Planning and Zoning Commission
Hearing Date: April 16, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**RZ2025-0004**
APPLICANT/ PROPERTY OWNER:	**Kevin and Kimberly Slazas**
APPLICATION:	**Conditional Rezone (RZ2025-0004) to "CR-R-1" (Single-Family Residential)**
LOCATION:	**7718 Elko Lane, Middleton, ID 83644** **Also referenced as Lot 3, Block 1 of Blue Heron Subdivision, a portion of the SW1/4 of Section 2, T4N, R2W, BM, Canyon County, Idaho** **R33822102 (+/- 7.83 acres)**
ANALYST:	**Karla Nelson**
STAFF RECOMMENDATION:	**Approval**

REQUEST:
The applicant, Kevin and Kimberly Slazas, is requesting an amendment to the official zoning map in order to conditionally rezone approximately 7.83 acres from the "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone Single Family Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots and prohibiting secondary dwellings on the two (2) lots that are proposed to be approximately 1.25 acres in size.

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

APPLICABLE CODE:
The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezone Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO §09-19-12 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).

BACKGROUND:
The subject property is zoned "A" Agricultural with a 2030 Comprehensive Plan Future Land Use Map designation for residential use. The subject property is a portion of Blue Heron Subdivision, more specifically Lot 3 of Block 1. The five (5) lot Blue Heron Subdivision was platted in 2002 with an average lot size of 7.49 acres. Portions of the subject property are encumbered by a 50-foot irrigation easement (**Exhibit B3**). Directly south of the subject property, Lots 1 and 2, Block 1 of the Blue Heron Subdivision have been rezoned to CR-R-1 and re-subdivided into 14 buildable lots within the Solitude Creek Subdivision. The final plat for this neighboring subdivision was signed in July of 2025.

The subject property is within the City of Star Area of Impact. Property annexed into the City of Star is found approximately 415 feet to the east and 800 feet to the north. The City of Middleton is approximately 760 feet to the west, across Kingsbury Road.

The property contains a single-family dwelling (BP2020-0763), a secondary dwelling (BP2020-0764), accessory structures (BP2021-0006), an in-ground pool (BP2022-0518), and five (5) acres of irrigated

grazing land. The applicant originally submitted a straight rezone but decided to amend the request to a conditional rezone on January 27, 2026 (**Exhibit A8**). The RZ2025-0004 case number has been retained.

HEARING CRITERIA:

Table 1. Conditional Rezone Standards of Evaluation

Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Staff Review		
Criteria Met?	**Code Section**	**Analysis**
Yes	**1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan?**
Staff Analysis	The proposed zone change is generally consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the future land use of the parcel as "Residential" (**Exhibit B2.4**). The parcel is located within the City of Star's Area of Impact, and Star's comprehensive plan designates the area for "Estate Urban Residential," which is defined as being suitable for single-family residential development with a maximum of 3 dwelling units per acre (**Exhibit B2.5**). COMPASS forecasts residential growth of 116 households by the year 2050 for the associated Traffic Analysis Zone (TAZ 2113, **Exhibit B2.11**). The 2030 Canyon County Comprehensive Plan states that the residential designation is for residential development and that residential development should promote compatibility with the existing agricultural activity. The requested CR-R-1 zone is listed as an applicable zoning district for the residential designation. The property is in a transitional area near the cities of Star and Middleton, in an area where residential zones and uses are common and planned (**Exhibits B2.1, B2.3, B2.4, B2.5**). The request generally complies with the following goals and policies of the 2030 Comprehensive Plan: <u>Property Rights</u> The request was processed per the following laws and ordinances, Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures). • Goal 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." • Policy 1: "No person shall be deprived of private property without due process of law." • Policy 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." <u>Population Component</u> COMPASS forecasts an increase of 116 households over the next 25 years in Traffic Analysis Zone 2113, where the subject parcel is located (**Exhibit B2.11**). Planned growth in the area supports the requested conditional rezone to single-family residential. • Goal 2: "Promote housing, business, and service types needed to meet the demand of the future and existing population." <u>Economic Development</u> • Goal 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability." <u>Land Use</u>	

