for shorter or taller berms. Ms. Taylor answered taller if she didn't have a choice. Commissioner Nevill inquired on the well depth. Ms. Taylor was unsure as it is a community well shared between multiple properties.

**Shane Garbarino – IN OPPOSITION – 23093 Centerpoint Rd, Caldwell, ID 83607**

Mr. Garbarino is on the corner of Howe and Centerpoint. He restated Mr. Lewis' statement about providing quality of life for his kids and grandkids, but wondered about the quality of life of the immediate neighbors. Mr. Garbarino is not against growth and change as it is inevitable, but agriculture is being pushed out of the valley. He enjoys bringing his family to watch the cows go down the road and believes we need to tap the brakes on growth. Schools and infrastructure can't keep up.

**Doug Sanders – IN OPPOSITION – 22165 Tucker Rd, Greenleaf, ID 83626**

Mr. Sanders expressed concerns on semi-trucks destroying the roads, especially Tucker Road. He requests an impact study.

Commissioner Sheets asked for clarification on the type of vehicles traveling on the roads. Mr. Sanders confirmed there are a lot of Knife River utility vehicles, and although it's usually pick-ups and some semis, the road is not fit for semis. Mr. Sanders added that there are a lot of endangered and protected species in the waterway within a mile south of this area. Commissioner Sheets asked Mr. Sanders to elaborate. Mr. Sanders listed some protected species, including Redtail Hawks and Harris Hawks.

**Megan Winter – (Applicant) REBUTTAL – 5450 W Gowen Rd, Boise, ID 83709**

Ms. Winter addressed the concerns regarding the timeline, stating they are comfortable reducing the permit duration to 10 years. They usually ask for up to 20 years to allow time for a traffic impact study, any additional permitting required, and the reclamation. Ms. Winter confirmed the average daily trips of approximately 40 trips per day, which is very dependent on demand. Ms. Winter explained the rock crushing process, which includes bringing a crusher to operate for about 3 months of the year, and the materials would be stockpiled to then be processed and hauled. The 24-hour request is to appease ITD scheduling requirements as there are very strict timelines for these projects. Crushing will not be 24/7, it would only consist of hauling material to and from job sites. Ms. Winter confirmed there are 300-foot easements to the north and south of Ms. Taylor's property. She also explained that there is a 30-foot easement from Centerpoint Road, and although they will be exiting onto Centerpoint, they will not be mining up to it. The plan is to keep the crusher to the northwest

area of the site, which has been discovered to have the least impact on surrounding neighbors. Water will not be discharged into the Eureka Ditch, but to the north drain per staff's requirements. Ms. Winter agreed to keeping communication available in regard to moving cattle. Ms. Winter also clarified that the Impact Study GSI Environmental is an independent third party. They are only mining 20 feet down, and do not have any concerns with the quality or quantity impacts to local wells. Ms. Winter stated that they do not plan on using Tucker Road to haul material, and reiterated their proposed truck route.

Commissioner Mathews asked if there was a possibility of placing the crushers in an alternative pit to mitigate the impact on the neighbors. Ms. Winter confirmed that is doable, and stated that it is quicker to have the equipment onsite. Commissioner Mathews asked if Ms. Winter would be agree to a condition to replace any neighboring wells that or contaminated or depleted. Ms. Winter said yes, and asked that the radius is detailed in that condition to ensure it is directly connected to the operations.

Commissioner Dorsey asked if Knife River needed the gravel when they bid the project on Hwy 55. Ms. Winter stated this site was in the discussions when bidding on the project, and she submitted the application earlier in the spring. They have been anticipating the use of this site so they do not use up the reserves in other operations in the area. Commissioner Dorsey asked how much product in tons is anticipated to be pulled from both pits. Ms. Winter stated 1.6 million tons of aggregates would be pulled from this site, which would be about the same for both.

Commissioner Sheets requested a description of the reclamation area. Ms. Winter explained that the reclamation plan would be the entire mining site, with about 10 acres that will be used as a graded area into the pond.

Commissioner Mathews inquired on expanding the traffic impact study to include all potential haul routes. Ms. Winter is amendable to that request, and stated they would work with Golden Gate Highway District and the engineer to include a larger scope.

Chairman Sturgill asked how much the traffic impact study would cost. Ms. Winter answered $30,000-$35,000.

Commissioner Nevill asked how long it would take to conduct a traffic impact study, and emphasized that they may not be able to start operations until that is completed. Ms. Winter agreed they would not start operations until completed, and stated the last traffic impact study she had done took about 3 months.

Commissioner Dorsey asked why they were only digging 20 feet. Ms. Winter explained they dug test holes and found that is where the rock ends and they hit unnecessary material. Commissioner Dorsey asked if they would be requesting a 5-year window or 10-year window considering the amount of time it would take to haul the amount of material they anticipate with 50 trips a day. Commissioner Dorsey inquired on the desire to wait to do a traffic impact study, to which Ms. Winter explained they like to understand the full scope of the proposed project before doing any studies.

Commissioner Mathews inquired on studies that are done prior to operations or prior to applying for a CUP. Ms. Winter stated a reclamation plan approved by the Idaho Department of Lands is included, but there are no requirements or additional testing that is required for the CUP application.

Planner Lewter explained there are certain conditions that were proposed by the applicant that were not added due to the Code Enforcement supervisor stating he wouldn't be able to enforce them. Planner Lewter suggested adding a condition to E to only allow the rock crusher to be used for 3 months out of the year. She reminded the commission that the prior CUP that was approved had a condition that a TIS and pavement analyses would be conducted prior to operations, and Golden Gate Highway District request staff to include

this site as part of those studies. Planner Lewter suggested adding condition 9 to include an alternate route for the TIS. Property owners would be noticed if nighttime operations were required. Planner Lewter suggested modifying condition 4 to place 10-foot berms and modifying condition 2a to reduce the timeline to 10 years.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CU2025-0011, seconded by Commissioner Nevill. Voice vote, motion carried.

**Deliberation:**
Commissioner Nevill stated he would not vote in favor due to the current production agricultural operations on this and surrounding properties. This would negatively impact those agricultural operations. Commissioner Nevill does not believe this application would be conditionable at this time.

Commissioner Sheets is unable to answer criteria 7 in regard to undue interference with existing or future traffic patterns. He proposes to table this request until a traffic impact study is completed.

Commissioner Mathews agrees with Commissioner Sheets.

Commissioner Werhanowicz agrees with Commissioner Nevill that this will negatively impact too many people and will compromise the character of the area.

Commissioner Dorsey agrees that the traffic impact study is important, and does not see a need for this pit. He does not believe it could be properly conditioned at this time.

**MOTION:** Commissioner Nevill moved to **deny** Case No. CU2025-0011, finding that the application does not meet the criteria for approval under article 07-06-05, specifically in regard to criterion 4 and 7 and exhibit D3, seconded by Commissioner Dorsey.

**Discussion on the Motion:**
To gain approval, the applicant may be able to present results on the traffic impact study, but at this time, there is not a way to mitigate the impact this project will have on the ag operations nearby.

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

**Item 2C:**

**Case No. CR2024-0002 – Huff**: The applicants, Robert and Danielle Huff, represented by Elizabeth Allen, is requesting a conditional rezone of Parcel R21970509 (approximately 10.79 acres) from the "A" (Agricultural) zone to the "CR-R-1" (Conditional Rezone-Single-Family Residential) zone. The request includes a Development Agreement that restricts development to six (6) buildable lots. The subject property is located at 6828 Foothill Road, Star ID 83669, also referenced as Foster Heights Lot 10 in Block 1.

**Chairman Sturgill** affirmed the applicant to testify.

**Elizabeth Allen – (Representative) IN FAVOR – 1330 Williams Lane, Nampa, ID 83686**
Ms. Allen described the request of a conditional rezone from agricultural to CR-R-1 for Quail Cooley. She described the location of this parcel and the details of the rezone and replat of Lot 10, Block 1 of Foster Heights subdivision. Ms. Allen reviewed the evaluation of criteria, explaining this proposal aligns with 5 goals and 7 policies in the comprehensive plan as well as the future land use of residential and Star's future land use designation. The lots will be served by individual septic systems and domestic wells, and there is legal access for public services and facilities. The applicant provided a condition requiring Firewise landscaping and fire sprinkler systems for fire mitigation. Ms. Allen reviewed the 10 proposed conditions of approval.

Commissioner Mathews asked for clarification on conditions 2 and 5 regarding a single-family residence with a garage and outbuildings. Ms. Allen agreed it could be confusing and suggested modifying the wording.

Commissioner Sheets inquired on the groundwater right, and asked if it is an irrigation groundwater right or domestic exemption. Ms. Allen answered that it was domestic. Commissioner Sheets asked how the rest of the parcel is irrigated, to which Ms. Allen stated everything would be served by a domestic well. Commissioner Sheets asked if there is an HOA associated with this subdivision. Ms. Allen stated since this was plotted in 1980, there wasn't an HOA or CC&Rs at the time, and there isn't a plan for either at this time. Commissioner Sheets asked why the request is for R-1. Ms. Allen mentioned the original request of RR, but had to go down to R-1 due to the private road reducing the size of the lots. Commissioner Sheets confirmed there are no restrictions on the original plat for this particular lot.

Commissioner Nevill asked whether Star was requesting higher density. Ms. Allen stated it has been over a year since starting this process, but after multiple meetings with Star they recommended it aligned with a nearby subdivision as far as lot sizes. She also mentioned a conversation about annexing, to which would not work as the owners to the south do not want to annex. Commissioner Nevill confirmed all 4 conditions proposed by staff were acceptable.

Commissioner Dorsey asked for clarification on groundwater rights versus domestic exemption, to which Ms. Allen deferred to staff.

Chairman Sturgill asked how many acres would be designated to the roads. Ms. Allen answered with 0.877 acres. Chairman Sturgill inquired on the average lot size, to which Ms. Allen stated 1.651 acres without the road. Chairman Sturgill asked how that is compatible with surrounding lot sizes as the lots that are only 600 feet away average at 2.41 acres. Ms. Allen answered the 1.651 is their average lot size.

**Principal Planner Emily Bunn** reviewed the Staff Report for the record.

Commissioner Sheets asked when this application changed from RR to R-1. Planner Bunn stated it was a couple of months prior to the hearing, and that was due to agency comments having evaluated the criteria for each and a 1 lot difference.

Commissioner Nevill verified slopes will be handled during the platting stage. Commissioner Nevill asked why the conditions that the applicant proposed were not appropriate. Planner Bunn stated they are not relevant to any zoning regulations or code for rezones, and would be restrictions seen in subdivision CC&Rs. Commissioner Nevill inquired on the Hwy 44 improvements, to which Planner Bunn did not have any information on. Commissioner Nevill verified the existing shop will need to be removed. Planner Bunn elaborated that would be during the platting stage.

Planning Supervisor Dan Lister also explained an accessory structure has to be with a primary use and has to meet current requirements of establishing a house.

Commissioner Nevill confirmed the irrigation plan and asked if there would be a subsequent code violation for water spreading. Planner Bunn stated Idaho Department of Water Resources would manage this, and Commissioner Nevill commented someone would need to report the issue.

Commissioner Nevill further inquired on firefighting water, but Planning Supervisor Lister explained this would be another topic discussed during the platting process, and the current application is regarding the rezone and whether or not it is more appropriate at this time.

Planning Supervisor Lister clarified that the average lot size within a 1-mile radius is 2.41 acres, and the average lot size within 600 feet is 6.2 acres.

Commissioner Dorsey requested clarifying the difference between groundwater rights and domestic exemptions. Planner Bunn specified that the reason it is noted as a groundwater right is that is how Idaho Department of Water Resources called it.

**Chairman Sturgill** affirmed the witnesses to testify.

**Testimony:**

**Elizabeth Allen – (Representative) REBUTTAL – 1330 Williams Lane, Nampa, ID 83686**
Ms. Allen emphasized that this was a submission for a conditional rezone to allow conditions to ensure it was compatible with the area, otherwise they would have just applied for a rezone. The applicant accepts staff's conditions, and does not have a problem with removing their proposed conditions, with an exception of a condition to demolish the shop only when the lot is ready to be developed. If the Commission accepts the applicant's conditions, conditions 2 and 5 regarding outbuildings can be reworded to be consistent. Ms. Allen commented that the water right is a domestic exemption which was before state code was changed.

Commissioner Sheets asked if the road is going to be public. Ms. Allen answered that it would be private and there would be a road user's maintenance agreement. Commissioner Sheets asked who would own the road. Ms. Allen stated the subdivision, and Commissioner Sheets confirmed there would be an HOA and CC&Rs.

There was discussion on whether or not the existing shop could remain through the platting process, and if it could be considered an accessory building after building a house on the lot. It is stated in code that accessory structures are not allowed with a single-family residence.

Commissioner Nevill confirmed that the applicant's proposed conditions of approval were to make this conditional rezone request more compatible. Director of Development Services Jay Gibbons stated that whether or not P&Z wishes to add these conditions, these are conditions that can be proposed with the development agreement to the Board of County Commissioners.

Chairman Sturgill confirmed that the intent of the proposed condition in the development agreement for square footage is to increase the compatibility with surrounding properties.

Planner Bunn emphasized that it was just her suggestion to not include the applicant's conditions, but the Commission is welcome to include any of them if they wish, aside from keeping the shop.

Planning Supervisor Lister also stated that the condition regarding the shop can be presented at the time of platting if this application goes through, with respect to code.

**MOTION:** Commissioner Sheets moved to close public testimony on Case No. CR2024-0002, seconded by Commissioner Nevill. Voice vote, motion carried.

**Deliberation:**
Commissioner Sheets is not in favor of this application, and believes this would be more appropriate as an RR zone based upon the acreage of the surrounding lots and the potential of reducing impact on the schools. Commissioner Mathews agrees.

Chairman Sturgill does not believe this is compatible with the surrounding area and is not compatible as R-1.

**MOTION:** Commissioner Sheets moved to **recommend denial** for Case No. CR2024-0002 to the Board of County Commissioners, finding that the application does not meet criteria, specifically criterion 2, 3, and 4. Seconded by Commissioner Mathews.

**Discussion on the Motion:**
Commissioner Dorsey requested the irrigation section of criterion 5 be modified to just state there are no irrigation water rights. Commissioner Sheets believes the information listed is factually correct.

Commissioner Sheets suggested that the applicant change their zoning request to potentially gain approval. Planner Bunn confirmed that the RR designation would also restrict secondary dwellings.

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

**3. DIRECTOR, PLANNER, COMMISSION COMMENTS:**
There was discussion on the status of the Area of Impact hearings conducted through BOCC. The deadline for final decisions is December 31. Planning Supervisor Lister gave a shoutout to Planners Amber Lewter, Arbay Mberwa, and Michelle Barron for all of their hard work. There was discussion on working with legal staff to update code enforcement code to address code violations being fixed with conditional use permits. If this results in an ordinance change, that ordinance will be available for review.

**4. ADJOURNMENT:**

**MOTION:** Commissioner Nevill moved to adjourn, seconded by Commissioner Sheets. Voice vote, motion carried. Hearing adjourned at 10:18 P.M.

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

Approved this 18th day of December, 2025

Robert Sturgill, Chairman

ATTEST
Caitlin Ross
Caitlin Ross, Hearing Specialist

**Exhibit 3:**

**EXHIBIT III**

**Staff Report Packet Dated: November 20, 2025**

**-**

Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2025

# Planning and Zoning Commission
# Hearing Date: November 20, 2025
*Canyon County Development Services Department*

## PLANNING DIVISION STAFF REPORT

| | |
|---|---|
| **CASE NUMBER:** | **CU2025-0011** |
| **APPLICANT/REPRESENTATIVE:** | **Knife River Corp. – Mountain West** |
| **PROPERTY OWNER:** | **Lewis Living Trust** |
| **APPLICATION:** | **Conditional use permit – Long-Term Mineral Extraction** |
| **LOCATION:** | **0 Centerpoint Rd, Caldwell, ID**<br>**Parcels: R35968010 & R35973010** |
| **ANALYST:** | **Amber Lewter, Associate Planner** |
| **REVIEWED BY:** | **Dan Lister, Planning Supervisor** |

**REQUEST:**

The applicant, Knife River Corp. – Mountain West, represented by Megan Winter & Joseph Smith, is requesting a Conditional Use Permit to allow a long-term mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel off the site on approximately 59.55 acres in an "A" (Agricultural) zone for a period not to exceed twenty (20) years. The proposed general hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Saturday. Hauling of materials may take place 24 hours a day, seven days a week, to support construction activities that require nighttime operations.

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**PUBLIC NOTIFICATION:**

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|---|---|
| **Neighborhood meeting conducted on:** | **March 12, 2025** |
| **Agency notice:** | **June 5, 2025 and October 16, 2025** |
| **Neighbor notification within 1,000 feet mailed on:** | **October 16, 2025** |
| **Newspaper notice published on:** | **October 21, 2025** |
| **Notice posted on site on:** | **October 22, 2025** |

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**1. BACKGROUND:**

Parcel R35973010 was created by an approved Administrative Land Division on June 26, 2017 (AD2017-61). Parcel R35968010 was created by an approved Administrative Land Division on September 19, 1995 (LS2004-305).

**2. HEARING BODY ACTION:**

Pursuant to the Canyon County Code of Ordinances (CCCO) Section 07-07-01, every use that requires the granting of a conditional use permit is declared to possess characteristics that require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance, or other detriment to persons or property in the vicinity. The commission may require higher standards of site development than those listed specifically in this chapter in order to assure that the proposed use will be compatible with other property and uses in the vicinity. The commission may revoke or modify its approval of a conditional use permit in accordance with the procedures set forth in the hearing and appeals procedures found in Article 5 of this chapter.

The Commission may attach special conditions to a conditional use permit including, but not limited to, conditions which**:** (1) Minimize adverse impact, such as damage, hazard, and nuisance, to persons or the subject property or property in the vicinity; (2) Control the sequence and timing of development; (3) Control the duration of development; (4) Designate the exact location and nature of development; (5) Require the provision for on site or off site public facilities or services; (6) Require more restrictive standards than those generally required in this chapter; or (7)Mitigate the negative impacts of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the county (CCCO §07-07-17).

Prior to making a decision concerning a conditional use permit request, the presiding party may require studies at the applicant's expense of the social, economic, fiscal, and environmental effects of the proposed conditional use (CCCO §07-07-19).

**OPTIONAL MOTIONS:**

**Approval of the Application**: "I move to approve for CU2025-0011, Knife River Corp. – Mountain West, finding the application **does** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **with the conditions listed in the staff report, finding that**… [*Cite reasons for approval & Insert any additional conditions of approval*].

**Denial of the Application**: "I move to deny CU2025-0011, Knife River Corp. – Mountain West, finding the application **does not** meet the criteria for approval under Section 07-07-05 of Canyon County Code of Ordinances, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].

**Table the Application:** "I move to continue CU2025-0011, Knife River Corp. – Mountain West, to a [*date certain or uncertain*]

**3. HEARING CRITERIA**

**Table 1. Conditional Use Permit Review Criteria Analysis**

| **HEARING CRITERIA (CCCO §07-07-05):** The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs: | | | | |
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| **Compliant** | | | **County Ordinance and Staff Review** | |
| **Yes** | **No** | **N/A** | **Code Section** | **Analysis** |
| ☒ | ☐ | ☐ | **07-07-05(1)** | **Is the proposed use permitted in the zone by conditional use permit?** |
| | | | ***Staff Analysis*** | The proposed use, mineral extraction (long term), is permitted in the "A" (Agricultural) zone subject to conditional use permit approval pursuant to CCCO §07-10-27.<br><br>According to CCCO §07-02-03, mineral extraction is defined as "*the various activities associated with the extraction of mineral resources, including, but not limited to, gravel, from the ground."*<br><br>Per CCCO §07-07-03, the applicant submitted a conditional use permit application on May 6, 2025 (**Exhibit A**). |
| ☒ | ☐ | ☐ | **07-07-05(2)** | **What is the nature of the request?** |
| | | | ***Staff Analysis*** | The nature of the request involves operating a sand and gravel pit on Parcels R35968010, consisting of approximately thirty (30) acres, and R35973010, consisting of approximately twenty-eight (28) acres, in the "A" (Agricultural) zone for a maximum of twenty (20) years (**Exhibits A2 and A7**).<br>• The activities on site include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the subject parcels.<br>• There are no additional signage, improvements, or structures proposed within the boundaries of the conditional use permit, except for truck scales for monitoring weight.<br>• The mining operation will take place in two (2) phases and is planned to begin in the Northwest corner of the site. Phase one (1) will consist of the plant area and soil/aggregate stockpiles on approximately twenty (20) acres. A portion of the salvaged soil will be used to create a berm around the mining operations. Phase two (2) will result in approximately thirty (30) acres of disturbance (**Exhibit A2**).<br>• According to the letter of intent (**Exhibit A2**), the site will be mined to a minimum elevation of 2,280 feet, with a maximum depth of twenty (20) feet from the surface elevation. The operational slopes on the mine walls will be between 1:1 and 3:1.<br>• Proposed hours of operation for mining are 7 a.m. – 5 p.m., Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven (7) days a week to support construction activities. In the letter of intent, the applicant states that they will send a notice to the neighbors 10 days prior to starting a 24-hour operation. *See proposed condition of approval number 2b* |

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| | | | | *to mitigate disturbances outside of the operation hours* (**Exhibits A2 and A3**).<br>• There is expected to be one (1) to ten (10) employees on site at any given time (**Exhibit A2**).<br>• Four (4) foot berms along the eastern and southern shared property lines are proposed (**Exhibits A2 and A8**). The applicant is proposing a topsoil berm, stabilized with grass or rock, to be placed around the site as mining progresses to serve as the perimeter of the mining area. The berms will be graded and seeded to control stormwater runoff. *See condition of approval number 4*. The topsoil will be removed and reclaimed during the reclamation process.<br>• There will be a 30-foot setback from the subject property boundaries in accordance with CCCO §07-14-19 (**Exhibits A2 and A7**). *See the proposed condition of approval number 2d for the rock crusher's designated area.*<br>• A Reclamation Plan has been approved by the Idaho Department of Lands. The applicant proposes to create a 50-acre water feature due to the depth of mining. The remainder will be sold as agricultural land or residential development (**Exhibit A7**). |
| ☒ | ☐ | ☐ | **07-07-05(3)**<br>***Staff Analysis*** | **Is the proposed use consistent with the comprehensive plan?**<br>As conditioned, the proposed use is consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the subject parcels as "agriculture" with an "Intensive Agriculture Overlay" on the future land use map (**Exhibit B2.16**). This area primarily consists of agricultural uses (primarily livestock and grazing, with some crop production), feed lots, and limited residential uses (**Exhibits B2.6, B2.7, and B2.9**).<br><br>With recommended conditions, the request aligns with the following goals and policies of the 2030 Canyon County Comprehensive Plan:<br>• **Chapter 1 - Property Rights:**<br>○ Property Rights G1.01.00: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."<br>○ Property Rights G1.02.00: "Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition, and preserve it for future generations without becoming a public nuisance."<br>• **Chapter 2 – Population:**<br>○ Population G2.02.00: "Promote housing, business, and service types needed to meet the demand of the future and existing population."<br>• **Chapter 3 – Economic Development:** |

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|---|---|---|---|---|
| | | | | ○ Economic Development G3.01.00: "Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations."<br>○ Economic Development P3.01.02: "Support suitable sites for economic growth and expansion compatible with the surrounding area."<br>○ Economic Development G3.05.00: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."<br>• **Chapter 4 – Land Use and Community Design**<br>○ Land Use P4.02.01: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."<br>○ Land Use P4.03.03: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility."<br>• **Chapter 5 – Natural Resources and Hazardous Areas**<br>○ Natural Resources P5.01.01: Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.<br>○ Natural Resources G5.02.00: "Recognize the importance of air quality and address air pollution in accordance with applicable regulations."<br>○ Natural Resources G5.03.00: "Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands."<br>○ Natural Resources P5.03.01: "Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses."<br>○ Natural Resources G5.07.00: "Protect the quality and quantity of aquifers and protect and enhance the capability of groundwater." recharge areas for the present and future water supply of the County."<br>*See all case analyses within this report for supporting evidence. See Section 6 of this report for recommended conditions of approval.* |
| ☒ | ☐ | ☐ | **07-07-05(4)** | **Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?** |
| | | | ***Staff Analysis*** | The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area, as the proposed conditions of approval numbers 1-15 will mitigate the negative effects on the character of the area. |

**Adjacent Existing Conditions:**

| Direction | Existing Use | Primary Zone | Other Zone |
|---|---|---|---|
| N | Agricultural with Primary Residence | A | CR-RR |
| S | Agricultural with Primary Residence | A | - |
| E | Agricultural Operation | A | - |
| W | Agricultural Operation | A | - |

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

**Surrounding Land Use Cases (Exhibit B2.7):**
Within the past 5 years, the following conditional use permits have been approved within 1 mile of the property:

- CU2020-0005 – Mineral Extraction - Idaho Materials and Construction
- CU2024-0009 – Mineral Extraction - Sunroc Corporation

The following conditional use permits have been approved this year within 2 miles of the property:

- CU2023-0019 – Mineral Extraction – Nampa Paving
- CU2024-0007 – Mineral Extraction – JMAC Resources
- CU2024-0014 – Mineral Extraction – Nampa Paving

**Character of the Area:**
The subject properties are zoned "A" (Agricultural) (**Exhibit B1**), with the surrounding zoning also "A" (Agricultural). The 2030 future land use designation of the area is "A" Agricultural with an intensive agricultural overlay (**Exhibit B1**). There are no subdivisions located nearby. Within 1,000 feet of the subject property, there are 21 parcels (**Exhibit B2.2**). The character of the area consists of livestock grazing, feed lots, mineral extraction operations, and some residences (**Exhibits B2.6, B2.7, and B2.9**).

Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (**Exhibit B2.9**).

**Potential Impacts:**
The long-term mineral extraction use may impact the surrounding area, due to an increase in dust, noise, lighting, and traffic related to the use. Staff have proposed conditions to aid in mitigating these potential effects.

DUST: The applicant states in the letter of intent that they are proposing watering of roads and stockpiles to mitigate dust concerns. Dust control water will be applied to high-traffic areas during the summer months using processed water via water trucks (**Exhibit A2**). According to the applicants' Reclamation Plan, water for dust control will be applied to the crusher and screens to prevent excessive dust at the process equipment (**Exhibit A7**). *See the proposed condition of approval number 14a.*

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| | | | | NOISE: Although a batch plant will not be located on Parcels R35968010 and R35973010, noise levels may increase in the immediate vicinity due to the mining activities and rock crushing that are proposed to take place on site (**Exhibit A2).** The berms surrounding the mining activities will act as a noise barrier to decrease noise pollution. As conditioned, noise emissions shall follow the regulations and standards of OSHA and MSHA, and back-up alarms shall be restricted to non-beeping alarms in compliance with OSHA/MSHA requirements. The hours of operation are conditioned to Monday through Saturday, 7:00 a.m. through 5:00 p.m., with the operation closed on Sundays and traditional legal holidays (unless an emergency occurs). The rock crusher shall be limited to an area away from the nearby residence (**Exhibit A9**), and a 10-foot high topsoil berm shall be constructed along the northern and western property boundaries (**Exhibit A8**). *See proposed conditions of approval numbers 1c, 2b, 2d, and 4.*<br><br>LIGHTING: As conditioned, when lighting is required after operation hours for maintenance purposes, low-impact mobile lighting will be used. All exterior lighting shall be downward-facing and directed away from adjacent residential properties. *See proposed conditions of approval numbers 7 and 7a.*<br><br>TRAFFIC: A potential impact on traffic could occur due to the large heavy equipment. Golden Gate Highway District provided comment on October 1, 2025, requesting a traffic impact study to be performed and combined with case CU2025-0009 (**Exhibit D5**). *See condition of approval number 9*. On November 7, 2025, the Idaho Transportation Department (ITD) provided a comment requesting a westbound right-turn lane at SH-19 and Notus Road. *See condition of approval number 10*. See criterion number 7 for a full analysis of the traffic impact.<br><br>OTHER IMPACTS: According to the letter of intent, during the neighborhood meeting, there were concerns expressed for obstructing the neighbors' views to the valley, road safety, noxious weeds, impacts to the culverts and ditches, and potential impact to the neighboring wells. The applicant has offered conditions to mitigate the concerns. These mitigations include lowering the berms to four feet along the eastern and southern shared property lines (**Exhibit A8**), the truck loads to be covered before leaving the pit, a speed limit of 25 miles per hour on Centerpoint Road, monitoring and treating for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules, if the accessibility or functionality of the culverts and ditches become impacted, including the drainage pipe under Centerpoint Road, north of the proposed site entrance, the onsite team will correct the impact, and if operations effect the domestic water wells on the adjoining properties then the applicant will fix or replace the wells. Staff added the proposed conditions that were enforceable. *See proposed conditions of approval numbers 4 and 11.* |

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| | | | **07-07-05(5)** | **Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?** |
| ☒ | ☐ | ☐ | ***Staff Analysis*** | The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.<br><br>**Water:**<br>Per the land use matrix, there is no well proposed for the use (**Exhibit A3**).<br><br>**Sewer:**<br>No septic tank or drain field is proposed, as portable toilets will be provided for employees on site (**Exhibit A3**). Southwest District Health was notified of the request on June 5, 2025, and on October 16, 2025. Comments were received on June 6, 2025, stating that a nutrient pathogen study and a septic system are not required (**Exhibit D1**). *See proposed condition of approval number 12 to follow Southwest District Health's requirements for porta-potties onsite.*<br><br>**Irrigation:**<br>According to the land use worksheet, the applicant is not proposing to use irrigation water (**Exhibit A3**). Eureka Irrigation District was notified of the request on June 5, 2025, and on October 16, 2025. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (**Exhibit D8**). *See proposed condition of approval number 6b.*<br><br>**Drainage/Stormwater:**<br>Stormwater shall be retained onsite per the applicant's letter of intent and land use worksheet (**Exhibits A2 and A3**). The stormwater shall be retained onsite in the proposed settling ponds within the pit. The stormwater will be used for dewatering. The stormwater will be controlled on the site through site grading, permanent or temporary ditches, and berms. Stockpile berms will be seeded for stabilization to act as the first control for runoff. Stormwater will be allowed to pond inside the pits. Stormwater will then be channeled into the lower parts of the pit throughout the mining operations. *See proposed conditions of approval numbers 1d and 14.*<br><br>**Discharging/ Dewatering into Irrigation Facilities:**<br>According to the letter of intent, dewatering will occur by pumping groundwater and stormwater from the ponds. Discharging of water will be done into an irrigation ditch. The applicant states they will send a Notice of Intent to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit. Staff spoke with Drainage District 6 over the phone on November 10, 2025 (**Exhibit D9**). Drainage District 6 requested that drainage occur in the irrigation canal during the summer months. Eureka Irrigation District's comment on November 10, 2025 (**Exhibit D8**), advised that Eureka Irrigation District does not grant access for any operations to discharge into Eureka. *See proposed condition of approval numbers 1d, 1e, and 6b*. |

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| | | | | **Utility Systems:**<br>Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on June 5, 2025, and October 16, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed. |
| ☒ | ☐ | ☐ | **07-07-05(6)** | **Does legal access to the subject property for the development exist or will it exist at the time of development?** |
| | | | ***Staff Analysis*** | The subject property does have legal access for the development and will exist at the time of the development.<br><br>The only site access point will be located near the northeast corner of the site, adjacent to Centerpoint Road (**Exhibit A2**).<br><br>Golden Gate Highway District was notified of the request on June 5, 2025, and on October 16, 2025. Golden Gate Highway District provided comment on October 1, 2025, advising that an approach permit application is required for the access proposed (**Exhibit D5**). *See proposed condition number 9.* |
| ☒ | ☐ | ☐ | **07-07-05(7)** | **Will there be undue interference with existing or future traffic patterns?** |
| | | | ***Staff Analysis*** | There may be undue interference with the existing and/or future traffic patterns; however, the proposed conditions of approval will mitigate concerns that may arise.<br><br>The subject parcels are located on the northwest corner of the Centerpoint Road and Howe Road intersection. Centerpoint Road and Howe Road are under the jurisdiction of the Golden Gate Highway District and are classified as Local Road and Minor Collector, according to the Golden Gate Highway District's comment (**Exhibit D5**). A Traffic Impact Study (TIS) is required per the Golden Gate Highway District to determine the impacts of the existing and future traffic patterns. Golden Gate Highway District states that a pavement analysis and improvement recommendation is required for Centerpoint Road from Boise River Road to Howe Road. Due to the proximity of case CU2025-0009 heard on November 6, 2025, Golden Gate Highway District would like to see the traffic impact study and pavement analysis combined. See **Exhibit D5** for Golden Gate Highway District's comment letter and the *proposed condition of approval number 9.*<br><br>According to the Idaho Transportation Department's (ITD's) comment (**Exhibit D7**), IMC, case numbers CU2024-0007 and CU2019-0018 were conditioned for a westbound right-turn lane at SH-19 and Notus Road. As of now, the improvement has not been made. ITD's comment recognizes that the improvement should not be the sole responsibility of the current applicant, but states that the turn lane must be installed for the highway to safely serve the increased traffic demand at this intersection. *See the proposed condition of approval number 10.* |

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| | | | | The applicant provided a proposed trucking route that is believed to have the least amount of impact on the existing or future traffic patterns (**Exhibit D10**). |
| ☒ | ☐ | ☐ | **07-07-05(8)** | **Will essential services be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?** |
| | | | ***Staff Analysis*** | Essential services will be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.<br><br>**School Facilities:**<br>The subject properties are serviced by the Notus School District. Agency comments were sent out on June 5, 2025, and October 16, 2025; no comments were received by the school district. The proposed use is not anticipated to impact the Notus School District.<br><br>**Police and Fire protection:**<br>The subject properties are under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent out on June 5, 2025, and October 16, 2025, and no comments were received by the Sheriff's Office.<br><br>Wilder Rural Fire District serves the subject properties and sent a comment letter on September 25, 2025. The comment letter did not express any concerns about the proposed use (**Exhibit D4**). It was advised that the average response time to the subject properties would be approximately 7-10 minutes.<br><br>**Emergency Medical Services:**<br>Emergency Medical Services are provided to the subject properties. Canyon County Paramedics/EMT and Canyon County's Emergency Management Coordinator were notified of the application on June 5, 2025, and October 16, 2025, and no comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding.<br><br>**Irrigation Facilities:**<br>The subject properties are under the Eureka Irrigation District's jurisdiction. Eureka Irrigation District provided comment on November 10, 2025, stating that no water is allowed to be discharged into the Eureka Ditch or any of its laterals or sub laterals (**Exhibit D8**). *See proposed condition of approval number 6b.* See CCCO 07-07-05(5) for information on irrigation. |

**Table 2. Article 14 Use Standards Criteria Analysis**
**- Mineral Extraction Long Term –**

<table>
<tr><td colspan="5">USE STANDARDS 07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).</td></tr>
<tr><td colspan="5">CCCO §07-14-19(1): If a conditional use permit is required, the following standards shall apply:</td></tr>
<tr><td colspan="3">Compliant</td><td colspan="2">County Ordinance and Staff Review</td></tr>
<tr><td>Yes</td><td>No</td><td>N/A</td><td>Code Section</td><td>Analysis</td></tr>
<tr><td rowspan="2">☒</td><td rowspan="2">☐</td><td rowspan="2">☐</td><td>07-14-19(1)A</td><td>Setbacks: Required = 30’</td></tr>
<tr><td>Staff Analysis</td><td>The proposed use will comply with the minimum required setbacks for a long-term mineral extraction facility. See further analysis contained below.<br><br><table><tr><th>Setbacks</th><th>Front</th><th>Side</th><th>Rear</th><th>Corner</th></tr><tr><td>Required</td><td>30’</td><td>30’</td><td>30’</td><td>30’</td></tr><tr><td>Proposed</td><td>30’</td><td>30’</td><td>30’</td><td>30’</td></tr></table>07-14-19(1) A.1. Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street.<br><br>According to the letter of intent (Exhibit A2), the applicant is proposing to establish a 30’ setback from the property lines. See the proposed condition of approval number 2c.</td></tr>
<tr><td colspan="5">CCCO 07-14-19(1)A.2 When making a decision for a conditional use permit for the use, the decision-making body shall consider the following:</td></tr>
<tr><td rowspan="2">☒</td><td rowspan="2">☐</td><td rowspan="2">☐</td><td>07-14-19(1) A.2 (A)</td><td>The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses.</td></tr>
<tr><td>Staff Analysis</td><td>The surrounding property uses consist of agricultural practices, mineral extractions, feedlots, and residential uses (Exhibits B2.6, B2.7, and B2.9). The subject properties are zoned “A” (Agricultural) (Exhibit B1), with the surrounding zoning also “A” (Agricultural). Within 1,000 feet of the subject property, there are 21 parcels (Exhibit B2.2).<br><br>Within a 2-mile radius, there are several approved gravel pits to the northeast and southeast of the subject parcels and three (3) feedlots to the southeast, west, and northwest of the subject parcels (Exhibit B2.9).<br><br>Within a 2-mile radius, there are three (3) active conditional use permits for mineral extractions awaiting the public hearing process in this area.<br><br>As conditioned, the proposed and existing uses are not anticipated to directly or indirectly interfere with or negatively impact one another. See Section 6 of this report for the proposed conditions of approval.</td></tr>
<tr><td rowspan="2">☒</td><td rowspan="2">☐</td><td rowspan="2">☐</td><td>07-14-19(1) A.2 (B)</td><td>Duration of the proposed use.</td></tr>
<tr><td>Staff Analysis</td><td>According to the Reclamation Plan (Exhibit A7), the applicant is proposing to be in operation for a maximum of twenty (20) years.</td></tr>
<tr><td rowspan="2">☒</td><td rowspan="2">☐</td><td rowspan="2">☐</td><td>07-14-19(1) A.2 (C)</td><td>Setbacks from surrounding uses.</td></tr>
<tr><td>Staff Analysis</td><td>A minimum of a 30’ setback is proposed along the property boundaries (Exhibit A2). See the proposed condition of approval number 2c.</td></tr>
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| ☐ | ☐ | ☐ | **07-14-19(1) A.2 (D)** | **Reclamation plan as approved by Idaho Department of Lands.** |
| | | | ***Staff Analysis*** | A reclamation plan was approved by the Idaho Department of Lands on February 3, 2025, subject to conditions (**Plan No. S603017, Exhibit A7**). *See proposed condition of approval number 5.*<br><br>The operation consists of two (2) phases. Phase one (1) will begin in the northwest corner of the site (**Exhibit A7**). Phase one (1) will be approximately thirty (30) acres, and phase two (2) will be approximately twenty-eight (28) acres. The aggregate deposit will be mined using both dry and wet extraction techniques. The material will be crushed, screened, washed, and stockpiled at the mining site. As mining progresses, the pit floor will be smoothed and flattened. Once mining operations have completed, the site will be graded to establish a large pond. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (E)** | **The locations of all proposed pits and any accessory uses.** |
| | | | ***Staff Analysis*** | See Reclamation Plan (**Exhibit A7**) for discussion of the location of the two (2) phases of the mineral extraction.<br><br>Accessory uses include, but are not limited to, handling construction aggregate and overburden soil onsite, parking for the equipment and vehicles, and servicing the vehicles. The vehicles will be serviced with fuel and lubricating oil. Fuel will be kept on-site for the vehicles and crusher. All fuel tanks will be double-walled or installed in a second containment. Heavy equipment to be used for the operations includes hydraulic excavators, dozers, front-end loaders, and crushing and screening equipment (**Exhibit A2**).<br><br>The rocker crusher shall be located within the designated area in **Exhibit A9**. *See the proposed condition of approval number 2d.* |
| ☒ | ☐ | ☐ | **07-14-19(1) A.2 (F)** | **Recommendations from applicable government agencies.** |
| | | | ***Staff Analysis*** | Southwest District Health provided comments on June 6, 2025; no recommendations or conditions were provided (**Exhibit D1**).<br><br>Idaho Department of Environmental Quality (DEQ) provided comments on June 9, 2025; general recommendations were provided (**Exhibit D2**). *See proposed condition of approval number 1b.*<br><br>Canyon County Soil Conservation District provided comments on June 10, 2025; a recommendation of not changing the land use was provided with no conditions to mitigate (**Exhibit D3**).<br><br>Wilder Rural Fire District provided comments on September 25, 2025; no recommendations or conditions were provided (**Exhibit D4**).<br><br>Golden Gate Highway District provided comments on October 1, 2025; proposed conditions were provided (**Exhibit D5**). *See proposed condition of approval number 9.* |

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| | | | | Canyon County GIS Department provided comments on November 6, 2025; proposed conditions were provided (**Exhibit D6**). *See proposed condition of approval number 1f.*<br><br>Idaho Transportation Department (ITD) provided comments on November 7, 2025; proposed conditions were provided (**Exhibit D7**). *See proposed conditions of approval number 10.*<br><br>Eureka Irrigation District provided comments on November 10, 2025; proposed conditions were provided (**Exhibit D8**). *See proposed conditions of approval number 6b.*<br><br>Drainage District 6 had a phone conversation with staff on November 10, 2025; proposed conditions were provided (**Exhibit D9**). *See proposed conditions of approval number 6b.*<br><br>See **Exhibit D** for all agency recommendations and comments. *See proposed conditions of approval in Section 6 for conditions based on agencies' recommendations.* |

**4. AGENCY COMMENTS:**

Agencies including the Notus School District, Southwest District Health, Wilder Fire District, State Fire Marshal, Golden Gate Highway District, CenturyLink, Intermountain Gas, Idaho Power, Ziply, Eureka Irrigation District, Idaho Transportation Department, Canyon County Sheriff, Emergency Management Coordinator, Canyon County Paramedics/EMT, Arm Corp of Engineers, Canyon County Soil Conservation District, Canyon County Building Department, Canyon County Code Enforcement, Canyon County Engineering Department, Canyon County GIS Department, Bureau of Land Management, Bureau of Reclamation, Department of Environmental Quality, Environmental Protection Agency, Idaho Department of Water Resources/Water Rights, Idaho State Department of Agriculture, and Energy and Mineral Resources (OEMR) were notified of the subject application.

Staff received agency comments from Southwest District Health, Idaho Department of Environmental Quality (DEQ), Canyon County Soil Conservation District, Wilder Rural Fire District, Golden Gate Highway District, Canyon County GIS Department, Eureka Irrigation District, Drainage District 6, and Idaho Transportation Department (ITD). All agency comments received by the aforementioned materials deadline are located in Exhibit D.

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

**5. PUBLIC COMMENTS:**

Staff received one (1) written public comment by the materials deadline of November 10, 2025. The comment received was in opposition. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for

public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

**6. SUMMARY & RECOMMENDED CONDITIONS:**

In consideration of the application and supporting materials, staff concludes that the proposed Conditional Use Permit is **compliant** with CCCO §07-07-05. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
    a. On-site parking shall comply with CCCO Sections 07-13-01 and 03.
    b. The storage of diesel fuel, petroleum products, and any other hazardous materials, dust control, and stormwater pollution prevention shall comply with all standards and requirements of the Idaho Department of Environmental Quality and other applicable agencies (IDOT, OSHA, DEQ, EPA, and MSHA).
    c. Noise emissions shall follow the regulations and standards of OSHA and MSHA. Specifically, Back-up alarms shall be restricted to non-beeping alarms in compliance with OSHA/MNSHA requirements.
    d. Water (including surface, groundwater, and stormwater) shall be discharged in accordance with state, federal, and local standards and/or regulations. See also condition #6c.
    e. The operator shall dispose of waste in a manner that does not contribute to potential environmental and water contamination in and around the subject property.
    f. The applicant shall comply with applicable Canyon County GIS Department requirements (**Exhibit D6**).
2. The operator shall be in substantial conformance with the proposed letter of intent and site plans (**Exhibits A2 and A4**). Any expansion or extension of the operation shall require a conditional use permit modification. A conditional use permit is required to establish a batch plant.
    a. The mineral extraction operation shall not operate past 20 years from the time of approval. See **Exhibit A7.**
    b. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 7:00 a.m. through 5:00 p.m. The operation will be closed on Sundays and on traditional legal holidays. If the applicant obtains a contract that requires night-time operations, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week. The applicant shall make a reasonable effort to utilize stockpiled materials rather than mining at night. If the applicant obtains such a contract, it shall notify the property owners within a ¾-mile radius and Canyon County a minimum of 10 days prior to the commencement of the contract as to the duration of the hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract.
    c. The setbacks from the subject property boundaries shall be a minimum of thirty (30) feet from adjacent property boundaries in accordance with CCCO §07-14-19(1)A (**Exhibit A4**).
    d. The rock crusher shall be contained within the area outlined in **Exhibit A9**.

3. Stockpiling shall not exceed 30 feet in height.
4. A 10-foot-high topsoil berm and a 4-foot-high topsoil berm shall be constructed during each phase as part of the removal of overburden. The 10-foot berm shall run along the northern and western boundaries, and the 4-foot berm shall run along the eastern and southern boundaries (**Exhibits A2 and A8**).
    a. The weeds shall not become a public nuisance and shall stay in conformance with CCCO §02-13-09.
5. The operation shall comply with the reclamation plan approved by the Idaho State Department of Lands (**S603017**; **Exhibit 7** – approved February 3, 2025). The operator shall complete the reclamation plan as approved by the Idaho State Department of Lands.
6. The applicant shall not impede, disrupt, or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way unless approval, agreement, and/or permit from the irrigation district and other responsible agencies are obtained.
    a. Any alteration of irrigation and drainage structures located on the properties requires written approval from the local irrigation district and drainage district. The alterations shall not impede or affect water delivery to adjacent properties/water users.
    b. If any discharge is to take place into the drain ditches located on site, the applicant must get written approval from Eureka Irrigation District and/or Drainage District No. 6 (**Exhibits D8 and D9**).
7. All exterior lighting shall be downward-facing and directed away from adjacent residential properties.
    a. When lighting is required after operation hours for maintenance purposes, low-impact mobile lighting shall be used.
8. The applicant shall comply with all fire district requirements per State adopted IFC and as evidenced by review and approval documentation from Wilder Rural Fire District prior to commencement of use (**Exhibit D4**).
9. The applicant shall comply with applicable Golden Gate Highway District requirements prior to gravel pit operations, including but not limited to a traffic impact study combined with case CU2025-0009, a pavement analysis combined with case CU2025-0009, an approach permit, minimum driveway spacing requirement, and a site visit by a Golden Gate Highway District representative (**Exhibit D5**).
    a. If a new access is requested by the applicant, an approved approach permit shall be obtained prior to commencement of the use for the new access, as evidenced by the applicant providing Development Services with an approved highway district document indicating the completion of improvements.
    b. The traffic impact study results and mitigating actions shall be completed prior to gravel pit operations.
10. The applicant shall comply with applicable Idaho Transportation Department requirements prior to gravel pit operations. (**Exhibit D7**).
11. Truck loads shall be covered before leaving the pit (**Exhibit A2**).

12. The number of portable restrooms and maintenance shall be as recommended by Southwest District Health.

13. Dust shall be controlled per applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to operations, including but not limited to nuisance regulations (Canyon County Code of Ordinances Chapter 2 Article 1: Public Nuisances) and shall be consistent with Idaho Department of Environmental Quality (DEQ) requirements.

    a. The roadway surface shall be watered to mitigate dust during the summer months of June, July, and August (**Exhibit A2**).

14. Stormwater drainage shall be retained onsite (**Exhibit A3**).

15. Vehicle fueling and minor maintenance may take place on site, as an accessory use to the proposed use.

**7. EXHIBITS:**

A. **Application Packet & Supporting Materials**
    1. Master Application
    2. Letter of Intent
    3. Land Use Worksheet
    4. Site Plan(s)
    5. Neighborhood Meeting
    6. Agency Acknowledgement
    7. Reclamation Plan
    8. 4-Foot Berm Location
    9. Rock Crusher's Permitted Area
    10. Proposed Trucking Route
    11. Applicant's Presentation Materials

**B. Supplemental Documents**
    1. Parcel Tools
    2. Case Maps/Reports
        2.1. Aerial
        2.2. Notification Map
        2.3. Small Air Photo 1 Mile
        2.4. FEMA Small Air Photo
        2.5. Small Vicinity Map
        2.6. Zoning & Classification Map
        2.7. Case Map & Summary
        2.8. Subdivision Map
        2.9. Dairy, Feedlot, & Gravel Pit Map
        2.10. Lot Classification Map
        2.11. Soil Map, Prime Farmlands Map & Report
        2.12. Contour Map
        2.13. Nitrate Priority & Wells Map
        2.14. TAZ Household & Jobs Maps
        2.15. Slope Percent Map
        2.16. Future Land Use Map

**C. Site Visit Photos: September 5, 2025**

**D. Agency Comments Received by: November 10, 2025**

1. Southwest District Health; Received: June 6, 2025
    1.1. SWDH Pre-Development Notes
2. Idaho Department of Environmental Quality (DEQ); Received: June 9, 2025
3. Canyon County Soil Conservation District; Received: June 10, 2025
4. Wilder Rural Fire District; Received: September 25, 2025
5. Golden Gate Highway District; Received: October 1, 2025
6. Canyon County GIS Department; Received: November 6, 2025
7. Idaho Transportation Department (ITD); Received: November 7, 2025
8. Eureka Irrigation District; Received: November 10, 2025
9. Drainage District 6; Phone Conversation: November 10, 2025

**E. Public Comments Received by: November 10, 2025**

1. Ron & Irene Snell – IN OPPOSITION; Received: November 10, 2025

**Exhibit A:**

**EXHIBIT A**

**Application Packet & Supporting Materials**

Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

**Exhibit A1:**

# CONDITIONAL USE PERMIT
## PUBLIC HEARING - APPLICATION

| | | |
|---|---|---|
| **PROPERTY OWNER** | OWNER NAME: Lewis Living Trust | |
| | MAILING ADDRESS: 22283 Celebration Lane Caldwell, ID. 83607 | |
| | PHONE: [redacted] | EMAIL: |

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

*Signature:* [signature] *Date:* 2/20/25

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| **APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER** | APPLICANT NAME: Megan Winter & Joseph Smith | |
| | COMPANY NAME: Knife River Corporation - Mountain West | |
| | MAILING ADDRESS: 5450 W Gowen Road Boise, ID. 83709 | |
| | PHONE: 503-890-9746 | EMAIL: Megan.Winter@kniferiver.com |

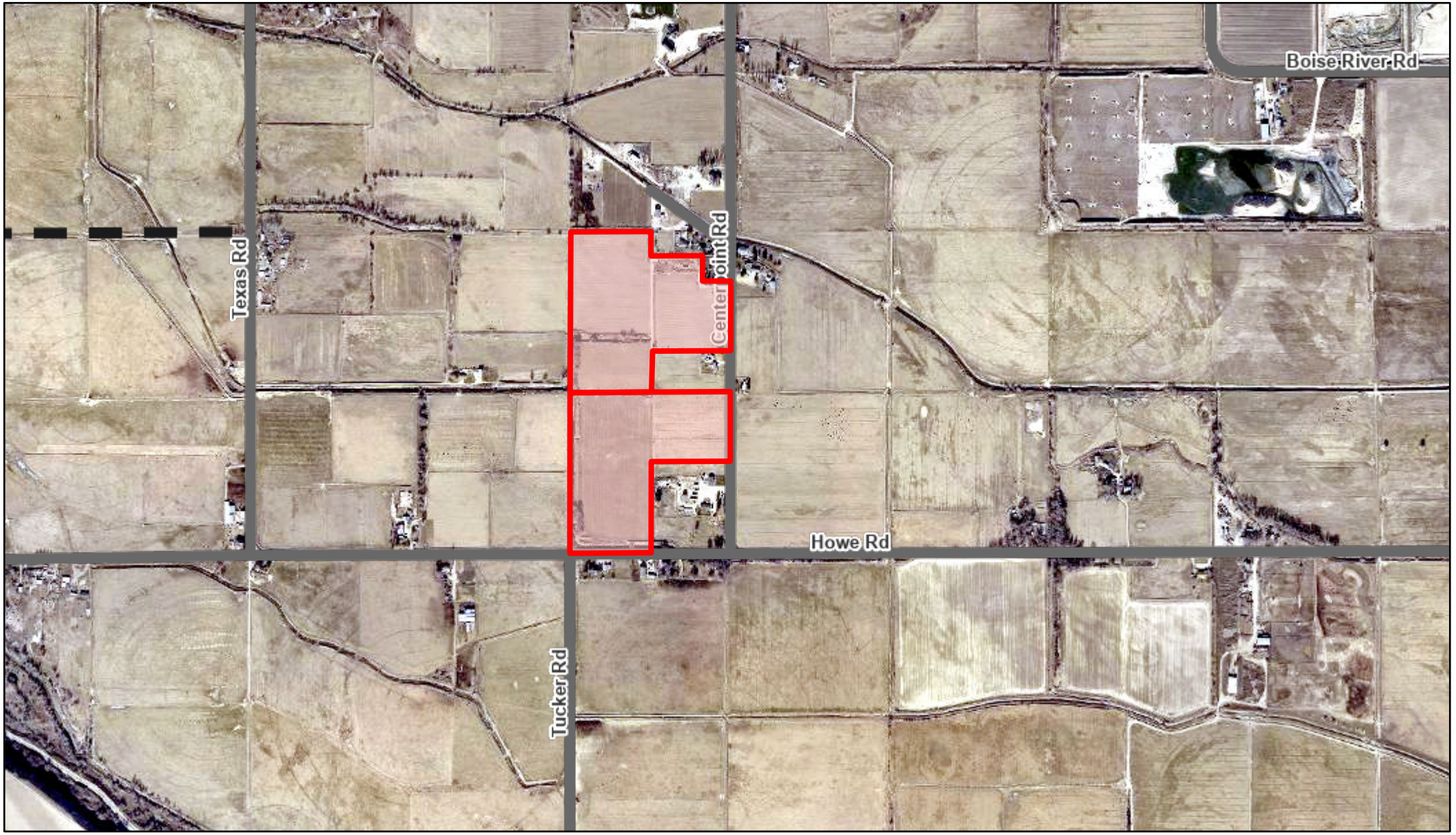
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| **SITE INFO** | STREET ADDRESS: nhn Howe Road Caldwell, ID. 83607 | |
| | PARCEL NUMBER: 35968010 & 35973010 | |
| | PARCEL SIZE: 58 acres | |
| | REQUESTED USE: Mineral Extraction (Sand and Gravel) | |
| | FLOOD ZONE (YES/NO) No | ZONING DISTRICT: Agricultural |

**FOR DSD STAFF COMPLETION ONLY:**

| | | | |
|---|---|---|---|
| CASE NUMBER | CU2025-0011 | DATE RECEIVED: | May 6, 2025 |
| RECEIVED BY: | Arbay Mberwa | APPLICATION FEE: $2,800 | CK MO CC CASH |

# 30163520

# Canyon County, ID Web Map




5/28/2025, 2:40:57 PM

Multiple Parcel Search _Query result

CC_PrivateRoads

CanyonCountyRoads

Roads

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

Canyon County, ID

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

KNIFE RIVER www.kniferiver.com

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID. 83709

April 25, 2025

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

**Subject: Detailed Letter for Conditional Use Application for the Brodie Lewis Pond Project**

Dear Canyon County Development Services & County Commissioners,

Knife River Corporation – Mountain West respectfully submits the following Conditional Use Permit application for a new gravel source.

The population of Canyon County has significantly increased by over double its population the last 30 years. Canyon County's 2020 Comprehensive Plan projects a 51% increase in population between the years 2000 and 2030. In addition, by the year 2030 the number of households is forecasted to be 115,118 representing a 27% increase from 2020. This area of Canyon County is rich with mineral reserves that are essential to support the current and anticipated growth in the area. Having local mineral reserves for construction projects aids in controlling costs of public work projects and aides in developing affordable housing in the County.

The proposed source, known as the Brodie Lewis Pond, is located within Canyon County. The legal description of the source is NW ¼ SE ¼, SEC 5 T4N R4W. The proposed Brodie Lewis Pond source is comprised of two (2) parcels: 35968010 & 35973010. Parcel 35968010 consists of approximately 30 acres and 35973010 consists of approximately 28 acres (**Exhibit C, Figure 1**). The surface and mineral rights are currently owned by Lewis Living Trust and Knife River Corporation – Mountain West has entered an aggregate mining and extraction lease with the property owner (**Exhibit C, Figure 3**).

Mining operations at the site will include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the Brodie Lewis Pond. Future stockpile locations, crushing operations, and haul roads are shown on **Exhibit C, Figure 3**. Prior to any mining operations, the vegetation, topsoil, and overburden will be stockpiled onsite for future reclamation. Phase 1 of the mining operation (approx. 20 acres) consists of the plant area and soil/aggregate stockpiles. Phase 2 of the mining operation will result in approximately 30 acres of disturbance.

A reclamation plan application was submitted to the Idaho Department of Lands (IDL) and approved. The reclamation plan approval and reclamation plan application are included with this application. This property is not within the floodplain therefore a floodplain development application has not been included with this application.

A neighborhood meeting was hosted on 3/12/25 as a prerequisite to the submission of this application. Neighbors brought up specific concerns regarding their properties that needed more context. Letters were sent out to the neighbors on 3/19/25 to suggest onsite meetings to address these concerns. Three neighbors met with Knife River's Aggregate Operations Manager on 3/31/25. These neighbors requested lower privacy berms so their valley views would not be impeded. Knife River agreed to install four-foot berms along the eastern and southern shared property lines **(Exhibit C, Figure 3)**. This height meets MSHA safety requirements while also acquiescing to the neighbor's request. Another concern is road safety; there will be a requirement for all truck loads to be covered before leaving the pit and a speed limit of 25 miles per hour will be enforced on Centerpoint Road. The site will be monitored and treated for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules. Dewatering will be necessary during the mining process. There are existing culverts and drainage diches surrounding the proposed site. If Knife River operations impact the accessibility or functionality of these culverts and ditches that impact will be corrected by the onsite team. This includes the drainage pipe under Centerpoint Road, north of the proposed site entrance. The final concern is the impact the mining operations will have on neighboring wells. Based on Knife River's geologic exploration and GSI Environmental's technical memo regarding the hydrology of the area, mining will be conducted within the superficial groundwater table. However, there are confining layers beneath the mine floor that limit potential for any shallow superficial mining activities to negatively affect the water quantity and quality of nearby domestic water wells. GSI Environmental's technical memo is included with this application. If operations do effect domestic water wells on adjoining properties, then Knife River will fix or replace those wells.

Proposed standard hours of operation for mining activity is 7am – 5pm, Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven days a week to support construction activity that requires nighttime operations. Notices will be sent to our neighbors 10 days prior to starting 24-hour operations. 1-10 employees are expected to be on site at any given time. Except for placing truck scales, no additional signage, improvements, or structures will be placed within the CUP area.

Setbacks from the property line will be 30' in accordance with Canyon County Zoning Ordinance § 07-14-19. Knife River proposes a maintained topsoil berm (stabilized with grass or rock) be placed around the site as mining progresses. The berm will be sufficient to shield the site from view and provide a noise barrier therefore Knife River requests that further landscaping not be required. The topsoil stockpiles will be removed, and the soil used to reclaim the site which would require removal of the landscaping. Based on market conditions, Knife River expects to exhaust the mineral reserves from the site within 5-10 years. The current approved post mining land use is to create a 50-acre water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction.

Operations in the permit area will begin with stripping and stockpiling topsoil in the mining area (**Exhibit C, Figure 2**). Topsoil and overburden will be separated and stockpiled onsite within the eastern portion of Phase 1. This will help make re-vegetation of the pit easier after completion of operations in the gravel source. A portion of the salvaged soil will be bermed around the mining operations on the boundary of the permitted mining area. The berms will be graded and seeded to provide a best management practice to control stormwater runoff as well as serve as the perimeter of the mining area, per MSHA safety standards. This perimeter berm will be used to keep onsite and offsite stormwater separate; it will also perform the functions of safety and controlling site access. The only site access point will be located near the north-east corner of the site adjacent to Centerpoint Road.

Gravel extraction is planned to begin in the Northwest corner of the site (**Phase 1 - Exhibit C, Figure 2**). The Bodie Lewis Pond will consist of two (2) mining phases. First year disturbance will be approximately 30 acres and Phase 2 will be approximately 28 acres. The site will be mined to a minimum elevation of 2280 feet, with a maximum depth of twenty (20) feet from the surface elevation. Operational Slopes on the mine high walls will be between 1:1 and 3:1 and will be dictated by safety.

The aggregate deposit will be mined using both dry and wet extraction techniques. After removal and stockpiling of the overburden, the aggregate will be extracted using an excavator, dozer, and haul trucks to remove approximately twenty (20) feet of material. It is anticipated groundwater will be encountered during this phase and will be managed through grading and maintenance pumping. A pumping circuit will be utilized to move the surface water from the active mining phase to a previously mined phase for storage or discharged, as allowed by permit, to the drainage ditch along the east and north sides of the property. Aggregates will be processed with crushing and screening equipment and a wash plant. All applicable crushing and material processing equipment will be permitted with the Idaho Department of Environmental Quality (IDEQ), Air Quality Division. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne, in accordance with IDAPA 58.01.01.650-651. Best management practices for dust abatement shall be used to control dust and maintain cleanliness of the mine including but not limited to watering of roads and stockpiles.

The pit will be constructed and shaped so that all stormwater will be retained on site in the proposed settling ponds within the pit. As needed during excavation, the site will be dewatered by pumping groundwater and stormwater from the ponds. Since the site will discharge to an irrigation canal a Notice of Intent (NOI) to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit.

The stormwater is controlled on the site through site grading, permanent or temporary ditches, and berms. Before aggregate mining is started, the overburden soil is removed and stockpiled around the perimeter of the mining area. The stockpile berms are seeded to stabilize them, and they create the first runoff control for the facility. The pit is excavated inside the earth berms and stormwater is allowed to pond inside the pit. The pit floor is excavated in stages, so stormwater is channeled to the lower parts of the pit throughout the mining operations. The soils in the pit are permeable sand and gravel soils and it is anticipated that dewatering will continue to take place during excavation. A network of legal drainage ditches run along the perimeter of the property. These ditches provide for the collection of storm water and its conveyance downstream. The functionality of these ditches will need to be maintained throughout the life of the mine, although ditch realignment could be considered in the future. Water will be discharged from the settling pond to a drainage ditch.

Access roads are constructed from sand and gravel excavated from the pit. The roads are constructed with borrow ditches to collect stormwater runoff. The borrow ditches have check dams to cause stormwater to pond and infiltrate before discharging to the borrow ditches along the access road. Because of the permeable nature of the subgrade soils water is very rarely ponded in the borrow ditches. The roadway surface will have water applied for dust control.

Industrial activities exposed to stormwater consist of handling construction aggregates and overburden soil. There will be very little material stored at the site. Equipment and vehicle parking will take place on site. Fuel and lubricating oils will be brought to the site on service vehicles equipped with spill control equipment as needed. Vehicle fueling, and minor maintenance (such as greasing equipment mechanical joints) will be performed on site. Equipment will be transported to Knife River Corporation's yard for major maintenance and repairs. Equipment will not be cleaned at the site. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures. Fuel

may be stored at the crusher location in portable containers to support crushing operations (**Exhibit C, Figure 3**). All fuel tanks will be double walled or installed within secondary containment. A stabilized construction entrance will be constructed within the permit boundary, per State of Idaho specifications, and is maintained to prevent vehicle sediment track out to public right of way. This construction entrance shall serve as the only access point to the site.

The site may use process water to control dust at the site. The dust control water is applied to high traffic areas during summer months with water trucks. The water applied with trucks is applied in light enough volumes to prevent runoff from the site. The pit floor is highly permeable and most precipitation and applied water infiltrates into the ground. There is also dust control water that is applied at the crusher and screens to prevent excessive dust at the process equipment. The process water is collected in an excavated depression near the crushing equipment in an excavation in the pit floor. The water is allowed to infiltrate into the ground and is not allowed to discharge to the runoff. All reclamation will be completed in accordance with the Idaho Surface Mining Act and Administrative Rules. As mining progresses, the pit facility area may be filled with overburden, reject material and clean fill, and brought back to grade. One large pond is estimated to be left on site as part of the reclamation.

All fill material will conform to the Idaho Solid Waste Management Rules (IDAPA 58.01.06.005.19) which defines inert waste as: "*noncombustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. "Inert waste" includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel, dirt, inert coal combustion by-products, inert precipitated calcium carbonate and inert component mixture of wood or mill yard debris.*"

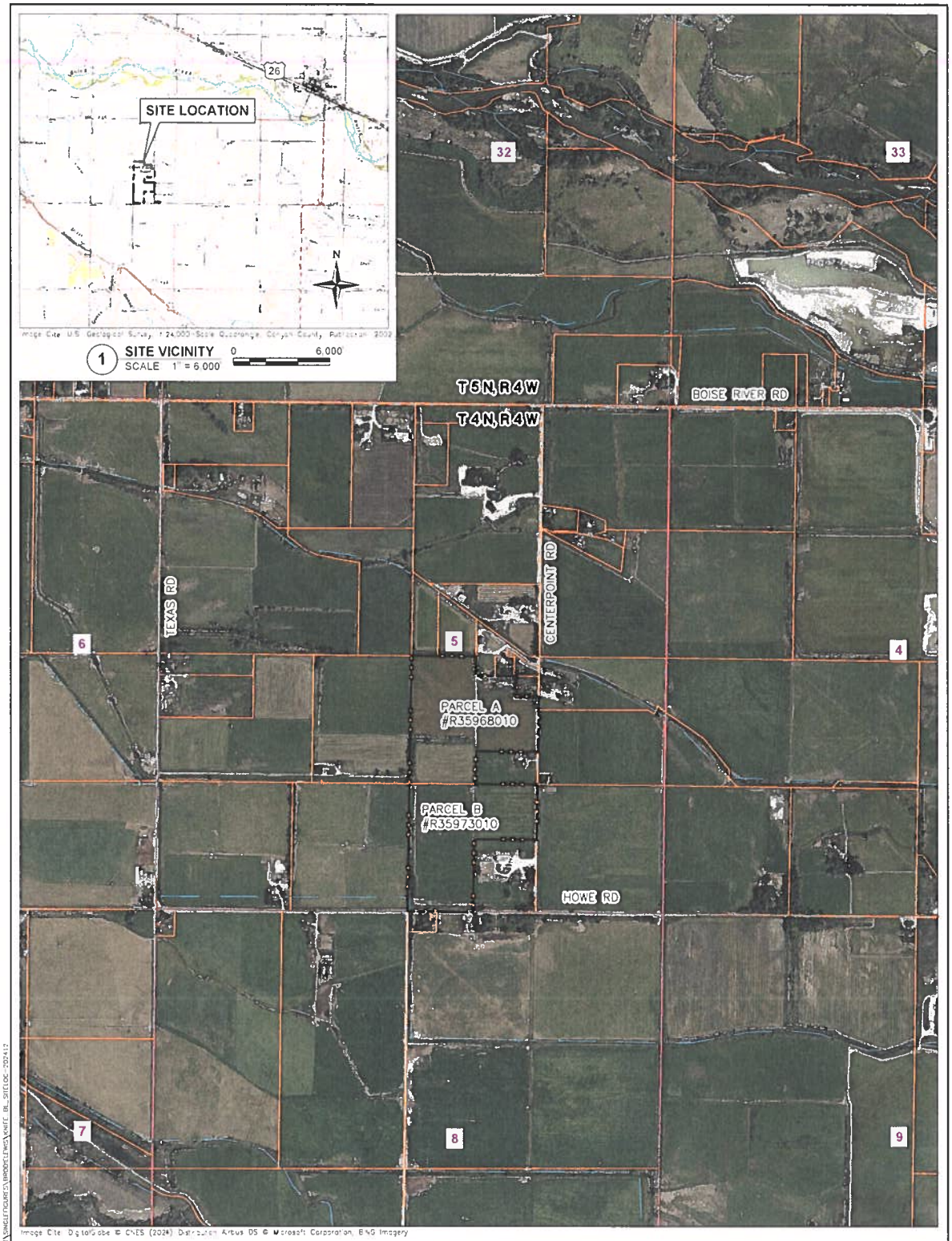
All haul roads within the permit boundary will be reclaimed and seeded to match the existing topography. All areas around the pond will have overburden and topsoil placed and will be seeded at the time of reclamation. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. The parcel will likely be sold for residential or agriculture development, similar to other depleted mines in the area. The topsoil stockpiled during stripping of the site will be spread to a uniform depth of six (6") inches over the site. The site will be seeded using Great Basin Native Seed Mix (or equivalent). The seed will be spread via broadcast at 28 lbs. per acre. Fertilizer will be spread as required to stimulate and support growth. Seeding should take place in spring or fall to time germination and establishment of the seedlings with seasonal precipitation.

Knife River believes that this application and project aligns with and supports the policies outlined in the 2020 Comprehensive Plan. Please feel free to contact me with any questions regarding this CUP application.

Respectfully Submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com




**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- 26 U.S. HIGHWAY

N

0 1,000'




QUADRANGLE LOCATION

**NOTE:**
SITE LEGAL DESCRIPTION -
TOWNSHIP 4 NORTH,
RANGE 4 WEST SECTION 5

Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307.745.7474 (F) 307.745.7729

**FIGURE 1**

**SITE LOCATION**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: AS SHOWN | Date: 12/2/2024 | File: KNIFE_BL_SITELOC_202412 |
|---|---|---|---|---|

I:\Work Files\Projects\Knife River - Brodie Lewis\Maps\Support\Arcgis Figures\Knife_BL_SITELOC_202412

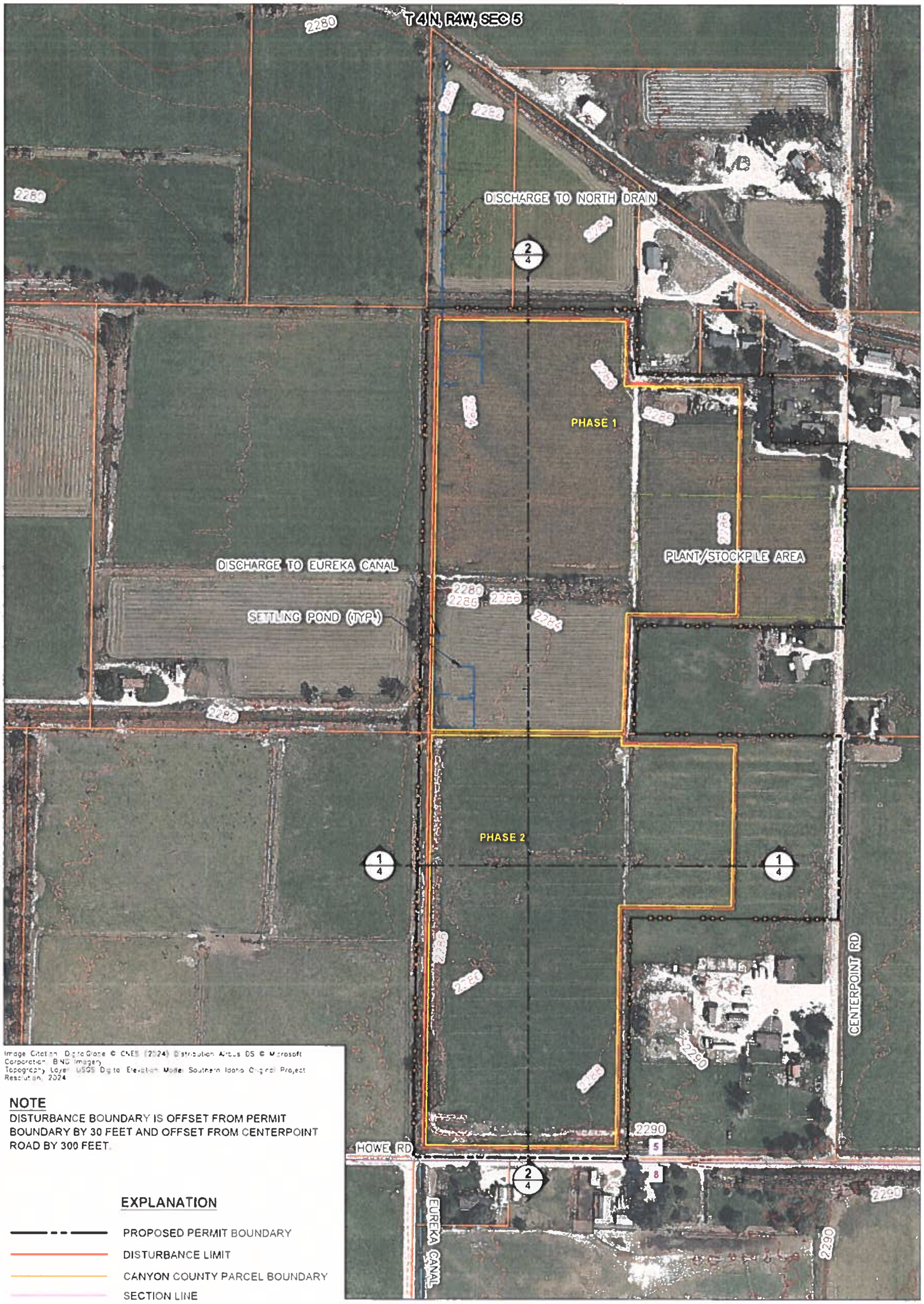



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BNG Imagery
Topography Layer: USGS Digital Elevation Model Southern Idaho Original Project Resolution, 2024

**NOTE**

DISTURBANCE BOUNDARY IS OFFSET FROM PERMIT BOUNDARY BY 30 FEET AND OFFSET FROM CENTERPOINT ROAD BY 300 FEET.

**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- DISTURBANCE LIMIT
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- CROSS-SECTION CENTERLINE
- PROPOSED PLANT/STOCKPILE AREA
- MINING PHASES
- SETTLING PONDS
- DISCHARGE / DRAINAGE
- 2290 SURFACE CONTOUR (2' INTERVAL)

N

0 300'

Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307/745.7474 (F) 307/745.7729

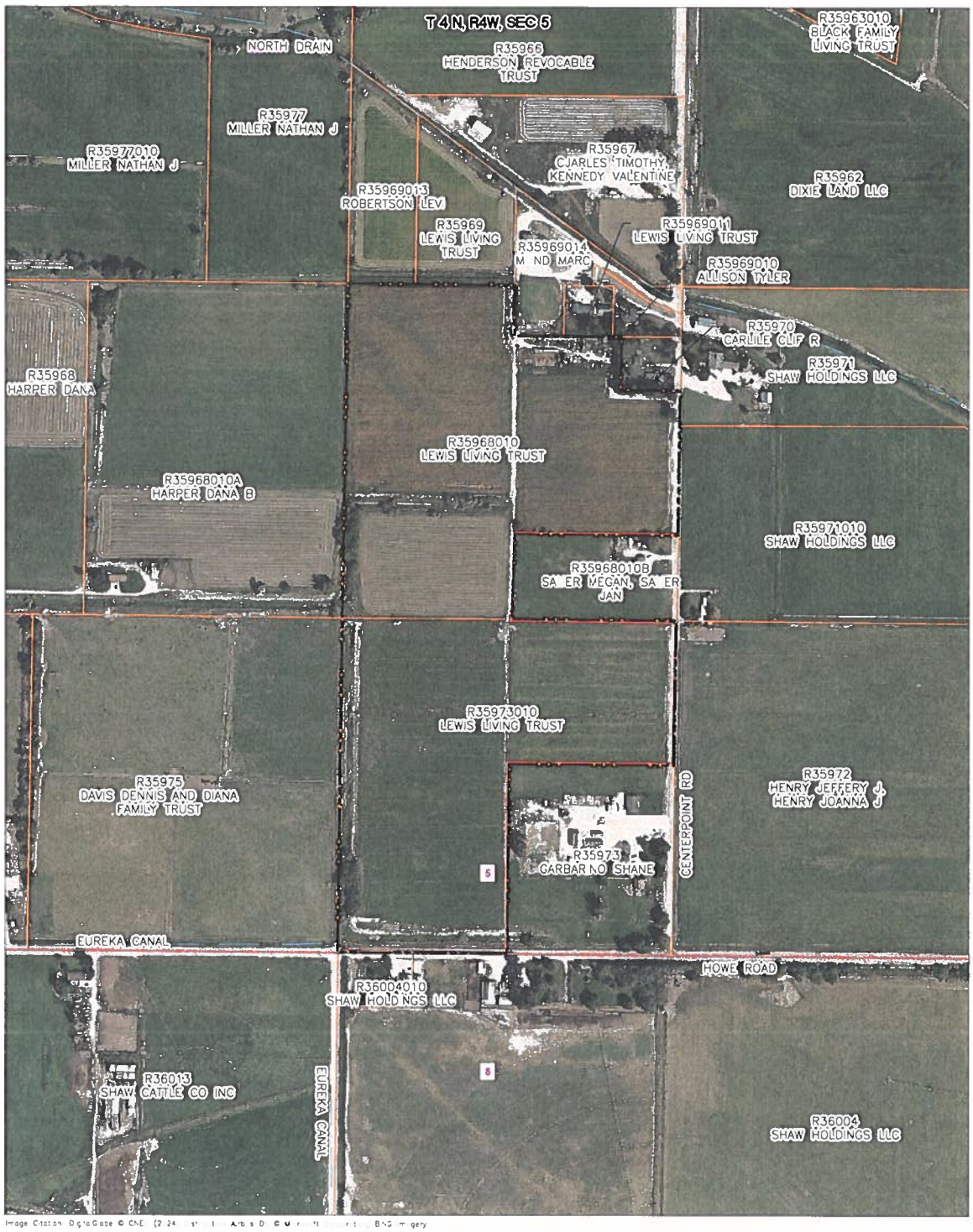
FIGURE 2

SITE MAP

BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO

| Drawn By: BB | Checked By: ZH | Scale: 1" = 300' | Date: 12/2/2024 | File: KNIFE_BL_SITEMAP-202412 |
|---|---|---|---|---|

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Trihydro CORPORATION

FIGURE 3

LAND OWNERSHIP

BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO

Drawn By BB | Checked By ZH | Date 10/4 | File KNIFE_BL_OWNER HIP-232412

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# LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

## GENERAL INFORMATION

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

   ☒ N/A – Explain why this is not applicable: A well is not required for mining.

   ☐ How many Individual Domestic Wells are proposed? _____

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

   ☒ N/A – Explain why this is not applicable: No permanent facilities on site. Portable toilets will be provided.

3. **IRRIGATION WATER PROVIDED VIA:**

   ☐ Surface ☐ Irrigation Well ☒ None

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

   ☐ Pressurized ☐ Gravity

5. **ACCESS:**

   ☒ Frontage ☐ Easement Easement width_____Inst. # _____

6. **INTERNAL ROADS**:

   ☐ Public ☐ Private Road User's Maintenance Agreement Inst #_____

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

   Type: _____ Height: _____

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

   ☐ Other: Knife River will apply for a storm water permit and SWPPP will be developed to manage storm water and dewatering discharges.

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

   _____

## RESIDENTIAL USES

**1. NUMBER OF LOTS REQUESTED:**

☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

**2. FIRE SUPPRESSION:**

☐ Water supply source: _____

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

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

## NON-RESIDENTIAL USES

**1. SPECIFIC USE:** Mineral Extraction (Sand and Gravel)

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

☒ Monday 7:00 AM to 5:00 PM

☒ Tuesday 7:00 AM to 5:00 PM

☒ Wednesday 7:00 AM to 5:00 PM

☒ Thursday 7:00 AM to 5:00 PM

☒ Friday 7:00 AM to 5:00 PM

☒ Saturday 7:00 AM to 5:00 PM

☐ Sunday _____ to _____

**3. WILL YOU HAVE EMPLOYEES?** ☒ Yes If so, how many? up to 10 ☐ No

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

Height: 4 ft Width: 8 ft. Height above ground: 5 ft

What type of sign: _____ Wall X Freestanding _____ Other

**5. PARKING AND LOADING:**

How many parking spaces? N/A

Is there is a loading or unloading area? N/A

## ANIMAL CARE-RELATED USES

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

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

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

☐ Building ☐ Enclosure ☒ Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

Recording Requested By And
When Recorded Mail To:

David J. Wilson
Ahrens DeAngeli Law Group LLP
P.O. Box 9500
Boise, Idaho 83707-9500

**2022-010215**
RECORDED
**02/24/2022 11:29 AM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 SCARDENAS $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

# Grant Deed

Michael B. Lewis and Shaye H. Lewis, husband and wife, the "Grantors," dealing with their community property, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to Michael Michael B. Lewis and Shaye L. H. Lewis, Trustees of the Lewis Living Trust, U/T/A dated August 18, 2005, the "Grantee," whose mailing address is 23483 Centerpoint Road, Caldwell, Idaho 83607, the following described premises, located in the City of Caldwell, County of Canyon, State of Idaho, more particularly described as follows:

**See Exhibit "A"**

**APN: R3596801000**

Together with all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, reversions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described.

SUBJECT TO taxes and assessments for the year 2022 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show.



Boise: 250 S. Fifth Street, Suite 660, Boise, ID 83702 • P.O. Box 9500, Boise, ID 83707-9500 • p: 208.387.0729 f: 208.639.7768
Seattle: 701 Fifth Avenue, Suite 1220, Seattle, WA 98104-7007 • p: 206.652.0101 206.223.2230
www.idahoelderlaw.com www.adlawgroup.com

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 17th day of February, 2022.

Michael B. Lewis

Shaye H. Lewis

"Grantors"

STATE OF IDAHO )
: ss.
COUNTY OF ADA )

On this 17th day of February, 2022, before me, a Notary Public for the State of Idaho, personally appeared Michael B. Lewis and Shaye H. Lewis, husband and wife, known to be the persons named in the foregoing, and acknowledged to me that they executed the same as their free act and deed, for the uses and purposes therein mentioned.

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




Notary Signature

# Exhibit "A"

PARCEL NO. 1:

This parcel is a portion of the NW¼SE¼ of Section 5, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Commencing at the Northeast corner of the NW¼SE¼ of Section 5, at a found 5/8 inch diameter rebar;
Thence South along the East boundary of said NW¼SE¼ a distance of 409 feet to the TRUE POINT OF BEGINNING;
Thence North 89°39'29" West parallel to the North boundary of said NW¼SE¼ a distance of 234 feet;
Thence North 0°47'11" East parallel to the East boundary of said NW¼SE¼ a distance of 209 feet;
Thence North 89°39'29" West parallel to the North boundary of said NW¼SE¼ a distance of 425.88 feet;
Thence North 0°48'11" East parallel to the East boundary of said NW¼SE¼ a distance of 200 feet to a point on the North boundary of said NW¼SE¼;
Thence North 89°39'29" West on the North boundary of said NW¼SE¼ a distance of 659.78 feet to the Northwest corner of said NW¼SE¼;
Thence South 0°49'05" West on the West boundary of said NW¼SE¼, 1317.87 feet to the Southwest corner of said NW¼SE¼;
Thence South 89°37'37" East on the South boundary of said NW¼SE¼ a distance of 668.91 feet;
Thence North 2°05'46" East a distance of 336.64 feet;
Thence South 89°37'37" East parallel with the South boundary of said NW¼SE¼ a distance of 643.76 feet to a point on the East boundary of said NW¼SE¼;
Thence North 0°47'17" East on the East boundary of said NW¼SE¼ a distance of 573.08 feet to the TRUE POINT OF BEGINNING.

**2022-011115**
RECORDED
**02/28/2022 04:02 PM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 MBROWN $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

**2022-010216**
RECORDED
**02/24/2022 11:30 AM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 SCARDENAS $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

**2022-014209**
RECORDED
**03/16/2022 12:49 PM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=5 JWINSLOW $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

Recording Requested By And
When Recorded Mail To:

David J. Wilson
Ahrens DeAngeli Law Group LLP
P.O. Box 9500
Boise, Idaho 83707-9500
re-recorded to correct legal description
Re-recording to attach correct legal description

# Grant Deed

M. Brodie Lewis and Shaye Lewis, husband and wife, the "Grantors," dealing with their community property, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to Michael M. Brodie Lewis and Shaye L. H. Lewis, Trustees of the Lewis Living Trust, U/T/A dated August 18, 2005, the "Grantee," whose mailing address is 23483 Centerpoint Road, Caldwell, Idaho 83607, the following described premises, located in the City of Caldwell, County of Canyon, State of Idaho, more particularly described as follows:

**See Exhibit "A"**

**APN: R3597301000**

Together with all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, reversions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described

SUBJECT TO taxes and assessments for the year 2022 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show



Boise: 250 S. Fifth Street, Suite 660, Boise ID 83702 • P.O. Box 9500, Boise ID 83707-9500 • p 208.387.0729 f 208.639.7786
Seattle: 701 Fifth Avenue, Suite 1220, Seattle, WA 98104-7007 • p 206.652.0101 f 206.223.2230
www.idahoelderlaw.com www.adlawgroup.com

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 17th day of February, 2022.

M. Brodie Lewis

Shaye Lewis

"Grantors"

STATE OF IDAHO )
: ss.
COUNTY OF ADA )

On this 17th day of February, 2022, before me, a Notary Public for the State of Idaho, personally appeared M. Brodie Lewis and Shaye Lewis, husband and wife, known to be the persons named in the foregoing, and acknowledged to me that they executed the same as their free act and deed, for the uses and purposes therein mentioned.

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

DAVID WILSON
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-13-2024
STATE OF IDAHO
COMMISSION NUMBER 60624

Notary Signature

## Exhibit "A"

Parcel 2

This parcel is a portion of the SW ¼ SE ¼ of Section 5 in Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

**BEGINNING** at the Southwest corner of the SW ¼ SE ¼, (S ¼ Corner, Section 5), a found aluminum cap monument;

thence North 00° 03' 59" East along the West boundary of the SW ¼ SE ¼ a distance of 1317.85 feet to the Northwest corner of the SW ¼ SE ¼, a found 5/8 inch diameter rebar;

thence North 89° 37' 03" East along the North boundary of the SW ¼ SE ¼ a distance of 1320.34 feet to the Northeast corner of the SW ¼ SE ¼, a found 5/8 inch diameter rebar;

thence South 00° 02' 10" West along the East boundary of the SW ¼ SE ¼ a distance of 570.63 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 89° 39' 05" West, parallel with the South boundary of the SW ¼ SE ¼, a distance of 651.00 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 00° 02' 10" West, parallel with the East boundary of the SW ¼ SE ¼, a distance of 748.00 feet to a point on the South boundary of the SW ¼ SE ¼, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 89° 39' 05" West along said South boundary a distance of 670.03 feet to the **POINT OF BEGINNING**, containing 28.788 acres, more or less and subject to any and all easements and rights-of-way of record or implied.

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

# AFFIDAVIT OF LEGAL INTEREST

I, Lewis Living Trust (name), 22283 Celebration Ln. (address)

Caldwell (city), ID. (state) 83607 (zip code)

being first duly sworn upon oath, depose and say:

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

   Knife River Corporation - Mountain West (name), 5450 W Gowen Road Boise. ID. 83709 (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 17 day of MARCH, 20 25.

(signature)

STATE OF IDAHO )
ss
COUNTY OF CANYON )

On this 17th day of March, in the year 2025, before me Cynthia Barone, a notary public, personally appeared Michael B. Lewis, 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.

CYNTHIA BARONE
COMM. #20191696
NOTARY PUBLIC
STATE OF IDAHO

Notary: Cynthia Barone

My Commission Expires: 08-21-2025

**Exhibit A2:**

KNIFE RIVER

www.kniferiver.com

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID. 83709

April 25, 2025

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

**Subject: Detailed Letter for Conditional Use Application for the Brodie Lewis Pond Project**

Dear Canyon County Development Services & County Commissioners,

Knife River Corporation – Mountain West respectfully submits the following Conditional Use Permit application for a new gravel source.

The population of Canyon County has significantly increased by over double its population the last 30 years. Canyon County's 2020 Comprehensive Plan projects a 51% increase in population between the years 2000 and 2030. In addition, by the year 2030 the number of households is forecasted to be 115,118 representing a 27% increase from 2020. This area of Canyon County is rich with mineral reserves that are essential to support the current and anticipated growth in the area. Having local mineral reserves for construction projects aids in controlling costs of public work projects and aides in developing affordable housing in the County.

The proposed source, known as the Brodie Lewis Pond, is located within Canyon County. The legal description of the source is NW ¼ SE ¼, SEC 5 T4N R4W. The proposed Brodie Lewis Pond source is comprised of two (2) parcels: 35968010 & 35973010. Parcel 35968010 consists of approximately 30 acres and 35973010 consists of approximately 28 acres (**Exhibit C, Figure 1**). The surface and mineral rights are currently owned by Lewis Living Trust and Knife River Corporation – Mountain West has entered an aggregate mining and extraction lease with the property owner (**Exhibit C, Figure 3**).

Mining operations at the site will include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the Brodie Lewis Pond. Future stockpile locations, crushing operations, and haul roads are shown on **Exhibit C, Figure 3**. Prior to any mining operations, the vegetation, topsoil, and overburden will be stockpiled onsite for future reclamation. Phase 1 of the mining operation (approx. 20 acres) consists of the plant area and soil/aggregate stockpiles. Phase 2 of the mining operation will result in approximately 30 acres of disturbance.

A reclamation plan application was submitted to the Idaho Department of Lands (IDL) and approved. The reclamation plan approval and reclamation plan application are included with this application. This property is not within the floodplain therefore a floodplain development application has not been included with this application.

A neighborhood meeting was hosted on 3/12/25 as a prerequisite to the submission of this application. Neighbors brought up specific concerns regarding their properties that needed more context. Letters were sent out to the neighbors on 3/19/25 to suggest onsite meetings to address these concerns. Three neighbors met with Knife River's Aggregate Operations Manager on 3/31/25. These neighbors requested lower privacy berms so their valley views would not be impeded. Knife River agreed to install four-foot berms along the eastern and southern shared property lines **(Exhibit C, Figure 3)**. This height meets MSHA safety requirements while also acquiescing to the neighbor's request. Another concern is road safety; there will be a requirement for all truck loads to be covered before leaving the pit and a speed limit of 25 miles per hour will be enforced on Centerpoint Road. The site will be monitored and treated for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules. Dewatering will be necessary during the mining process. There are existing culverts and drainage diches surrounding the proposed site. If Knife River operations impact the accessibility or functionality of these culverts and ditches that impact will be corrected by the onsite team. This includes the drainage pipe under Centerpoint Road, north of the proposed site entrance. The final concern is the impact the mining operations will have on neighboring wells. Based on Knife River's geologic exploration and GSI Environmental's technical memo regarding the hydrology of the area, mining will be conducted within the superficial groundwater table. However, there are confining layers beneath the mine floor that limit potential for any shallow superficial mining activities to negatively affect the water quantity and quality of nearby domestic water wells. GSI Environmental's technical memo is included with this application. If operations do effect domestic water wells on adjoining properties, then Knife River will fix or replace those wells.

Proposed standard hours of operation for mining activity is 7am – 5pm, Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven days a week to support construction activity that requires nighttime operations. Notices will be sent to our neighbors 10 days prior to starting 24-hour operations. 1-10 employees are expected to be on site at any given time. Except for placing truck scales, no additional signage, improvements, or structures will be placed within the CUP area.

Setbacks from the property line will be 30' in accordance with Canyon County Zoning Ordinance § 07-14-19. Knife River proposes a maintained topsoil berm (stabilized with grass or rock) be placed around the site as mining progresses. The berm will be sufficient to shield the site from view and provide a noise barrier therefore Knife River requests that further landscaping not be required. The topsoil stockpiles will be removed, and the soil used to reclaim the site which would require removal of the landscaping. Based on market conditions, Knife River expects to exhaust the mineral reserves from the site within 5-10 years. The current approved post mining land use is to create a 50-acre water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction.

Operations in the permit area will begin with stripping and stockpiling topsoil in the mining area (**Exhibit C, Figure 2**). Topsoil and overburden will be separated and stockpiled onsite within the eastern portion of Phase 1. This will help make re-vegetation of the pit easier after completion of operations in the gravel source. A portion of the salvaged soil will be bermed around the mining operations on the boundary of the permitted mining area. The berms will be graded and seeded to provide a best management practice to control stormwater runoff as well as serve as the perimeter of the mining area, per MSHA safety standards. This perimeter berm will be used to keep onsite and offsite stormwater separate; it will also perform the functions of safety and controlling site access. The only site access point will be located near the north-east corner of the site adjacent to Centerpoint Road.

Gravel extraction is planned to begin in the Northwest corner of the site (**Phase 1 - Exhibit C, Figure 2**). The Bodie Lewis Pond will consist of two (2) mining phases. First year disturbance will be approximately 30 acres and Phase 2 will be approximately 28 acres. The site will be mined to a minimum elevation of 2280 feet, with a maximum depth of twenty (20) feet from the surface elevation. Operational Slopes on the mine high walls will be between 1:1 and 3:1 and will be dictated by safety.

The aggregate deposit will be mined using both dry and wet extraction techniques. After removal and stockpiling of the overburden, the aggregate will be extracted using an excavator, dozer, and haul trucks to remove approximately twenty (20) feet of material. It is anticipated groundwater will be encountered during this phase and will be managed through grading and maintenance pumping. A pumping circuit will be utilized to move the surface water from the active mining phase to a previously mined phase for storage or discharged, as allowed by permit, to the drainage ditch along the east and north sides of the property. Aggregates will be processed with crushing and screening equipment and a wash plant. All applicable crushing and material processing equipment will be permitted with the Idaho Department of Environmental Quality (IDEQ), Air Quality Division. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne, in accordance with IDAPA 58.01.01.650-651. Best management practices for dust abatement shall be used to control dust and maintain cleanliness of the mine including but not limited to watering of roads and stockpiles.

The pit will be constructed and shaped so that all stormwater will be retained on site in the proposed settling ponds within the pit. As needed during excavation, the site will be dewatered by pumping groundwater and stormwater from the ponds. Since the site will discharge to an irrigation canal a Notice of Intent (NOI) to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit.

The stormwater is controlled on the site through site grading, permanent or temporary ditches, and berms. Before aggregate mining is started, the overburden soil is removed and stockpiled around the perimeter of the mining area. The stockpile berms are seeded to stabilize them, and they create the first runoff control for the facility. The pit is excavated inside the earth berms and stormwater is allowed to pond inside the pit. The pit floor is excavated in stages, so stormwater is channeled to the lower parts of the pit throughout the mining operations. The soils in the pit are permeable sand and gravel soils and it is anticipated that dewatering will continue to take place during excavation. A network of legal drainage ditches run along the perimeter of the property. These ditches provide for the collection of storm water and its conveyance downstream. The functionality of these ditches will need to be maintained throughout the life of the mine, although ditch realignment could be considered in the future. Water will be discharged from the settling pond to a drainage ditch.

Access roads are constructed from sand and gravel excavated from the pit. The roads are constructed with borrow ditches to collect stormwater runoff. The borrow ditches have check dams to cause stormwater to pond and infiltrate before discharging to the borrow ditches along the access road. Because of the permeable nature of the subgrade soils water is very rarely ponded in the borrow ditches. The roadway surface will have water applied for dust control.

Industrial activities exposed to stormwater consist of handling construction aggregates and overburden soil. There will be very little material stored at the site. Equipment and vehicle parking will take place on site. Fuel and lubricating oils will be brought to the site on service vehicles equipped with spill control equipment as needed. Vehicle fueling, and minor maintenance (such as greasing equipment mechanical joints) will be performed on site. Equipment will be transported to Knife River Corporation's yard for major maintenance and repairs. Equipment will not be cleaned at the site. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures. Fuel

may be stored at the crusher location in portable containers to support crushing operations (**Exhibit C, Figure 3**). All fuel tanks will be double walled or installed within secondary containment. A stabilized construction entrance will be constructed within the permit boundary, per State of Idaho specifications, and is maintained to prevent vehicle sediment track out to public right of way. This construction entrance shall serve as the only access point to the site.

The site may use process water to control dust at the site. The dust control water is applied to high traffic areas during summer months with water trucks. The water applied with trucks is applied in light enough volumes to prevent runoff from the site. The pit floor is highly permeable and most precipitation and applied water infiltrates into the ground. There is also dust control water that is applied at the crusher and screens to prevent excessive dust at the process equipment. The process water is collected in an excavated depression near the crushing equipment in an excavation in the pit floor. The water is allowed to infiltrate into the ground and is not allowed to discharge to the runoff. All reclamation will be completed in accordance with the Idaho Surface Mining Act and Administrative Rules. As mining progresses, the pit facility area may be filled with overburden, reject material and clean fill, and brought back to grade. One large pond is estimated to be left on site as part of the reclamation.

All fill material will conform to the Idaho Solid Waste Management Rules (IDAPA 58.01.06.005.19) which defines inert waste as: "*noncombustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. "Inert waste" includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel, dirt, inert coal combustion by-products, inert precipitated calcium carbonate and inert component mixture of wood or mill yard debris.*"

All haul roads within the permit boundary will be reclaimed and seeded to match the existing topography. All areas around the pond will have overburden and topsoil placed and will be seeded at the time of reclamation. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. The parcel will likely be sold for residential or agriculture development, similar to other depleted mines in the area. The topsoil stockpiled during stripping of the site will be spread to a uniform depth of six (6") inches over the site. The site will be seeded using Great Basin Native Seed Mix (or equivalent). The seed will be spread via broadcast at 28 lbs. per acre. Fertilizer will be spread as required to stimulate and support growth. Seeding should take place in spring or fall to time germination and establishment of the seedlings with seasonal precipitation.

Knife River believes that this application and project aligns with and supports the policies outlined in the 2020 Comprehensive Plan. Please feel free to contact me with any questions regarding this CUP application.

Respectfully Submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com

**Exhibit A3:**

# LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

## GENERAL INFORMATION

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

   ☒ N/A – Explain why this is not applicable: A well is not required for mining.

   ☐ How many Individual Domestic Wells are proposed? _____

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

   ☒ N/A – Explain why this is not applicable: No permanent facilities on site. Portable toilets will be provided.