	The proposed conditional rezone limits development to three (3) residential lots with restrictions on secondary dwellings on two (2) of the lots. This limited scale aligns with nearby development and protects the rural character of the area while allowing for residential development in a defined growth area within the Star Area of Impact. The proposed site plan preserves grazing land on the east side of the property. • Policy 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character." • Policy 1.2: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. " • Goal 2: "Ensure that growth maintains and enhances the unique character throughout the County." • Goal 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning." • Policy 4.2: "Align planning efforts in areas of city impact." • Goal 7: "Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. " • Policy 7.1: "Plan land uses that are compatible with the surrounding community." • Policy 8.1: "Protect and enhance the rural landscape as an essential feature of the County." <u>Housing</u> The proposed rezone will allow for two additional residential lots in an area where similar rezones and lot sizes have been approved and will not further fragment agricultural resources. • Goal 1: "Encourage opportunities for a diversity of housing choices in the County." • Goal 2: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."
Criteria Met? **Yes**	**2** **When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
Staff Analysis	In consideration of the surrounding land uses, the proposed zone change to "CR-R-1" Single-Family Residential is more appropriate than the current zoning designation of "A" Agricultural. The parcel is located within Star's Area of Impact, where residential growth is anticipated. Residential development is further supported through Canyon County and Star's Future Land Use Maps, which both designate the area for residential land use (**Exhibits B2.4 and B2.5**). Pursuant to Canyon County ordinance CCCO §07-10-25(3), the purpose of the "R-1" Single-Family Residential zoning district is to promote and enhance predominantly single-family living areas at a low-density standard. Proximity to the City of Star, the City of Middleton, nearby residential zoning and lot sizes, as well as recent land use cases, all demonstrate that the area is trending towards residential use and indicate that "CR-R-1" zoning is more appropriate than the current "A" Agricultural zone (**Exhibit B2.1, B2.3, B2.4, B2.5, B2.12, and B2.13**). The Lakes Subdivision within the City of Middleton is 0.15 miles from the subject property on the west side of Kingsbury Road and primarily contains lots less than one-acre in size (**Exhibit B2.9**). There are 38 platted subdivisions within a one-mile radius of the subject property with an average lot size of 2.52 acres (**Exhibit B2.8 and B2.9**). Solitude Creek Subdivision is located directly south of the subject property and has an average lot size of 1.10 acres (**Exhibit B2.9**). The applicant has agreed to enter into a development agreement that will limit division of the property into three (3) residential lots and will prohibit secondary dwellings on two (2) of the lots. If the rezone is approved, the applicant's proposed subdivision will be commensurate with nearby properties and will result in two (2) lots of 1.25 acres and one 5.33-acre lot. Even without a development

agreement, if the applicant were able to fully realize the full development potential of the R-1 zone, the allowable seven (7) approximately 1-acre lots could be considered transitional and consistent with development trends in the immediate vicinity (**Exhibits B2.1, B2.3, B2.8, B2.9, B2.12, and B2.13**).

The surrounding area is a mix of "A" Agricultural, "R-R" Rural Residential, "CR-R-1" Conditional Rezone Single-Family Residential, "R-1" Single-Family Residential zoning, as well as property zoned within the City of Middleton and the City of Star (**Exhibits B2.3 and B2.1**). The "CR-R-1" zoning directly south of the subject property has been in place since 2019 (RZ2018-0018).

Existing Conditions within a 1-mile Radius:

Direction	Existing Use	Adjacent Zone	Other Zone
N	**Agricultural and Residential Use**	**A**	**City of Star, R-R, CR-R1**
S	**Residential and Agricultural Use**	**CR-R1**	**A, C-1, R-R, City of Star**
E	**Residential and Agricultural Use**	**A**	**City of Star**
W	**Residential Use**	**A**	**City of Middleton, R-R, R-1, 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:
The following land use cases were submitted since 2019 and are located within one mile of the subject property.