3. **IRRIGATION WATER PROVIDED VIA:**

   ☐ Surface ☐ Irrigation Well ☒ None

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

   ☐ Pressurized ☐ Gravity

5. **ACCESS:**

   ☒ Frontage ☐ Easement Easement width_____ Inst. # _____

6. **INTERNAL ROADS:**

   ☐ Public ☐ Private Road User's Maintenance Agreement Inst #_____

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

   Type: _____ Height: _____

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

   ☐ Other: Knife River will apply for a storm water permit and SWPPP will be developed to manage storm water and dewatering discharges.

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

   _____

## RESIDENTIAL USES

**1. NUMBER OF LOTS REQUESTED:**

☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

**2. FIRE SUPPRESSION:**

☐ Water supply source: _____

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

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

## NON-RESIDENTIAL USES

**1. SPECIFIC USE:** Mineral Extraction (Sand and Gravel)

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

☒ Monday 7:00 AM to 5:00 PM

☒ Tuesday 7:00 AM to 5:00 PM

☒ Wednesday 7:00 AM to 5:00 PM

☒ Thursday 7:00 AM to 5:00 PM

☒ Friday 7:00 AM to 5:00 PM

☒ Saturday 7:00 AM to 5:00 PM

☐ Sunday _____ to _____

**3. WILL YOU HAVE EMPLOYEES?** ☒ Yes If so, how many? up to 10 ☐ No

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

Height: 4 ft Width: 8 ft. Height above ground: 5 ft

What type of sign: _____ Wall X Freestanding _____ Other

**5. PARKING AND LOADING:**

How many parking spaces? N/A

Is there is a loading or unloading area? N/A

## ANIMAL CARE-RELATED USES

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

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

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

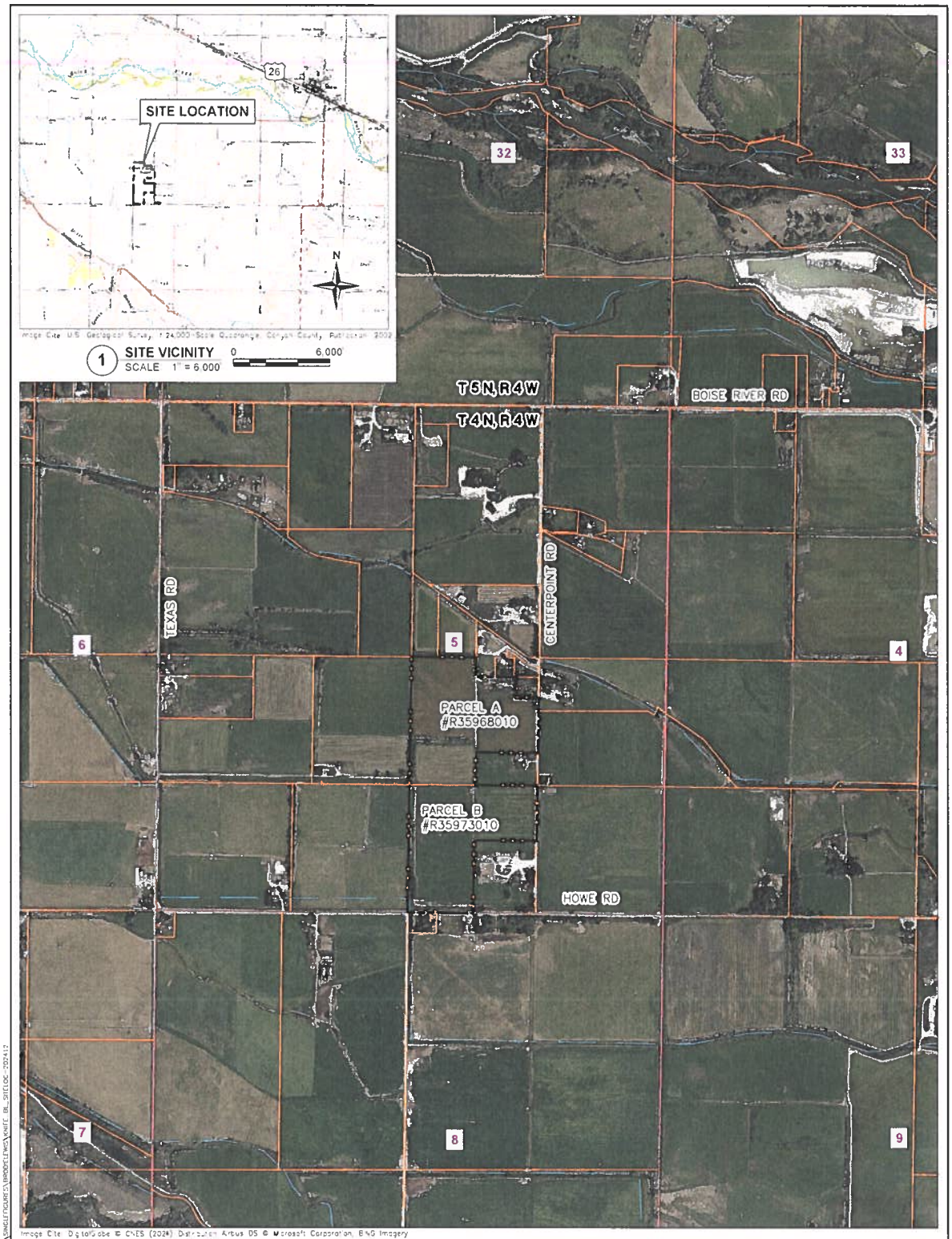
☐ Building ☐ Enclosure ☒ Barrier/Berm ☐ Bark Collars

4. **ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

**Exhibit A4:**


SITE LOCATION
26
1
SITE VICINITY
SCALE 1" = 6,000'
0
6,000'
N
32
33
T5N,R4W
T4N,R4W
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
6
5
4
PARCEL A
#R3596B010
PARCEL B
#R35973010
HOWE RD
7
8
9
Image Cite: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, Bing Imagery
EXPLANATION
PROPOSED PERMIT BOUNDARY
CANYON COUNTY PARCEL BOUNDARY
SECTION LINE
CANAL/DITCH (NHD)
26
U.S. HIGHWAY
N
0
1,000'
IDAHO
QUADRANGLE LOCATION
NOTE:
SITE LEGAL DESCRIPTION -
TOWNSHIP 4 NORTH,
RANGE 4 WEST SECTION 5
Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307.745.7474 (F) 307.745.7729
FIGURE 1
SITE LOCATION
BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO
Drawn By: BB
Checked By: ZH
Scale: AS SHOWN
Date: 12/2/2024
File: KNIFE_BL_SITELOC_202412

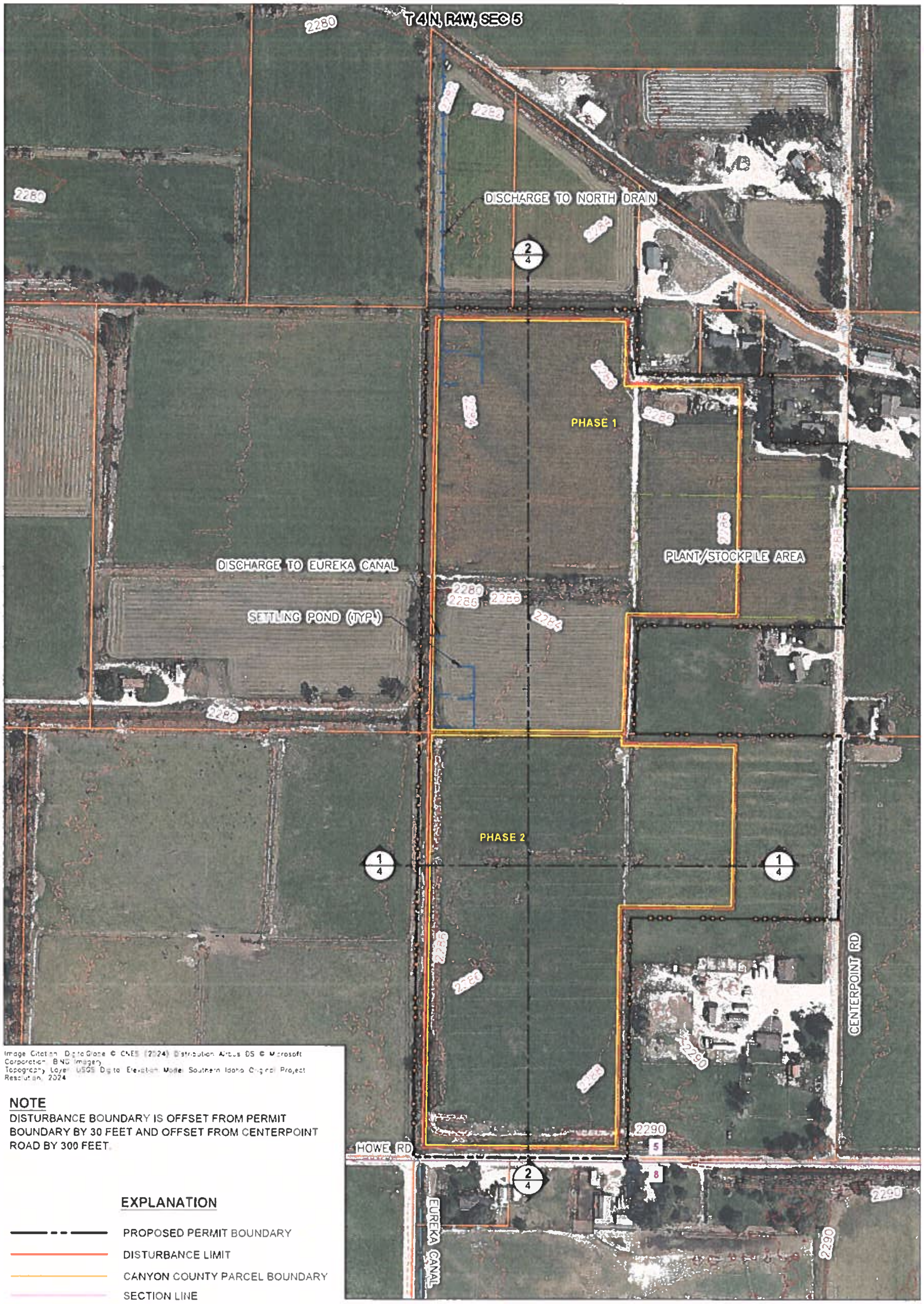



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation. BNG Imagery
Topography Layer: USGS Digital Elevation Model Southern Idaho Original Project Resolution, 2024

**NOTE**

DISTURBANCE BOUNDARY IS OFFSET FROM PERMIT BOUNDARY BY 30 FEET AND OFFSET FROM CENTERPOINT ROAD BY 300 FEET.

**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- DISTURBANCE LIMIT
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- CROSS-SECTION CENTERLINE
- PROPOSED PLANT/STOCKPILE AREA
- MINING PHASES
- SETTLING PONDS
- DISCHARGE / DRAINAGE
- 2290 SURFACE CONTOUR (2' INTERVAL)

N

0 300'


Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307/745.7474 (F) 307/745.7729

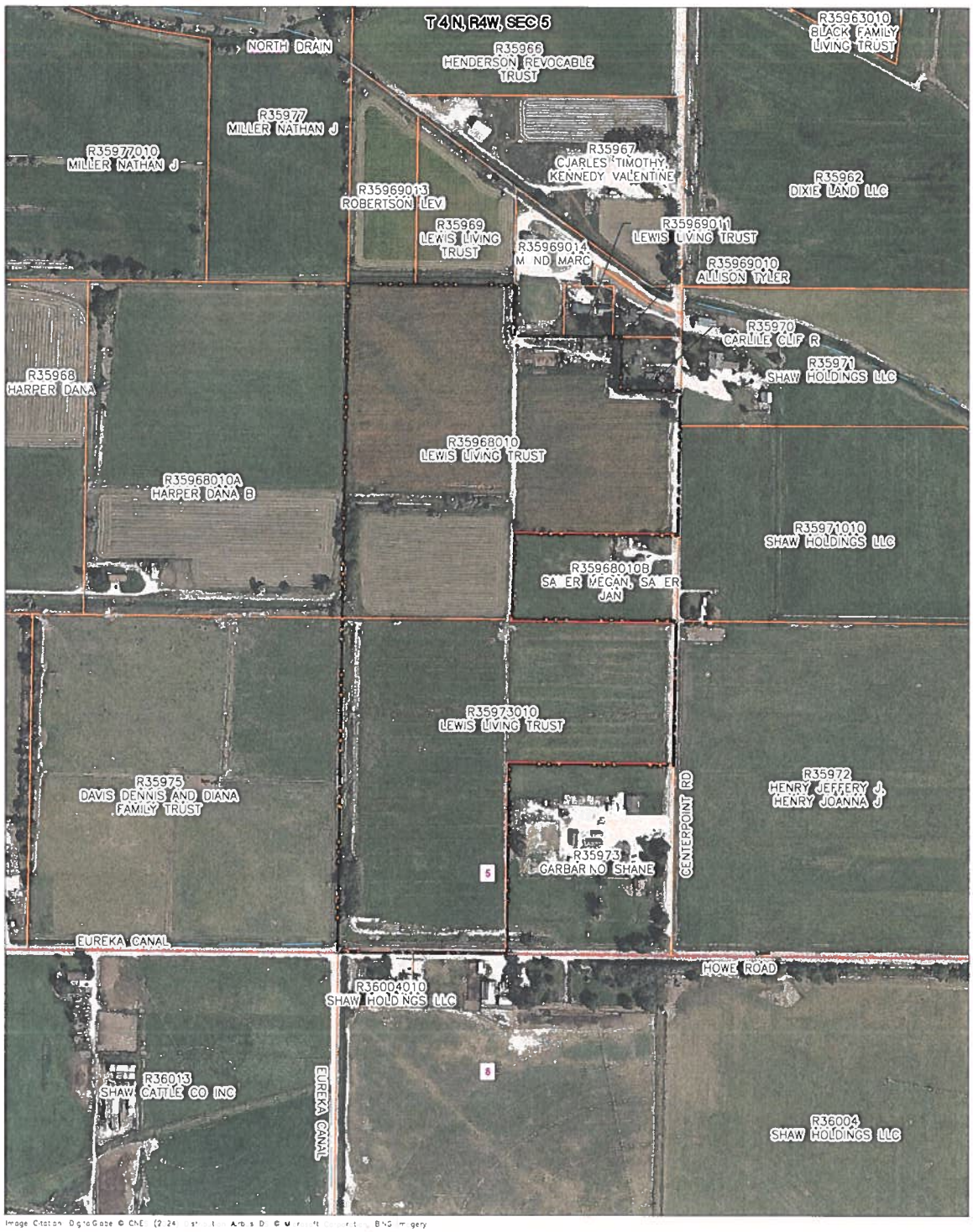

FIGURE 2

SITE MAP

BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO

| Drawn By: BB | Checked By: ZH | Scale: 1" = 300' | Date: 12/2/2024 | File: KNIFE_BL_SITEMAP-202412 |
|---|---|---|---|---|

L:\KNIFERIVERCORP - DOCUMENTS\CADD\IDAHOPERMITTINGSUPPORT\SINGLEFIGURES\BRODIE LEWIS\KNIFE_BL_SITEMAP-202412




Trihydro CORPORATION

FIGURE 3

LAND OWNERSHIP

BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO

Drawn By BB | Checked By ZH | Date 10/4 | File KNIFE_BL_OWNER HIP-232412

L:\KNIFERIVERCORP\DOCUMENTS\CADD\IDAHO\PARTITIONSUPPORT\SINGLEFIGURES\BRODIELEWIS\KNIFE_BL_OWNERSHIP - 232412

**Exhibit A5:**

# NEIGHBORHOOD MEETING INSTRUCTIONS

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

| |
|---|
| CANYON COUNTY ZONING ORDINANCE §07-01-15 |

Before submitting an application for a public hearing, these steps must be completed:

(1) Applicants shall conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.

(2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred (600) feet of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.

(3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.

A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday.

B. The meeting shall be held at one of the following locations:

1. On the property subject to the application;

2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or

3. At a location with suitable meeting facilities if such facilities are within a one (1) mile radius of the nearest public meeting place.

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

(5) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses of those who attended the neighborhood meeting. (Ord.10-006, 8-16-2010)

# Notice of Neighborhood Meeting
# Conditional Use Permit
# Pre-application requirement for a Public Hearing

Date

Dear Neighbor,

We are in the process of submitting an application for a Conditional Use Permit (*or variance, zoning ordinance map amendment, expansion or extension of nonconforming uses, etc.)* to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is **not** a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit (or other case type) is applied.

The Neighborhood Meeting details are as follows:

**Date:**
**Time:**
**Location:**
**Property description:**

The project is summarized below:

**Site Location:**
**Proposed access:**
**Total acreage:**
**Proposed lots:**

We look forward to the neighborhood meeting and encourage you to attend. At that time we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project.

If you have any questions prior to the meeting, please contact me at (phone, email, written correspondence).

Sincerely,

KNIFE RIVER

www.kniferiver.com

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID 83709

February 10, 2025

Levi Robertson
1964 S Elkhound Ave
Meridian ID, 83642

Dear Levi Robertson,

Knife River is currently working with Canyon County Development Services to apply for a Conditional Use Permit (CUP) for a new gravel source. The new source is located northwest of the intersection of Howe Road and Centerpoint Road in Caldwell, Idaho. One of the necessary requirements prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and is intended to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit is applied.

The purpose of this application is to secure a new source of sand and gravel aggregates. The neighborhood meeting will be held at the Caldwell Public Library, Dean E. Miller Community Room on March 12, 2025 from 6:00pm to 8:00pm: 1010 Dearborn St. Caldwell, ID 83605.

We look forward to the neighborhood meeting and encourage you to attend. At that time, Knife River will answer any questions you may have. Please do not call Canyon County Development Services regarding this meeting. This is a PREAPPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. I look forward to meeting with you and answering any questions you may have at the Neighborhood Meeting. Please feel free to reach out to me with any further questions at (503) 890-9746.

Sincerely,

*Megan Winter*

Megan Winter
Knife River – Mountain Region
Regional Sustainability Manager

# NEIGHBORHOOD MEETING SIGN-UP

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

## NEIGHBORHOOD MEETING SIGN UP SHEET

**CANYON COUNTY ZONING ORDINANCE §07-01-15**

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

### SITE INFORMATION

| | | |
|---|---|---|
| Site Address: nhn Howe Rd. | Parcel Number: 35968010 & 35973010 | |
| City: Caldwell | State: ID | ZIP Code: 83607 |
| Notices Mailed Date: | Number of Acres: 58 | Current Zoning: Agricultural |

Description of the Request: Conditional Use Permit application for a new gravel source.

### APPLICANT / REPRESENTATIVE INFORMATION

| | | |
|---|---|---|
| Contact Name: Megan Winter | | |
| Company Name: Knife River Corporation - Mountain West | | |
| Current address: 5450 W Gowen Road | | |
| City: Boise | State: ID | ZIP Code: 83709 |
| Phone: 208-562-6152 | Cell: 503-890-9746 | Fax: 208-562-5045 |
| Email: Megan.Winter@kniferiver.com | | |

### MEETING INFORMATION

| | |
|---|---|
| DATE OF MEETING: 3/12/25 | MEETING LOCATION: Caldwell Public Library, Dean E. Miller Community Room |
| MEETING START TIME: 6:00 PM | MEETING END TIME: 8:00PM |

ATTENDEES:

| NAME (PLEASE PRINT) | SIGNATURE: | ADDRESS: |
|---|---|---|
| 1. John Wright | John Wright | 21626 Howe Rd |
| 2. Shari Dardanis | Shari Dardanis | 21766 Howe Rd |
| 3. Bill Doramus | Bill Doramus | 21760 Howe Rd |
| 4. MARC MUND | | Centerpoint Rd |
| 5. Sam Shaw | Sam Shaw | 22453 Howe Rd |
| 6. Janel Shaw | Janel Shaw | 22453 Howe Rd |
| 7. Shane Gardner | Shane Gardner | 23093 Centerpoint Rd. |
| 8. Chris & Megan Tayler | Megan Tayler | 23267 Centerpoint Rd. |
| 9. Brooke Lewis | Brooke Lewis | 22283 Celebration Ln |

| | | |
|---|---|---|
| 10. Jan Sawin | | 23267 Centerpoint Rd. |
| 11. Brodie Lewis | | 22283 Celebration Ln |
| 12. Cleo Shaw | | 22993 Howe Rd |
| 13. Dee Shaw | | 22993 Howe Rd |
| 14. Jaclyn Shaw | TUCKER SHAW | 23020 HOWE RD |
| 15. Shelby Henderson | | 23833 Centerpoint |
| 16. | | 23579 " |
| 17. Megan Winter | | 5450 W Gowen |
| 18. Joe Smith | | 5450 W Gowen Rd |
| 19. Steve Hylton | | 5450 W Gowen RD |
| 20. | | |

NEIGHBORHOOD MEETING CERTIFICATION:

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

APPLICANT/REPRESENTATIVE (Please print):

Megan Winter, Joseph Smith, Steve Hylton

APPLICANT/REPRESENTATIVE (Signature): Megan Winter

DATE: 03 / 12 / 2025

**Exhibit A6:**

RECEIVED
FEB 18 2025
RECEIVED

# AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35959000 & 35957010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: Eureka Ditch Co #2

☐ Applicant submitted/met for official review.

Date: _____ Signed: Shari Doramus (Secretary)

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

RECEIVED
FEB 18 2025
RECEIVED

# AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: Eureka Ditch Co #2

☐ Applicant submitted/met for official review.

Date: 2/12/25 Signed: Shari Doramus (Secretary)

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☒ Applicant submitted/met for official review.

Date: 02/12/2025 Signed: Anthony Lee

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

**Fire District:** District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date: 4-21-2025

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☒ Applicant submitted/met for official review.

Date: 4/21/2025 Signed: Chad Christensen

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: Niki Benyakhlef Digitally signed by Niki Benyakhlef Date: 2025.02.14 11:53:13 -07'00'

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: 3/10/25 Signed: Bob Watkins

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

**Irrigation District:** District: Golden Gate Highway District No.3

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

RECEIVED
FEB 18 2025

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: Eureka Ditch Co #2

☐ Applicant submitted/met for official review.

Date: 2/12/25 Signed: Shari Norcross (Secretary)

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

**Exhibit A7:**

SOUTHWEST SUPERVISORY AREA
*8355 West State Street*
*Boise ID 83714-6071*
*Phone (208) 334-3488*
*Fax (208) 853-6372*

IDAHO DEPARTMENT OF LANDS

DUSTIN MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
*Brad Little, Governor*
*Phil McGrane, Secretary of State*
*Raúl R. Labrador, Attorney General*
*Brandon D. Woolf, State Controller*
*Debbie Critchfield, Sup't of Public Instruction*

February 3, 2025

Megan Winter
Knife River Corporation
5450 W Gowen Rd
Boise, Idaho 83709

To whom it may concern,

This correspondence is notification that the following reclamation plan was approved on 2/3/2025:

| PLAN NO. | ACRES | COUNTY | LEGAL DESCRIPTION |
|---|---|---|---|
| S603017 | 58 | Canyon | T04N R04W Section 05, Pts SW ¼ SE ¼ |

The plan was granted approval subject to the following terms and conditions:

1. All refuse, chemical and petroleum products and equipment shall be stored and maintained in a designated location, 100 feet away from any surface water and disposed of in such a manner as to prevent their entry into a waterway.

2. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, mining operations will cease immediately, corrective action will be taken, and the Department of Environmental Quality will be notified.

3. Erosion and non-point source pollution shall be minimized by careful design of the site access and implementing Best Management Practices, which may include, but are not limited to:

   a. Diverting all surface water flows around the mining operation.
   b. Removing and stockpiling vegetation and slash, except merchantable timber, for use in erosion control and reclamation.
   c. Removing and stockpiling all topsoil or suitable plant growth material for use in reclamation.

**4. An initial reclamation bond in the amount of $22,500 for up to 15 acres of disturbance will be submitted to and maintained with the Idaho Department of Lands prior to conducting surface mining operations.**

5. If the reclamation plan is not bonded within 18 months of approval, or if no operations are conducted within three years, the department may withdraw this plan. This shall not prevent the operator from re-applying for reclamation plan approval.

6. Acceptance of this permit does not preclude the operator from obtaining other necessary permits and approvals from state and federal authorities, i.e. Storm Water Pollution Prevention Plan (SWPPP), waste water generation and/or air quality permits, consultation with the National Oceanic and Atmospheric Administration Fisheries, U.S. Army Corps of Engineers 404 Permit and Stream Channel Alteration Permits for each production process.

8. At the beginning of each calendar year the operator or plan holder shall notify the director of any increase in the acreage of affected lands which will result from the planned surface mining activity within the next twelve (12) months. A correlative increase in the bond will be required for an increase in affected acreage.

Please note -- pursuant to Idaho Code section 47-1512(a), operations cannot commence until the bond established in Stipulation No. 4 is submitted to this department. Failure to submit payment before mining commences may subject you to legal action by the state pursuant to Idaho Code section 47-1513(d), which may include issuance of an order by the district court to temporarily restrain your mining operations without prior notice to you.

If the department does not receive a written notice of objection from you regarding these stipulations by February 17, 2025, the stipulations will be considered as accepted.

If you have any questions, you may contact me at the above address or telephone number.

Sincerely,

Mekayla Layne
Resource Specialist—Lands and Waterways

Knife River Corporation – Mountain West
Sothern Idaho Division
5450 W Gowen Road
Boise, ID. 83709

December 2, 2024

Ms. Mekayla Lane
Lands Resource Specialist
Minerals Management
Southwest Supervisory Area
8355 W State St.
Boise, ID. 83714

Subject: Application for Reclamation Plan – Brodie Lewis Pond

Dear Ms. Lane,

Knife River Corporation – Mountain West respectfully submits the following mine and reclamation plan. The plan is submitted in accordance with administrative rules IDAPA 20.03.02 governing Surface Mining and Exploration as well as application requirements for quarries, decorative stone, building stone, and aggregate materials including sand, gravel, and crushed rock.

The proposed source, known as the Brodie Lewis Pond, (**Exhibit C, Figure 1**), is located within Canyon County. The legal description of the source is NW ¼ SE ¼, SEC 5 T4N R4W. The proposed Brodie Lewis Pond source is comprised of two (2) parcels: 35968010 & 35973010. Parcel 35968010 consists of approximately 30 acres and 35973010 consists of approximately 28 acres. The surface and mineral rights are currently owned by Lewis Living Trust and Knife River Corporation – Mountain West has entered an aggregate mining and extraction lease with the property owner (**Exhibit C, Figure 3**).

Mining operations at the site will include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the Brodie Lewis Pond site. The stockpile locations, crushing operations, and haul roads are shown on **Exhibit C, Figure 2**. Prior to any mining operations, the vegetation, topsoil, and overburden will be stockpiled onsite for future reclamation. Phase 1 of the mining operation (approx. 30 acres) consists of the plant area and soil/aggregate stockpiles. Phase 2 of the mining operation will result in approximately 30 acres of disturbance.

For reference purposes, Knife Rivers' response to application information, items 1-11, are on page one of two on the Application for Reclamation Plan Approval Form, found in Exhibit "A". Response to application information items 12a-e and 13a-f are provided in the Reclamation Plan

Narrative, Exhibit "B", and the provided Map Set, Exhibit "C". A reclamation cost spreadsheet is provided in Exhibit "D".

The application is signed and dated. One original is included as a part of our submittal package for reclamation plan approval.

The complete application package consists of:

A. An application provided by Idaho Department of Lands:
    a. *A signed Idaho Department of Lands Application for Reclamation Plan Approval is attached to each surface mining package.*
B. A map set of the proposed mining operation which included the information required under IDAPA 20.03.02.
    a. *Maps of the operation, including information specified by Subsection 069.03 are included.*
C. A reclamation plan, in map and narrative form, which includes the information required under IDAPA 20.03.02. The map and reclamation plan may be combined on one (1) sheet if practical.
    a. *The maps and narrative reclamation plan specified by IDAPA 20.03.02 are included.*

If you should have any questions concerning this application for Reclamation Plan Approval, please feel free to reach out to me.

Sincerely,

Megan Winter

Megan Winter
Regional Sustainability Manager
Knife River, Intermountain Region
503-890-9746
Megan.Winter@kniferiver.com

# ***Exhibit A***

*Idaho Department of Lands*
*Application for Reclamation Plan Approval*

# IDAHO DEPARTMENT OF LANDS

## APPLICATION FOR RECLAMATION PLAN APPROVAL

**Reclamation Plan Number: _____**

### GENERAL INFORMATION

The Idaho Mined Land Reclamation Act, Title 47, Chapter 15, Idaho Code requires the operator of a surface mine, a new underground mine, or an existing underground mine that expands the July 1, 2019 surface disturbance by 50% or more to obtain an approved reclamation plan and financial assurance. Fees are charged as shown on the attachment.

When an applicant is mining on lands administered by the U.S. Forest Service or Bureau of Land Management, it is necessary to obtain the proper federal approvals in addition to the Department of Lands. Each agency's application requirements are similar, but not exactly the same. Please review both state and federal application requirements, and develop one plan which meets the requirements of all the agencies involved.

If ponds or lakes are created during the mining process and will remain after reclamation is completed, the Idaho Department of Water Resources (IDWR) requires the operator or landowner to obtain a water right. If a water right cannot be obtained prior to a plan being submitted, then the reclamation plan must include backfilling to an elevation above the local ground water table. Bond calculations must include those backfilling costs.

After the reclamation plan has been finalized, an electronic copy or five (5) hard copies of the application package must be submitted to the appropriate Area office of the Idaho Department of Lands. When the application is received, the appropriate federal or state agencies will be notified of the application. The department shall deliver to the operator, if weather permits and the plan is complete, the notice of rejection or notice of approval of the plan within sixty (60) days after the receipt of the reclamation plan or amended plan.

All reclamation plan applications will be processed in accordance with Section 080 of the Rules Governing Mined Land Reclamation (IDAPA 20.03.02) and applicable Memorandums of Understanding with state and federal agencies.

### APPLICATION INFORMATION

1. NAME: Knife River Corporation - Mountain West d/b/a: _____
2. ADDRESS: 5450 W Gowen Road
   CITY, STATE, ZIP CODE: Boise, ID. 83709
3. TELEPHONE and EMAIL: 503-890-9746 (000-000-0000) megan.winter@kniferiver.com (e.g. john.doe@email.com)
4. DESIGNATED IN-STATE AGENT AND ADDRESS: (if Company's main place of business is 'out of state')
   _____
5. PROOF OF BUSINESS REGISTRATION (if applicable): If applicant is a business, please attach proof of registration with the Idaho Secretary of State.
6. LEGAL DESCRIPTION (Section, Township, and Range) TO THE QUARTER-QUARTER SECTION:
   NW ¼ SE ¼, SEC 5 T4N R4W
7. ACREAGE and COUNTY(ies): 58 (Acres) Canyon (e.g. Ada through Washington)
8. OWNERSHIP: (check applicable)
   ☑ Private ☐ U.S. Forest Service ☐ Bureau of Land Management ☐ Idaho Department of Lands
9. COMMODITY TYPE, PROPOSED START-UP DATE: Sand and Gravel,
10. SITE NAME OR MINE NAME (if any): Brodie Lewis Pond
11. TYPE OF MINING: (check applicable) ☑ Surface ☐ Underground ☐ Both

**Fee: See Attached Schedule, page 3**

12. Please provide the following maps of your mining operation (Subsections 069.04 or 070.03 of IDAPA 20.03.02):

    a. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent.

    b. A site map which adequately shows the location of existing roads, access roads, and main haul roads which would be constructed or reconstructed for the operation. Also, list the approximate dates for construction, reconstruction, and abandonment.

    c. On a site location map, show the following;

        i. The approximate location and names, if known, of drainages, streams, creeks, or bodies of water within 1,000 feet of the surface mining operation.

        ii. The approximate boundaries and acreage of the lands:

            1. That will become affected by the mining operation.

            2. That will be affected during the first year of operations.

            This map must be of appropriate scale for boundary identification.

        iii. The planned configuration of all pits, mineral stockpiles, overburden piles, topsoil stockpiles, sediment ponds, and tailings facilities that will be developed by the mining operation.

        iv. Location of all underground mine openings at the ground surface, if any.

        v. The planned location of storage for fuel, equipment maintenance products, wastes, and chemicals utilized in the surface mining operation.

    d. A surface and mineral control or ownership map of appropriate scale for boundary identification.

    e. Scaled cross-sections of the mine showing surface profiles prior to mining, at maximum disturbance, and after reclamation.

13. A reclamation plan must be developed and submitted in map and narrative form (Subsections 069.05 or 070.04 of IDAPA 20.03.02). The reclamation plan must include the following information:

    a. On a drainage control map show and list the best management practices which will be utilized to control erosion on or from the affected lands.

    b. A description of foreseeable, site specific water quality impacts from mining operations and proposed water management activities or BMPs to comply with water quality requirements.

    c. A description of post-closure activities, if any, such as water handling and treatment.

    d. Which roads will be reclaimed and a description of the reclamation.

    e. A revegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and replaced in order to properly revegetate the area. Identify soil types, the slope of the reclaimed areas, and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time and method of planting the soil, and fertilizer and mulch requirements.

    f. Describe and show how tailings facilities and process or sediment ponds will be reclaimed.

    g. Dimensions of underground mine openings at the surface and description of how each mine opening will be secured to eliminate hazards to human health and safety.

    h. For operations over five (5) acres, estimate the actual cost of third party reclamation including direct and indirect costs for mobilization, re-grading, seed, fertilizer, mulch, labor, materials, profit, overhead, insurance, bonding, administration, and any other pertinent costs as described in IDAPA 20.03.02.120.

**APPLICANT SIGNATURE:** Megan Winter **DATE:** 11/7/2024

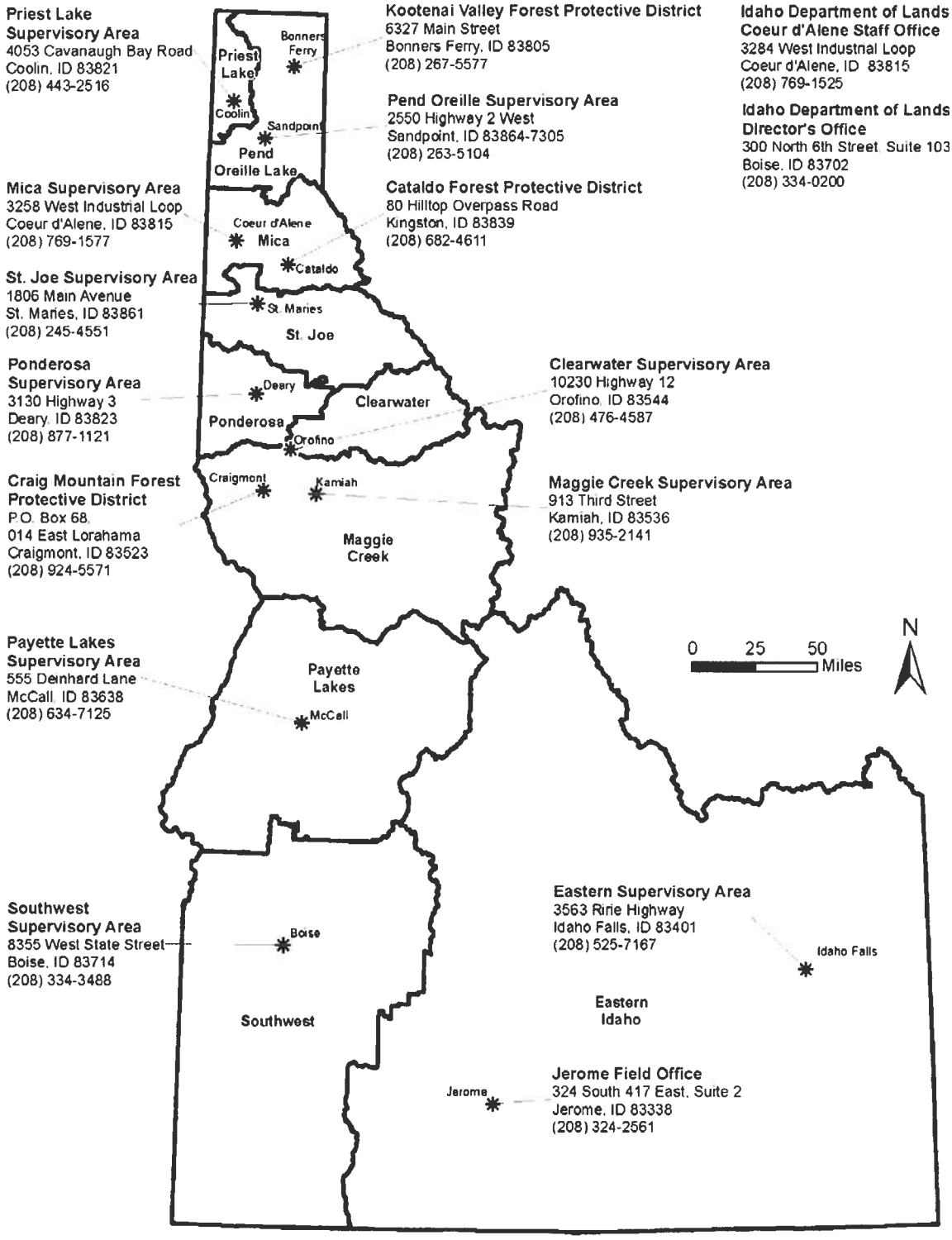
**Fee: See Attached Schedule, page 3**

## Application Fee Schedule

Acres are determined by the number entered in item 7 on the Application Form.

| Type of Plan | Fee (Dollars) |
|---|---|
| Section 069* of IDAPA 20.03.02, Reclamation Plan 0 to 5 acres | Five hundred ($500) |
| Section 069 of IDAPA 20.03.02, Reclamation Plan >5 to 40 acres | Six hundred ($600) |
| Section 069 of IDAPA 20.03.02, Reclamation Plan over 40 acres | Seven hundred fifty ($750) |
| | |
| Section 070** of IDAPA 20.03.02, Reclamation Plan 0 to 100 acres | One thousand ($1,000) |
| Section 070 of IDAPA 20.03.02, Reclamation Plan >100 to 1000 acres | One thousand five hundred ($1,500) |
| Section 070 of IDAPA 20.03.02, Reclamation Plan >1000 acres | Two thousand ($2,000) |
| | |
| * Section 069 is for gravel pits, quarries, decorative stone sources, and simple industrial mineral mines | |
| ** Section 070 is for hardrock, phosphate, and underground mines, and complex industrial mineral mines | |

# Idaho Department of Lands
# Management Areas




**Priest Lake Supervisory Area**
4053 Cavanaugh Bay Road
Coolin, ID 83821
(208) 443-2516

**Kootenai Valley Forest Protective District**
6327 Main Street
Bonners Ferry, ID 83805
(208) 267-5577

**Pend Oreille Supervisory Area**
2550 Highway 2 West
Sandpoint, ID 83864-7305
(208) 263-5104

**Cataldo Forest Protective District**
80 Hilltop Overpass Road
Kingston, ID 83839
(208) 682-4611

**Idaho Department of Lands**
**Coeur d'Alene Staff Office**
3284 West Industrial Loop
Coeur d'Alene, ID 83815
(208) 769-1525

**Idaho Department of Lands**
**Director's Office**
300 North 6th Street, Suite 103
Boise, ID 83702
(208) 334-0200

**Mica Supervisory Area**
3258 West Industrial Loop
Coeur d'Alene, ID 83815
(208) 769-1577

**St. Joe Supervisory Area**
1806 Main Avenue
St. Maries, ID 83861
(208) 245-4551

**Ponderosa Supervisory Area**
3130 Highway 3
Deary, ID 83823
(208) 877-1121

**Clearwater Supervisory Area**
10230 Highway 12
Orofino, ID 83544
(208) 476-4587

**Craig Mountain Forest Protective District**
P.O. Box 68,
014 East Lorahama
Craigmont, ID 83523
(208) 924-5571

**Maggie Creek Supervisory Area**
913 Third Street
Kamiah, ID 83536
(208) 935-2141

**Payette Lakes Supervisory Area**
555 Deinhard Lane
McCall, ID 83638
(208) 634-7125

**Southwest Supervisory Area**
8355 West State Street
Boise, ID 83714
(208) 334-3488

**Eastern Supervisory Area**
3563 Ririe Highway
Idaho Falls, ID 83401
(208) 525-7167

**Jerome Field Office**
324 South 417 East, Suite 2
Jerome, ID 83338
(208) 324-2561

# ***Exhibit B***

*Reclamation Plan Narrative*

# *Application for Reclamation Plan Approval*

## *Mining Plan Narrative*

Operations in the permit area will begin with stripping and stockpiling topsoil in the mining area (**Exhibit C, Figure 2**) pending Idaho Department of Lands Reclamation Plan approval. Topsoil and overburden will be separated and stockpiled onsite within the northern portion of Phase 1 and near the eastern property boundary for future reclamation. A portion of the salvaged soil will be bermed around the mining operations on the boundary of the permitted mining area. The berms will be graded and seeded to provide a best management practice to control storm water runoff as well as serve as the perimeter of the mining area, per MSHA safety standards. This perimeter berm will be used to keep onsite, and offsite storm water separate; it will also perform the functions of safety and controlling site access. The main access point will be located along the north-eastern property line adjacent to Centerpoint Road.

Gravel extraction is planned to begin in the northwest corner of the site (**Phase 1 - Exhibit C, Figure 2**). The Brodie Lewis Pond will consist of two (2) mining phases. Phase 1 will be approximately 30 acres and Phase 2 will be approximately 28 acres. The site will be mined to a minimum elevation of 2280 feet, with a maximum depth of twenty (20) feet from the surface elevation. Operational Slopes on the mine high walls will be between 1:1 and 3:1 and will be dictated by safety. The aggregate deposit will be mined using both dry and wet extraction techniques. The mining sequence will begin in the northeast corner (Phase 1) and proceed to the southern portion (Phase 2). The material will be crushed, screened, washed, and stockpiled at the mining site, as noted on **Exhibit C, Figure 2**. The mining operation is planned to begin upon approval and is expected to be in operation for a maximum of twenty (20) years.

Mining will be conducted with heavy equipment such as hydraulic excavators, dozers, frontend loaders, and crushing and screening equipment. All applicable crushing and material processing equipment will be permitted with the Idaho Department of Environmental Quality, Air Quality Division. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne, in accordance with IDAPA 58.01.01.650-651. Best management practices for dust abatement shall be used to control dust and maintain cleanliness of the mine including but not limited to watering of roads and stockpiles.

## *Erosion Control*

The pit will be constructed and shaped so that all storm water will be retained on site in newly constructed manmade settling ponds within the pit. As needed during excavation, the site will be dewatered by pumping stormwater from the pond to the North Drain north of the mining site. **Exhibit C, Figure 1** shows the distance from the proposed mine site to surface waters. Since the site does discharge to the North Drain, the Brodie Lewis Pond will file a Notice of Intent (NOI) to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit.

The stormwater is controlled on the site through site grading, permanent or temporary ditches, and berms. Before aggregate mining is started, the overburden soil is removed and stockpiled around the perimeter of the mining area. The stockpile berms are seeded to stabilize them, and they create the first runoff control for the facility. The pit is excavated inside the earth berms and stormwater is allowed to pond inside the pit. The pit floor is excavated in stages, so stormwater is channeled to the lower parts of the pit throughout the mining operation. The soils in the pit are permeable sand and gravel soils, it is anticipated that dewatering will continue to take place during excavation. A network of legal drainage ditches run along the perimeter of the property. These ditches provide for the collection of stormwater and its conveyance downstream. The functionality of these ditches will be maintained throughout the life of the mine, although ditch realignment could be considered in the future. Water will be discharged from the settling pond to a drainage ditch.

Access roads are constructed from sand and gravel excavated from the pit. The roads are constructed with borrow ditches to collect stormwater runoff. The borrow ditches have check dams to cause stormwater to pond and infiltrate before discharging to the borrow ditches along the access road. Because of the highly permeable nature of the subgrade soils water is very rarely ponded in the borrow ditches. The roadway surface will have water applied for dust control. Industrial activities exposed to stormwater consist of handling construction aggregates and overburden soil at the site. There will be very little material stored at the site.

Equipment and vehicle parking will take place at the site. Fuel and lubricating oils will be brought to the site on service vehicles equipped with spill control equipment as needed. Vehicle fueling, and minor maintenance (such as greasing equipment mechanical joints) will be performed on site. Equipment will be transported to Knife River Corporation's yard for major maintenance and repairs. Equipment will not be cleaned at the site. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures. Fuel may be stored at the crusher location in portable containers to support crushing operations (**Exhibit C, Figure 2**). All fuel tanks will be double walled or installed within secondary containment. A stabilized construction entrance will be constructed within the permit boundary, per State of Idaho specifications, and is maintained to prevent vehicle sediment track out to public right of way. This construction entrance shall serve as the only access point to the site.

The site may use process water to control dust at the site. The dust control water is applied to high traffic areas during summer months with water trucks. The water applied with trucks is applied in light enough volumes to prevent runoff from the site. The pit floor is permeable and most precipitation and applied water infiltrates into the ground.There is also dust control water that is applied at the crusher and screens to prevent excessive dust at the process equipment. The process water is collected in an excavated depression near the crushing equipment in an excavation in the pit floor. The water is allowed to infiltrate into the ground and is not allowed to discharge to the runoff.

## *Reclamation*

All reclamation will be completed in accordance with the Idaho Surface Mining Act and Administrative Rules. As mining progresses, the pit floor will be smoothed and flattened. Once mining operations have completed, the site will be graded to establish a new community pond. Revegetation slopes will not be required. The mine walls will be sloped to a 3H:1V on all sides of the mine. Final slope will be dictated by safety.

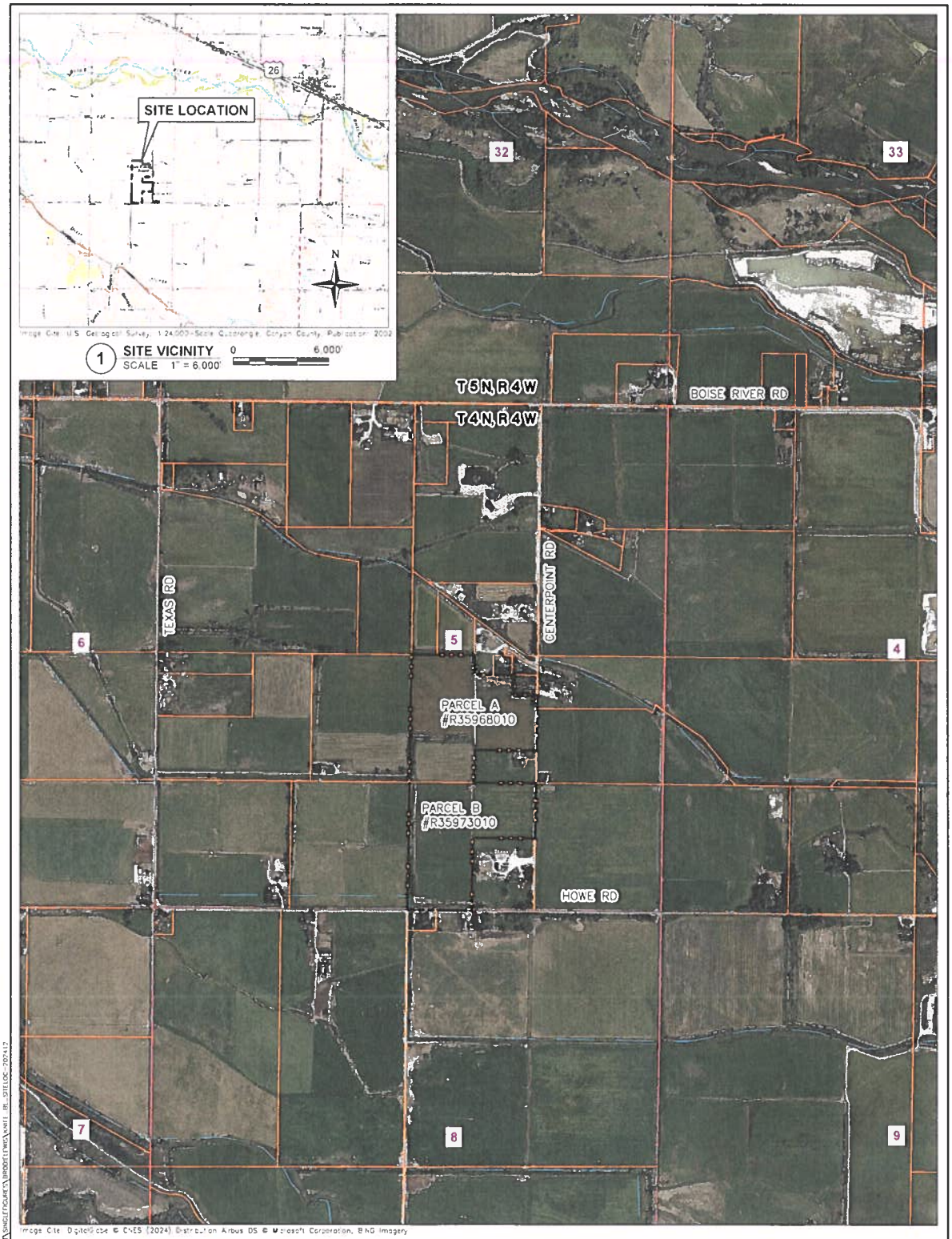
All fill material will conform the Idaho Solid Waste Management Rules (IDAPA 58.01.06.005.19) which defines inert waste as: *"noncombustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. "Inert waste" includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel, dirt, inert coal combustion by-products, inert precipitated calcium carbonate and inert component mixture of wood or mill yard debris."*

The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. The site will be monitored and treated for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules.

The reintroduction to overburden, topsoil and revegetation will not be required. Only minor grading and smoothing will be required to reclaim this site for the new pond. The total cost of reclamation has been estimated at $230 per acre and includes all line items described in 13(f) of the Idaho Department of Lands Application for Reclamation Plan Approval. A detailed cost estimate is provided in **Exhibit D**.

# ***Exhibit C***

*Map Set*




**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- 26 U.S. HIGHWAY

N

0 1,000'




QUADRANGLE LOCATION

**NOTE:**
SITE LEGAL DESCRIPTION -
TOWNSHIP 4 NORTH
RANGE 4 WEST, SECTION 5

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www.trihydro.com
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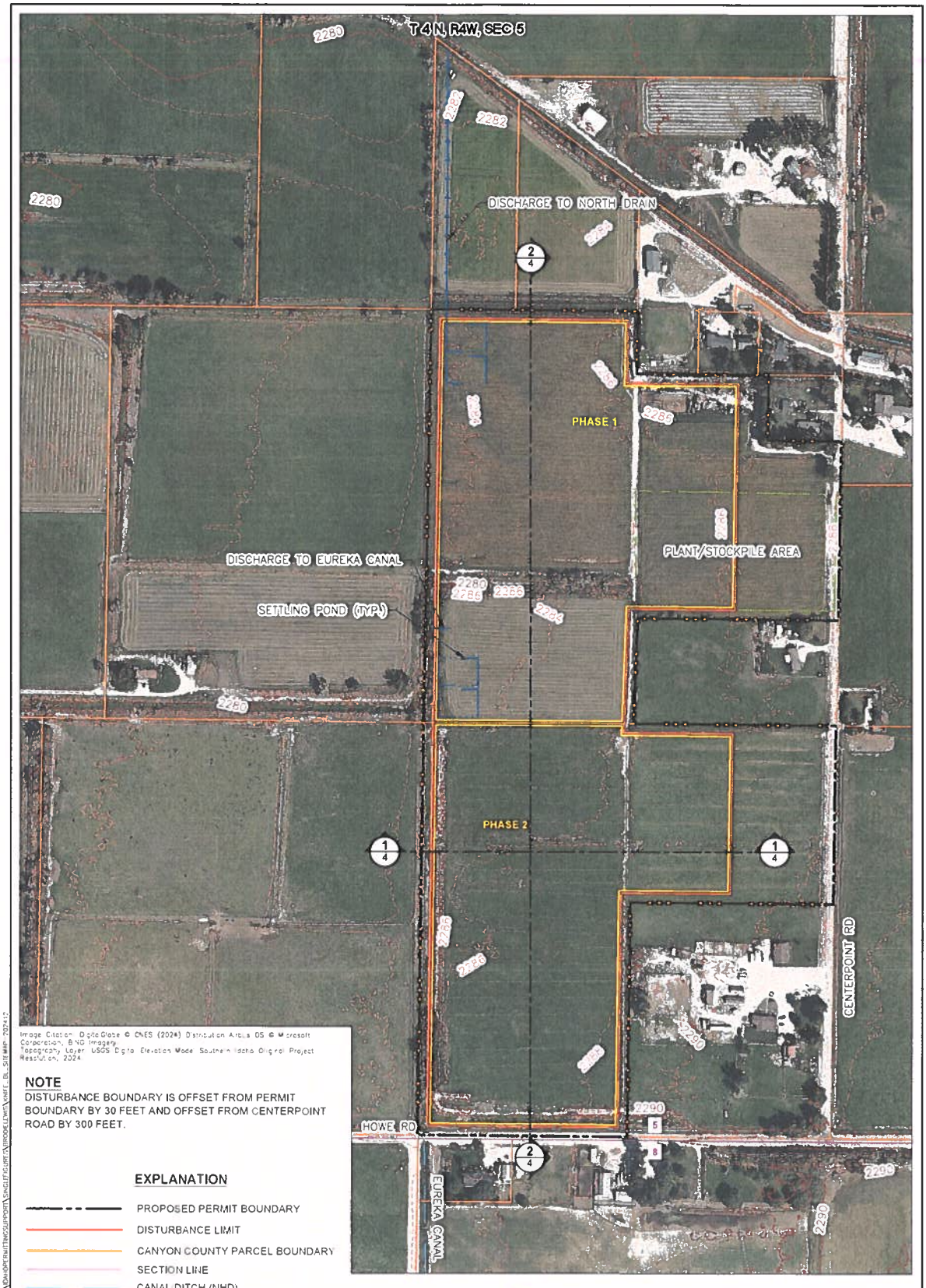
**FIGURE 1**

**SITE LOCATION**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: AS SHOWN | Date: 12/2/2024 | File: KNIFE_BL_SITELOC-202412 |
|---|---|---|---|---|

\\server\trihydro\data\projects\KNIFE_BL_SITELOC-202412\documents\GIS\arcpro\KNIFE_BL_SITELOC-202412\KNIFE_BL_SITELOC-202412.aprx




Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
P: 307.745.7474 (F) 307.745.7729

**FIGURE 2**

**SITE MAP**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: 1" = 300' | Date: 12/2/2024 | File: KNIFE_BL_SITEMAP-202412 |
|---|---|---|---|---|

DOCUMENTS\CADD\DWG\PERMITING\SUPPORT\SINGLE FIGURE\KNIFE_BL_SITEMAP-202412




Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation © BKG Imagery

N

0 400

EXPLANATION

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY AND OWNERSHIP
- SECTION LINE
- CANAL DITCH (NHD)

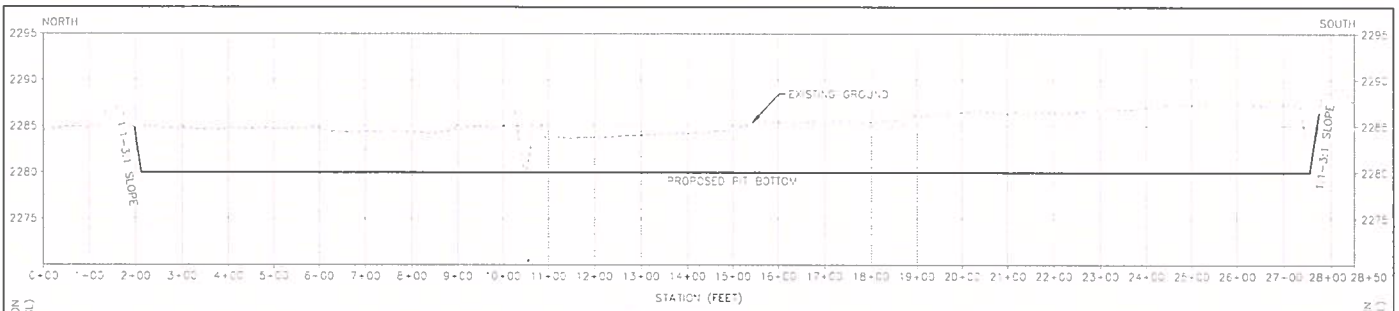
Trihydro CORPORATION

12 2 Commerce Drive
a e Wyoming 8200
www.trihydro.com
45 74 4 74 729

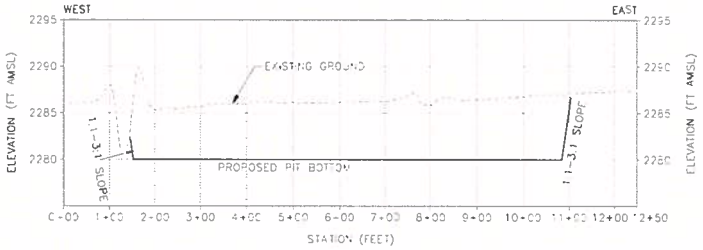
| FIGURE 3 |
|---|
| LAND OWNERSHIP |
| BRODIE LEWIS POND<br>KNIFE RIVER CORPORATION<br>CANYON COUNTY IDAHO |

| Drawn By BB | Checked By ZH | Scale 1" = 400' | Date 2/7/25 | File KNIFE_RIVER_LOT_LINES_IP 2024 12 |
|---|---|---|---|---|

\\KNIFE_RIVER\IDP — DOCUMENTS\CADD\EXHIBIT\MAPPING\SUPPORT\SINGLE\FIGURES\BRODIE LEWIS\KNIFE_RIVER_OWNERSHIP_2024 12




**1 SECTION A-A'**
SCALE H 1" = 200 V 1" = 10




**2 SECTION B-B'**
SCALE H 1" = 200 V 1" = 10

0 200 HORIZONTAL SCALE
0 10 VERTICAL SCALE
VERTICAL EXAGGERATION = 20X

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**FIGURE 4**

**CROSS-SECTIONS**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: AS SHOWN | Date: 12/2/2024 | File: KN_FE_BL_PROFILES-202412 |
|---|---|---|---|---|




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FIGURE 5

RECLAMATION PLAN

BRODIE LEWIS POND
KNIFE RIVER CORPORATION
CANYON COUNTY, IDAHO

| Drawn By: BB | Checked By: ZH | Scale: 1 = 300 | Date: 12/2/2024 | File: KNIFE_BL_RECLAMATION-202412 |
|---|---|---|---|---|

L:\KNIFE RIVER\DOCUMENTS\CAD\EXHIBITS\MINESUPPORT\SINGLEFIGURES\BRODIE LEWIS\KNIFE_BL_RECLAMATION-202412

# ***Exhibit D***

*Detailed Reclamation Cost Estimate*

# Reclamation Cost Estimate

| | | |
|---|---|---|
| **Client** | Knife River Corporation | |
| **Project** | Brodie Lewis Pond | |
| **Location** | Canyon County, Idaho | |
| **Prepared by** | B. Bell | *of Trihydro Corporation* |
| **Reviewed by** | Z. Hutson | *of Trihydro Corporation* |

## Areas and Quantities

| | | | | |
|---|---|---|---|---|
| Site Area (Total) | 60.0 | acres | | |
| Reclamation Area | 46 | acres | | |
| Highwall Length | 7,770 | ft | *feet* | *needed for minor grading* |

## Production Rates

| **Motor Grader (CAT 12M) Production** | | **Units** | |
|---|---|---|---|
| Effective Blade Width | 12.1 | ft | *feet* |
| Overlap | 2.0 | ft | |
| Average Speed | 2.5 | mph | *mile(s) per hour* |
| Average Speed | 13,200 | ft/hr | |
| Efficiency | 0.83 | | *50 minutes per hour* |
| Production Rate | 111,100 | $ft^2$/hr | |
| Production Rate | 2.6 | acre/hr | |
| Hours Required | 18.0 | hr | |

| **Dozer (CAT D6T) Production** | | **Units** | |
|---|---|---|---|
| Effective Blade Width | 13.7 | ft | |
| Average Speed | 0.5 | mph | |
| Average Speed | 2,640 | ft/hr | |
| Number of Passes | 3 | passes | |
| Efficiency | 0.83 | | *50 minutes per hour* |
| Forward/Back Reduction | 0.75 | | |
| Hours Required | 15.0 | hr | *for waste placement and/or grading along highwalls, minimal grading is expected* |

## Minor Earthwork, Backfill, and Site Grading

| Equipment | Quantity | Model | Hourly Unit Cost | Operating Hours | Subtotal |
|---|---|---|---|---|---|
| Dozer | 1 | CAT D6T | $ 192.00 | 15 | $2,900.00 |
| Motor Grader | 1 | CAT 12M | $ 243.00 | 18 | $4,350.00 |
| | | | **Subtotal** | **33** | **$7,250.00** |

## Totals

| | | | |
|---|---|---|---|
| **Total Direct Costs** | | $7,250.00 | |
| Mobilization | $ | 750.00 | *10% of direct costs* |
| Construction Management | $ | 1,450.00 | *20% of direct costs* |
| Reclamation Monitoring and Maintenance | $ | 200.00 | *2.5% of direct costs* |
| **Total Indirect Costs** | $ | 2,400.00 | |
| **Subtotal** | $ | 9,650.00 | |
| **Contingency** | $ | 950.00 | *10% of subtotal* |
| **Total** | **$** | **10,600.00** | |
| **Per Acre Total** | **$** | **230.00** | *based on reclaimed area* |

## Assumptions

1: No buildings are present and no equipment remains on site at the start of the reclamation.

2: Minimal earthwork and grading is expected prior to finalizing reclamation. Earthwork includes minor grading in Phases 1 and 2 and placement of material along pit highwalls as needed.

3: Hourly equipment unit costs include operator, profit, overhead, insurance, and workers compensation.

4: Hourly equipment costs were obtained from the Nevada Standardized Reclamation Cost Estimator Version 1.4.1 and mobile equipment dimension measurements are based on the numbers in the Final Notus IDL Application (February 20, 2019).

5: Subtotals are rounded to the nearest $50 and the totals are rounded to the nearest whole number.

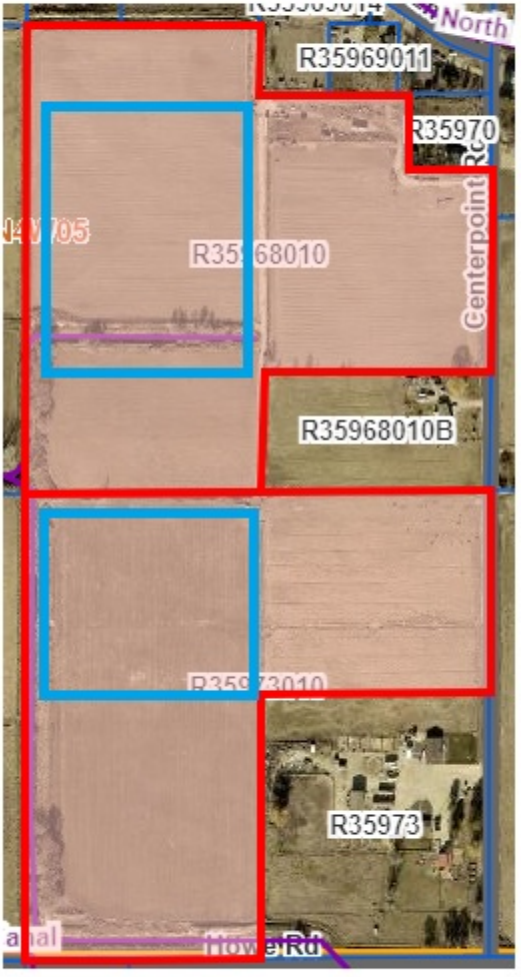
**Exhibit A8:**

## Berm Locations:



**Exhibit A9:**

## Rock Crusher's Permitted Area:




Rock Crusher's Permitted Area

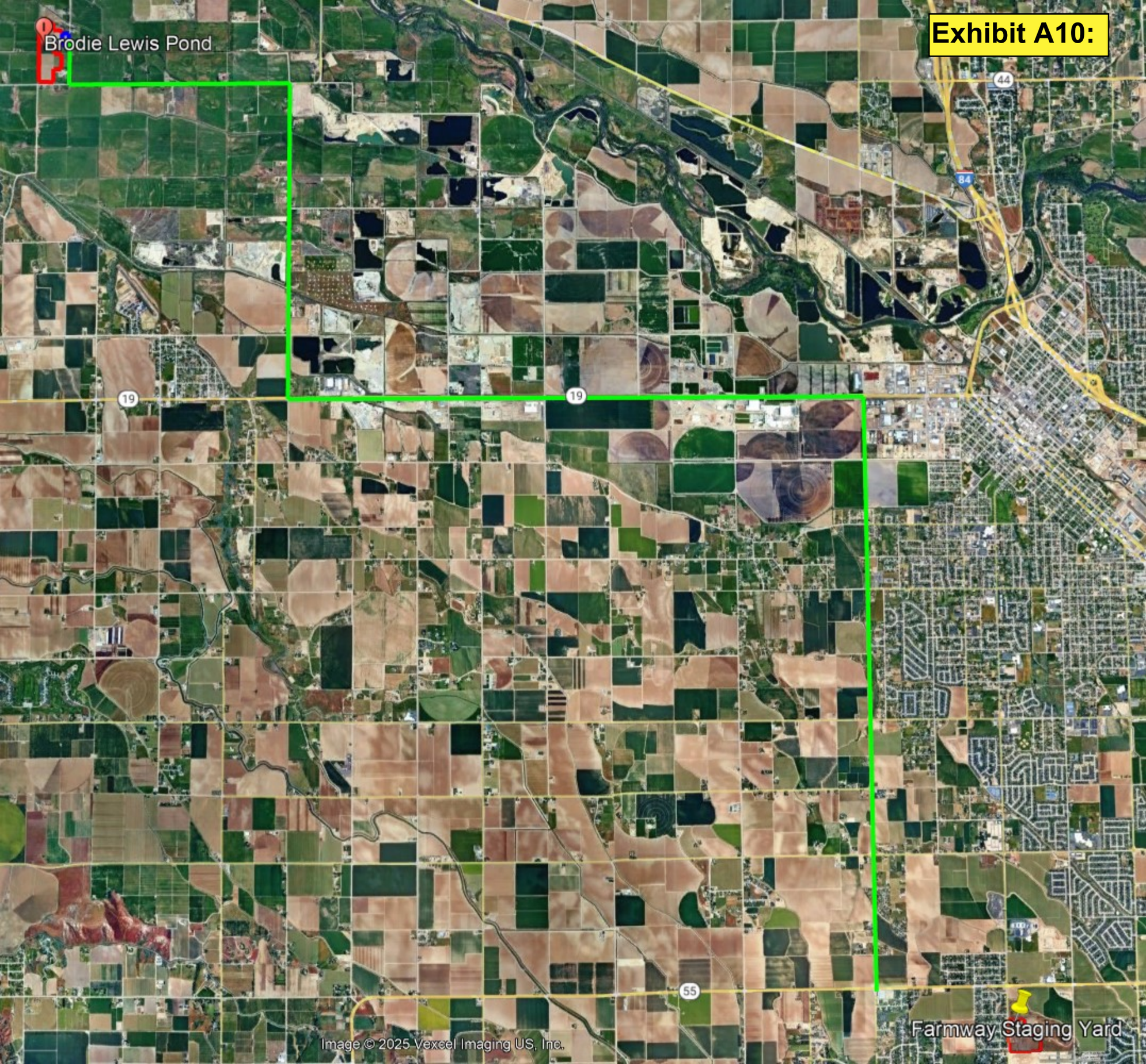

Exhibit A10:
Brodie Lewis Pond
Farmway Staging Yard
Image © 2025 Vexcel Imaging US, Inc.
19
19
84
44
55

**Exhibit A11:**

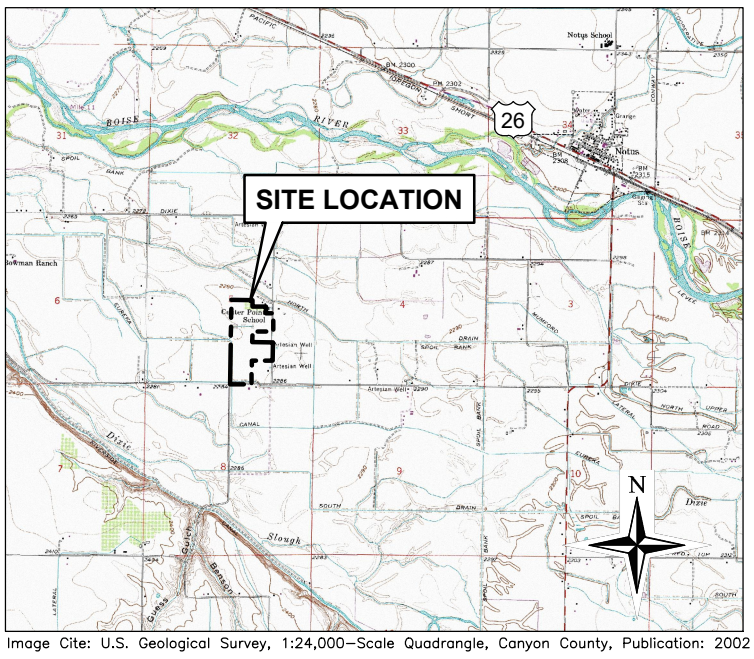



Image Cite: U.S. Geological Survey, 1:24,000–Scale Quadrangle, Canyon County, Publication: 2002

1 **SITE VICINITY**
SCALE: 1" = 6,000'

0 6,000'




Image Cite: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BING Imagery.

## EXPLANATION

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- 26 U.S. HIGHWAY

N

0 1,000'




**QUADRANGLE LOCATION**

**NOTE:**
SITE LEGAL DESCRIPTION -
TOWNSHIP 4 NORTH,
RANGE 4 WEST, SECTION 5


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**FIGURE 1**

**SITE LOCATION**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: AS SHOWN | Date: 12/2/2024 | File: KNIFE_BL_SITELOC-202412 |
|---|---|---|---|---|

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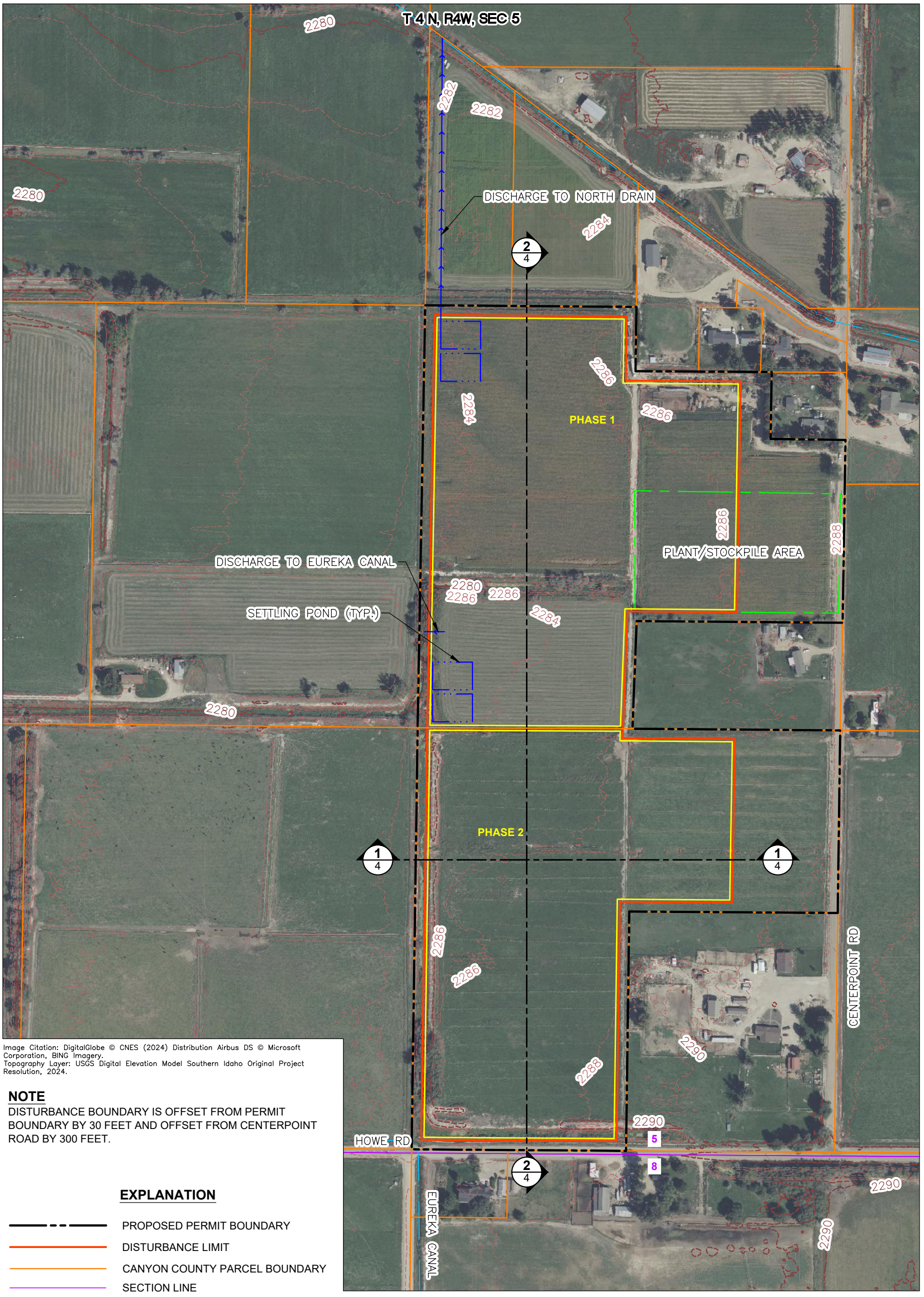



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BING Imagery.
Topography Layer: USGS Digital Elevation Model Southern Idaho Original Project Resolution, 2024.

**NOTE**

DISTURBANCE BOUNDARY IS OFFSET FROM PERMIT BOUNDARY BY 30 FEET AND OFFSET FROM CENTERPOINT ROAD BY 300 FEET.

**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- DISTURBANCE LIMIT
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- CROSS-SECTION CENTERLINE
- PROPOSED PLANT/STOCKPILE AREA
- MINING PHASES
- SETTLING PONDS
- DISCHARGE / DRAINAGE
- SURFACE CONTOUR (2' INTERVAL) — 2290

N

0 300'

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**FIGURE 2**

**SITE MAP**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: 1" = 300' | Date: 12/2/2024 | File: KNIFE_BL_SITEMAP-202412 |
|---|---|---|---|---|

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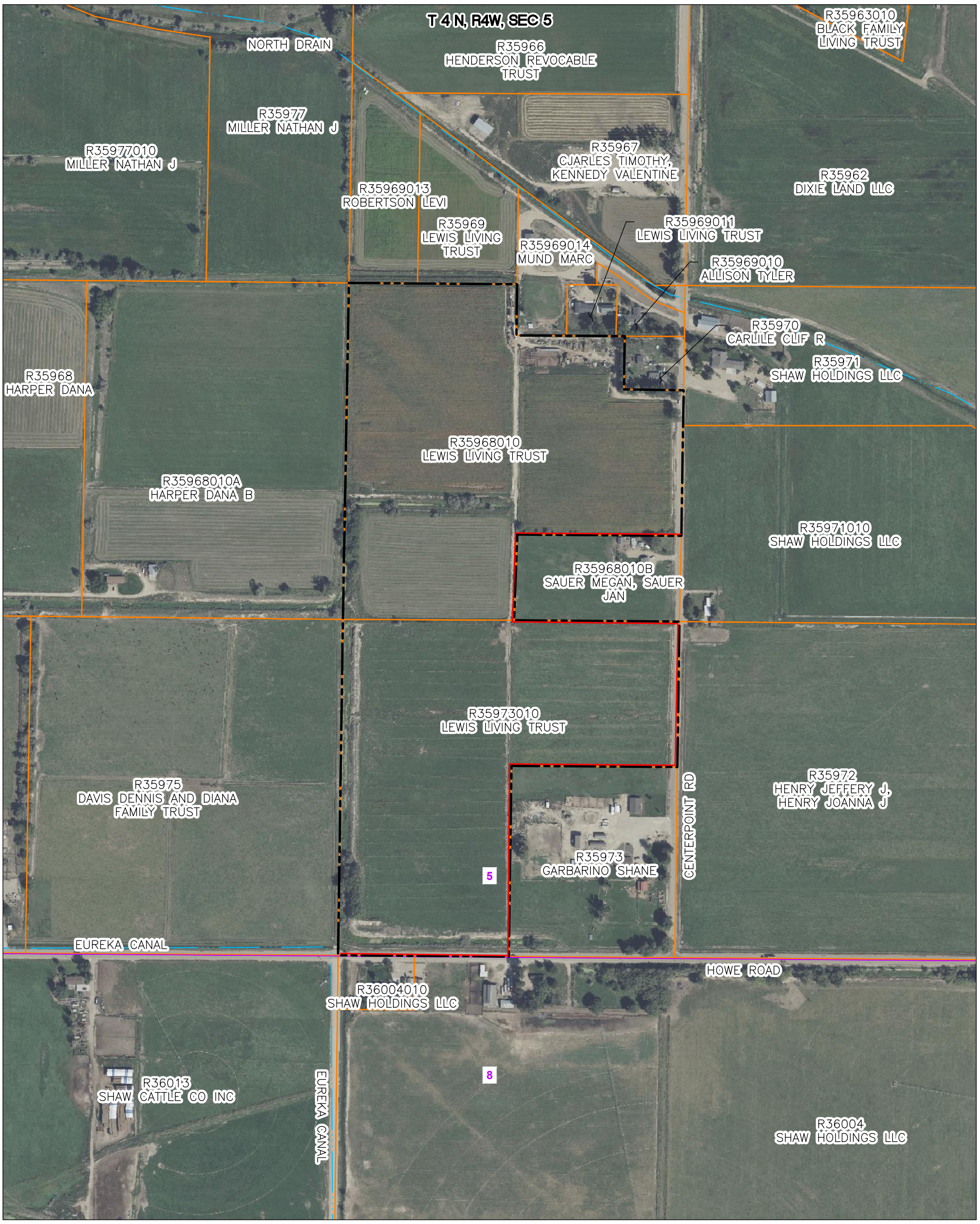



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BING Imagery.

## EXPLANATION

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY AND OWNERSHIP
- SECTION LINE
- CANAL/DITCH (NHD)
- 4-FOOT PRIVACY BERM

N

0 400'

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**FIGURE 3**

**LAND OWNERSHIP**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: 1" = 400' | Date: 12/2/2024 | File: KNIFE_BL_OWNERSHIP-202412 |
|---|---|---|---|---|

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Exhibit B:

**EXHIBIT B**

**Supplemental Documents**

Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

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

**Exhibit B1:**

# R35968010 PARCEL INFORMATION REPORT

11/3/2025 10:19:38 AM

| | |
|---|---|
| PARCEL NUMBER: | R35968010 |
| OWNER NAME: | LEWIS LIVING TRUST |
| CO-OWNER: | LEWIS MICHAEL MICHAEL B TRUSTEE |
| MAILING ADDRESS: | 22283 CELEBRATION LN CALDWELL ID 83607 |
| SITE ADDRESS: | 0 CENTERPOINT RD |
| TAX CODE: | 1710000 |
| TWP: 4N RNG: 4W SEC: 05 QUARTER: SE | |
| ACRES: | 30.76 |
| HOME OWNERS EXEMPTION: | No |
| AG-EXEMPT: | Yes |
| DRAIN DISTRICT: | DD6 |
| ZONING DESCRIPTION: | AG / AGRICULTURE |
| HIGHWAY DISTRICT: | GOLDEN-GATE HWY #3 |
| FIRE DISTRICT: | WILDER FIRE |
| SCHOOL DISTRICT: | NOTUS SCHOOL DIST #135 |
| IMPACT AREA: | NOT In Impact Area |
| FUTURE LAND USE 2011-2022 : | AG |
| FLU Overlay Zone Desc 2030: | INTENSIVE AGRICULTURE OVERLAY |
| FLU RR Zone Desc 2030: | |
| FUTURE LAND USE 2030: | AGRICULTURE |
| IRRIGATION DISTRICT: | EUREKA DITCH CO NO 2 |
| FEMA FLOOD ZONE: | X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0204G |
| WETLAND: | Riverine |
| NITRATE PRIORITY: | NO Nitrate Prio |
| FUNCTIONAL Classification: | NOT In COLLECTOR |
| INSTRUMENT NO. : | 2022010215 |
| SCENIC BYWAY: | NOT In Scenic Byway |
| LEGAL DESCRIPTION: | 05-4N-4W SE TX 17662 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.

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

# R35973010 PARCEL INFORMATION REPORT

11/3/2025 10:20:45 AM

| | |
|---|---|
| PARCEL NUMBER: | R35973010 |
| OWNER NAME: | LEWIS LIVING TRUST |
| CO-OWNER: | LEWIS SHAYE L H TRUSTEE |
| MAILING ADDRESS: | 22283 CELEBRATION LN CALDWELL ID 83607 |
| SITE ADDRESS: | 0 CENTERPOINT RD |
| TAX CODE: | 1710000 |
| TWP: 4N RNG: 4W SEC: 05 QUARTER: SE | |
| ACRES: | 28.80 |
| HOME OWNERS EXEMPTION: | No |
| AG-EXEMPT: | Yes |
| DRAIN DISTRICT: | DD6 |
| ZONING DESCRIPTION: | AG / AGRICULTURE |
| HIGHWAY DISTRICT: | GOLDEN-GATE HWY #3 |
| FIRE DISTRICT: | WILDER FIRE |
| SCHOOL DISTRICT: | NOTUS SCHOOL DIST #135 |
| IMPACT AREA: | NOT In Impact Area |
| FUTURE LAND USE 2011-2022 : | AG |
| FLU Overlay Zone Desc 2030: | INTENSIVE AGRICULTURE OVERLAY |
| FLU RR Zone Desc 2030: | |
| FUTURE LAND USE 2030: | AGRICULTURE |
| IRRIGATION DISTRICT: | EUREKA DITCH CO NO 2 |
| FEMA FLOOD ZONE: | X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0204G |
| WETLAND: | Riverine / Riverine |
| NITRATE PRIORITY: | NO Nitrate Prio |
| FUNCTIONAL Classification: | COLLECTOR |
| INSTRUMENT NO. : | 2022014209 |
| SCENIC BYWAY: | NOT In Scenic Byway |
| LEGAL DESCRIPTION: | 05-4N-4W SE TX 17318 IN SWSE |
| 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.
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4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

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Exhibit B2:

**EXHIBIT B2**

**Case Maps/Reports**

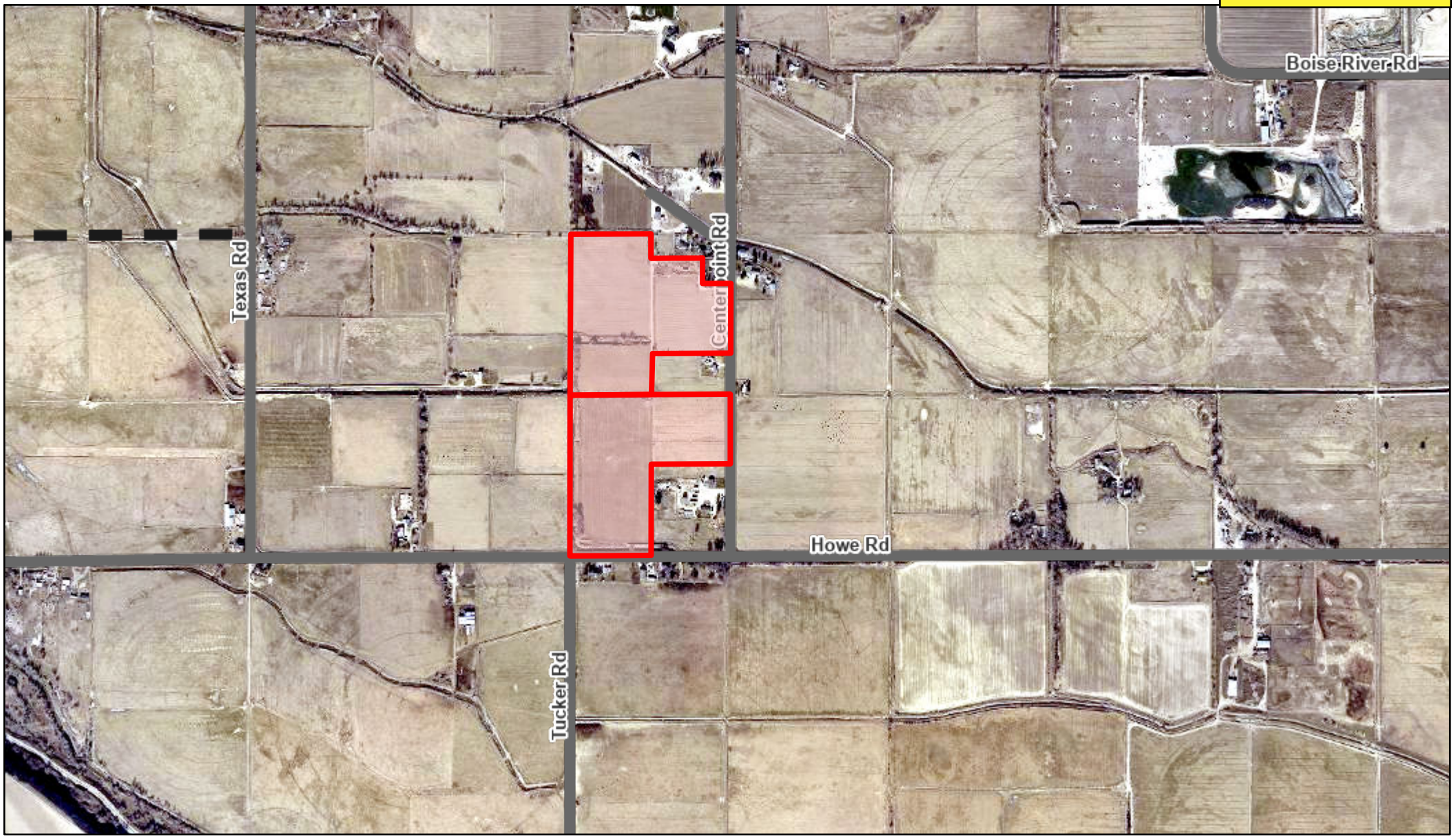
Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

# Canyon County, ID Web Map

**Exhibit B2.1:**




5/28/2025, 2:40:57 PM

Multiple Parcel Search _Query result

CC_PrivateRoads

CanyonCountyRoads

Roads

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

1:18,056

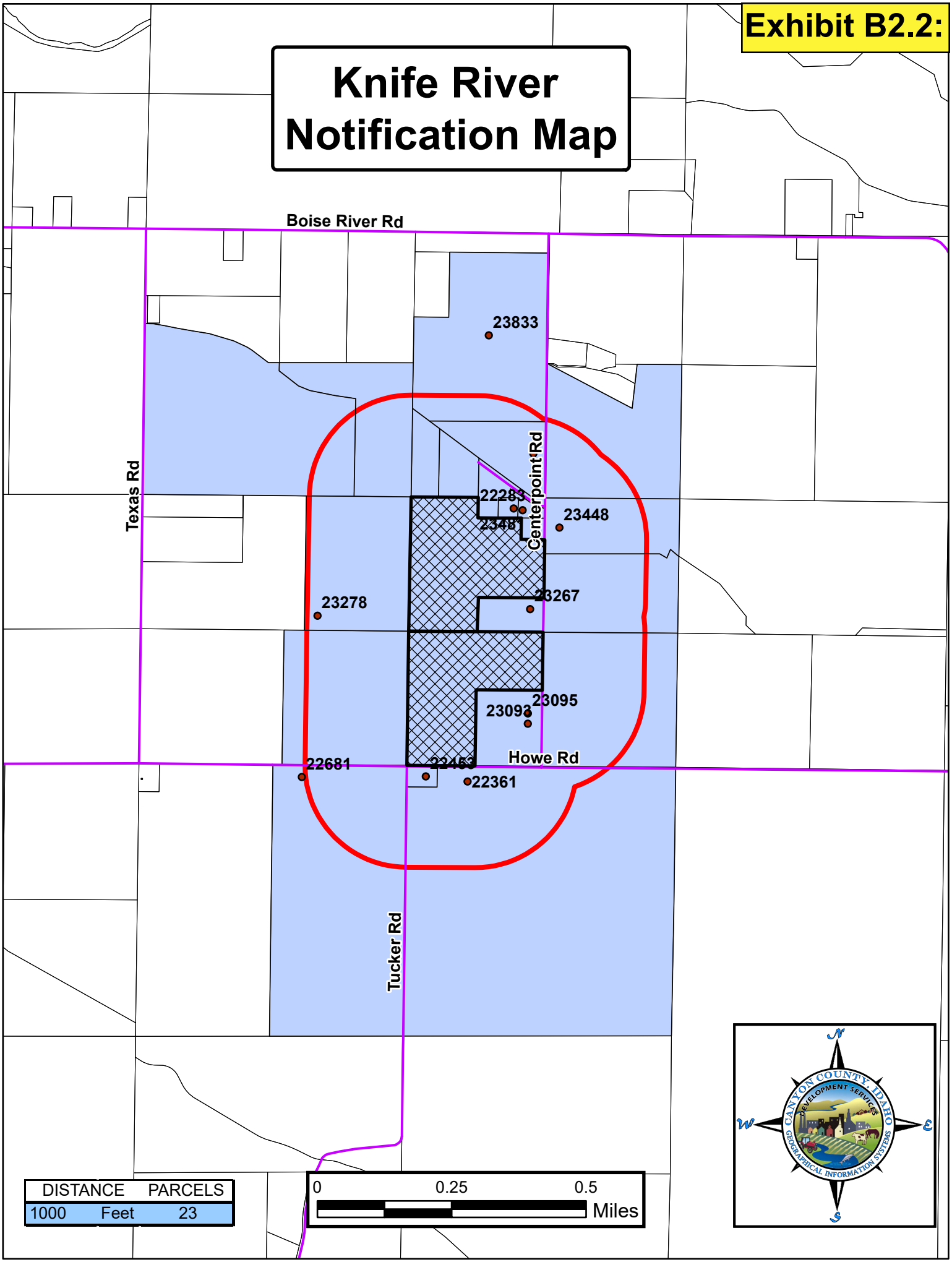
0 0.1 0.2 0.4 mi

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

Canyon County, ID

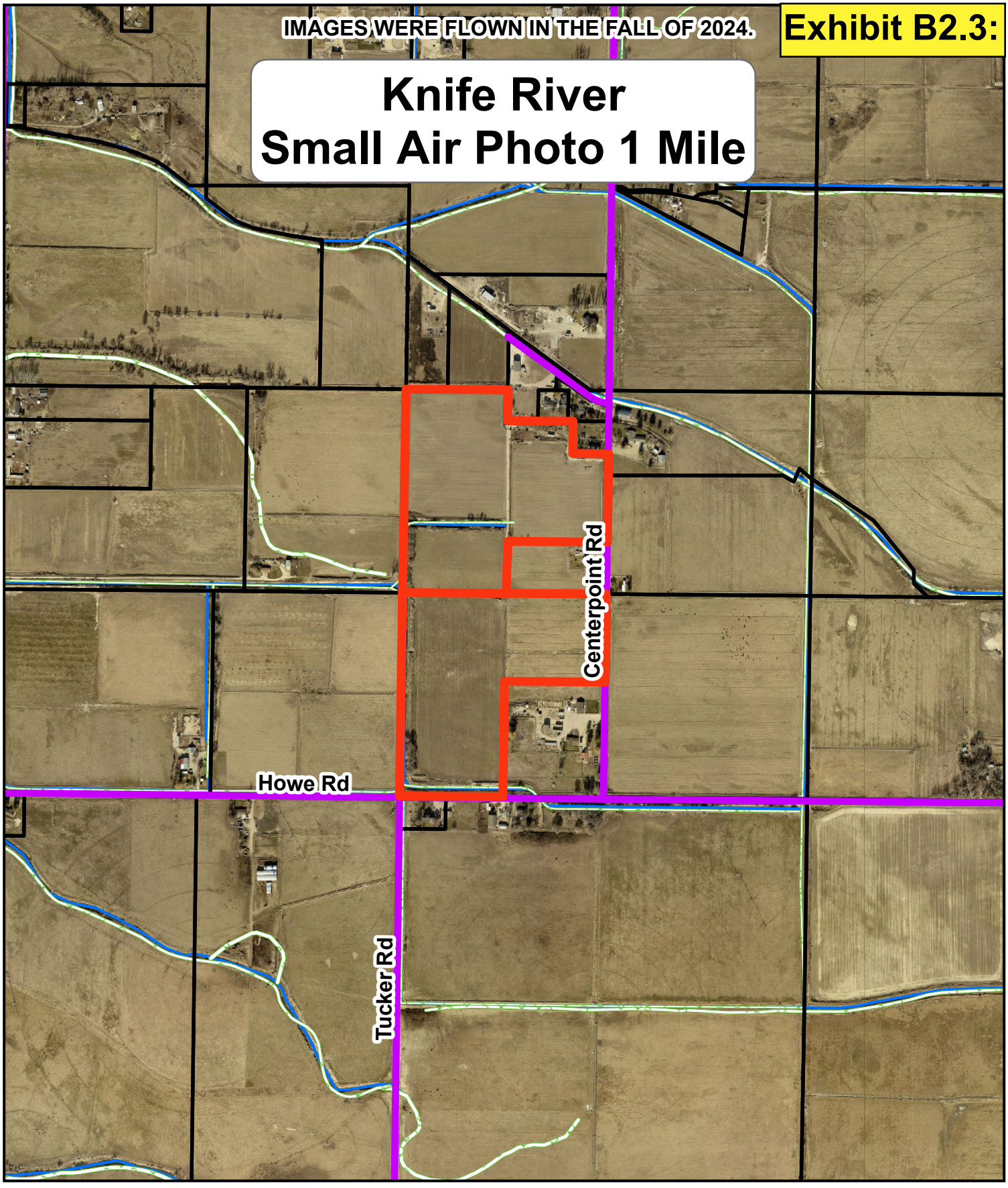
Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA | City of Nampa |


Exhibit B2.2:
Knife River
Notification Map
Boise River Rd
Texas Rd
Centerpoint Rd
Howe Rd
Tucker Rd
23833
22283
23481
23448
23278
23267
23095
23093
22681
22453
22361
DISTANCE PARCELS
1000 Feet 23
0 0.25 0.5
Miles
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS

IMAGES WERE FLOWN IN THE FALL OF 2024.