- RZ2021-0020 – Rezone from "A" to "R-R"-Approved
- RZ2020-0016 – Rezone from "A" to "R-R" - Approved
- CR2022-0003 – Conditional rezone from "A" to "CR-R-1" – Approved
- SD2019-0006 – Monument Place Subdivision – Approved
- SD2020-0016 – Solitude Creek Subdivision – Approved
- SD2022-0046 – Vanwinkle Subdivision – Approved
- SD2019-0039 – Watt's Hollow Subdivision - Approved

Other:
RZ2018-0018 – Rezone from "A" to "CR-R-1" – Approved

The land use cases approved since 2019 demonstrate that the area is trending toward more residential use.

See further analysis located in section 07-06-07(6)A3 & A4.

Criteria Met?	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**
Yes		

Staff Analysis

The proposed conditional rezone to "CR-R-1" is compatible with surrounding land uses.

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

	The subject property is in the City of Star Impact Area and is a planned growth area designated for future residential use both within the county and the city's future land use maps (**Exhibits B2.4 and B2.5**). The property is a transitional area between residential developments within the City of Middleton, unincorporated Canyon County, and the City of Star. There are still some agricultural fields in this transitional area, and one (1) feedlot is found within a one-mile radius of the property (**Exhibits B2.2 and B2.6**). However, subdivisions with average lot sizes smaller than those proposed by the applicant are found directly south of the subject property and 760 feet to the west, in the Solitude Creek, Lakes Phase I, Lakes at Telaga Phase 1, and Crescent Lakes Subdivisions. The applicant's proposed average lot size is approximately 2.6 acres, compared to 1.1, 1.12, 0.44, and 0.3 acres, respectively (**Exhibits B2.8 and B2.9**). The proposed development is not anticipated to interfere with nearby agricultural production, nor detract from established or planned residential uses. Adding two (2) new lots for a total of three from the subject property is consistent with residential use and characteristics of this area. The applicant has agreed to enter into a development agreement to ensure that the property is only divided into three (3) parcels and to prohibit secondary residences on the two (2) approximately 1.25-acre lots. The property currently contains a single-family residence and a secondary residence, which will be retained on an approximately 5.33-acre lot. The proposed conditions, along with the setbacks of the R-1 zone and the irrigation easement on the property, will ensure appropriate distances are maintained from adjacent properties and that the density of the development is compatible with surrounding land uses. See further analysis located in section 07-06-07(6)A2 & A4.	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Staff Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area** The surrounding area is characterized by residential and agricultural uses (**Exhibit B2.1 and B2.3**). The property is in a transitional area between the cities of Star and Middleton, within the Star Area of Impact. Subdivisions with lot sizes smaller than those proposed are found directly to the south and approximately 760 feet to the west, across Kingsbury Road (**Exhibits B2.8 and B2.9**). Fifteen-acre residential parcels with pastures and grazing land are found directly to the north. Larger, productive agricultural fields ranging in size from approximately 20 to 76 acres, without any residential use, are found approximately 450 feet to the east, 800 feet to the north, and 1,000 feet to the south. Much of the productive agricultural land to the north has been annexed into the City of Star and will likely be developed into residential subdivisions as envisioned in the City of Star Comprehensive Plan (**Exhibits B2.3 and B2.5**). While the area still has productive agriculture, the rural character is transitioning to a suburban residential character as the cities of Star and Middleton grow near the subject property, approximately 800 feet to the north, 415 feet to the east, and 760 feet to the west (**Exhibits B2.1, B2.3, B2.4, and B2.12**). **The following measures will be implemented to mitigate the impact** The applicant has agreed to enter into a development agreement to limit the future subdivision of the property into no more than three (3) lots and to prohibit secondary dwellings on two (2) lots that are proposed to be approximately 1.25 acres in size. With these restrictions in place, the proposal is not anticipated to negatively affect the character of the area, as only two new residences will be allowed in an area that is transitioning to residential use. The Planning and Zoning Commission could recommend additional conditions if deemed necessary.	
Criteria Met? **Yes**	**5**	**Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities, be provided to accommodate the proposed conditional rezone?**