**Exhibit B2.3:**

# Knife River
# Small Air Photo 1 Mile




City_Limits
Wetlands

0 0.25 0.5 Miles

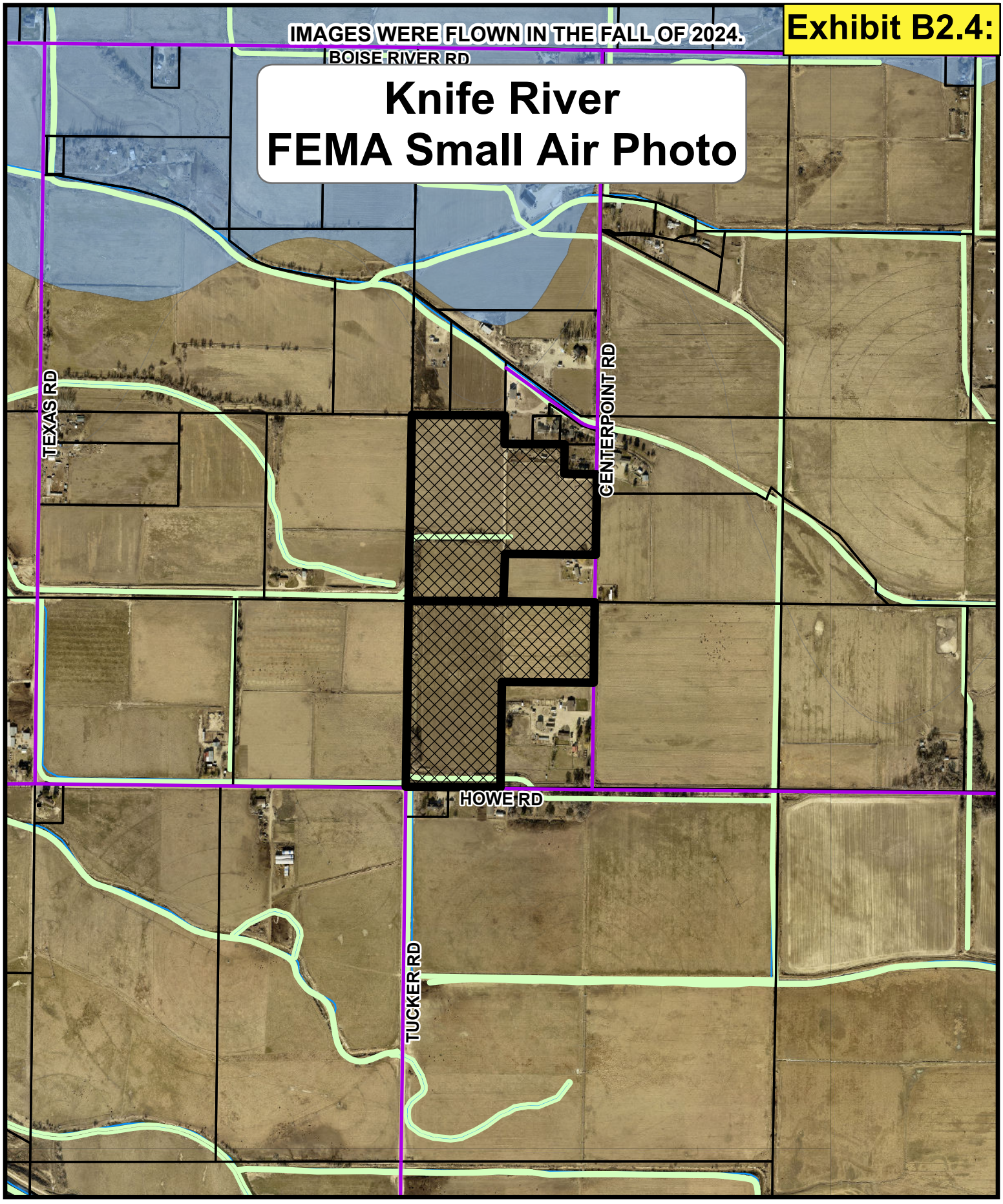
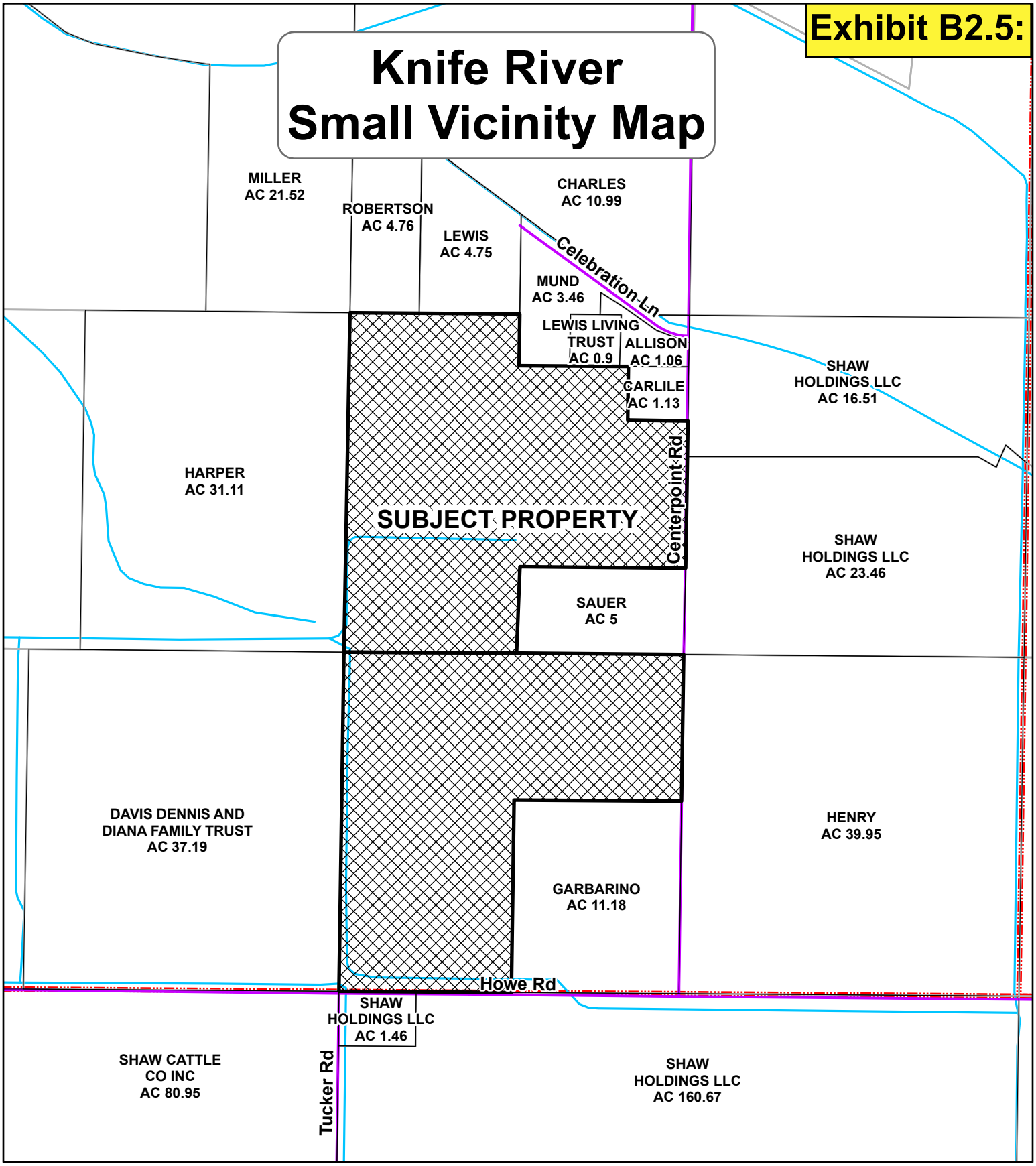
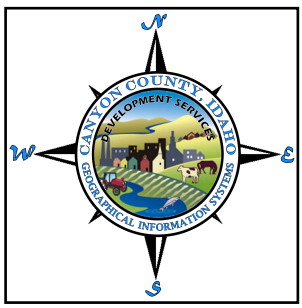
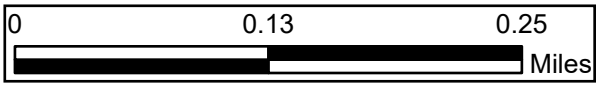

Exhibit B2.4:
IMAGES WERE FLOWN IN THE FALL OF 2024.
BOISE RIVER RD
Knife River
FEMA Small Air Photo
TEXAS RD
CENTERPOINT RD
HOWE RD
TUCKER RD
Legend
SUBJECT_PROPERTY
TAXLOTS
WETLANDS
A
AE
X
400
0
400
Feet

Exhibit B2.5:

# Knife River
# Small Vicinity Map

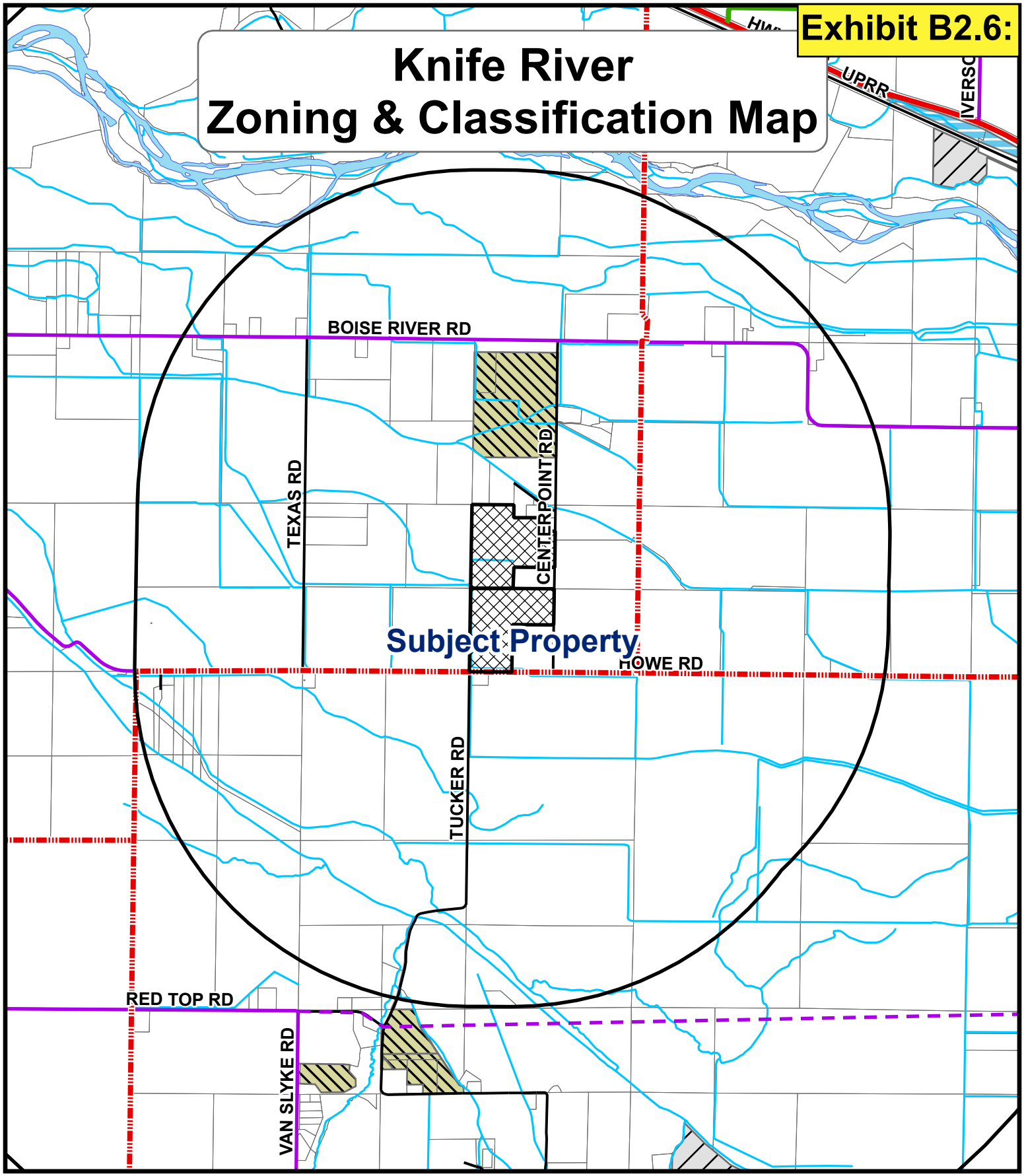


# Exhibit B2.6:

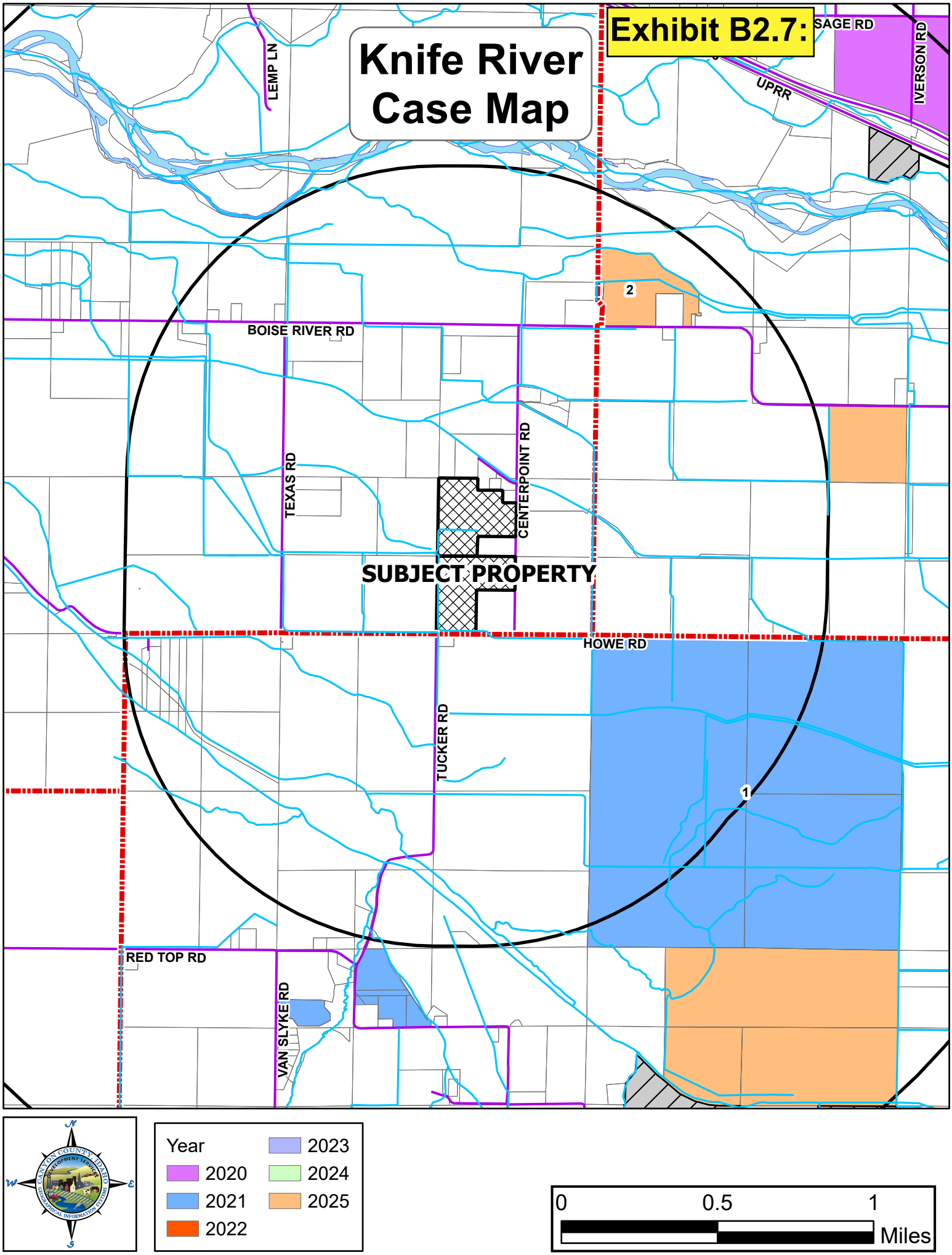
# Knife River
# Zoning & Classification Map




CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS

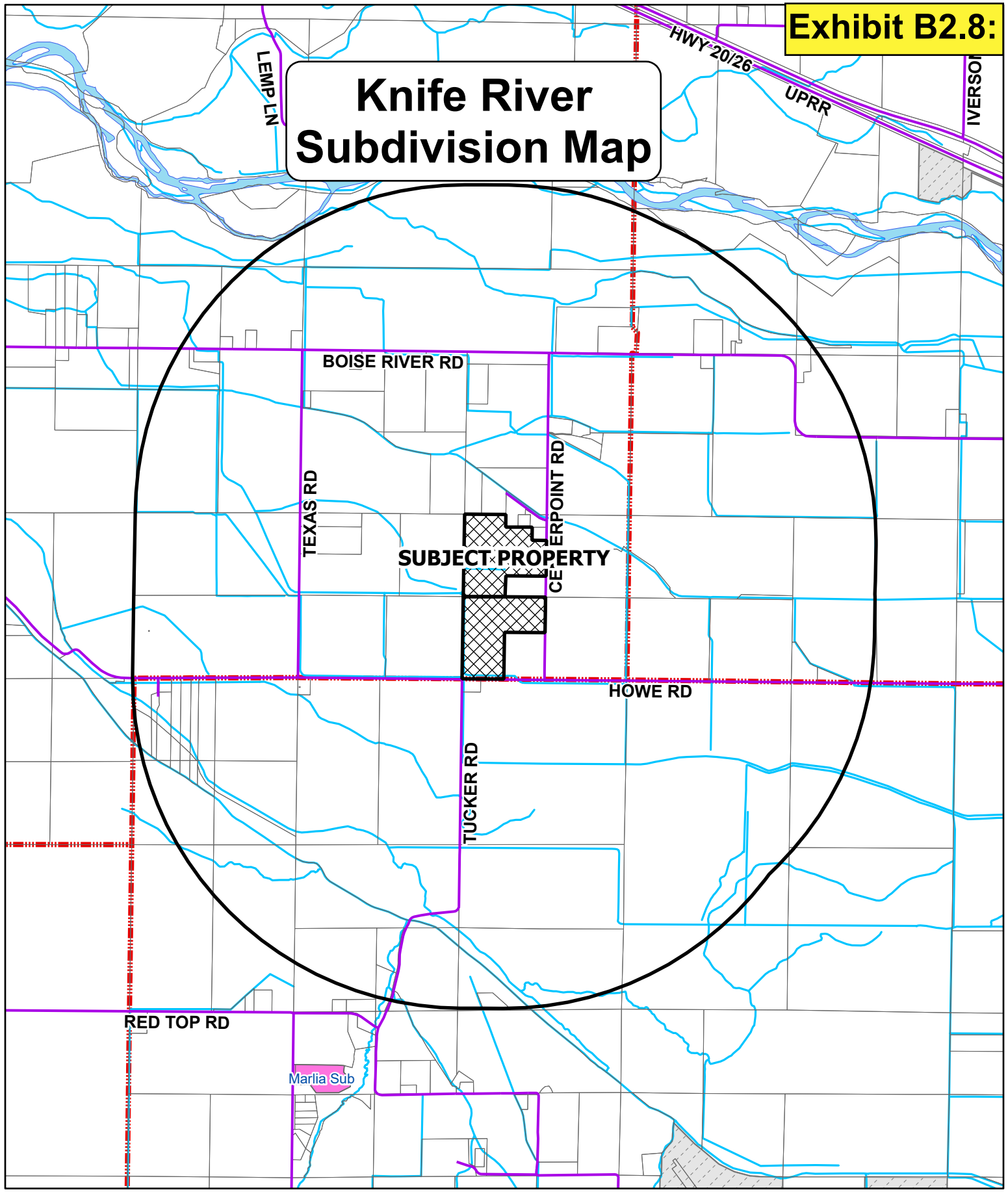
- RR
- CR-RR
- R1
- CR-R1
- R2
- C
- C1
- CR-C1
- C2
- CR-C2
- M1
- CR-M1
- M2
- AG
- INTERSTATE
- OTHER FREEWAY/ EXPRESSWAY
- PROPOSED OTHER FREEWAY/ EXPRESSWAY
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

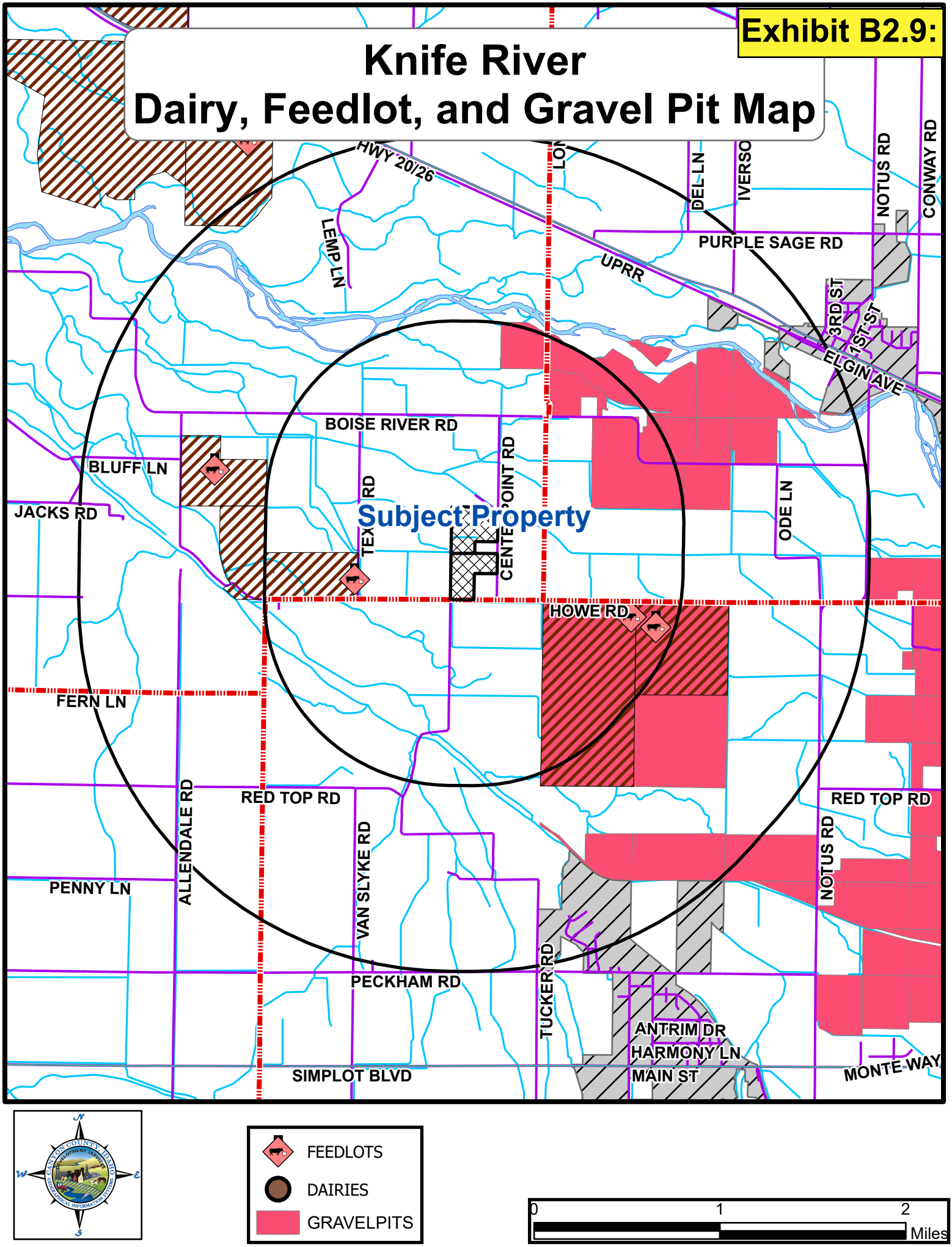
0 0.25 0.5 Miles

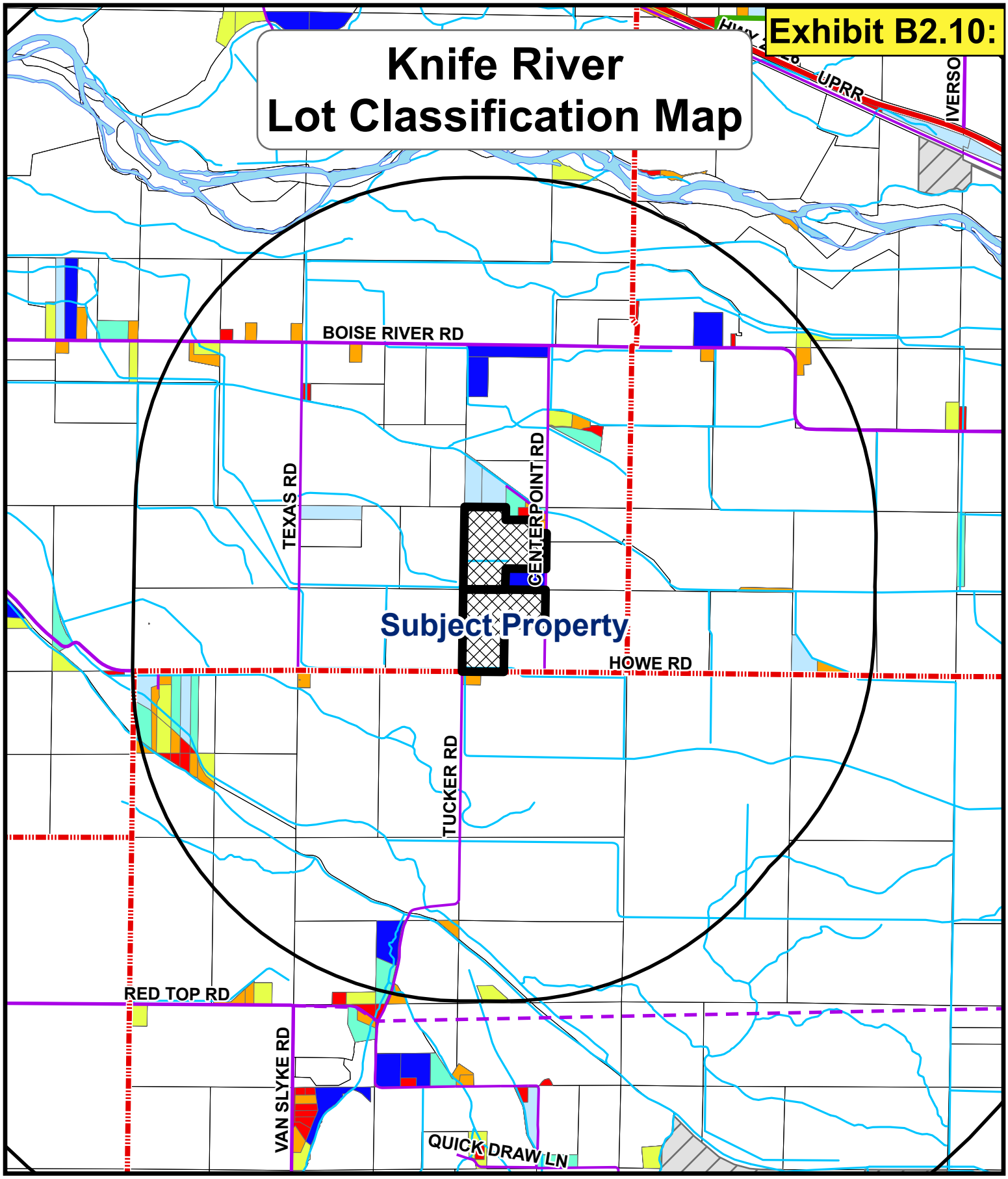

Exhibit B2.7:
Knife River Case Map
LEMP LN
SAGE RD
IVERSON RD
UPRR
2
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
SUBJECT PROPERTY
HOWE RD
TUCKER RD
1
RED TOP RD
VAN SLYKE RD
Year
2020
2021
2022
2023
2024
2025
0
0.5
1
Miles

# CASE SUMMARY

| ID | CASENUM | REQUEST | CASENAME | FINALDECIS |
|---|---|---|---|---|
| 1 | CU2020-0005 | CUP  Mineral Extraction | Idaho Materials & Construction | APPROVED |
| 2 | CU2024-0009 | CUP - Mineral extraction (long-term) | Sunroc Corporation | APPROVED |


Exhibit B2.8:
Knife River Subdivision Map
LEMP LN
HWY 20/26
UPRR
IVERSON
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
SUBJECT PROPERTY
HOWE RD
TUCKER RD
RED TOP RD
Marlia Sub
SUBDIVISIONS
Plat Type,Plat Status
Preliminary,Approved
Preliminary,Pending
MOBILE HOME PARKS
0
0.5
1
Miles

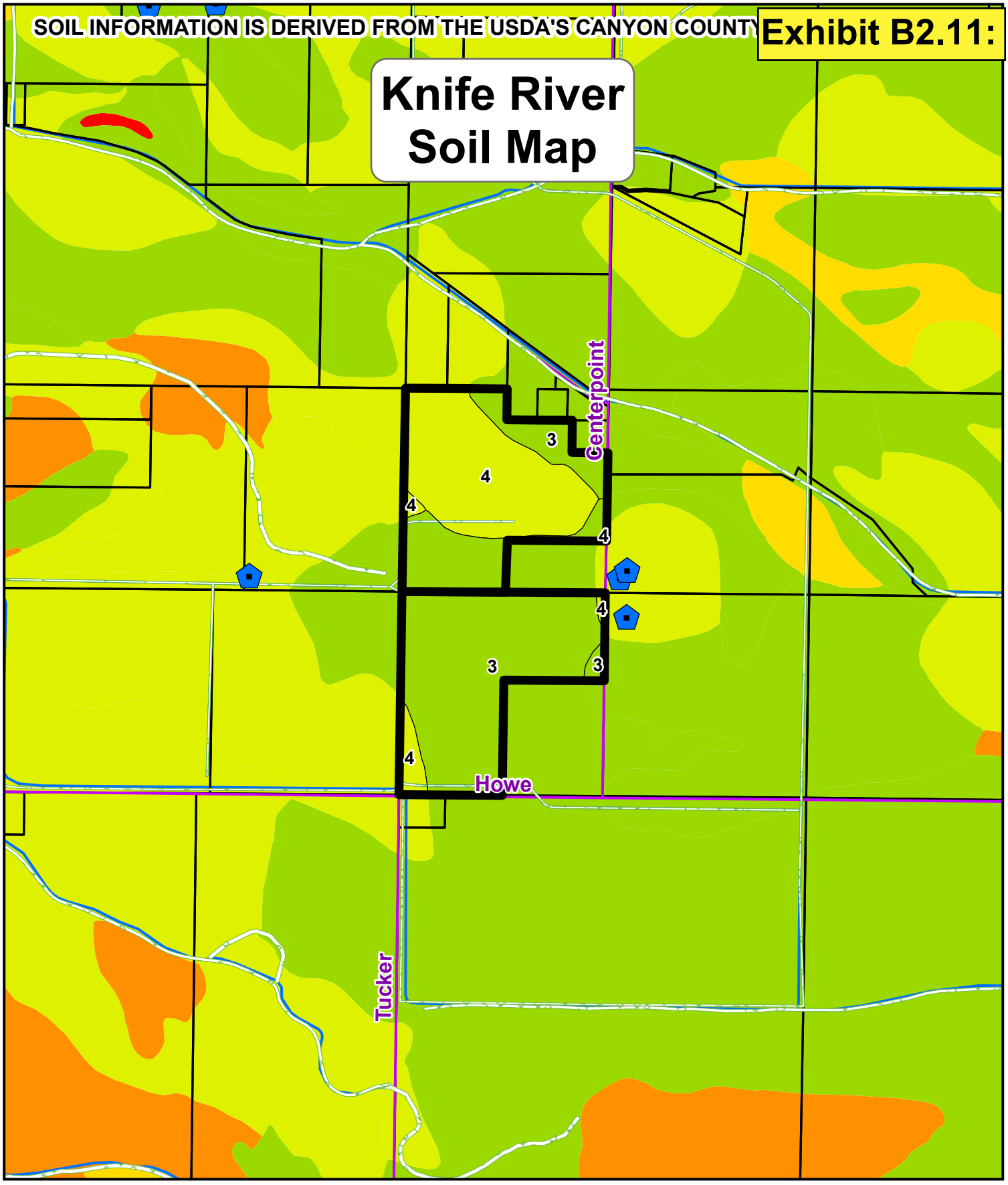

Exhibit B2.9:
Knife River
Dairy, Feedlot, and Gravel Pit Map
HWY 20/26
LEMP LN
UPRR
DEL LN
IVERSO
NOTUS RD
CONWAY RD
PURPLE SAGE RD
3RD ST
1ST ST
ELGIN AVE
BOISE RIVER RD
BLUFF LN
JACKS RD
TEX RD
CENTER POINT RD
ODE LN
Subject Property
HOWE RD
FERN LN
ALLENDALE RD
RED TOP RD
VAN SLYKE RD
PENNY LN
PECKHAM RD
TUCKER RD
ANTRIM DR
HARMONY LN
MAIN ST
SIMPLOT BLVD
MONTE WAY
FEEDLOTS
DAIRIES
GRAVELPITS
0
1
2
Miles


Exhibit B2.10:
Knife River
Lot Classification Map
UPRR
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
Subject Property
HOWE RD
TUCKER RD
RED TOP RD
VAN SLYKE RD
QUICK DRAW LN
Lot Size
0.0 - 1.0
1.1 - 2.0
2.1 - 3.0
3.1 - 4.0
4.1 - 5.0
5.1 - 6.0
INTERSTATE
OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL
PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR
0
0.25
0.5
Miles

SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY

**Exhibit B2.11:**

# Knife River Soil Map



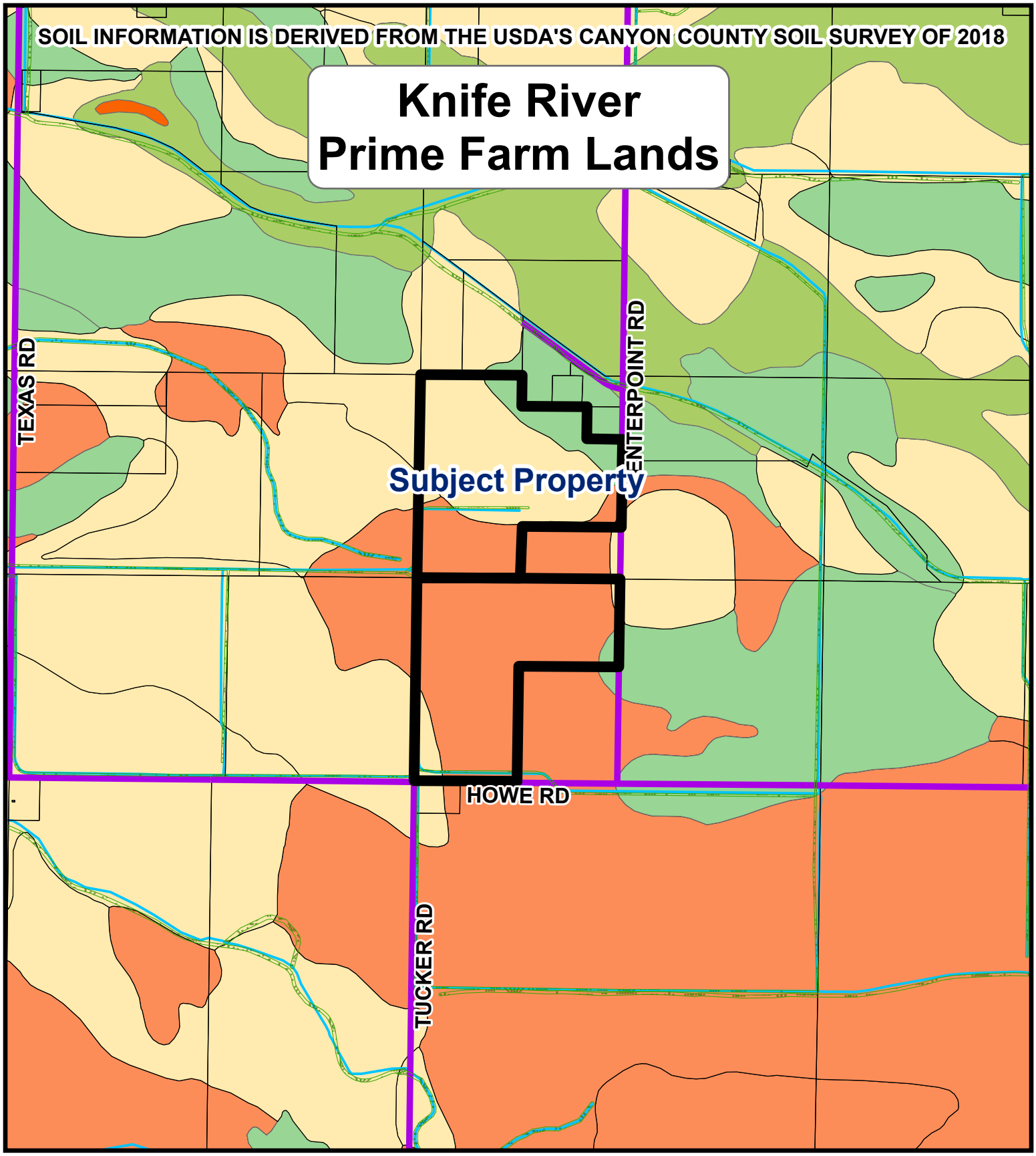

**Nitrate Priority Wells**

- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- 10.000001 - 49.800000

IDWR_2C_Geothermal_

Wetlands

0 0.25 0.5 Miles


SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018
Knife River
Prime Farm Lands
TEXAS RD
ENTERPOINT RD
Subject Property
HOWE RD
TUCKER RD
TAXLOTS
City_Limits
WETLANDS
2C_Hydro
FARMLAND
Farmland of statewide importance
Farmland of statewide importance, if irrigated
Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
Not prime farmland
Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
Prime farmland if irrigated
Prime farmland if irrigated and drained
Prime farmland if irrigated and reclaimed of excess salts and sodium
0
0.125
0.25
Miles

# SOIL REPORT

| SOIL CAPABILITY CLASS | SOIL CAPABILITY | SQUARE FOOTAGE | ACREAGE | PERCENTAGE |
|---|---|---|---|---|
| 3 | MODERATELY SUITED SOIL | 1470174.76 | 33.75 | 56.59% |
| 4 | MODERATELY SUITED SOIL | 809103.37 | 18.57 | 31.15% |
| 3 | MODERATELY SUITED SOIL | 189072.91 | 4.34 | 7.28% |
| 4 | MODERATELY SUITED SOIL | 75438.44 | 1.73 | 2.90% |
| 3 | MODERATELY SUITED SOIL | 24326.84 | 0.56 | 0.94% |
| 4 | MODERATELY SUITED SOIL | 16242.55 | 0.37 | 0.63% |
| 4 | MODERATELY SUITED SOIL | 13379.17 | 0.31 | 0.52% |
| | | 2597738.04 | 59.64 | 100% |

# FARMLAND REPORT

| SOIL NAME | FARMLAND TYPE | SQUARE FOOTAGE | ACREAGE | PERCENTAGE |
|---|---|---|---|---|
| LsA | Not prime farmland | 1470174.76 | 33.75 | 56.59% |
| MtA | Prime farmland if irrigated and drained | 809103.37 | 18.57 | 31.15% |
| FaA | Prime farmland if irrigated | 189072.91 | 4.34 | 7.28% |
| MwA | Prime farmland if irrigated and drained | 75438.44 | 1.73 | 2.90% |
| FaA | Prime farmland if irrigated | 24326.84 | 0.56 | 0.94% |
| MuA | Prime farmland if irrigated and drained | 16242.55 | 0.37 | 0.63% |
| MtA | Prime farmland if irrigated and drained | 13379.17 | 0.31 | 0.52% |
| | | | | |
| | | 2597738.04 | 59.64 | 100% |

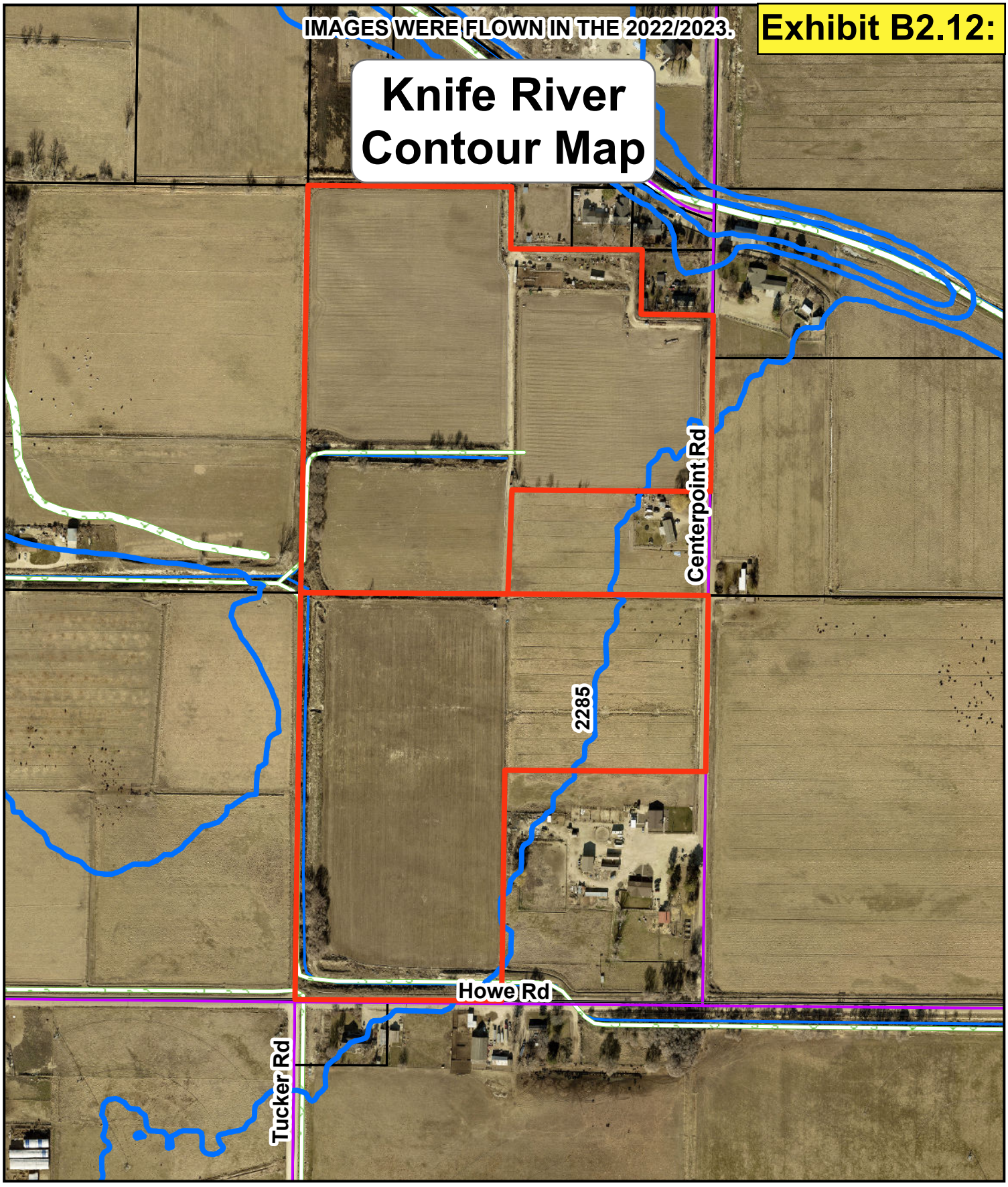
**SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018**

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

IMAGES WERE FLOWN IN THE 2022/2023.

**Exhibit B2.12:**

# Knife River Contour Map




**Legend**

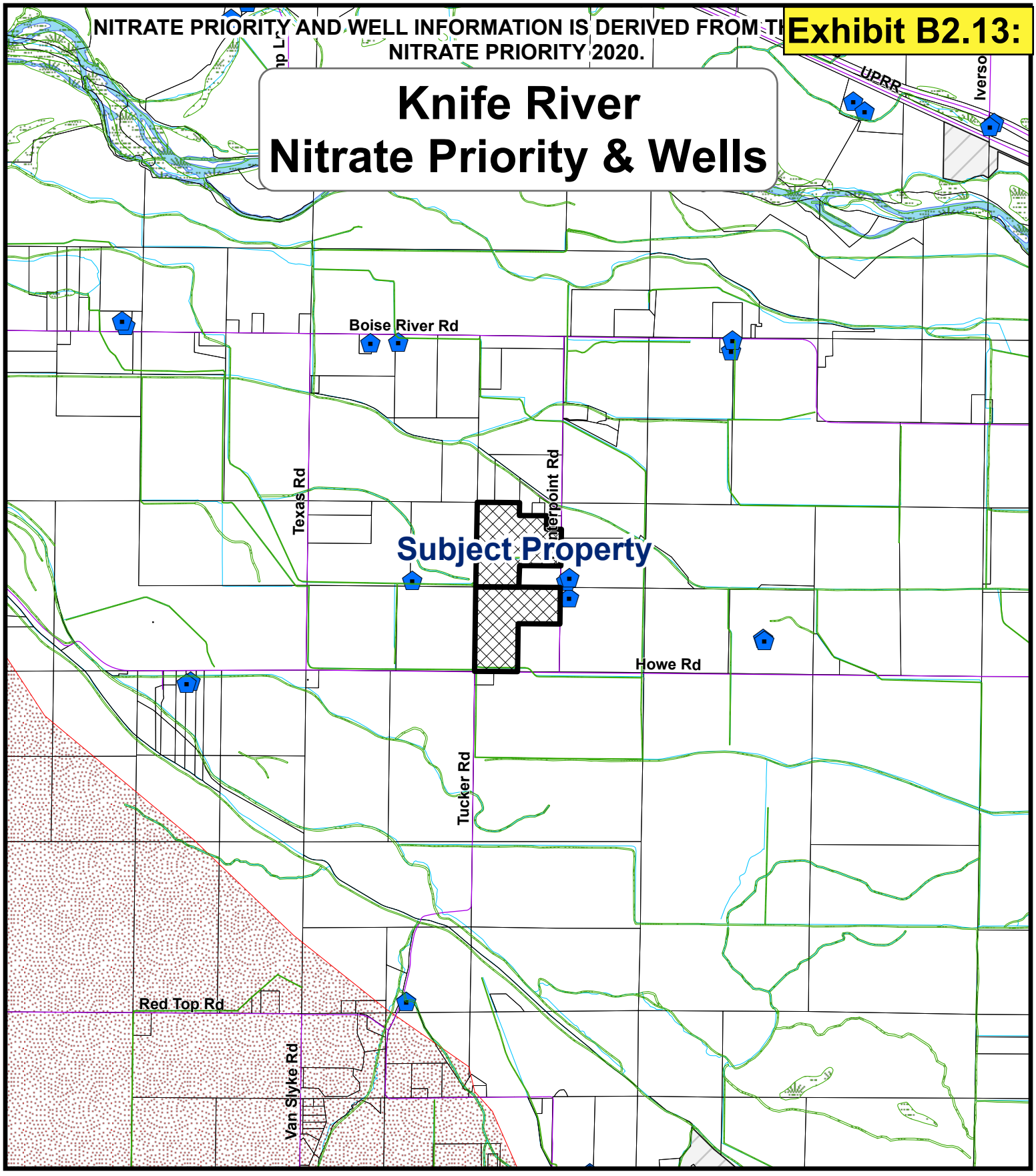
- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

0 200 400 600 Feet

NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM TH
NITRATE PRIORITY 2020.

**Exhibit B2.13:**

# Knife River
# Nitrate Priority & Wells




CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS

GEO-THERMAL LOCATIONS

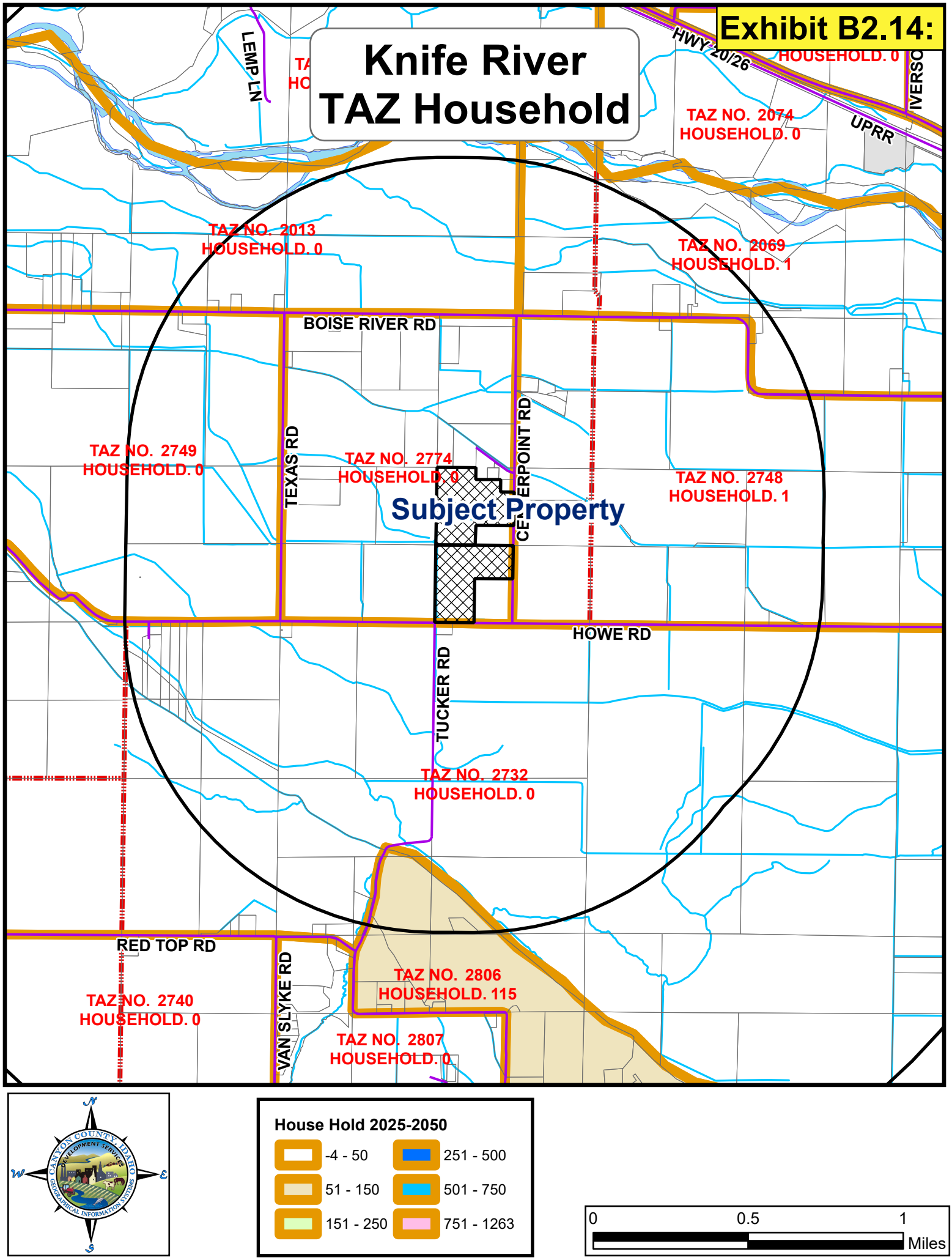
WETLANDS

NITRATE_PRIORITY

**DEQ WELLS**
**N03_MGL**

- 0.005 - 2.00
- 2.000001 - 5.00
- 5.0000001 - 10.00
- 10.000001 - 49.80

0 0.5 1 Miles


Exhibit B2.14:
Knife River
TAZ Household
LEMP LN
HWY 20/26
IVERSO
UPRR
HOUSEHOLD. 0
TAZ NO. 2074
HOUSEHOLD. 0
TAZ NO. 2013
HOUSEHOLD. 0
TAZ NO. 2069
HOUSEHOLD. 1
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
TAZ NO. 2749
HOUSEHOLD. 0
TAZ NO. 2774
HOUSEHOLD. 0
TAZ NO. 2748
HOUSEHOLD. 1
Subject Property
HOWE RD
TUCKER RD
TAZ NO. 2732
HOUSEHOLD. 0
RED TOP RD
VAN SLYKE RD
TAZ NO. 2806
HOUSEHOLD. 115
TAZ NO. 2740
HOUSEHOLD. 0
TAZ NO. 2807
HOUSEHOLD. 0
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
House Hold 2025-2050
-4 - 50
51 - 150
151 - 250
251 - 500
501 - 750
751 - 1263
0
0.5
1
Miles

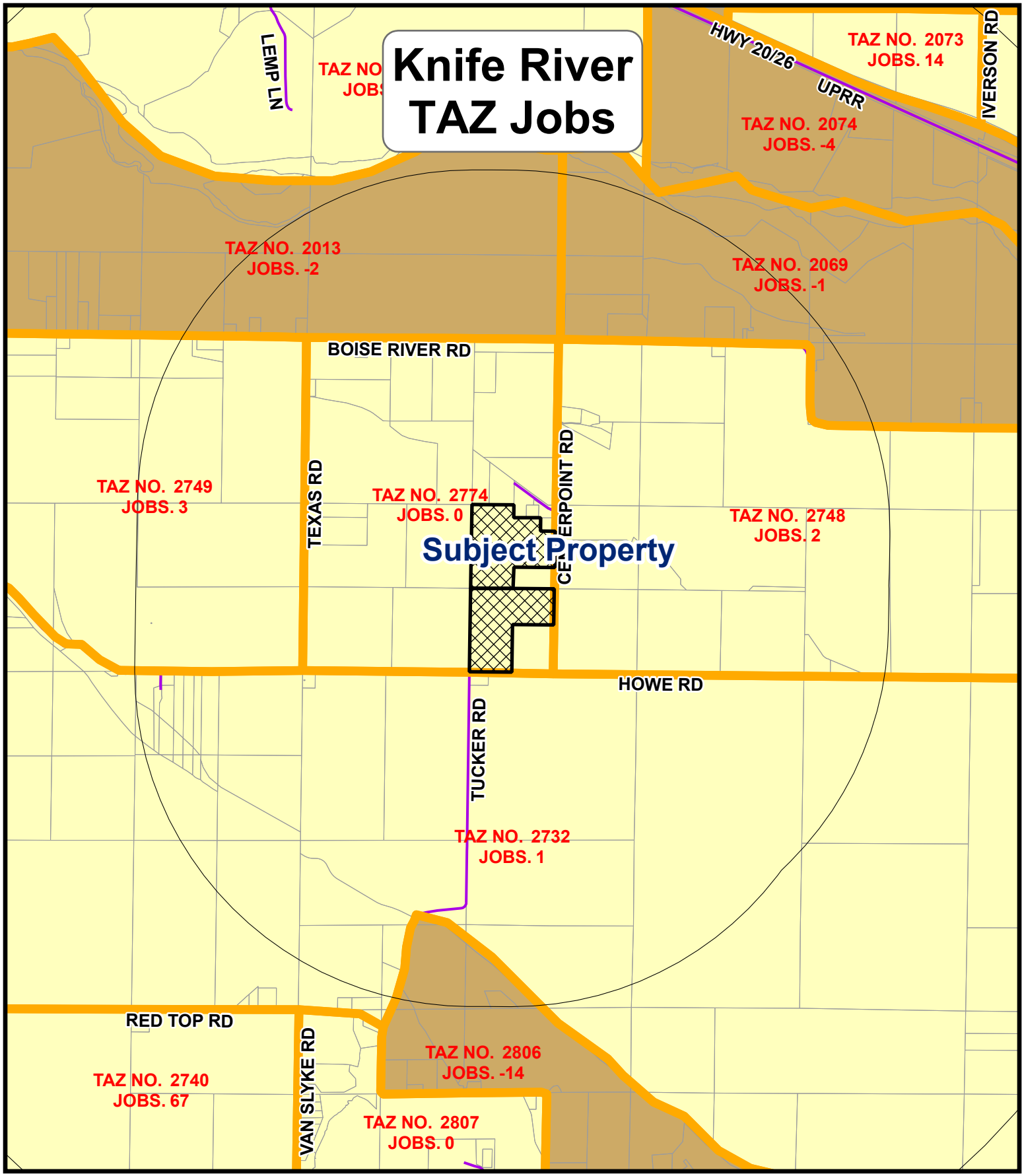
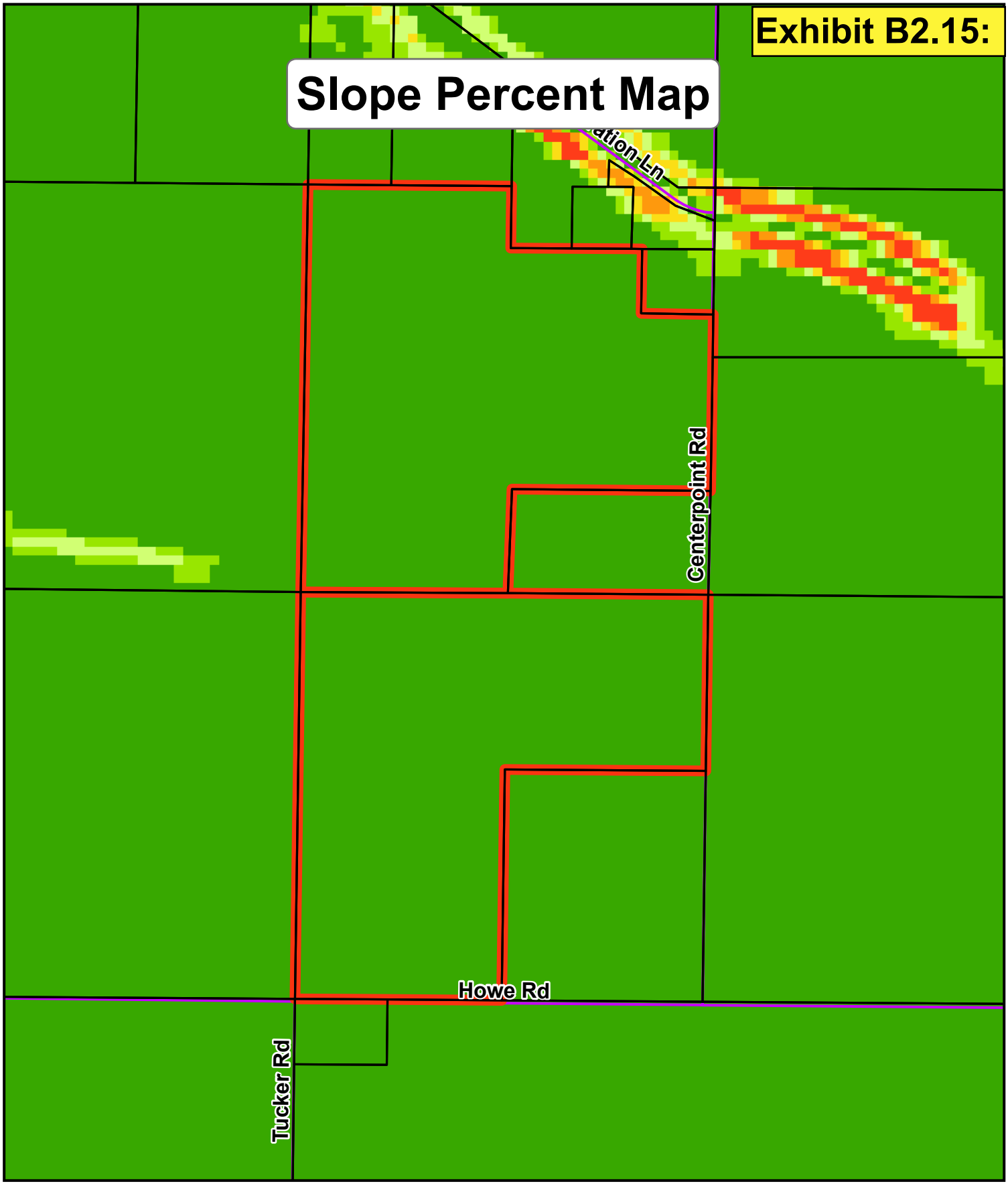

Knife River
TAZ Jobs
LEMP LN
TAZ NO
JOBS
HWY 20/26
UPRR
IVERSON RD
TAZ NO. 2073
JOBS. 14
TAZ NO. 2074
JOBS. -4
TAZ NO. 2013
JOBS. -2
TAZ NO. 2069
JOBS. -1
BOISE RIVER RD
TEXAS RD
CENTERPOINT RD
TAZ NO. 2749
JOBS. 3
TAZ NO. 2774
JOBS. 0
Subject Property
TAZ NO. 2748
JOBS. 2
HOWE RD
TUCKER RD
TAZ NO. 2732
JOBS. 1
RED TOP RD
VAN SLYKE RD
TAZ NO. 2806
JOBS. -14
TAZ NO. 2740
JOBS. 67
TAZ NO. 2807
JOBS. 0
N
W
E
S
CANYON COUNTY, IDAHO
DEVELOPMENT SERVICES
GEOGRAPHICAL INFORMATION SYSTEMS
Jobs 2025-2050
-1
0 - 100
101 - 250
251 - 500
501 - 1000
1001 - 2148
0
0.5
1
Miles

Exhibit B2.15:

# Slope Percent Map




**Slope Percent**

| | |
|---|---|
| 0.001 - 3 | 9.001 - 12 |
| 3.001 - 6 | 12.001 - 14.999 |
| 6.001 - 9 | 15 - 202.718 |

0 200 400 600 Feet

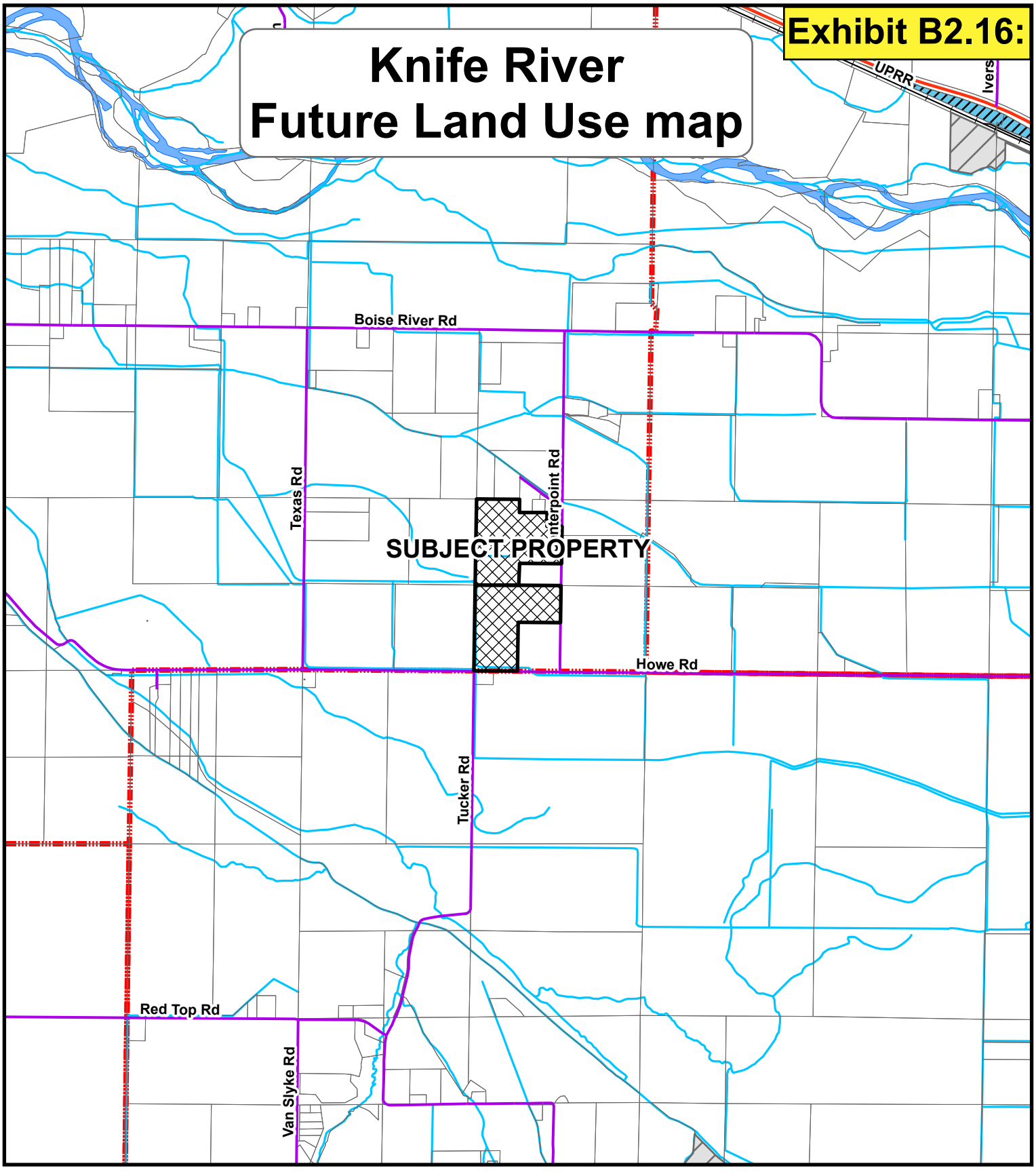

Exhibit B2.16:
Knife River
Future Land Use map
UPRR
Boise River Rd
Texas Rd
Interpoint Rd
SUBJECT PROPERTY
Howe Rd
Tucker Rd
Red Top Rd
Van Slyke Rd
Legend
Future Land Use 2030
COMMERCIAL
INDUSTRIAL
RESIDENTIAL
0
0.5
1
Miles

Exhibit C:

**EXHIBIT C**

**Site Visit Photos: September 5, 2025**

Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

# Site Photos: Taken September 5, 2025







**Photo 1:**
Taken at the corner of Howe Road and Centerpoint Road.






**Photo 2:**
Facing north towards Centerpoint Road at the corner of Howe Road and Centerpoint Road.




**Photo 3:**
Facing northeast at the corner of Howe Road and Centerpoint Road.






**Photo 4:**
Facing east towards Howe Road at the corner of Howe Road and Centerpoint Road.








**Photo 5:**
Facing southeast at the corner of Howe Road and Centerpoint Road.






**Photo 6:**
Facing south at the corner of Howe Road and Centerpoint Road.






**Photo 7:**
Facing southwest at the corner of Howe Road and Centerpoint Road.






**Photo 8:**
Facing west towards Howe Road at the corner of Howe Road and Centerpoint Road.






**Photo 9:**
Facing west towards the subject property, Parcel R35973010 on Centerpoint Road.






**Photo 10:**
Facing northwest towards the subject property, Parcel R35973010 on Centerpoint Road.






**Photo 11:**
Facing northeast on Centerpoint Road.






**Photo 12:**
Facing south on Centerpoint Road.






**Photo 13:**
Facing northwest towards the subject property, Parcel R35968010 on Centerpoint Road.






**Photo 14:**
Facing northeast towards the subject property, Parcel R35973010 on Howe Road.

Exhibit D:

**EXHIBIT D**

**Agency Comments Received by: November 10, 2025**

Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

**Exhibit D1:**

**Archived:** Tuesday, November 4, 2025 10:43:31 AM
**From:** Anthony Lee
**Mail received time:** Fri, 6 Jun 2025 07:19:59
**Sent:** Fri, 6 Jun 2025 13:19:50
**To:** Amber Lewter Amber Lewter
**Subject:** [External] RE: Agency Notice CU2025-0011 / Knife River Corp-Mountain West
**Importance:** Normal
**Sensitivity:** None
**Attachments:**
Pre.Development.Notes.Signed.02.12.2025.pdf

---

Hi Amber,

\~

1. Will a Nutrient Pathogen Study be required? **This project does not require a Nutrient Pathogen Study.** \~
2. Will adequate sanitary systems be provided to accommodate the use? **Subsurface sewage disposal systems were not proposed for his project.**
3. Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and the\~nearby city? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements.**

\~

I've attached the pre-development notes.

\~

Please let me know if you have any questions.

\~

Thank you,

\~

SOUTHWEST DISTRICT HEALTH

\~

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

\~

**Anthony Lee, RS/BS | Land Development Senior**

**Exhibit D1.1:**

SOUTHWEST DISTRICT HEALTH

# Pre-Development Meeting

Name of Development: Notus West - Mining Extraction - Knife River Corporation
Applicant: Megan Winter
P.E./P.G.:
All others in Attendance:

EHS #'s 035 Date 02/12/25

Number of Lots or Flow: N/A Acreage of Proposed Development: 48.0
Location of Development: Nhn Howe Rd
Caldwell, ID 83607
R35959000 0 & R35957010

Project in Area of Concern: No Groundwater/Rock <10' Unknown
Level 1 NP Necessary for N: No

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

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

Additional Comments: Applicant discussed with SWDH proposal for mining extraction of sand & aggregate on two parcels. This extraction process will not affect adjacent properties. The mining extraction could take up to 10 years before reclamation. SWDH does not have concerns with moving the process forward. Anthony Lee

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


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

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

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

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

**Exhibit D2:**

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

Brad Little, Governor
Jess Byrne, Director

June 9, 2025

Amber Lewter, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
amber.lewter@canyoncounty.id.gov

Subject: Agency Notice CU2025-0011 / Knife River Corp-Mountain West

Dear Ms. Lewter:

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

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

**1. AIR QUALITY**

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
  For questions, contact David Luft, Air Quality Manager, at 373-0550.
- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
- Rock crushers, concrete batch plants, and hot mix asphalt plants are subject to DEQ air quality permitting requirements. Please see the following web site for additional information: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/5204
  For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan to the city/county for incorporation into the conditional use permit. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

## 2. WASTEWATER AND RECYCLED WATER

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

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

## 3. DRINKING WATER

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

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

## 4. SURFACE WATER

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

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

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

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

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

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

**6. ADDITIONAL NOTES**

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

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

Sincerely,



Troy Smith
Regional Administrator

**Exhibit D3:**

Richard Sims
Associate Supervisor
Canyon County Soil Conservation District
2208 E. Chicago Ste A, Caldwell Idaho 83605
Middletown.rich@gmail.com
1 208-897-9297
June 10, 2025

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

RE: Case No. CR2024-0005, Joseph and Joy Young and CU2025-0011 Knife River Corp, Mountain West

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

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

CR2024-0005, Joseph and Joy Young zoning request is 100% irrigated capability Class 3. Irrigated Capability Class 3 has moderate limitations and appropriate management practices can make any irrigated class 3 productive. We do NOT recommend a land use change.

CU2025-0011, Knife River Corp-Mountain West zoning request is 63% irrigated class 3 and 37% irrigated class 4. We do NOT recommend a land use change.

Richard Sims

Signing for Clay Erskine
Chairman Soil Conservation District

United States Department of Agriculture

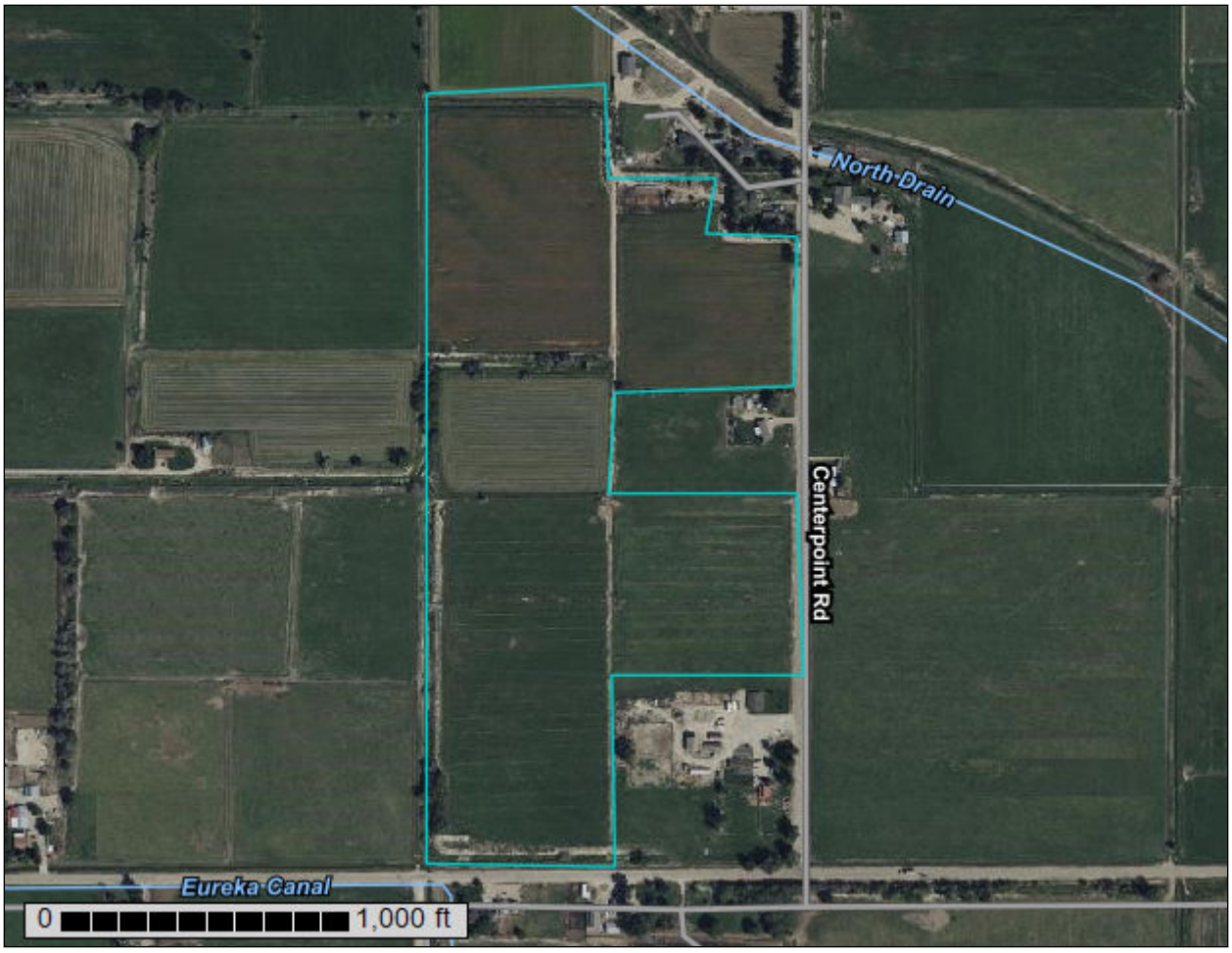
NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for Canyon Area, Idaho

## CU2025-0011 Knife River Corp




June 9, 2025

# Preface

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

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

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

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

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

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

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

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

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# Soil Information for All Uses

## Suitabilities and Limitations for Use

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

## Land Classifications

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

### Irrigated Capability Class (CU2025-0011 Knife River Corp)

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

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

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

Class 1 soils have few limitations that restrict their use.

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

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

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

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

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

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

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

# Custom Soil Resource Report
## Map—Irrigated Capability Class (CU2025-0011 Knife River Corp)




Map Scale: 1:4,830 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

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

## MAP LEGEND

**Area of Interest (AOI)**

- Area of Interest (AOI)

**Soils**

**Soil Rating Polygons**

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

**Soil Rating Lines**

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

**Soil Rating Points**

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

**Water Features**

- Streams and Canals

**Transportation**

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

**Background**

- Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

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

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

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

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Table—Irrigated Capability Class (CU2025-0011 Knife River Corp)

| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
|---|---|---|---|---|
| FaA | Falk fine sandy loam, 0 to 2 percent slopes | 3 | 4.5 | 7.7% |
| LsA | Letha fine sandy loam, 0 to 1 percent slopes | 3 | 33.1 | 56.6% |
| MtA | Moulton fine sandy loam, 0 to 1 percent slopes | 4 | 19.3 | 33.0% |
| MuA | Moulton fine sandy loam, saline, 0 to 1 percent slopes | 4 | 0.3 | 0.5% |
| MwA | Moulton loam, saline, 0 to 1 percent slopes | 4 | 1.3 | 2.2% |
| **Totals for Area of Interest** | | | **58.5** | **100.0%** |

## Rating Options—Irrigated Capability Class (CU2025-0011 Knife River Corp)

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff: None Specified*

*Tie-break Rule:* Higher

**Exhibit D4:**

**Archived:** Monday, November 3, 2025 10:43:31 AM
**From:** Wilder Rural Fire Protection District
**Mail received time:** Thu, 25 Sep 2025 12:40:31
**Sent:** Thu, 25 Sep 2025 18:40:20
**To:** Amber Lewter Amber Lewter
**Cc:** Chad Christiansen
**Subject:** [External] FW: Conditional Use Permit Review
**Importance:** Normal
**Sensitivity:** None
**Attachments:**
Agency Acknowledgement Knife River Corp.pdf

---

Amber, per your email from today, attached is the Agency Acknowledgement we emailed in April.

\~

Regarding your question about average response time – it's approx. seven miles to the Howe Road/Centerpoint Avenue area and Wilder Fire's response would be approximately 7-10 minutes.

\~

Let us know if you need any other details.

\~

*Jeanne Maloney, District Secretary*

**Wilder Rural Fire Protection District**

601 Patriot Way, Wilder ID\~ 83676

Tel: (208) 482-7563

https://wilderfire.org/

\~

---

**From:** Wilder Rural Fire Protection District
**Sent:** Monday, April 21, 2025 12:15 PM
**To:** Winter, Megan <Megan.Winter@kniferiver.com>
**Subject:** RE: Conditional Use Permit Review

# AGENCY ACKNOWLEDGMENT

Date: 4-21-2025

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☑ Applicant submitted/met for official review.

Date: 4/21/2025 Signed: Chad Christiansen

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

**Exhibit D5:**

J-U-B COMPANIES | THE LANGDON GROUP | GATEWAY MAPPING INC.

J-U-B ENGINEERS, INC.

October 1, 2025

Canyon County Development Services Department
Attn: Amber Lewter, Associate Planner
111 North 11th Ave, Suite 310
Caldwell, ID 83605
Phone: (208)454-6631, Email: amber.lewter@canyoncounty.id.gov

RE: Case No.: CU2025-0011, Knife River, Conditional Use Permit Application Review

Dear Amber,

On behalf of Golden Gate Highway District No. 3 (GGHD), J-U-B Engineers, Inc. has reviewed the subject Conditional Use Permit Application submitted by Knife River Corporation – Mountain West for property owned by Lewis Living Trust located on the northwest corner of the Centerpoint Rd/Howe Rd intersection. The property includes Parcels #R35968010 (~30 acres) and R35973010 (~28 acres) and is in the SE quarter of Section 5, T4N, R4W, BM, Canyon County.

The application requests a Conditional Use Permit to allow long-term mineral extraction, mining sand and aggregate to be crushed, screened, washed, and stockpiled for a maximum of twenty (20) years. Phase 1 of the mining operation (~20 acres) consists of the plant area and soil/aggregate stockpiles. Phase 2 will result in approximately 30 acres of disturbance. The property is zoned Agricultural "A". One access point is proposed near the northeast corner of the site adjacent to Centerpoint Road. Information regarding proposed traffic increases and possible impacts to the existing transportation network are **not** included in the application.

A Conditional Use Permit Application (CU2025-0009) submitted by Knife River for property located approximately ½ mile east of the Lewis Living Trust property along Howe Rd was reviewed by GGHD with comments summarized in a review letter dated June 12, 2025. It was determined the following are required for CU2025-0009:

1. Traffic Impact Study (TIS)
2. Pavement Analysis and Improvements/Reconstruction Recommendations
3. Approach Permit

Centerpoint Rd and Howe Rd are under the jurisdiction of GGHD and are classified as Local Road and Minor Collector, respectively, according to GGHD's 2024 Functional Classification Map.

At this time, and based upon information provided with the application, the following items apply:

1. Section 3110.010 Traffic Impact Studies of the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards) states a Traffic Impact Study (TIS) is required for rural developments if the Peak Hour Trips and Average Annual Daily Trips exceed 50 and 500, respectively. If a project has special circumstances associated with it, the District may require a TIS even if the aforementioned criteria are not met. Based on the information provided and proposed use for mineral extraction operation, **a TIS is warranted**. *Due to the proximity and likely impacts of the CU2025-0011 site to the previously reviewed CU2025-0009 site, it is recommended the TIS be combined for both sites*. A scoping meeting with GGHD and a licensed engineer registered in Idaho responsible for preparing the TIS is required.

2. A **Pavement Analysis and Improvements/Reconstruction Recommendations** prepared by a registered licensed professional Idaho engineer are required for Centerpoint Rd from Boise River Rd to Howe Rd. A scoping meeting with GGHD and the engineer responsible for the pavement analysis is required. *Due to the proximity and likely impacts of the CU2025-0011 site to the previously reviewed CU2025-0009 site, it is recommended the pavement analysis for CU2025-0009 include possible additional impacts created by the CU2025-011 site on Howe Rd.*

3. An **Approach Permit Application** is required to be submitted, and the proposed access is required to be constructed in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the ACCHD Standards.

4. If the minimum driveway spacing requirement of Section 3061.020.A Rural Roadway Driveway Spacing of the ACCHD Standards cannot be met, a **Variance Application** is required.

5. A site visit by a GGHD representative is required to address possible sight distance issues, if any.

GGHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available. GGHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by Canyon County.

Respectfully,

Christopher S. Pettigrew, P.E.
*Transportation Services Group, Project Manager/Engineer*

CC: Bob Watkins, GGHD Director of Highways

**Exhibit D6:**

**Archived:** Monday, November 10, 2025 12:01:51 PM
**From:** Tony Almeida
**Sent:** Thu, 6 Nov 2025 16:03:54
**To:** Amber Lewter
**Subject:** FW: Agency Notice CU2025-0011 / Knife River Corp-Mountain West
**Importance:** Normal
**Sensitivity:** None
**Attachments:**
30 day AGENCY notice PZ hearing.pdf

---

If the operation is year round, an address will be required, if it doesn't have one.

Tony

---

**From:** Caitlin Ross
**Sent:** Thursday, October 16, 2025 10:22 AM
**To:** 'krantza@notusschools.org' ; 'jmaloney@wilderfire.org' ; 'knute.sandahl@doi.idaho.gov' ; 'bobw@gghd3.org' ; 'brandy.walker@centurylink.com' ; 'eingram@idahopower.com' ; 'easements@idahopower.com' ; 'arobins@idahopower.com' ; 'jessica.mansell@intgas.com' ; 'monica.taylor@intgas.com' ; 'Contract.Administration.Bid.Box@ziply.com' ; 'mitch.kiester@phd3.idaho.gov' ; 'anthony.lee@phd3.idaho.gov' ; 'D3Development.services@itd.idaho.gov' ; 'niki.benyakhlef@itd.idaho.gov' ; Brian Crawforth ; Christine Wendelsdorf ; Michael Stowell ; 'middletown.rich@gmail.com' ; Dalia Alnajjar ; Lucy Ostyn ; Tom Crosby ; Code Enforcement ; GIS and Addressing Division ; 'cenww-rd-boi-tv@usace.army.mil' ; 'jshoemaker@blm.gov' ; 'MGRodriguez@usbr.gov' ; 'BRO.Admin@deq.idaho.gov' ; 'smith.carolyn.d@epa.gov' ; 'file@idwr.idaho.gov' ; 'stevie.harris@isda.idaho.gov' ; 'laura.johnson@isda.idaho.gov' ; 'kenny.huston@oer.idaho.gov' ; 'Brenna.Garro@oer.idaho.gov' ; 'makline2@marathonpetroleum.com'
**Subject:** Agency Notice CU2025-0011 / Knife River Corp-Mountain West

Dear Agencies,

Please see the attached agency notice regarding the scheduled Planning and Zoning Commission hearing on this project. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they were included in the Staff report. No response is required unless there is an update to your original comments.

This is the notification that a hearing date of **November 20, 2025** at 6:30 pm has been set for this case along with a final deadline of **November 10, 2025** for agency comments. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

Please direct your comments or questions to Planner **Amber Lewter** at amber.lewter@canyoncounty.id.gov.

Thank you,

**Caitlin Ross**

**Exhibit D7:**

**Your Safety • Your Mobility**
**Your Economic Opportunity**

**IDAHO TRANSPORTATION DEPARTMENT**
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

November 7, 2025

Amber Lewter
Planner
111 N. 11th Ave #310
Caldwell, ID 83605

VIA EMAIL

| | |
|---|---|
| **Development Application** | CU-2025-0011 |
| **Project Name** | Knife River Corp |
| **Project Location** | Parcels R35968010 & R35973010 |
| **Project Description** | Long-term Mineral Extraction |
| **Applicant** | Megan Winter & Joseph Smith |

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. Per ITD's comments for application CU-2024-0007, the Department had conditioned IMC for a westbound right-turn lane at SH-19 & Notus Rd. As of today, this improvement has not been made.
2. While it should not be the sole responsibility of the current applicant to make this improvement, the turn lane must be installed for the highway to safely serve increased traffic demand at this intersection. ITD recommends the applicant work with IMC to get these intersection improvements completed.
3. Since application CU-2024-0007 has already been approved, ITD also asks the county to help hold IMC responsible for this improvement.
4. I have also attached previous application comments and correspondence for reference.
5. ITD reserves the right to make further comments upon review of the submitted documents.

If you have any questions, you may contact me at 208-334-8377.

Sincerely,

*Kendra Conder*

Kendra Conder
Development Services Coordinator
Kendra.conder@itd.idaho.gov

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

January 22, 2025

Dan Lister
Principal Planner, Canyon County Development Services
111 North 11th Ave. Suite 310
Caldwell, ID 83605

**VIA EMAIL**

| | |
|---|---|
| **Development Application** | **CU2024-0007** |
| **Project Name** | **JMAC Resources** |
| **Project Location** | Approx. 1-mile north of SH-19 MP 14.55. |
| **Project Description** | Long term mineral extraction expansion and concrete batch plant. |
| **Applicant** | JMAC Resources, Inc. |

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. This project does not abut the state highway system.
2. ITD identified improvements to the intersection of Notus Rd and SH-19 for application CUC2019-0018 IMC Greenleaf. Please see attached ITD Development Condition Memo dated October 17, 2022 indicating ITD requirement for a westbound right-turn lane to be installed.
3. Once IMC installs required improvements, any concerns ITD has for the intersection of SH-19 and Notus Rd will be addressed.

If you have questions regarding this application, you may contact Niki Benyakhlef at Niki.Benyakhlef@itd.idaho.gov or (208)334-8337.

Sincerely,

*Niki Benyakhlef*

Niki Benyakhlef
Development Services Coordinator
ITD District 3
Niki.Benyakhlef@itd.idaho.gov

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

October 17, 2022

Chhang Ream
CR Engineering, Inc.
181 E 50th St
Garden City, ID 83714
chhream@gmail.com

VIA EMAIL

**RE: IMC Greenleaf – ITD Development Condition Memo**

Dear Mr. Ream,

The Idaho Transportation Department (ITD) has completed our review of the IMC Greenleaf Traffic Impact Study. The proposed development is located north of SH 19 along Notus Road in Greenleaf, Idaho.

The TIS states that the intersection of SH 19 & Notus Road does not meet ITD's operational thresholds. A westbound right-turn lane is warranted in existing conditions and is needed in the 2030 total traffic conditions to meet ITD's operational thresholds.

The department finds the development's proposed access acceptable with the following conditions:

1. Developer to install a westbound right-turn lane at SH-19 & Notus Road to meet ITD's operational thresholds and help with truck off-tracking. A power pole in the northeast corner of this intersection will need to be moved to be able to construct this turn lane.

Maintaining safety and mobility for Idaho's motorists is of utmost importance to ITD. If you have any questions please contact me by email at Vincent.trimboli@itd.idaho.gov or 208-334-8817.

Sincerely,

Vincent Trimboli
ITD – District 3
Planning & Development Services Manager

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

Cc:
Lee Belt – City of Greenleaf

## Niki Benyakhlef

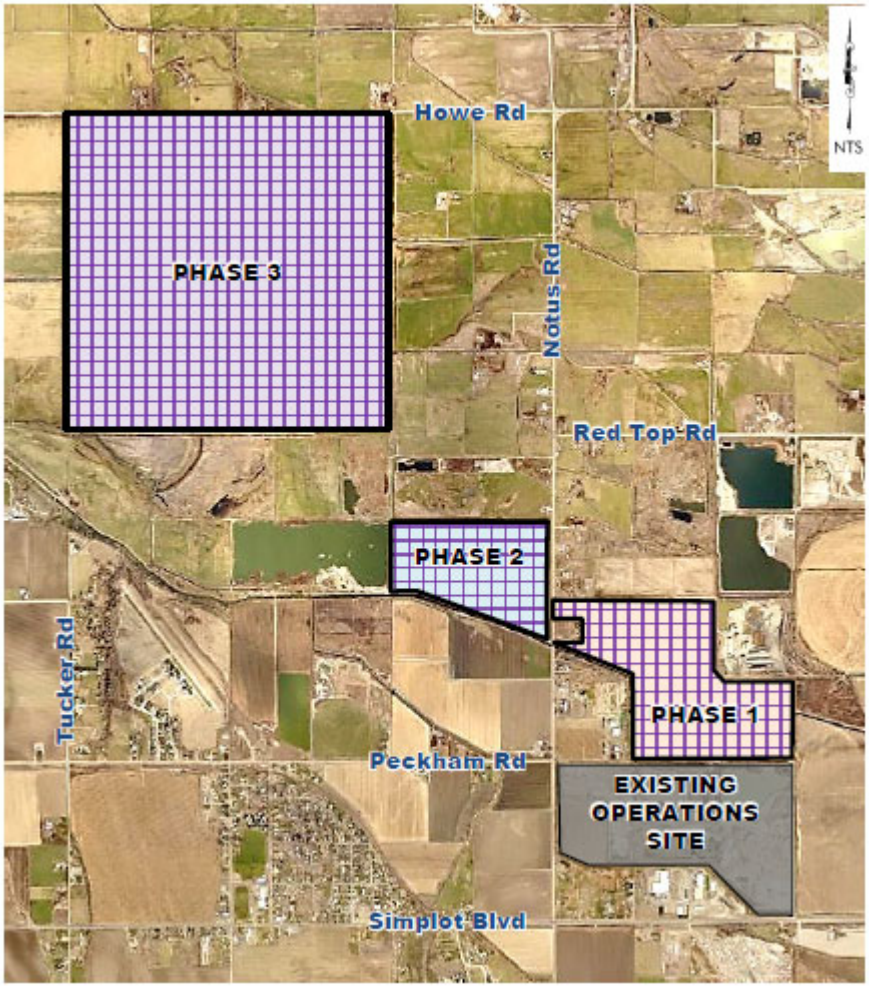
**From:** Niki Benyakhlef
**Sent:** Monday, March 25, 2024 12:27 PM
**To:** Ryan.Russell@idaho.materials.com
**Cc:** Deb Root
**Subject:** IMC Greenleaf CU2019-0018
**Attachments:** IMC Gravel Pits TIS - 05102022.pdf

Hello Ryan,

Thanks for the phone call about the IMC projects near Greenleaf today. I think there is some confusion due to the number of projects you have in the area.

From what I understand the project that is referenced in Canyon County application CU2019-0018 and the TIS that ITD reviewed includes three phases. If any of this development's phases are operational, any conditions that ITD set forth in the attached IMC Greenleaf – ITD Development Condition Memo dated October 17, 2022, must be constructed. It appears that both Phases 1 and 2 are operational, therefore, construction of the mitigations must be completed.

Below is a snippet of the TIS showing the phases to eliminate any confusion.



Call me or have John Stevenson give me a call so we may discuss next steps at either of your earliest convenience's.

Thanks,




*Niki Benyakhlef*
*Development Services Coordinator*

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

**Exhibit D8:**

**Archived:** Monday, November 10, 2025 4:23:09 PM
**From:** Shari Doramus
**Mail received time:** Mon, 10 Nov 2025 22:58:32
**Sent:** Mon, 10 Nov 2025 15:57:48
**To:** Amber Lewter
**Subject:** Re: [External] Fwd: Eureka Ditch Co #2
**Importance:** Normal
**Sensitivity:** None

---

I spoke with Greg Shaw about this last week regarding Knife River Notus Pit West and the answer was the same. We have not granted access for any operations to discharge into Eureka. Steve at Knife River is aware of this restriction.

On Mon, Nov 10, 2025 at 3:53 PM Amber Lewter <Amber.Lewter@canyoncounty.id.gov> wrote:

> Thank you, Shari. I just spoke with Mike at Drain District 6; he asked if water could be drained into the irrigation canal during the summer months. Is this a possibility?
>
> ---
>
> **From:** Shari Doramus <sdoramus@parmaschools.org>
> **Sent:** Monday, November 10, 2025 3:48 PM
> **To:** Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
> **Subject:** [External] Fwd: Eureka Ditch Co #2
>
> Good Afternoon Amber
>
> In regards to the Knife River application for the property currently owned by Brodie Lewis, we just want to specify that no water is allowed to be discharged into the Eureka Ditch or any of it's laterals or sub laterals.
>
> Thank you
>
> Shari Doramus
>
> Eureka Ditch Co. #2

**Exhibit D9:**

**Archived:** Monday, November 10, 2025 4:25:14 PM
**From:** Amber Lewter
**To:** 'farmerhouston@gmail.com'
**Subject:** CU2025-0011
**Importance:** Normal
**Sensitivity:** None

---

Hello Mike,

Thank you for taking my call. I just wanted to recap our conversation that for Drainage District 6, it is requested that drainage occurs in the irrigation canal during the summer months.

Thank you,


**Amber Lewter**

Associate Planner

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov


Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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


**PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.**

Exhibit E:

**EXHIBIT E**

**Public Comments Received by: November 10, 2025**

Planning & Zoning Commission

Case #: CU2025-0011

Hearing date: November 20, 2025

**Exhibit E1:**

Canyon County Development Services

111 N. 11th Ave. Suite # 310 Caldwell, ID 83605

RECEIVED
NOV 10 2025
RECEIVED

11/5/2025

**RE: Case No. CU2025-0011**

To Whom it May Concern:

We would like to submit a written testimony against allowing permits for Case No. CU2025-0011

We live on Tucker Road and saw that permits have been applied for 2 more gravel extraction pits on Howe Road. We travel this road every day and have great concern of the large gravel trucks that we are already constantly meeting. There are currently 7 gravel extraction sites within a 4-mile radius. Three of these have started in the past 3 years. We can't drive down Notus Road without meeting at least 4-5 gravel trucks. This is very hard on our roads and the trucks throw rocks at our vehicles. These trucks are a safety hazards to local traffic and school buses on our narrow country roads.

We also have concerns of the noise levels of the equipment running nonstop. This is a quiet faming and ranching community and it would be very detrimental to all those living in the area to ruin that environment and tranquility.

Please take into consideration our concerns when making a decision on this Case.

Best regards,

Ron & Irene Snell
22014 Tucker Road
Greenleaf, ID

**Exhibit 4:**

**EXHIBIT IV**

**Appeal Staff Report Packet**

**-**

Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2026

**Exhibit 4a:**

# APPEAL OF DECISION
## APPLICATION

| | | |
|---|---|---|
| **PROPERTY OWNER** | OWNER NAME: Lewis Living Trust | |
| | MAILING ADDRESS: 22283 Celebration Lane Caldwell, ID. 83607 | |
| | PHONE: [redacted] | EMAIL: |

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

*Signature:* MVL *Date:* 12/8/25

| | | |
|---|---|---|
| **APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER** | OWNER NAME: Megan Winter & Joseph Smith | |
| | COMPANY NAME: Knife River Corporation - Mountain West | |
| | MAILING ADDRESS: 5450 W Gowen Road Boise, ID. 83709 | |
| | PHONE: 503-890-9746 | EMAIL: Megan.Winter@kniferiver.com |

| | |
|---|---|
| **SITE INFO** | STREET ADDRESS: nhn Howe Road Caldwell, ID. 83607 |
| | PARCEL NUMBER: 35968010 & 35973010 |
| | PARCEL SIZE: 58 acres |

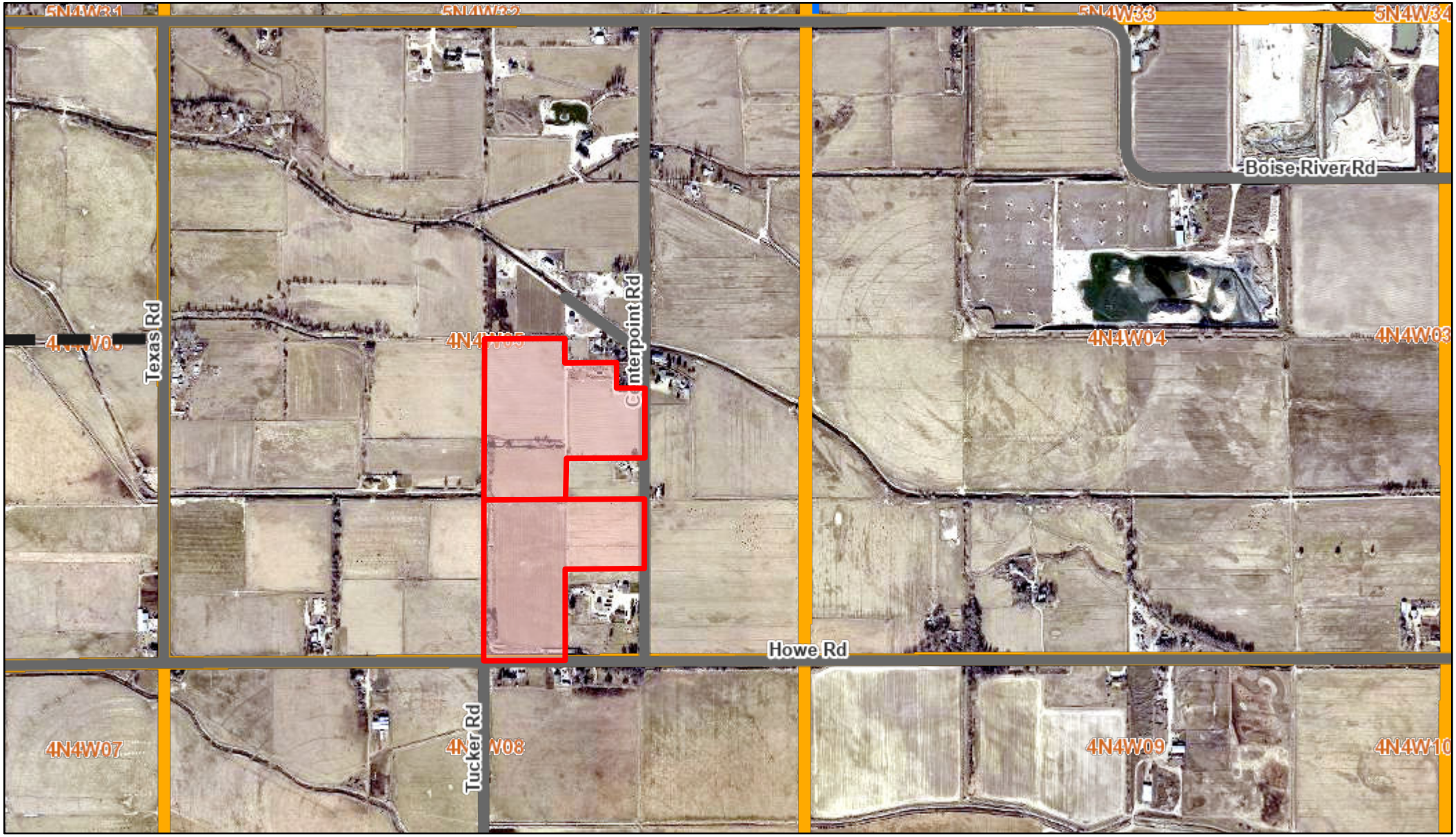
| | |
|---|---|
| **CASE NUMBER OF REQUESTED APPEAL:** | CU2025-0011 |

**FOR DSD STAFF COMPLETION ONLY:**

| | | | |
|---|---|---|---|
| CASE NUMBER | CU2025-0011-APL | DATE RECEIVED: | 12/18/25 |
| RECEIVED BY: | Atewter | APPLICATION FEE: $1,100- | CK MO CC CASH |

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

# Canyon County, ID Web Map




12/18/2025, 2:03:14 PM

Multiple Parcel Search _Query result

CanyonCountyRoads

Roads

CC_PrivateRoads

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

Canyon County, ID

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

KNIFE RIVER

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID. 83709

December 17, 2025

Canyon County Commissioners
1115 Albany Street
Caldwell, ID. 83605

**Subject: Case File No. CU2025-0011 Appeal – Letter of Intent/Statement of Reasons**

Dear Canyon County Commissioners,

Knife River Corporation – Mountain West ("**Knife River**") submits this appeal to the Board of County Commissioners ("**Board**") from the decision of the Planning and Zoning Commission ("**Commission**") denying Conditional Use Permit Application ("**CUP Application**") number 2025-0011 for the property located on Howe Road in Caldwell, Idaho (Parcel Nos. 35968010 and 35973010) ("**Property**").

Knife River's CUP Application seeks approval of a mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel materials from the subject property. The Public Hearing before the Commission on the CUP Application was held on November 20, 2025. The Commission issued its Findings of Fact, Conclusions of Law and Order ("FCOs") on December 4, 2025.

The Commission denied the CUP Application on two grounds: (1) that the proposed use will be injurious to other property in the immediate vicinity and will negatively change the essential character of the area; and (2) that there will be undue interference with the existing and/or future traffic patterns because of other existing gravel pits in the area. The FCOs describe the reasons that the Commission determined that the proposed use is noncompliant in these two areas.

The Board should reverse the Commission's denial and approve the CUP Application subject to the conditions set forth in the Staff Report recommending approval.