Staff Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** The applicant proposes individual septic systems on the two (2) new proposed lots (**Exhibit A.4**). The lot that will retain the existing home and secondary residence is served by existing septic systems with a conjoined drainfield. Comments from Southwest District Health detail that there are no concerns with the request, provided the applicant can meet all SWDH requirements (**Exhibit D.1**). SWDH pre-development meeting notes state that a lateral spans west to east of the two (2) proposed 1.25 parcels, and septic systems might not be allowable on the proposed lots due to separation distances from the lateral to the proposed drainfields (**Exhibit D1.1**). Options to address sewer include a wastewater incinerator or granting of an easement onto the portion of the property with the existing septic system (**Exhibit D1.1**). The proposal will require subdivision platting if the conditional rezone is approved, and at that time, the applicant will need to receive approval from Southwest District Health. **Water:** Per the applicant's land use worksheet, two (2) new individual domestic wells are proposed. The existing home and secondary residence are served by existing domestic wells. Notice was provided to the Idaho Department of Water Resources, but no comments were received. The property is not within a nitrate priority area (**Exhibit B2.10**). **Drainage:** The applicant intends to retain drainage on site (**Exhibit A.4**). **Irrigation:** According to the Lemp Lateral Association, surface irrigation water is available to the property, and the applicant intends to provide pressurized irrigation to the new lots (**Exhibits D3.1 and A10**). Comments from Sawtooth Law Offices representing the Middleton Mill Ditch Company and Middleton Irrigation Association state that ditches and easements run through or abut the subject property. The easement is 25 feet from each side of the top of the bank. If the rezone is approved, the developer must contact the Ditch Companies' attorneys for approval before any encroachment, change of easement, or drainage discharge into Ditch Company facilities. The Ditch Company must review drainage plans and construction plans before subdivision approval (**Exhibit D.3**). **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on June 13, 2025, and March 12, 2026. Comments from Idaho Power detail that an old Idaho Power easement crosses the subject property and that the applicant should pursue relinquishment of the easement (**Exhibit D7**). No other agency comments from utility providers were provided 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 utilities needed.	
Criteria Met? **Yes**	**6**	**Does the proposed zoning map amendment require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?**
Staff Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. Comments from Highway District No. 4 state that the proposed two additional residential lots are not anticipated to impact the existing or proposed transportation system significantly. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (**Exhibit D.5**).	

	The Idaho Transportation Department provided a comment stating that the application does not meet thresholds for a traffic impact study, nor does it pose any safety concern (**Exhibit D.2**).	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development?**
Staff Analysis	The subject property does have legal access for the zoning map amendment, and as conditioned, legal access will exist at the time of development. See the review and analysis detailed below. The subject property has access granted in the Solitude Creek Subdivision Plat via a plat note to Winter Horses Drive (Public) via Quail Creek Lane, a 56-foot-wide private road lot (**Exhibit D.5 and B.4**). Per a letter from the highway district, the existing Quail Creek Lane approach to Winter Horse Drive meets current standards for private road access and is acceptable (**Exhibit D.5**). The proposed two (2) additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. North of the access granted through the Solitude Creek Subdivision, there is an ingress-egress easement that provides direct access to the subject property over Parcel R33822103 and Drainage Ditch No. 10 along the subject property's southern boundary (**Exhibit A.7 and B.6**). The applicant constructed a culvert with a license agreement from Drainage District No. 2 (**Exhibit B.5**) to serve as the driveway for the existing home and secondary residence (BP2020-0763 and BP2020-0764). The culvert is approximately 37 feet at its narrowest. The existing culvert bridge serving the subject property is sufficiently wide to accommodate the required 20-foot all-weather driving surface for private roads serving 100 Average Daily Trips (ADT) or fewer. For access, in addition to the driving surface, Canyon County Code requires either an easement or frontage of 60 feet. The width may be reduced to 28 feet for a driveway or 50 feet for a private road within a subdivision when physical site characteristics justify the reduction and adequate access can still be provided. Canyon County's subdivision regulations also require that private roads serving three or more residential units be contained within a dedicated private road lot rather than within an easement. Easement and private road lot width requirements exceed the minimum roadway surface width to allow the highway district to assume jurisdiction over the roadway in the future, if necessary. Ideally, the applicant will be able to acquire a portion of Parcel R33822103 through a minor replat to provide sufficient width for a private road lot fully connected to Quail Creek Lane within the Solitude Creek Subdivision. However, because Parcel R33822103 is not included in the proposed subdivision, the private road lot will only be required on the portion of the access located on the subject property that serves more than two residences. The two new lots will be restricted from establishing secondary residences and, therefore, may be served by a shared driveway extending from the private road. The access easement across the ditch on Parcel R33822103 must be at least 50 feet wide. Instrument No. 2020-040278 states that each party to the agreement grants the other a permanent easement across their respective properties for ingress and egress to adjoining parcels. The agreement does not specify ingress-egress locations or easement widths (**Exhibit B.6**). The applicant also provided a warranty deed that specifies a 30-foot ingress-egress easement (**Exhibit A.7**). Access arrangements must be finalized before platting. If the applicant cannot demonstrate a 50-foot easement across the ditch, alternative access locations may need to be pursued.	
Criteria Met? **Yes**	**8**	**Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?**
Staff Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:**	