**1. The CUP Application Complies with CCCO 07-07-05(4)**

Knife River respectfully submits that the CUP Application and proposed conditions of approval will mitigate any potential negative effects on the character of the area. As noted in the Staff Report recommending approval of the CUP Application, proposed conditions 1 through 15 will adequately mitigate any negative impacts on the surrounding uses. There are multiple sand and gravel extraction operations in the immediate vicinity of the Property. The proposed use will not be injurious to agricultural operations or alter the character of the area. To the extent the

neighboring property owner, Shaw Holdings, needs to use the adjacent road to transport cattle, Knife River can temporarily suspend hauling operations to allow full use of the road by Shaw Holdings for this purpose. For all of the remaining reasons set forth in the Staff Report, the proposed conditions for the use will fully mitigate all other potential negative effects on the character of the area and surrounding uses, which uses already include multiple mining operations.

2. **The CUP Application Complies with CCCO 07-07-05(7)**

Knife River will be required to complete a Traffic Impact Study ("**TIS**") to meet the requirements of the Golden Gate Highway District if the CUP Application is approved. This proposed condition for approval is appropriate and will fully address and mitigate any interference with the existing and/or future traffic patterns. Again, there are currently multiple sand and gravel operations within two (2) miles of the Property with much larger operations. The TIS will fully address impacts from the proposed use and include recommendations for future improvements. The Commission noted that at least one of the current operators, IMC, has not yet fulfilled its obligations to construct a westbound right turn lane at the intersection of SH-19 and Notus Road. The Commission's determination of future interference on existing traffic is speculative and appears to penalize Knife River for a different operator's failure to construct improvements that are a condition of its operations.

The CUP Application fully complies with the Canyon County Code requirements and Idaho Code § 67-6512. The Commission's decision denying the proposed use should be reversed. Knife River will provide the Board with an additional written statement in advance of the public hearing on this appeal. Knife River will also offer testimony at the hearing and will be prepared to address any questions the Board may have with respect to the proposed use.

Respectfully Submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com

# CONDITIONAL USE PERMIT
## PUBLIC HEARING - APPLICATION

| | | |
|---|---|---|
| **PROPERTY OWNER** | OWNER NAME: Lewis Living Trust | |
| | MAILING ADDRESS: 22283 Celebration Lane Caldwell, ID. 83607 | |
| | PHONE: [redacted] | EMAIL: |

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

*Signature:* _____ *Date:* 2/20/25

| | | |
|---|---|---|
| **APPLICANT:** IF DIFFERING FROM THE PROPERTY OWNER | APPLICANT NAME: Megan Winter & Joseph Smith | |
| | COMPANY NAME: Knife River Corporation - Mountain West | |
| | MAILING ADDRESS: 5450 W Gowen Road Boise, ID. 83709 | |
| | PHONE: 503-890-9746 | EMAIL: Megan.Winter@kniferiver.com |

| | | |
|---|---|---|
| **SITE INFO** | STREET ADDRESS: nhn Howe Road Caldwell, ID. 83607 | |
| | PARCEL NUMBER: 35968010 & 35973010 | |
| | PARCEL SIZE: 58 acres | |
| | REQUESTED USE: Mineral Extraction (Sand and Gravel) | |
| | FLOOD ZONE (YES/NO) No | ZONING DISTRICT: Agricultural |

**FOR DSD STAFF COMPLETION ONLY:**

| | | |
|---|---|---|
| CASE NUMBER | DATE RECEIVED: | |
| RECEIVED BY: | APPLICATION FEE: | CK MO CC CASH |

KNIFE RIVER www.kniferiver.com

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID. 83709

April 25, 2025

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

**Subject: Detailed Letter for Conditional Use Application for the Brodie Lewis Pond Project**

Dear Canyon County Development Services & County Commissioners,

Knife River Corporation – Mountain West respectfully submits the following Conditional Use Permit application for a new gravel source.

The population of Canyon County has significantly increased by over double its population the last 30 years. Canyon County's 2020 Comprehensive Plan projects a 51% increase in population between the years 2000 and 2030. In addition, by the year 2030 the number of households is forecasted to be 115,118 representing a 27% increase from 2020. This area of Canyon County is rich with mineral reserves that are essential to support the current and anticipated growth in the area. Having local mineral reserves for construction projects aids in controlling costs of public work projects and aides in developing affordable housing in the County.

The proposed source, known as the Brodie Lewis Pond, is located within Canyon County. The legal description of the source is NW ¼ SE ¼, SEC 5 T4N R4W. The proposed Brodie Lewis Pond source is comprised of two (2) parcels: 35968010 & 35973010. Parcel 35968010 consists of approximately 30 acres and 35973010 consists of approximately 28 acres (**Exhibit C, Figure 1**). The surface and mineral rights are currently owned by Lewis Living Trust and Knife River Corporation – Mountain West has entered an aggregate mining and extraction lease with the property owner (**Exhibit C, Figure 3**).

Mining operations at the site will include mining sand and aggregate to be crushed, screened, washed, and stockpiled within the boundary of the Brodie Lewis Pond. Future stockpile locations, crushing operations, and haul roads are shown on **Exhibit C, Figure 3**. Prior to any mining operations, the vegetation, topsoil, and overburden will be stockpiled onsite for future reclamation. Phase 1 of the mining operation (approx. 20 acres) consists of the plant area and soil/aggregate stockpiles. Phase 2 of the mining operation will result in approximately 30 acres of disturbance.

A reclamation plan application was submitted to the Idaho Department of Lands (IDL) and approved. The reclamation plan approval and reclamation plan application are included with this application. This property is not within the floodplain therefore a floodplain development application has not been included with this application.

A neighborhood meeting was hosted on 3/12/25 as a prerequisite to the submission of this application. Neighbors brought up specific concerns regarding their properties that needed more context. Letters were sent out to the neighbors on 3/19/25 to suggest onsite meetings to address these concerns. Three neighbors met with Knife River's Aggregate Operations Manager on 3/31/25. These neighbors requested lower privacy berms so their valley views would not be impeded. Knife River agreed to install four-foot berms along the eastern and southern shared property lines **(Exhibit C, Figure 3)**. This height meets MSHA safety requirements while also acquiescing to the neighbor's request. Another concern is road safety; there will be a requirement for all truck loads to be covered before leaving the pit and a speed limit of 25 miles per hour will be enforced on Centerpoint Road. The site will be monitored and treated for noxious weeds in accordance with Idaho Surface Mining Act and Administrative Rules. Dewatering will be necessary during the mining process. There are existing culverts and drainage diches surrounding the proposed site. If Knife River operations impact the accessibility or functionality of these culverts and ditches that impact will be corrected by the onsite team. This includes the drainage pipe under Centerpoint Road, north of the proposed site entrance. The final concern is the impact the mining operations will have on neighboring wells. Based on Knife River's geologic exploration and GSI Environmental's technical memo regarding the hydrology of the area, mining will be conducted within the superficial groundwater table. However, there are confining layers beneath the mine floor that limit potential for any shallow superficial mining activities to negatively affect the water quantity and quality of nearby domestic water wells. GSI Environmental's technical memo is included with this application. If operations do effect domestic water wells on adjoining properties, then Knife River will fix or replace those wells.

Proposed standard hours of operation for mining activity is 7am – 5pm, Monday through Saturday. However, loading and hauling of material may take place 24 hours a day, seven days a week to support construction activity that requires nighttime operations. Notices will be sent to our neighbors 10 days prior to starting 24-hour operations. 1-10 employees are expected to be on site at any given time. Except for placing truck scales, no additional signage, improvements, or structures will be placed within the CUP area.

Setbacks from the property line will be 30' in accordance with Canyon County Zoning Ordinance § 07-14-19. Knife River proposes a maintained topsoil berm (stabilized with grass or rock) be placed around the site as mining progresses. The berm will be sufficient to shield the site from view and provide a noise barrier therefore Knife River requests that further landscaping not be required. The topsoil stockpiles will be removed, and the soil used to reclaim the site which would require removal of the landscaping. Based on market conditions, Knife River expects to exhaust the mineral reserves from the site within 5-10 years. The current approved post mining land use is to create a 50-acre water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction.

Operations in the permit area will begin with stripping and stockpiling topsoil in the mining area (**Exhibit C, Figure 2**). Topsoil and overburden will be separated and stockpiled onsite within the eastern portion of Phase 1. This will help make re-vegetation of the pit easier after completion of operations in the gravel source. A portion of the salvaged soil will be bermed around the mining operations on the boundary of the permitted mining area. The berms will be graded and seeded to provide a best management practice to control stormwater runoff as well as serve as the perimeter of the mining area, per MSHA safety standards. This perimeter berm will be used to keep onsite and offsite stormwater separate; it will also perform the functions of safety and controlling site access. The only site access point will be located near the north-east corner of the site adjacent to Centerpoint Road.

Gravel extraction is planned to begin in the Northwest corner of the site (**Phase 1 - Exhibit C, Figure 2**). The Bodie Lewis Pond will consist of two (2) mining phases. First year disturbance will be approximately 30 acres and Phase 2 will be approximately 28 acres. The site will be mined to a minimum elevation of 2280 feet, with a maximum depth of twenty (20) feet from the surface elevation. Operational Slopes on the mine high walls will be between 1:1 and 3:1 and will be dictated by safety.

The aggregate deposit will be mined using both dry and wet extraction techniques. After removal and stockpiling of the overburden, the aggregate will be extracted using an excavator, dozer, and haul trucks to remove approximately twenty (20) feet of material. It is anticipated groundwater will be encountered during this phase and will be managed through grading and maintenance pumping. A pumping circuit will be utilized to move the surface water from the active mining phase to a previously mined phase for storage or discharged, as allowed by permit, to the drainage ditch along the east and north sides of the property. Aggregates will be processed with crushing and screening equipment and a wash plant. All applicable crushing and material processing equipment will be permitted with the Idaho Department of Environmental Quality (IDEQ), Air Quality Division. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne, in accordance with IDAPA 58.01.01.650-651. Best management practices for dust abatement shall be used to control dust and maintain cleanliness of the mine including but not limited to watering of roads and stockpiles.

The pit will be constructed and shaped so that all stormwater will be retained on site in the proposed settling ponds within the pit. As needed during excavation, the site will be dewatered by pumping groundwater and stormwater from the ponds. Since the site will discharge to an irrigation canal a Notice of Intent (NOI) to discharge stormwater associated with Industrial Activity under the IDEQ National Pollutant Discharge Elimination System Multi-Sector General Permit.

The stormwater is controlled on the site through site grading, permanent or temporary ditches, and berms. Before aggregate mining is started, the overburden soil is removed and stockpiled around the perimeter of the mining area. The stockpile berms are seeded to stabilize them, and they create the first runoff control for the facility. The pit is excavated inside the earth berms and stormwater is allowed to pond inside the pit. The pit floor is excavated in stages, so stormwater is channeled to the lower parts of the pit throughout the mining operations. The soils in the pit are permeable sand and gravel soils and it is anticipated that dewatering will continue to take place during excavation. A network of legal drainage ditches run along the perimeter of the property. These ditches provide for the collection of storm water and its conveyance downstream. The functionality of these ditches will need to be maintained throughout the life of the mine, although ditch realignment could be considered in the future. Water will be discharged from the settling pond to a drainage ditch.

Access roads are constructed from sand and gravel excavated from the pit. The roads are constructed with borrow ditches to collect stormwater runoff. The borrow ditches have check dams to cause stormwater to pond and infiltrate before discharging to the borrow ditches along the access road. Because of the permeable nature of the subgrade soils water is very rarely ponded in the borrow ditches. The roadway surface will have water applied for dust control.

Industrial activities exposed to stormwater consist of handling construction aggregates and overburden soil. There will be very little material stored at the site. Equipment and vehicle parking will take place on site. Fuel and lubricating oils will be brought to the site on service vehicles equipped with spill control equipment as needed. Vehicle fueling, and minor maintenance (such as greasing equipment mechanical joints) will be performed on site. Equipment will be transported to Knife River Corporation's yard for major maintenance and repairs. Equipment will not be cleaned at the site. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures. Fuel

may be stored at the crusher location in portable containers to support crushing operations (**Exhibit C, Figure 3**). All fuel tanks will be double walled or installed within secondary containment. A stabilized construction entrance will be constructed within the permit boundary, per State of Idaho specifications, and is maintained to prevent vehicle sediment track out to public right of way. This construction entrance shall serve as the only access point to the site.

The site may use process water to control dust at the site. The dust control water is applied to high traffic areas during summer months with water trucks. The water applied with trucks is applied in light enough volumes to prevent runoff from the site. The pit floor is highly permeable and most precipitation and applied water infiltrates into the ground. There is also dust control water that is applied at the crusher and screens to prevent excessive dust at the process equipment. The process water is collected in an excavated depression near the crushing equipment in an excavation in the pit floor. The water is allowed to infiltrate into the ground and is not allowed to discharge to the runoff. All reclamation will be completed in accordance with the Idaho Surface Mining Act and Administrative Rules. As mining progresses, the pit facility area may be filled with overburden, reject material and clean fill, and brought back to grade. One large pond is estimated to be left on site as part of the reclamation.

All fill material will conform to the Idaho Solid Waste Management Rules (IDAPA 58.01.06.005.19) which defines inert waste as: "*noncombustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. "Inert waste" includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel, dirt, inert coal combustion by-products, inert precipitated calcium carbonate and inert component mixture of wood or mill yard debris.*"

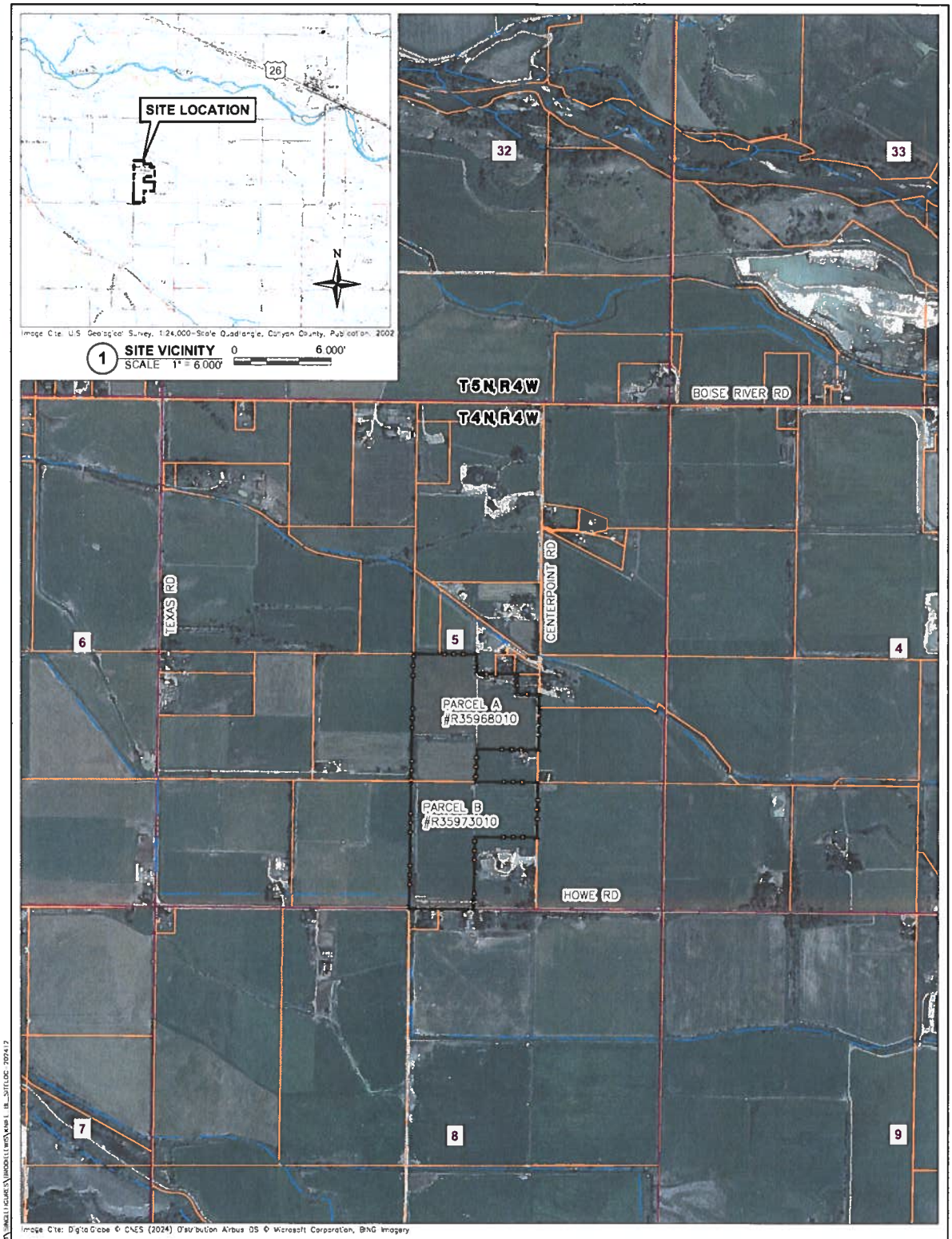
All haul roads within the permit boundary will be reclaimed and seeded to match the existing topography. All areas around the pond will have overburden and topsoil placed and will be seeded at the time of reclamation. The post-mining land use plan for the property contains a large water feature due to the depth of mining. The perimeter berms created during the stripping process will be leveled into the water surface to reduce visual obstruction. The parcel will likely be sold for residential or agriculture development, similar to other depleted mines in the area. The topsoil stockpiled during stripping of the site will be spread to a uniform depth of six (6") inches over the site. The site will be seeded using Great Basin Native Seed Mix (or equivalent). The seed will be spread via broadcast at 28 lbs. per acre. Fertilizer will be spread as required to stimulate and support growth. Seeding should take place in spring or fall to time germination and establishment of the seedlings with seasonal precipitation.

Knife River believes that this application and project aligns with and supports the policies outlined in the 2020 Comprehensive Plan. Please feel free to contact me with any questions regarding this CUP application.

Respectfully Submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com




**NOTE:**
SITE LEGAL DESCRIPTION -
TOWNSHIP 4 NORTH,
RANGE 4 WEST, SECTION 5

Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307/745.7474 (F) 307/745.7729

**FIGURE 1**

**SITE LOCATION**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: AS SHOWN | Date: 12/2/2024 | File: KNIFE_BL_SITELOC 202412 |
|---|---|---|---|---|

L:\KNIFE RIVER CORP - DOCUMENTS\CADD\DASHPLAN UPDATING\SUPPORT\IMAGES\FIGURES\BRODIE LEWIS\KNIFE_BL_SITELOC 202412

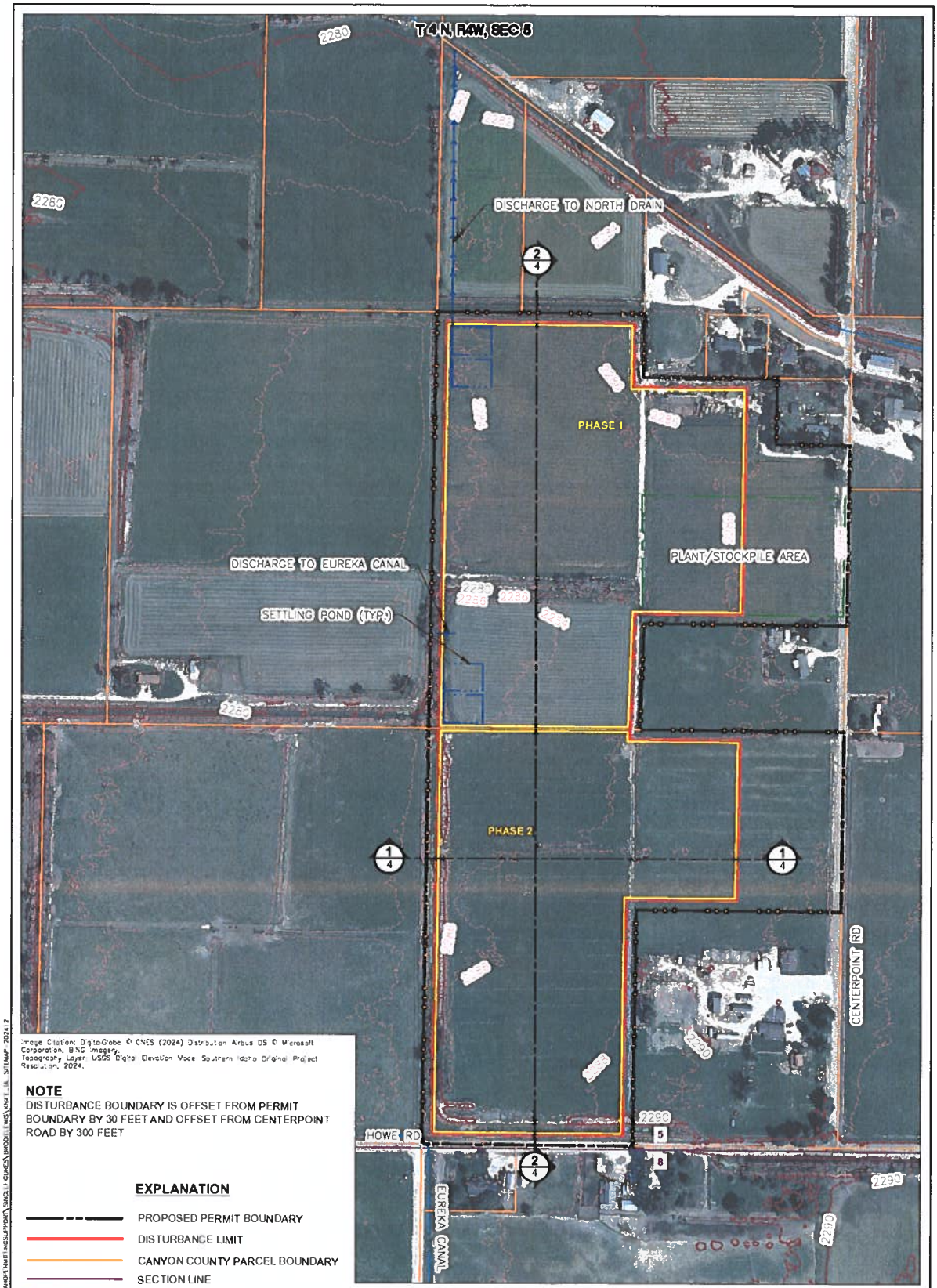



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BING Imagery, Topography Layer: USGS Digital Elevation Voce Southern Idaho Original Project Resolution, 2024.

**NOTE**

DISTURBANCE BOUNDARY IS OFFSET FROM PERMIT BOUNDARY BY 30 FEET AND OFFSET FROM CENTERPOINT ROAD BY 300 FEET

**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- DISTURBANCE LIMIT
- CANYON COUNTY PARCEL BOUNDARY
- SECTION LINE
- CANAL/DITCH (NHD)
- CROSS-SECTION CENTERLINE
- PROPOSED PLANT/STOCKPILE AREA
- MINING PHASES
- SETTLING PONDS
- DISCHARGE / DRAINAGE
- 2290 SURFACE CONTOUR (2' INTERVAL)

N

0 300'

Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 3077745.7474 (F) 3077745.7729

**FIGURE 2**

**SITE MAP**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: 1" = 300' | Date: 12/2/2024 | File: KNIFE_BL_SITEMAP 202412 |
|---|---|---|---|---|

X:\Work\KNIFE\DOCUMENTS\CADD\IDAHO#1 (BRODIE LEWIS)\SUPPORT\GIS\LU FIGURES\BRODIE LEWIS\KNIFE_BL_SITEMAP_202412

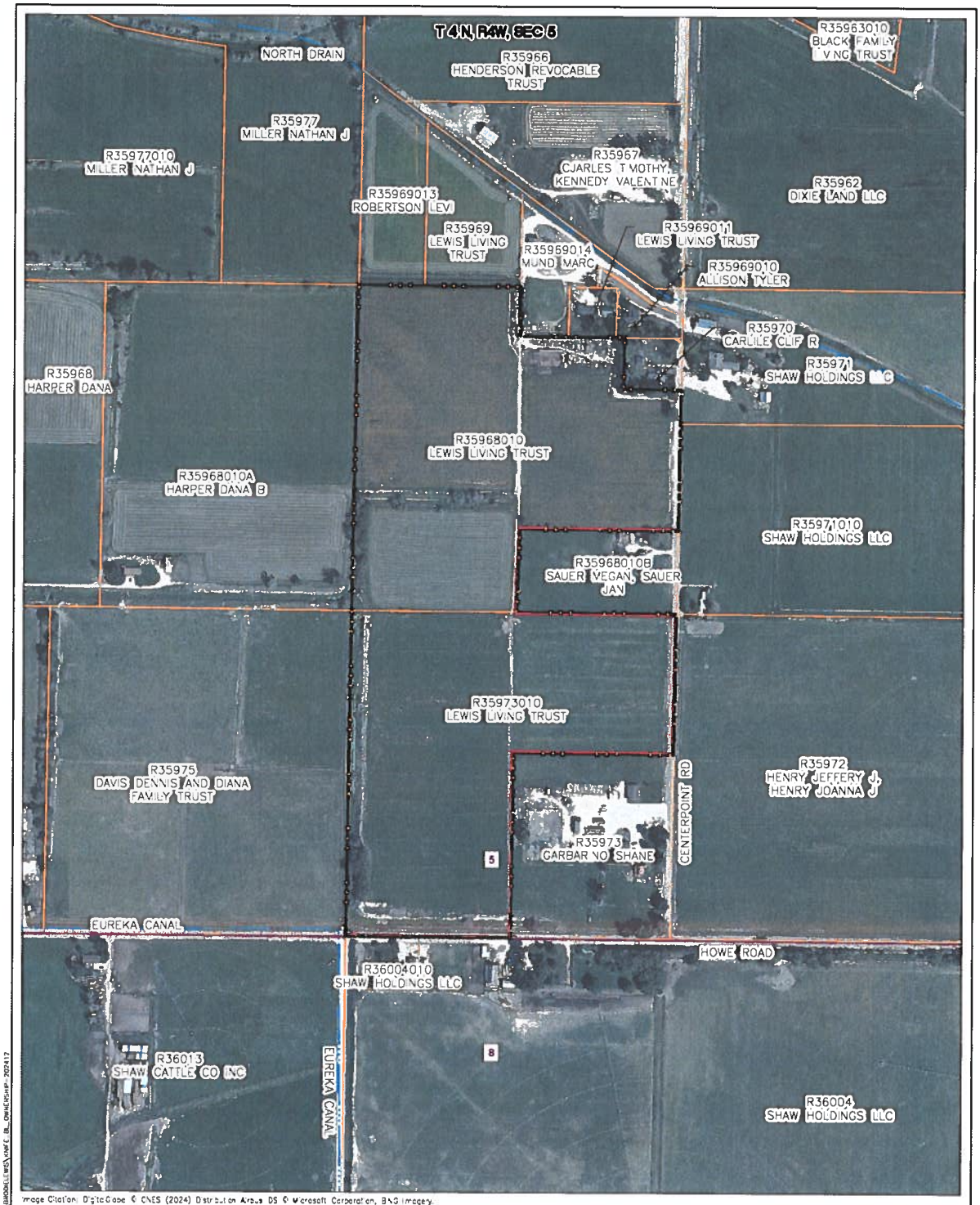



Image Citation: DigitalGlobe © CNES (2024) Distribution Airbus DS © Microsoft Corporation, BNG Imagery.

N

0 400'

**EXPLANATION**

- PROPOSED PERMIT BOUNDARY
- CANYON COUNTY PARCEL BOUNDARY AND OWNERSHIP
- SECTION LINE
- CANAL/DITCH (NHD)
- 4-FOOT PRIVACY BERM


Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 8207
www.Trihydro.com
(P) 307/745.7474 (F) 307/745.7729


**FIGURE 3**

**LAND OWNERSHIP**

**BRODIE LEWIS POND**
**KNIFE RIVER CORPORATION**
**CANYON COUNTY, IDAHO**

| Drawn By: BB | Checked By: ZH | Scale: 1" = 400' | Date: 12/2/2024 | File: KNIFE_BL_OWNERSHIP_v2412 |
|---|---|---|---|---|

L:\KNIFE_RIVER_RECORD_DOCUMENTS\VACAD\IDAHO\PERMITS\BRODIE_LEWIS\KNIFE_BL_OWNERSHIP_202412

# LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

## GENERAL INFORMATION

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

☒ N/A – Explain why this is not applicable: A well is not required for mining.

☐ How many Individual Domestic Wells are proposed? _____

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

☒ N/A – Explain why this is not applicable: No permanent facilities on site. Portable toilets will be provided.

3. **IRRIGATION WATER PROVIDED VIA:**

☐ Surface ☐ Irrigation Well ☒ None

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

☐ Pressurized ☐ Gravity

5. **ACCESS:**

☒ Frontage ☐ Easement Easement width_____Inst. # _____

6. **INTERNAL ROADS:**

☐ Public ☐ Private Road User's Maintenance Agreement Inst #_____

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

Type: _____ Height: _____

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

☐ Other: Knife River will apply for a storm water permit and SWPPP will be developed to manage storm water and dewatering discharges.

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

_____

## RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED**:

☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. **FIRE SUPPRESSION:**

☐ Water supply source: _____

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

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

## NON-RESIDENTIAL USES

1. **SPECIFIC USE**: Mineral Extraction (Sand and Gravel)

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

☒ Monday 7:00 AM to 5:00 PM

☒ Tuesday 7:00 AM to 5:00 PM

☒ Wednesday 7:00 AM to 5:00 PM

☒ Thursday 7:00 AM to 5:00 PM

☒ Friday 7:00 AM to 5:00 PM

☒ Saturday 7:00 AM to 5:00 PM

☐ Sunday _____ to _____

3. **WILL YOU HAVE EMPLOYEES?** ☒ Yes If so, how many? up to 10 ☐ No

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

Height: 4 ft Width: 8 ft. Height above ground: 5 ft

What type of sign: _____ Wall X Freestanding _____ Other

5. **PARKING AND LOADING:**

How many parking spaces? N/A

Is there is a loading or unloading area? N/A

## ANIMAL CARE-RELATED USES

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

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

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

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

☐ Building ☐ Enclosure ☒ Barrier/Berm ☐ Bark Collars

**4. ANIMAL WASTE DISPOSAL**

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

# NEIGHBORHOOD MEETING INSTRUCTIONS

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

CANYON COUNTY ZONING ORDINANCE §07-01-15

Before submitting an application for a public hearing, these steps must be completed:

(1) Applicants shall conduct a neighborhood meeting for any proposed variance, conditional use, zoning ordinance map amendment, expansion, or extension of nonconforming uses requiring a public hearing.

(2) It shall be the sole duty of the applicant to provide written notice to all property owners or purchasers of record owning property within six hundred (600) feet of the exterior boundary of the property subject to the application. Notice of a neighborhood meeting shall be in addition to, and not combined with, notices already required by this chapter, and shall include the date, time, location and purpose of the meeting.

(3) The purpose of the neighborhood meeting shall be to review the proposed project and discuss neighborhood concerns, if any.

A. The meeting shall not be on a holiday, a holiday weekend, or the day before a holiday.

B. The meeting shall be held at one of the following locations:

1. On the property subject to the application;

2. At a nearby available public meeting place including, but not limited to, a fire station, library, school, or community center; or

3. At a location with suitable meeting facilities if such facilities are within a one (1) mile radius of the nearest public meeting place.

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

(5) Each application for a public hearing shall include a form acceptable to the director, which requires the applicant to provide the starting and ending times of the neighborhood meeting and an attendance list, with names and addresses of those who attended the neighborhood meeting. (Ord.10-006, 8-16-2010)

# Notice of Neighborhood Meeting
# Conditional Use Permit
# Pre-application requirement for a Public Hearing

Date

Dear Neighbor,

We are in the process of submitting an application for a Conditional Use Permit (*or variance, zoning ordinance map amendment, expansion or extension of nonconforming uses, etc.)* to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is **not** a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit (or other case type) is applied.

The Neighborhood Meeting details are as follows:

**Date:**
**Time:**
**Location:**
**Property description:**

The project is summarized below:

**Site Location:**
**Proposed access:**
**Total acreage:**
**Proposed lots:**

We look forward to the neighborhood meeting and encourage you to attend. At that time we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project.

If you have any questions prior to the meeting, please contact me at (phone, email, written correspondence).

Sincerely,

KNIFE RIVER

www.kniferiver.com

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID 83709

February 10, 2025

Levi Robertson
1964 S Elkhound Ave
Meridian ID, 83642

Dear Levi Robertson,

Knife River is currently working with Canyon County Development Services to apply for a Conditional Use Permit (CUP) for a new gravel source. The new source is located northwest of the intersection of Howe Road and Centerpoint Road in Caldwell, Idaho. One of the necessary requirements prior to submitting the application is to hold a "neighborhood meeting" and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and is intended to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit is applied.

The purpose of this application is to secure a new source of sand and gravel aggregates. The neighborhood meeting will be held at the Caldwell Public Library, Dean E. Miller Community Room on March 12, 2025 from 6:00pm to 8:00pm: 1010 Dearborn St. Caldwell, ID 83605.

We look forward to the neighborhood meeting and encourage you to attend. At that time, Knife River will answer any questions you may have. Please do not call Canyon County Development Services regarding this meeting. This is a PREAPPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. I look forward to meeting with you and answering any questions you may have at the Neighborhood Meeting. Please feel free to reach out to me with any further questions at (503) 890-9746.

Sincerely,

*Megan Winter*

Megan Winter
Knife River – Mountain Region
Regional Sustainability Manager

# NEIGHBORHOOD MEETING SIGN-UP

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

## NEIGHBORHOOD MEETING SIGN UP SHEET

**CANYON COUNTY ZONING ORDINANCE §07-01-15**

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

**SITE INFORMATION**

| | | |
|---|---|---|
| Site Address: nhn Howe Rd. | Parcel Number: 35968010 & 35973010 | |
| City: Caldwell | State: ID | ZIP Code: 83607 |
| Notices Mailed Date: | Number of Acres: 58 | Current Zoning: Agricultural |
| Description of the Request: Conditional Use Permit application for a new gravel source. | | |

**APPLICANT / REPRESENTATIVE INFORMATION**

| | | |
|---|---|---|
| Contact Name: Megan Winter | | |
| Company Name: Knife River Corporation - Mountain West | | |
| Current address: 5450 W Gowen Road | | |
| City: Boise | State: ID | ZIP Code: 83709 |
| Phone: 208-562-6152 | Cell: 503-890-9746 | Fax: 208-562-5045 |
| Email: Megan.Winter@kniferiver.com | | |

**MEETING INFORMATION**

| | |
|---|---|
| DATE OF MEETING: 3/12/25 | MEETING LOCATION: Caldwell Public Library, Dean E. Miller Community Room |
| MEETING START TIME: 6:00 PM | MEETING END TIME: 8:00PM |

ATTENDEES:

| NAME (PLEASE PRINT) | SIGNATURE: | ADDRESS: |
|---|---|---|
| 1. John Wright | John Wright | 21626 Howe Rd |
| 2. Shari Doramus | Shari Doramus | 21766 Howe Rd |
| 3. Bill Doramus | Bill Doramus | 21766 Howe Rd |
| 4. MARC MUND | | Centerpoint Rd |
| 5. Sam Shaw | Sam Shaw | 22453 Howe Rd |
| 6. Janel Shaw | Janel Shaw | 22453 Howe Rd |
| 7. Shane Garbaccio | Shane Garbaccio | 23093 Centerpoint Rd. |
| 8. Chris & Megan Taylor | Megan Taylor | 23267 Centerpoint Rd. |
| 9. Brock Lewis | Brock Lewis | 22283 Celebration Ln |

*Revised 6/9/22*

| | | |
|---|---|---|
| 10. Jan Sawin | | 23267 Centerpoint Rd. |
| 11. Brodie Lewis | | 22283 Celebration Ln |

| | | |
|---|---|---|
| 12. Cleo Shaw | | 22993 Howe Rd |
| 13. Dee Shaw | | 22993 Howe Rd |
| 14. Jaclyn Shaw | TUCKER SHAW | 23020 HOWE RD |
| 15. Shelby & Jeff Henderson | | 23833 Centerpoint |
| 16. | | 23579 " |
| 17. Megan Winter | | 5450 W Gowen |
| 18. Joe Smith | | 5450 W Gowen Rd |
| 19. Steve Hylton | | 5450 W Gowen RD |
| 20. | | |

NEIGHBORHOOD MEETING CERTIFICATION:

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

APPLICANT/REPRESENTATIVE (Please print):

Megan Winter, Joseph Smith, Steve Hylton

APPLICANT/REPRESENTATIVE (Signature): Megan Winter

DATE: 03 / 12 / 2025

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☒ Applicant submitted/met for official review.

Date: 02/12/2025 Signed: Anthony Lee

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date: 4-21-2025

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☑ Applicant submitted/met for official review.

Date: 4/21/2025 Signed: Chad Christensen

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

*Received by Canyon County Development Services:*

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: Niki Benyakhlef Digitally signed by Niki Benyakhlef Date: 2025.03.14 11:15:13 -07'00'

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

**Irrigation District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: 3/10/25 Signed: Bob Watkins

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

**Irrigation District:** District: Golden Gate Highway District No.3

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

RECEIVED
FEB 18 2025

# AGENCY ACKNOWLEDGMENT

Date:

Applicant: Knife River Corporation - Mountain West

Parcel Number: 35968010 & 35973010

Site Address: nhn Howe Road Caldwell, ID 83607

**OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:**

**Southwest District Health:**

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Fire District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Highway District:** District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

**Irrigation District:** District: Eureka Ditch Co #2

☐ Applicant submitted/met for official review.

Date: 2/12/25 Signed: Shari Doramus (Secretary)

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

**Area of City Impact:** City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

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

***Received by Canyon County Development Services:***

Date: _____ Signed: _____

Canyon County Development Services Staff

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

Recording Requested By And
When Recorded Mail To:

David J. Wilson
Ahrens DeAngeli Law Group LLP
P.O. Box 9500
Boise, Idaho 83707-9500

**2022-010215**
RECORDED
**02/24/2022 11:29 AM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 SCARDENAS $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

# Grant Deed

Michael B. Lewis and Shaye H. Lewis, husband and wife, the "Grantors," dealing with their community property, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to Michael Michael B. Lewis and Shaye L. H. Lewis, Trustees of the Lewis Living Trust, U/T/A dated August 18, 2005, the "Grantee," whose mailing address is 23483 Centerpoint Road, Caldwell, Idaho 83607, the following described premises, located in the City of Caldwell, County of Canyon, State of Idaho, more particularly described as follows:

**See Exhibit "A"**

**APN: R3596801000**

Together with all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, reversions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described.

SUBJECT TO taxes and assessments for the year 2022 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show.



Boise: 250 S. Fifth Street, Suite 660, Boise ID 83702 • P.O. Box 9500, Boise ID 83707-9500 • p: 208.387.0729 f: 208.639.7728
Seattle: 701 Fifth Avenue, Suite 1220, Seattle WA 98104-7007 • p: 206.652.9101 206.223.2230
www.idahoelderlaw.com www.adlawgroup.com

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 17th day of February, 2022.

Michael B. Lewis

Shaye H. Lewis

"Grantors"

STATE OF IDAHO )
: ss
COUNTY OF ADA )

On this 17th day of February, 2022, before me, a Notary Public for the State of Idaho, personally appeared Michael B. Lewis and Shaye H. Lewis, husband and wife, known to be the persons named in the foregoing, and acknowledged to me that they executed the same as their free act and deed, for the uses and purposes therein mentioned.

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

DAVID WILSON
NOTARY PUBLIC
MY COMMISSION
EXPIRES 11-13-2024
STATE OF IDAHO
COMMISSION NUMBER 60624

Notary Signature

# Exhibit "A"

PARCEL NO. 1:

This parcel is a portion of the NW¼SE¼ of Section 5, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Commencing at the Northeast corner of the NW¼SE¼ of Section 5, at a found 5/8 inch diameter rebar;
Thence South along the East boundary of said NW¼SE¼ a distance of 409 feet to the TRUE POINT OF BEGINNING;
Thence North 89°39'29" West parallel to the North boundary of said NW¼SE¼ a distance of 234 feet;
Thence North 0°47'11" East parallel to the East boundary of said NW¼SE¼ a distance of 209 feet;
Thence North 89°39'29" West parallel to the North boundary of said NW¼SE¼ a distance of 425.88 feet;
Thence North 0°48'11" East parallel to the East boundary of said NW¼SE¼ a distance of 200 feet to a point on the North boundary of said NW¼SE¼;
Thence North 89°39'29" West on the North boundary of said NW¼SE¼ a distance of 659.78 feet to the Northwest corner of said NW¼SE¼;
Thence South 0°49'05" West on the West boundary of said NW¼SE¼, 1317.87 feet to the Southwest corner of said NW¼SE¼;
Thence South 89°37'37" East on the South boundary of said NW¼SE¼ a distance of 668.91 feet;
Thence North 2°05'46" East a distance of 336.64 feet;
Thence South 89°37'37" East parallel with the South boundary of said NW¼SE¼ a distance of 643.76 feet to a point on the East boundary of said NW¼SE¼;
Thence North 0°47'17" East on the East boundary of said NW¼SE¼ a distance of 573.08 feet to the TRUE POINT OF BEGINNING.

**2022-011115**
RECORDED
**02/28/2022 04:02 PM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 MBROWN $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

**2022-010216**
RECORDED
**02/24/2022 11:30 AM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 SCARDENAS $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

**2022-014209**
RECORDED
**03/16/2022 12:49 PM**
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=5 JW NSLOW $15.00
TYPE: DEED
AHRENS DEANGELI LAW GROUP LLP
*ELECTRONICALLY RECORDED*

Recording Requested By And
When Recorded Mail To:

David J. Wilson
Ahrens DeAngeli Law Group LLP
P.O. Box 9500
Boise, Idaho 83707-9500
re-recorded to correct legal description
Re-recording to attach correct legal description

# Grant Deed

M. Brodie Lewis and Shaye Lewis, husband and wife, the "Grantors," dealing with their community property, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to Michael M. Brodie Lewis and Shaye L. H. Lewis, Trustees of the Lewis Living Trust, U/T/A dated August 18, 2005, the "Grantee," whose mailing address is 23483 Centerpoint Road, Caldwell, Idaho 83607, the following described premises, located in the City of Caldwell, County of Canyon, State of Idaho, more particularly described as follows:

**See Exhibit "A"**

**APN: R3597301000**

Together with all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, reversions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described

SUBJECT TO taxes and assessments for the year 2022 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show



Boise: 250 S. Fifth Street, Suite 660, Boise ID 83702 • P.O. Box 9500, Boise, ID 83707-9500 • p. 208.387.0729 f. 208.639.7768
Seattle: 701 Fifth Avenue, Suite 1220, Seattle WA 98104-7007 • p. 206.652.0101 f. 206.223.2230
www.idahoelderlaw.com www.adlawgroup.com

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 17th day of February, 2022.

M. Brodie Lewis

Shaye Lewis

"Grantors"

STATE OF IDAHO )
: ss.
COUNTY OF ADA )

On this 17th day of February, 2022, before me, a Notary Public for the State of Idaho, personally appeared M. Brodie Lewis and Shaye Lewis, husband and wife, known to be the persons named in the foregoing, and acknowledged to me that they executed the same as their free act and deed, for the uses and purposes therein mentioned.

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

DAVID WILSON
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-13-2024
STATE OF IDAHO
COMMISSION NUMBER 60624

Notary Signature

## Exhibit "A"

Parcel 2

This parcel is a portion of the SW ¼ SE ¼ of Section 5 in Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

**BEGINNING** at the Southwest corner of the SW ¼ SE ¼, (S ¼ Corner, Section 5), a found aluminum cap monument;

thence North 00° 03' 59" East along the West boundary of the SW ¼ SE ¼ a distance of 1317.85 feet to the Northwest corner of the SW ¼ SE ¼, a found 5/8 inch diameter rebar;

thence North 89° 37' 03" East along the North boundary of the SW ¼ SE ¼ a distance of 1320.34 feet to the Northeast corner of the SW ¼ SE ¼, a found 5/8 inch diameter rebar;

thence South 00° 02' 10" West along the East boundary of the SW ¼ SE ¼ a distance of 570.63 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 89° 39' 05" West, parallel with the South boundary of the SW ¼ SE ¼, a distance of 651.00 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 00° 02' 10" West, parallel with the East boundary of the SW ¼ SE ¼, a distance of 748.00 feet to a point on the South boundary of the SW ¼ SE ¼, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 89° 39' 05" West along said South boundary a distance of 670.03 feet to the **POINT OF BEGINNING**, containing 28.788 acres, more or less and subject to any and all easements and rights-of-way of record or implied.

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

# AFFIDAVIT OF LEGAL INTEREST

I, Lewis Living Trust (name), 22283 Celebration Ln. (address)

Caldwell (city), ID. (state) 83607 (zip code)

being first duly sworn upon oath, depose and say:

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

   Knife River Corporation - Mountain West (name), 5450 W Gowen Road Boise. ID. 83709 (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 17 day of MARCH, 20 25.

(signature)

STATE OF IDAHO )
ss
COUNTY OF CANYON )

On this 17th day of March, in the year 2025, before me Cynthia Barone, a notary public, personally appeared Michael B. Lewis, 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.

CYNTHIA BARONE
COMM. #20191696
NOTARY PUBLIC
STATE OF IDAHO

Notary: Cynthia Barone

My Commission Expires: 08-21-2025

**Exhibit 4b:**

KNIFE RIVER

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID. 83709

December 17, 2025

Canyon County Commissioners
1115 Albany Street
Caldwell, ID. 83605

**Subject: Case File No. CU2025-0011 Appeal – Letter of Intent/Statement of Reasons**

Dear Canyon County Commissioners,

Knife River Corporation – Mountain West ("**Knife River**") submits this appeal to the Board of County Commissioners ("**Board**") from the decision of the Planning and Zoning Commission ("**Commission**") denying Conditional Use Permit Application ("**CUP Application**") number 2025-0011 for the property located on Howe Road in Caldwell, Idaho (Parcel Nos. 35968010 and 35973010) ("**Property**").

Knife River's CUP Application seeks approval of a mineral extraction permit to include stockpiling, crushing, staging, and hauling the sand and gravel materials from the subject property. The Public Hearing before the Commission on the CUP Application was held on November 20, 2025. The Commission issued its Findings of Fact, Conclusions of Law and Order ("FCOs") on December 4, 2025.

The Commission denied the CUP Application on two grounds: (1) that the proposed use will be injurious to other property in the immediate vicinity and will negatively change the essential character of the area; and (2) that there will be undue interference with the existing and/or future traffic patterns because of other existing gravel pits in the area. The FCOs describe the reasons that the Commission determined that the proposed use is noncompliant in these two areas.

The Board should reverse the Commission's denial and approve the CUP Application subject to the conditions set forth in the Staff Report recommending approval.

**1. The CUP Application Complies with CCCO 07-07-05(4)**

Knife River respectfully submits that the CUP Application and proposed conditions of approval will mitigate any potential negative effects on the character of the area. As noted in the Staff Report recommending approval of the CUP Application, proposed conditions 1 through 15 will adequately mitigate any negative impacts on the surrounding uses. There are multiple sand and gravel extraction operations in the immediate vicinity of the Property. The proposed use will not be injurious to agricultural operations or alter the character of the area. To the extent the

neighboring property owner, Shaw Holdings, needs to use the adjacent road to transport cattle, Knife River can temporarily suspend hauling operations to allow full use of the road by Shaw Holdings for this purpose. For all of the remaining reasons set forth in the Staff Report, the proposed conditions for the use will fully mitigate all other potential negative effects on the character of the area and surrounding uses, which uses already include multiple mining operations.

2. **The CUP Application Complies with CCCO 07-07-05(7)**

Knife River will be required to complete a Traffic Impact Study ("**TIS**") to meet the requirements of the Golden Gate Highway District if the CUP Application is approved. This proposed condition for approval is appropriate and will fully address and mitigate any interference with the existing and/or future traffic patterns. Again, there are currently multiple sand and gravel operations within two (2) miles of the Property with much larger operations. The TIS will fully address impacts from the proposed use and include recommendations for future improvements. The Commission noted that at least one of the current operators, IMC, has not yet fulfilled its obligations to construct a westbound right turn lane at the intersection of SH-19 and Notus Road. The Commission's determination of future interference on existing traffic is speculative and appears to penalize Knife River for a different operator's failure to construct improvements that are a condition of its operations.

The CUP Application fully complies with the Canyon County Code requirements and Idaho Code § 67-6512. The Commission's decision denying the proposed use should be reversed. Knife River will provide the Board with an additional written statement in advance of the public hearing on this appeal. Knife River will also offer testimony at the hearing and will be prepared to address any questions the Board may have with respect to the proposed use.

Respectfully Submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com

**Exhibit 5:**

**EXHIBIT V**

**Public Comments Received by: March 2, 2026**

**-**

Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2026

**Exhibit 5a:**

HAWLEY TROXELL
Attorneys & Counselors

IDAHO | NEVADA | WASHINGTON

877 W. Main Street, Suite 200
P.O. Box 1617
Boise, Idaho 83701-1617
**T** 208.344.6000
HAWLEYTROXELL.COM

DAVID T. KRUECK
EMAIL: DKRUECK@HAWLEYTROXELL.COM
DIRECT DIAL: 208.388.4079
DIRECT FAX: 208.954.5293

February 26, 2026

**Via Electronic and U.S. Mail**

Canyon County Board of Commissioners
1115 Albany Street
Caldwell, ID 83605

Re: **Knife River Corporation – Mountain West's Appeal of Denial of its CUP Application, Canyon County File No. CU2025-0011**

Dear Commissioners:

Our firm serves as legal counsel for Knife River Corporation – Mountain West ("**Knife River**") regarding its appeal to the Board of Commissioners (the "**Board**") from the decision of the Planning and Zoning Commission (the "**Commission**")'s denial of Knife River's Conditional Use Permit Application ("**CUP Application**") number CU2025-0011.

As set forth below, the denial is not supported by substantial and competent evidence in the record, is inconsistent with the Canyon County Code and Idaho Code § 67-6512, and ignores key factors that support approval. For these reasons, we respectfully request that the Board reverse the Commission's decision and approve the CUP Application, subject to appropriate special conditions.

## Introduction

The property at issue consists of two (2) parcels located in Canyon County (the "**County**") on Howe Road in Caldwell, Idaho, identified as Parcel Nos. 35968010 and 35973010 (collectively the "**Subject Property**").The two parcels making up the Subject Property together consist of approximately 59.55 acres in an area zoned "A" (Agricultural).

Knife River's proposed Conditional Use Permit ("**CUP**") seeks to allow for mineral extraction, including the stockpiling, crushing, staging, and hauling of sand and gravel materials,

from approximately twenty-eight (28) acres of the Subject Property for a period not to exceed twenty (20) years. The surface and mineral rights are currently owned by the Lewis Living Trust, and Knife River has entered an aggregate mining and extraction lease with the owner of the Subject Property. Knife River's proposed general hours of operation are 7:00 a.m. to 5:00 p.m., Monday through Saturday, though hauling of material may take place 24 hours a day, seven days a week, to support construction activities that may require nighttime operations.

The population of Canyon County has significantly increased, more than doubling in the last 30 years. Canyon County's 2020 Comprehensive Plan projects a 51% increase in population between the years 2000 and 2030. In addition, by the year 2030, the number of households is forecasted to be 115,118, representing a 27% increase from 2020. The area of Canyon County is rich with mineral reserves that are essential to support the current and anticipated growth in the area. Having the type of local mineral reserves that Knife River seeks for construction projects aids in controlling costs of public work projects and developing affordable housing in the County.

The purpose of this letter is to provide the Board with additional information and support for the approval of Knife River's CUP Application. The proposed use is in line with other operations in the immediate vicinity of the Subject Property and should be approved, with appropriate conditions to mitigate impacts for Knife River's operations.

**Knife River's CUP Application and Statutory Requirements**

Knife River submitted its CUP Application to the County on May 6, 2025. Notice of the public hearing was provided pursuant to CCCO §07-05-01, as well as Idaho Code §§ 67-6509 and 67-6512. A public hearing before the Commission was held on November 20, 2025. The Commission issued its Findings of Fact, Conclusions of Law and Order ("**FCOs**") on December 4, 2025. Pursuant to CCCO § 07-05-05, Knife River submitted its Appeal of Decision ("**CUP Appeal**") on December 8, 2025, which included a statement of reasons for the appeal and the requisite filing fee. The CUP Appeal is set for a public hearing on March 10, 2026.

Idaho Code § 67-6512 allows for a special use permit to be granted to an applicant "if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, and when it is not in conflict with the plan." This CUP Application and CUP Appeal are subject to Canyon County, Idaho Code of Ordinances ("**CCCO**").

Pursuant to CCCO § 07-02-03, mineral extraction is defined as "*the various activities associated with the extraction of mineral resources, including, but not limited to, gravel, from the ground.*" Long-term mineral extraction is a permitted use in an Agricultural zone, through issuance of a conditional use permit. CCCO § 07-10-27.

Under CCCO §§ 07-07-03 and 07-14-19, as well as Idaho Code § 67-6512, Knife River submitted the CUP Application requesting it be allowed to conduct long-term mineral extraction on the Subject Property for a set period of time, and with set conditions. As correctly noted in the Planning Division Staff Report ("**Staff Report**"), no additional signage, improvements, or structures were proposed, except for truck scales used to monitor the weight of the outgoing trucks. Knife River agreed to erect four (4) foot berms along the shared property lines to mitigate the impact on the surrounding land owners, without impeding their views. Further pursuant to CCCO § 07-14-19, Knife River agreed to abide by a 30-foot setback from the Subject Property boundaries, and a Reclamation Plan has been approved by the Idaho Department of Lands, outlining the use and condition of the Subject Property at the commencement of Knife River's mineral extraction.

Additionally, Knife River's CUP Application and proposed use of the Subject Property are consistent with the requirements of CCCO § 07-02-05 and the 2030 Canyon County Comprehensive Plan ("**Comprehensive Plan**"). Specifically, the Comprehensive Plan outlines the following relevant goals:

- Population G2.02.00: "Promote housing, business, and service types needed to meet the demand of the future and existing population."

- Economic Development G3.01.00: "Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations."

- Economic Development P3.01.02: "Support suitable sites for economic growth and expansion compatible with the surrounding area."

- Land Use P4.02.01: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."

- Land Use P4.03.03: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility."

- Natural Resources P5.03.01: "Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses."

Here, Knife River's proposed use is consistent with the Comprehensive Plan and would not have a negative effect on the surrounding area. The Subject Property is zoned "A" (Agricultural), with no subdivisions nearby. In fact, as correctly noted in the Staff Report, the character of the area is primarily mineral extraction operations, livestock grazing, feeding lots, and some residences. Knife River's proposed use will not be injurious to the other property in the immediate vicinity, and instead will optimize the use of the Subject Property, consistent with other uses in the area. Contrary to the Commission's findings, Knife River is prepared to

accommodate the Agricultural uses in the area and will temporarily suspend hauling operations to allow full use of the road by the neighboring landowner, Shaw Holdings.

Further, the Comprehensive Plan specifically acknowledges that agricultural and non-agricultural uses may be compatible and co-exist in the same area. Notably, there are several approved gravel pits within a 2-mile radius of the Subject Property. The County should consider that a much larger nearby mineral extraction site is currently operated by IMC (CU2020-0005). Knife River also has a similar mineral extraction site, which was recently approved on November 20, 2025 (CU2025-0009). Sunroc operates another mineral extraction site within 1 mile of the Subject Property (CU2024-0009), and within the last year, conditional use permits have been granted to Nampa Paving (CU2023-0019 and CU2024-0014), and to JMAC Resources (CU2024-0007), all of which are within 2 miles of the Subject Property. Therefore, Knife River's requested CUP here would not significantly impact or alter the area.

The Golden Gate Highway District provided comment on October 1, 2025, requesting that a traffic impact study (TIS) be performed and combined with CU2025-0009. On November 7, 2025, the Idaho Transportation Department (ITD) provided a comment requesting a westbound right-turn lane at SH-19 and Notus Road. Knife River agrees to both requests. Notably, CU2025-0009 was approved under similar conditions, and Knife River is already prepared to comply with the requested TIS under that approved CUP.

Finally, the requested CUP would allow Knife River to use the Subject Property in its most efficient and effective manner. The operations to be conducted on the Subject Property under the CUP directly contribute to the types of services needed to meet the demands of future population growth. Knife River's mineral extractions would allow for the expansion of housing and businesses, and further contribute to the economic growth and stability of Canyon County. As correctly noted in the Staff Report, the essential services of the area will not be negatively impacted by the proposed use, and the proposed use will not require additional public funding.

**Planning & Zoning Commission Decision and Recommendation**

Knife River respectfully submits that the Commission's recommendation for denial of the CUP Application is in error and should not be affirmed by the Board. The Commission's denial is based upon hypothetical concerns that can be adequately addressed by the special conditions permitted by Idaho Code § 67-6512 and CCCO §07-07-17, and, therefore, is not justified by the standards set forth in Idaho Code § 67-6512 or CCCO §07-07-01 et. seq., nor is it supported by the County's Comprehensive Plan.

The Public Hearing for the CUP Application was held on November 20, 2025. Testimony in support of the application was received from representatives of Knife River. Testimony in opposition to the CUP Application was received from one local property owner. It is clear from the record that this opposition testimony from the local property owner was over the potential

impact to the roadway, which can and will be adequately addressed through the special conditions imposed as a condition of approval.

The Commission based its denial on two erroneous findings. First, the Commission found that the proposed use would be injurious to other property in the immediate vicinity and would negatively change the essential character of the area, in conflict with CCCO § 07-07-05(4). Second, the Commission found that there would be undue interference with existing and/or future traffic patterns due to the fact that there are several other approved gravel pits in the area that have yet to improve the roads, and adding another one would further add to the interference, in conflict with CCCO § 07-07-07(7). Knife River respectfully submits that neither basis is supported by the facts, and thus, the Commission's denial should be reversed for the reasons set forth below.

**1. Impact on the Surrounding Area**

First, the proposed use will not be injurious to the other property in the area, nor would it negatively change the essential character of the area. As referenced above, the area already contains multiple mineral extraction sites, some of which are much larger than this proposed use. As highlighted in the Staff Report and by the FCOs, in the last year alone, three other mineral extraction sites have been approved within a 2-mile radius of the Subject Property. Therefore, an additional mineral extraction site of this size and nature would not substantially change the essential character of the area as contemplated by CCCO § 07-07-05(4).

Second, in its denial, the Commission cited public testimony from a nearby land owner, Shaw Holdings, who stated that on limited occasions they transport livestock on the road that Knife River is proposing to use. This, however, is no reason to deny the approval of the CUP Application since Knife River has continuously stated that it is prepared to cooperate and work with Shaw Holdings to allow for continued cattle operations without imposition or interference by Knife River. In this regard, Knife River agrees to stay off the road during the time that Shaw Holdings transports livestock.

Third, the Commission found that the long-term mineral extraction use on the Subject Property will impact the surrounding area due to an increase in dust, noise, lighting, and traffic-related use under CCCO § 07-07-05(4). However, these findings are contrary to the facts at play here. According to the Reclamation Plan, water for dust control will be applied to the crusher and screens to prevent excessive dust. Noise from the operations can and will be adequately mitigated by the four-foot berms Knife River will erect around the Subject Property to act as a noise barrier. As conditioned, noise emissions will also follow the regulations and standards of OSHA and MSHA, and back-up alarms will be restricted to non-beeping alarms in compliance with OSHA/MSHA requirements. Further, the hours of operation proposed are limited to 7:00 a.m. through 5:00 p.m. Monday through Saturday, with the operation closed on Sundays and legal holidays. These time constraints and remedial measures adequately address any noise

concerns raised. Finally, while there will be a slight increase in traffic, this is not a significant change to the area as various mineral extraction sites already exist that utilize the same form of vehicles and traffic flows. As further discussed elsewhere in this letter, Knife River has agreed to engage in a TIS to be performed and combined with case CU2025-0009, and agrees to build a westbound right-turn lane at SH-19 and Notus Road as requested by the ITD. These conditions were properly found to be adequate mitigation measures in the Staff Report, and should be considered by the Board in reviewing this CUP Appeal.

Finally, the Commission erroneously reasoned that the conditions put in place by the applicant are not enforceable by the County, and therefore, no conditions could be made to adequately mitigate any negative impacts. This rationale is in direct conflict with Idaho Code § 67-6512 and CCCO § 07-07-17, both of which allow for the imposition of special conditions when approving a conditional use permit. Conditions imposed under Idaho Code § 67-6512 and CCCO § 07-07-17 are enforceable under CCCO § 07-07-21, which allows for any person, including staff or a member of the Commission, to file a written notice that conditions of the CUP have been violated, and upon such written notice, the presiding party that made the final decision must set the matter for public hearing in accordance with CCCO § 07-05-03 et. seq. Therefore, there is an adequate enforcement mechanism for the special conditions outlined above, and this basis for the Commission's denial is improper.

**2. Interference with Traffic Patterns**

Knife River's proposed use will not negatively impact existing and/or future traffic patterns, and any interference will be mitigated by the proposed conditions of approval, as permitted by Idaho Code § 67-6512 and CCCO § 07-07-17.

The Subject Property is located on the northwest corner of the Centerpoint Road and Howe Road intersection, which is under the jurisdiction of the Golden Gate Highway District. The Golden Gate Highway District is requiring a TIS as a condition to approval of the CUP, to allow them to determine the impacts of the existing and future traffic patterns. This condition was also imposed in the approval of the Knife Rivers case CU2025-0009, and is a condition that Knife River is fully prepared to comply with under both CUPs. As such, the Staff Report accurately found that this condition will adequately mitigate the concerns raised as a result of increased traffic in the area, and Knife River maintains this position as well.

ITD requires the installation of a right-turn lane at SH-19 and Notus Road to safely serve the increased traffic demand at this intersection. ITD and the Commission noted that case numbers CU2024-0007 and CU2019-0018 were both also conditioned on this same right-turn lane, but that the improvement has not been made. However, as accurately stated in both the Staff Report and the Commission's FCOs, these improvements should not be the sole responsibility of this applicant, Knife River. The Commission's determination of future interference on existing traffic on this basis is speculative and appears to improperly penalize

Knife River for a different operator's failure to construct improvements that are a condition of its operations. Despite this, Knife River is willing and able to abide by this condition, and such a condition adequately addresses any concerns raised by any increase in traffic that may result from approval of this CUP.

**Action by the Board to Approve the Proposed Zoning Amendment**

CCCO §§ 07-00-05 and 07-05-07 allow for a decision of the Commission to be appealed to the Board. Following the public hearing on the appeal, the Board may affirm, reverse, or modify the Commission's decision. The final determination of whether to approve the proposed CUP is for the Board to decide. Knife River respectfully submits that the Commissioners who denied the CUP Application misinterpreted and/or misapplied the factors outlined in CCCO §§ 07-07-05, 07-07-17, and the Comprehensive Plan. If Knife River's CUP is granted, Knife River will work diligently with County staff and other agencies to address any and all concerns over the proposed conditional use.

It is clear that the proposed use, as outlined in the CUP Application, is consistent with the surrounding area and the County's Comprehensive Plan. Furthermore, the change will not negatively impact the surrounding area or the traffic patterns. The Board should, therefore, reverse the Commission's denial and approve the CUP Application for the Subject Property to allow for long-term mineral extraction work to be performed by Knife River.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

David T. Krueck

DKRU:bruh

**Exhibit 5b:**

Dear Members of the Canyon County Board of County Commissioners,

I am writing to reiterate my strong opposition to Knife River's proposal for long-term mineral extraction on approximately 60 acres surrounding my property on three sides within the Intensive Agricultural Zone designated under the Canyon County 2030 Comprehensive Plan.

While the applicant characterizes this operation as a "temporary use" and suggests that reclamation would result in a private recreational lake, these arguments do not resolve the very real and lasting impacts to neighboring property owners or the clear conflict with the Comprehensive Plan.

First, an industrial mining operation lasting decade cannot be described as temporary from the perspective of adjacent residents. For my family, this proposal represents potentially decades—of heavy truck traffic, industrial noise, dust, vibration, and constant disruption. Even if reclamation eventually occurs, the impacts during the operational life of mine would fundamentally alter our property and daily quality of life. A use that reshapes surrounding land and imposes industrial conditions for a generation is not temporary in any meaningful sense.

Second, the promise of a future private lake does not mitigate the incompatibility of industrial mining within an Intensive Agricultural Zone. The Canyon County 2030 Comprehensive Plan emphasizes:

- Protection and preservation of agricultural lands for long-term viability
- Prevention of incompatible land uses within designated agricultural areas
- Protection of rural character and existing property owners
- Predictability and stability in land-use planning

The permanent removal of agricultural soils and their replacement with a private recreational water feature does not preserve agricultural land — it permanently converts it. Once soils are excavated and replaced with open water, the land is no longer viable for agricultural production. This outcome is inconsistent with both the intent and the language of preserving agricultural land for long-term use.

Additionally, while the landowner may desire a recreational lake for private enjoyment, neighboring property owners were not consulted in that decision, yet we would bear the decades-long industrial burden required to achieve it. Private recreational objectives should not supersede the broader public interest reflected in the Comprehensive Plan, nor should they override the reasonable expectations of property owners who relied upon the County's zoning framework when choosing to live and invest in this area.

It is also significant that the Canyon County Planning and Zoning Commission has already denied this proposal. That decision reflects careful consideration of compatibility, policy consistency, and long-term land-use integrity. Overturning that denial would weaken public confidence in the

County's land-use process and diminish the predictability that the Comprehensive Plan is intended to provide.

The integrity of the Intensive Agricultural Designation matters. If industrial-scale extraction can occur here for decades and convert farmland into a private recreational lake, it sets a concerning precedent for other agricultural lands throughout the County.

For these reasons, I respectfully urge the Board to uphold the Planning and Zoning Commission's decision and protect the intent of the 2030 Comprehensive Plan. The long-term agricultural integrity of this area, the rural character of our community, and the quality of life of existing residents should not be compromised by an industrial use that conflicts with the zoning designation.

Thank you for your thoughtful consideration and your service to Canyon County.

Sincerely,

Chris Taylor
23267 Centerpoint Rd
Caldwell, ID 807
208-860-3382
cthomedesign@gmail.com


CENTERPOINT RD
STOP



# CANYON COUNTY COMPREHENSIVE PLAN 2030
# CURRENT ZONING & PROPOSED OVERLAY DISTRICTS MAP

PAYETTE COUNTY

GEM COUNTY

MALHEUR COUNTY, OREGON

OWYHEE COUNTY

ADA COUNTY

R 6 W | R 5 W | R 4 W | R 3 W | R 2 W | R 1 W

T 5 N | T 4 N | T 3 N | T 2 N | T 1 N | T 1 S

Parma | Notus | Wilder | Greenleaf | Caldwell | Middleton | Star | Nampa | Melba

BOISE RIVER | SNAKE RIVER | LAKE LOWELL

project location

DRAFT

## Legend

- RR (RURAL RESIDENTIAL)
- R1 (SINGLE FAMILY RESIDENTIAL)
- R2 (MEDIUM DENSITY RESIDENTIAL)
- CR-R1 (SINGLE FAMILY RESIDENTIAL - COND REZONE)
- CR-RR (RURAL RESIDENTIAL - COND REZONE)
- C1 (NEIGHBORHOOD COMMERCIAL)
- CR-C1 (NEIGHBORHOOD COMMERCIAL - COND REZONE)
- C2 (SERVICE COMMERCIAL)
- CR-C2 (SERVICE COMMERCIAL - COND REZONE)
- M1 (LIGHT INDUSTRIAL)
- CR-M1 (LIGHT INDUSTRIAL - COND REZONE)
- M2 (HEAVY INDUSTRIAL)
- C (COMMERCIAL - 1965 ZONING ORD.)
- AG (AGRICULTURAL)
- AGRITOURISM OVERLAY
- INTENSIVE AGRICULTURE OVERLAY
- FLOODWAY OVERLAY
- IMPACT AREAS
- CITY LIMITS
- WATER FEATURES
- ROADS
- INTERSTATE
- STATE/US HWY

DISCLAIMER: CANYON COUNTY MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THESE MAPS. CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THESE MAPS OR ANY OF THE INFORMATION CONTAINED HEREIN. PORTIONS MAY BE COPIED FOR INCIDENTAL USES, BUT MAY NOT BE RESOLD. THIS MAP HAS NOT YET BEEN APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

SOURCE: CANYON COUNTY, ID DSD
REVISED: Date: 9/29/2021 - AAA

O:\GIS\2040ComprehensivePlanMaps\2021\Revised 8_2021\CompPlan2030Maps\Comp_Plan_Current Zoning_2021.mxd

0 1 2 3 4 5 Miles

**Exhibit 5bi:**

VIDEO_FOOTAGE

**Exhibit 5c:**

Canyon County Development Services

111 N. 11th Ave. Suite # 310 Caldwell, ID 83605

11/5/2025

RECEIVED
FEB 27 2026
RECEIVED

**RE: Case No. CU2025-0011-APL**

To Whom it May Concern:

We would like to again submit a written testimony against allowing permits for Case No. CU2025-0011-APL

We live on Tucker Road and saw that permits have been applied for 2 more gravel extraction pits on Howe Road. We travel this road every day and have great concern of the large gravel trucks that we are already constantly meeting. There are currently 7 gravel extraction sites within a 4-mile radius. Three of these have started in the past 3 years. We can't drive down Notus Road without meeting at least 4-5 gravel trucks. This is very hard on our roads and the trucks throw rocks at our vehicles. These trucks are a safety hazards to local traffic and school buses on our narrow country roads.

We also have concerns of the noise levels of the equipment running nonstop. This is a quiet faming and ranching community and it would be very detrimental to all those living in the area to ruin that environment and tranquility.

Please take into consideration our concerns when making a decision on this Case.

Best regards,

Ron & Irene Snell
22014 Tucker Road
Greenleaf, ID

**Exhibit 5d:**

Growing Together LLC
301 Warehouse St.
Caldwell, ID 83605
February 10, 2026

Canyon County Board of Commissioners
Canyon County Development Services
111 N 11th Ave, Suite 203
Caldwell, ID 83686

Re: Opposition to Knife River Appeal – Brodie Lewis Pond Gravel Extraction (Intensive Agriculture Overlay)

Commissioners,

Growing Together LLC respectfully submits this opposition to Knife River's appeal and urges the Board to uphold the Planning and Zoning Commission's denial. The public hearing materials in the record demonstrate that the proposal does not meet key approval criteria for a conditional use within the Agricultural zone and Intensive Agriculture Overlay, including long-term compatibility, protection of productive farmland and irrigation infrastructure, and avoidance of adverse impacts on surrounding uses.

## 1. The application record confirms the site is intended to transition to residential development, which is incompatible with the Intensive Agriculture Overlay.

Knife River's own submittals state that mineral reserves are expected to be exhausted within approximately five to ten (5–10) years, and that "the parcel will likely be sold for residential or agriculture development, similar to other depleted mines in the area." (PHM, Detailed Letter, p. 6). This is not a speculative inference—it is a stated post-mining expectation in the application record.

Approving a gravel extraction CUP in the Intensive Agriculture Overlay, where the foreseeable end state is residential subdivision potential, undermines the Overlay's purpose of protecting long-term agricultural viability and increasing conflicts between farm operations and non-agricultural encroachment. The County should evaluate compatibility based on the full life-cycle land use outcome reflected in the record, not solely on the applicant's characterization of the use as "temporary."

## 2. The soils and agricultural capability evidence demonstrates loss of productive irrigated farmland, and the Soil Conservation District does not recommend conversion.

The Canyon County Soil Conservation District reports the subject area is approximately 63% irrigated capability Class 3 and 37% irrigated capability Class 4, and expressly states: "We do NOT recommend a land use change." (PHM, Soil Conservation District letter, p. 51).

The accompanying NRCS Custom Soil Resource Report corroborates this, identifying the Area of Interest (approximately 58.5 acres) as predominantly Class 3 and Class 4 irrigated capability soils (PHM, NRCS report table, p. 60). This is substantial evidence that the site functions as productive irrigated agricultural land and is not marginal land appropriate for incremental conversion.

3. The proposed dewatering and discharge plan creates unresolved compatibility and impact issues for nearby irrigation and drainage systems.

Knife River's detailed letter and reclamation narrative both acknowledge that dewatering will be necessary and that water will be discharged from settling ponds to drainage ditches (PHM, Detailed Letter, p. 5; Reclamation Narrative, pp. 23–24). The applicant also notes existing culverts and drainage ditches surrounding the site and states that if operations impact their accessibility or functionality, those impacts will be "corrected by the onsite team," including reference to a drainage pipe under Centerpoint Road (PHM, Detailed Letter, p. 4).

In an intensively farmed area that relies on functioning drainage/irrigation conveyance and predictable water management, the record does not provide enforceable, project-specific engineering commitments (designs, capacity, monitoring triggers, performance standards, and responsibility/escrow mechanisms) to ensure drainage/irrigation operations are maintained without interruption or off-site effects during active mining and discharge activities.

4. The operational intensity described in the record is inconsistent with surrounding agricultural/rural use patterns and increases off-site impacts.

Knife River proposes standard operating hours of 7:00 a.m. to 5:00 p.m., Monday through Saturday, but also states that "loading and hauling of material may take place 24 hours a day, seven days a week" to support nighttime construction activity (PHM, Detailed Letter, p. 4). This level of potential 24/7 trucking activity is a material compatibility issue in a rural agricultural setting, and the record does not show enforceable limitations (hours, haul routes, truck counts, noise standards, monitoring, and violations) sufficient to prevent adverse impacts on surrounding properties and farm operations.

5. The record contains internal inconsistencies and reclamation assumptions that weaken the claim the use is temporary and fully compatible with agricultural preservation.

The detailed letter states mineral reserves are expected to be exhausted within 5–10 years (PHM, Detailed Letter, p. 6), while the reclamation narrative states the operation "is expected to be in operation for a maximum of twenty (20) years." (PHM, Reclamation Narrative, p. 23). This discrepancy is material because the intensity and duration of impacts are central to compatibility and mitigation evaluation.

Further, the reclamation narrative states the site will be graded to establish a "new community pond," that revegetation slopes "will not be required," and that reintroduction of overburden/topsoil and revegetation "will not be required." (PHM, Reclamation Narrative, p. 25). A post-mining condition centered on a permanent pond and minimal soil replacement is not consistent with restoring agricultural capability or protecting the long-term agricultural land base within an Intensive Agriculture Overlay.

6. State agency comments highlight additional conditions that are not demonstrated as incorporated into enforceable CUP criteria.

DEQ's agency response recommends that local approval incorporate measures such as an air quality applicability determination and a dust prevention and control plan suitable for incorporation into a conditional use permit (PHM, DEQ letter, pp. 45–46). The record before the County should demonstrate that these recommended measures are translated into enforceable conditions, not aspirational statements, particularly where fugitive dust and emissions can affect adjacent agricultural operations and rural residences.

## Conclusion

For the reasons above, the Planning and Zoning Commission's denial is supported by the evidence contained in the public hearing materials. The record demonstrates that the application does not satisfy key approval criteria related to agricultural land protection, long-term compatibility, and minimization of adverse impacts in the Intensive Agriculture Overlay. Growing Together LLC respectfully requests that the Board deny the appeal and uphold the Commission's decision.

Respectfully submitted,

George Crookham

President
on behalf of 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.

**Exhibit 5e:**

Megan Taylor

23267 Centerpoint Rd.

Caldwell, ID 83607

RE: CU2025-0011-APL

To Canyon County Board of Canyon Commissioners,

I am here to provide information on how my family and livestock would be impacted with the mineral extraction from Mr. Lewis's property.

We purchased our property in 2017 with dreams of raising my family in peace, quiet, and in nature. We are a family of seven with animals that include horses, chickens, pigs, dogs, cats, and cattle on occasions. Our lifestyle is to raise our kids with understanding the life cycle, hard work, kindness, and respect.

There are three major concerns that I would like to address in hopes of clarity for myself and others.

The first concern is regarding the water table and personal wells surrounding this project. My well was dug in 1995 at the depth of 65 feet deep. The water table around my house is 3-4 feet deep. In hindsight, it's great when a post needs to be replaced and concrete is all you need to add, as the water is already there to mix. There is also a concern as Knife River is wanting to dig 20 feet down, that's a third of my wells depth. We all know water will take the path of least resistance. What will happen if my well goes out? My family and I will be displaced. My family and our livestock will not be able to live at our residence for the unforeseen time. In today's economy, there is no way a family can afford a mortgage and a rental. On top of the extra time and gas to and from our residence to ensure the property is not damaged or stolen. This extraction of minerals could disrupt my family completely.

The second concern is the intersection of Centerpoint Rd and Howe Rd. previously provided images of this intersection were the "clean" pictures. They did not justify the current condition of the intersection. A large semi and trailer will not be able to turn north onto Centerpoint Rd. from Howe Rd. if there is a vehicle at the stop sign. A semi and trailer turning East onto Howe Rd. from Centerpoint cuts into oncoming traffic and into the North bound lane to make the turn. With the amount of semis Knife River is suggesting for a daily travel, this intersection will rapidly break down. I have provided images to help understand the current condition.

The last item is how close the rock crusher will be to surrounding houses, livestock, and humans and effects it can do. Knife River's proposed location of the rock crusher is roughly 600 feet from my residence. Just a few of the effects from the proximity are health hazards, structural damage, air pollution, and environmental and water impact. I would like to touch base on health hazards and water impact. Health hazards do not affect human health but livestock as well. A fine crystalline silica dust is released when rocks or concrete is crushed which can lead to lung cancer and chronic obstruction pulmonary disease. My youngest is four years old and if he's playing in the backyard, I as a mother, should not have to worry about him inhaling dust particles that could cause long term effects. With this fine dust in the air, it can contaminate the local water tables too. There is no exact time frame for how long it will take surface water to reach the aquifers but as quick as a few days. As previously stated, our well is at a depth of 65 feet, it puts our aquifer at greater risk for contamination.

Thank you for listening to my concerns,

Megan Taylor

208-880-8626

**Exhibit 6:**

**EXHIBIT VI**

**Additional Supplemental Documents**

**Received by: March 2, 2026**

**-**

Board of County Commissioners

Case #: CU2025-0011-APL

Hearing Date: March 10, 2026

Exhibit 6a:

# Brodie Lewis Pond Project

Applicant: Megan Winter

# Proposal

CU2025-0011 seeks approval of a mineral extraction permit on the property located at the corner of Howe Road and Centerpoint Road in Caldwell, Idaho.

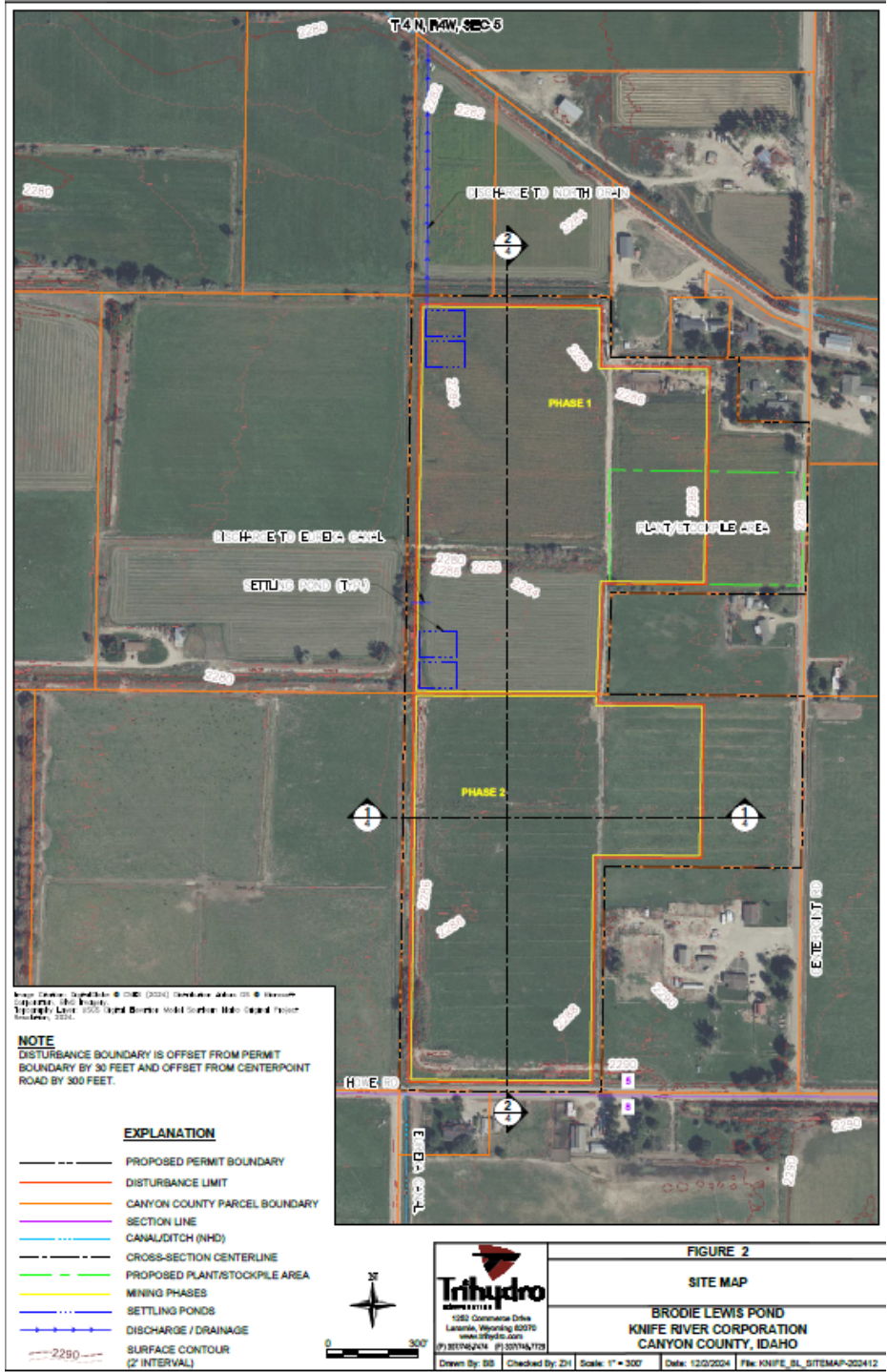
Onsite operations would include stockpiling, crushing, staging, and hauling sand and gravel materials from the subject property.

# Need Assessment

- Canyon County's 2020 Comprehensive Plan projects a 51% increase in population between the years 2000 and 2030.
- Additionally, by year 2030 the number of households is forecasted to be 115,118, representing a 27% increase from 2020.
- There are also many public works projects active in this area, including improvement projects to the I-84 corridor and SH-55.
- This area of Canyon County is rich with mineral reserves that are essential to support the current and anticipated growth in the area.

# Project Scope

- Approximately 50-acre site.
- Hours of operation 7:00am to 5:00pm, Monday through Saturday. Hauling of material may take place 24 hours a day, seven days a week, to support construction activities that require nighttime operations. This is dictated by state safety protocols.
- The stockpile area will be relocated to the northwestern corner of the site to better accommodate nearby neighbors.
- The mine will be depleted and reclaimed within 20 years.
- Idaho Department of Lands has approved the proposed reclamation plan.

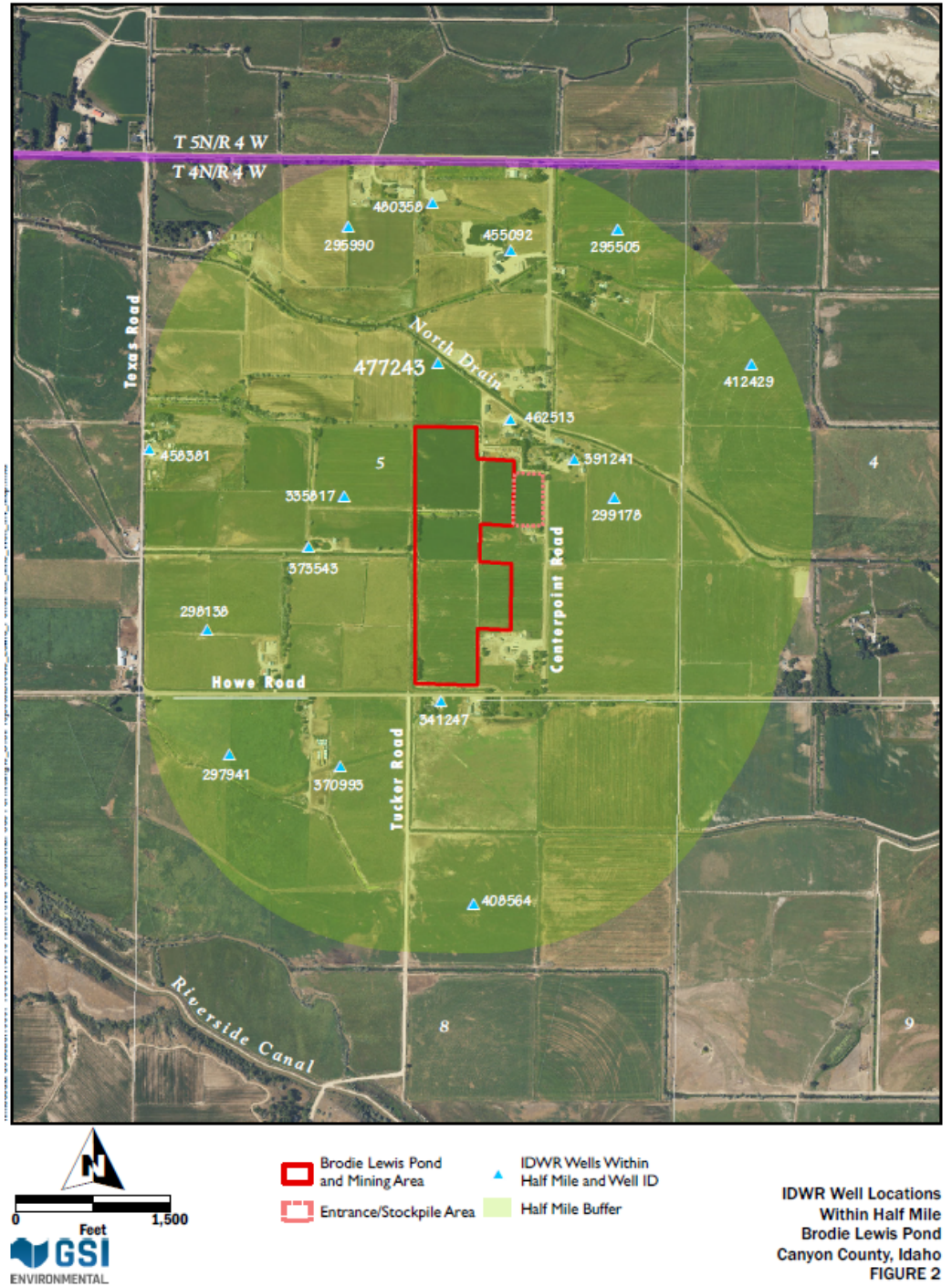


# Groundwater Table Technical Memo

GSI Environmental was asked to analyze the hydrology of the area, to determine if mining operations will affect neighboring water wells.

GSI found that due to the proposed depth of mining, 20 feet from surface elevation, operations will not negatively affect water quantity or quality of nearby water wells.

If operations do affect any domestic water wells on adjoining properties, Knife River will fix or replace those wells.



# Dust Abatement



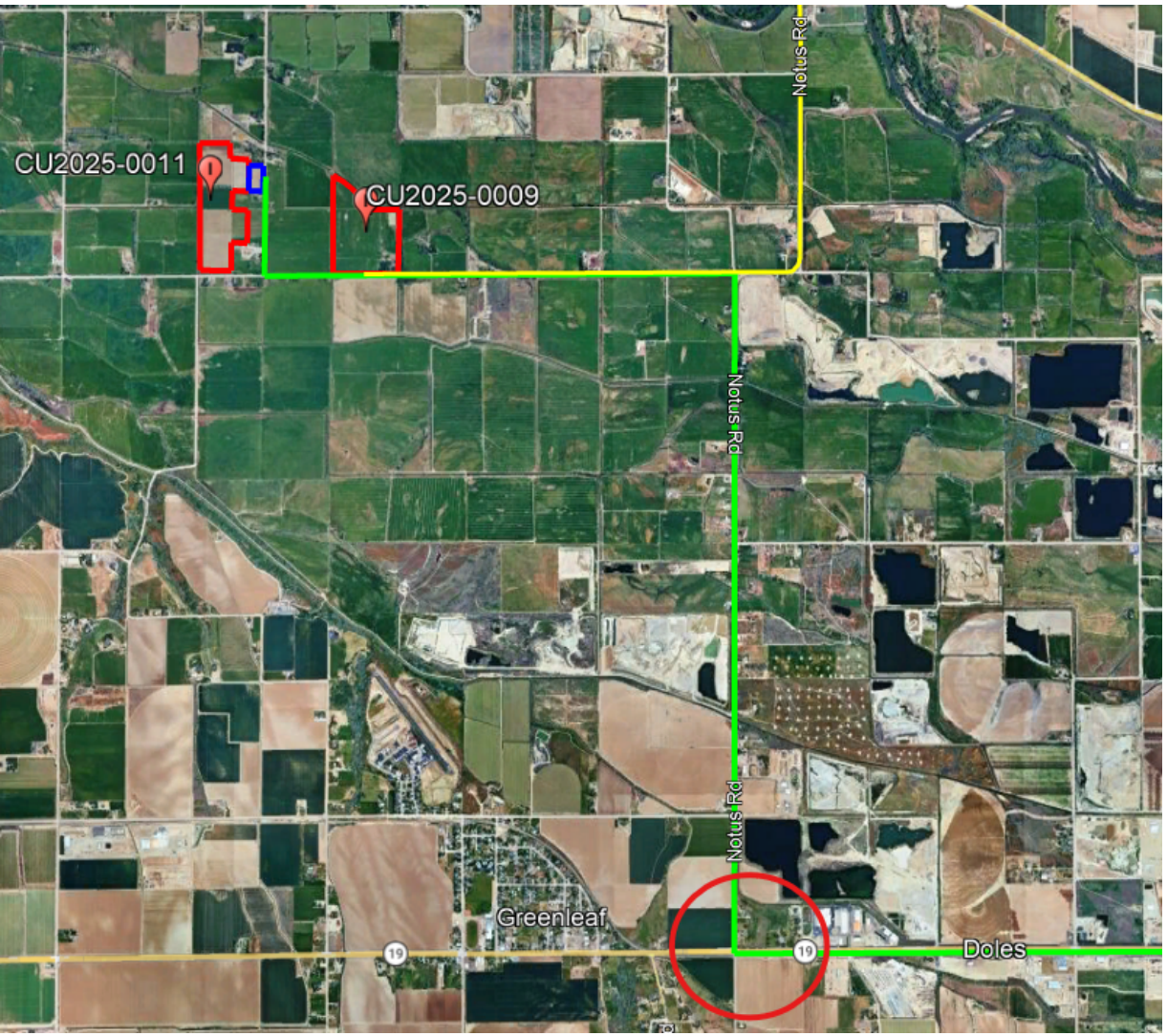




# Dust Abatement







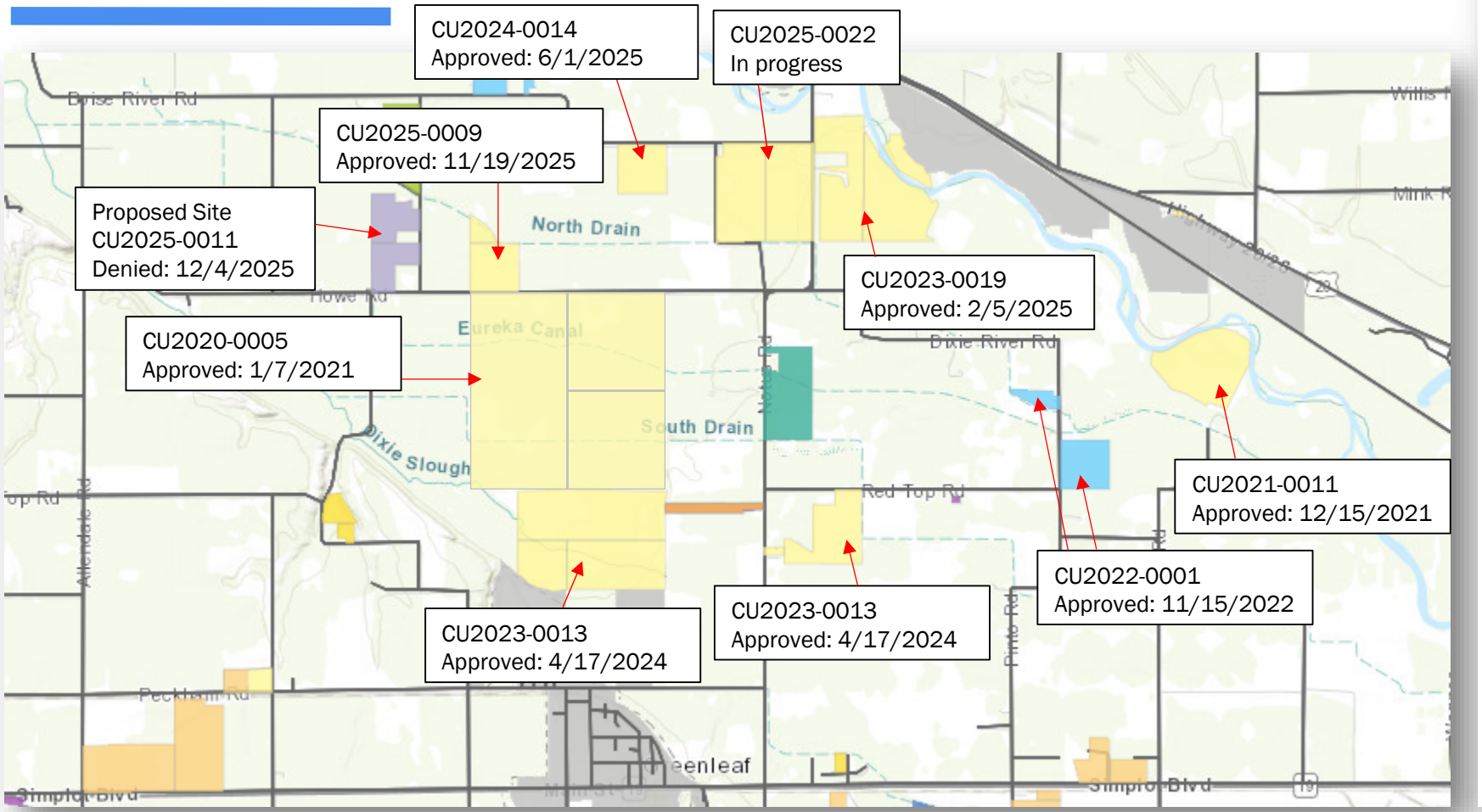

# Traffic Impact Study

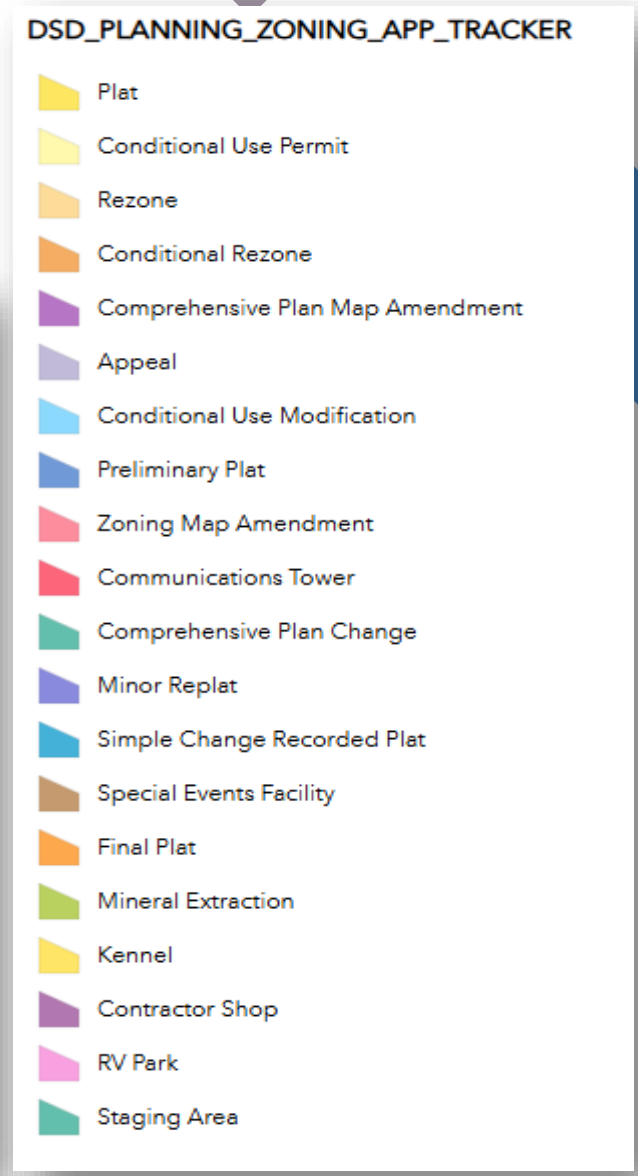
Golden Gate Highway District requested that a traffic impact study (TIS) be performed and combined with CU2025-0009.

Idaho Transportation Department requested a westbound right-turn lane at SH-19 and Notus Road.

Knife River agrees to both requests and is prepared to comply with the requested TIS.

# Surrounding Area



# Summary

The proposed use will not be injurious to the other property in the area, nor would it negatively change the essential character of the area. As previously mentioned, the area already contains multiple mineral extraction sites, some of which are much larger than this proposed site.

The proposed use will not negatively impact existing and/or future traffic patterns, and any interference will be mitigated by the proposed conditions of approval, as permitted by Idaho Code § 67-6512 and CCCO § 07-07-17.

Knife River will work diligently with County staff and other agencies to address all concerns over the proposed conditional use.

# Thank you

Megan Winter
Knife River Corporation
Regional Sustainability Coordinator
Megan.Winter@kniferiver.com