	The subject property is served by Middleton School District No. 134. It is not anticipated that the proposal will have a negative impact on the district or that accommodation will be needed. Only two additional lots are requested, and secondary residences will be prohibited on the new lots. Agency comments were sent out on June 13, 2025, and March 12, 2026, and no comments were received by the school district. **Police:** Parcel R33822102 is under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on June 13, 2025, and March 12, 2026, and no comments were received by the Sheriff's Office. **Fire protection & Emergency Medical Services:** The subject property is under the jurisdiction of the Star Fire Protection District. Agency comments were sent out on June 13, 2025, and March 12, 2026, and follow-up requests for comment were sent on March 4, 2026, and March 18, 2026, but none were received. Emergency Medical Services are provided to the property. Canyon County Paramedics sent over estimated response times from three (3) different stations – Station M53 would be approximately 7.2 minutes, Station M52 would be approximately 16.7 minutes, and Station M44 would be approximately 23.4 minutes **(Exhibit D8).** Should the conditional rezone be approved, platting as a residential subdivision is required. The Preliminary Plat will be provided for review and comments by all affected essential service agencies. The applicant does not propose any mitigation for school, police, fire protection, or emergency service impacts.

Table 2. Area of City Impact

CCCO §09-19-01: Star Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards: Within the Star area of city impact, the following ordinances apply, but the city of Star ordinances are subject to the waiver provisions in subsection (6) of this section.		
County Ordinance and Staff Review		
Criteria Met?	**Code Section**	**Analysis**
Yes	**09-19-09**	**Applicable Ordinances and Standards**: (1) Canyon County zoning ordinance, as lawfully amended. (2) City of Star's subdivision ordinance, Title 8, Chapter 6, of the Unified Development Code, in the form existing as of January 1, 2022, or as may be amended, except for simple division (lot split) provisions and except for hearing procedures. The county's hearing procedures shall apply. (3) The following City of Star ordinances apply, even when in conflict with otherwise applicable county provisions: A. City road widths and profiles found in Title 8, Chapter 6, Article B of the City of Star Unified Development Code, in the form existing as of January 1, 2022, or as may be amended; B. Unified Development Code of the City of Star, Title 8, Chapter 8, Article D, "Star Landscape Ordinance", in the form existing as of January 1, 2022, or as may be amended. C. City of Star adopted Economic Corridors Access and Roadway Connection Management Plan ("ECMAP"), in the form existing as of January 1, 2022, or as may be amended. The ECAMP shall be given the same consideration as the adopted Canyon County functional classification map. (4) Except as set forth above, all other standards of applicable Canyon County codes and ordinances; and (5) For subdivisions and planned unit developments applied for in the Star area of city impact, Canyon County will require on the face of each final plat a certification line for execution by the

		City of Star engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signing the plat. (6) Waiver of City of Star Ordinance Provisions: The requirements listed in the Star ordinances, identified in subsections (2) and (3) of this section, may be waived by the Canyon County board of commissioners in its discretion. An applicant for such waiver bears the burden of persuasion and must specifically state the reasons why a waiver is necessary and prove said waiver will not cause an adverse effect to the health, safety and welfare of the community and that the requirements sought to be waived constitute an undue hardship. For the purpose of this section, increased financial expense associated with a requirement, by itself, does not constitute an undue hardship. Notice of the requested waiver must be given to the City of Star not less than thirty (30) days prior to the hearing on the waiver application. Any further notice on the proposed waiver will be provided to the City of Star at least seven (7) days prior to any public hearing. Written objections from the City of Star will be considered by the Canyon County commissioners. The application for waiver must show that prior to filing the application, the applicant first sought consent from the City of Star to the waiver, indicating the date of the request and the response, if any, from the city of Star. In granting any waiver, the county may impose any conditions the county deems necessary to help mitigate any adverse effect to the health, safety and welfare of the community. The application for waiver will first be considered by the Canyon County planning and zoning commission at a public hearing, which shall make recommendations to the Canyon County board of commissioners for their consideration at a public hearing. The public hearings held before the Canyon County planning and zoning commission and the Canyon County board of commissioners will be conducted in accordance with the notice and hearing procedures provided by subsections 07-17-09(4) and (5) of this code. (Ord. 22-003, 3-15-2022) **09-19-10 Zoning Ordinance Amendment Proposals**: All proposed amendments to the text and/or map of the Canyon County zoning ordinance or subdivision regulations, which may relate to the Star area of city impact, shall be referred by the county to the City of Star in the same manner as provided for in subsection 09-01-08(3) of this chapter. Any recommendation of the City of Star shall be considered in the same manner as provided for in subsection 09-01-08(3) of this chapter. (Ord. 22-003, 3-15-2022)
Staff Analysis	**Area of City Impact:**	Notification of the proposal was sent to the City of Star on June 13, 2025, and no comments were received. A representative from the City of Star did sign the agency acknowledgement form with the application (**Exhibit A.6**). The City of Star Future Land Use Map designates the property for Estate Urban Residential use in the future (**Exhibit B2.5**). Estate Urban Residential is defined in the City of Star Comprehensive Plan as being an area suitable primarily for single-family residential use. Densities in this land use area are a maximum of 3 dwelling units per acre. While the City of Star did not provide a comment, the proposed conditional rezone aligns with the use anticipated in the area.

NOTIFICATION AND COMMENTS:

Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on June 13, 2025, and March 12, 2026. Property owners within 600 feet of the subject property boundaries were notified on March 12, 2026. Full political notice was completed on March 12, 2026. A newspaper notice was published on March 17, 2026. The subject property was posted with a notice on March 17, 2026.

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

AGENCY COMMENTS

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

PUBLIC COMMENTS

Staff received "Four" (4) total written public comments by the materials deadline of April 6, 2026. Generally, of the comments received, all were concerned about septic systems, access, and neighborhood compatibility. All public comments received by the aforementioned materials deadline are located in Exhibit E.

RECOMMENDATION AND DECISION OPTIONS:

In consideration of the application and supporting materials, staff concludes that the proposed conditional rezone is compliant with Canyon County Ordinance 07-06-05. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommend 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. Compliance with the following, but not limited to, affected agencies shall be met before the commencement of any use:
    a. Southwest District Health (**Exhibit D.1 and D1.1**)
    b. Lemp Lateral and Middleton Mill Ditch Company and Middleton Irrigation Association (**Exhibit D.3**)
    c. Highway District No. 4 (**Exhibit D.5**)
    d. Idaho Power (**Exhibit D**7)
2. The subject parcel, R33822102, shall be subdivided in compliance with Chapter 7, Article 17 of the Canyon County Code of Ordinances (CCCO), subject to the following restrictions:
    a. The parcel shall be divided into a maximum of three lots.
3. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited on future development on the two new lots proposed to be approximately 1.25 acres in size.
4. The request shall comply with CCCO §07-06-07(4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."

DECISION OPTIONS

- **Recommend Approval of the Application**: "I move to recommend approval of RZ2025-0004, Slazas, finding the application **does** meet the criteria for approval under Article 07-06-07 of Canyon County Zoning Ordinance, **with the conditions listed in the staff report, finding that**: [*Cite reasons for approval & Insert any additional conditions of approval*].
- **Recommend Denial of the Application**: "I move to recommend denial of RZ2025-0004, Slazas finding the application **does not** meet the criteria for approval under 07-06-07 of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].
- **Table the Application:** "I move to continue RZ2025-0004, Slazas to a [*date certain or uncertain*]

EXHIBITS:

A. Application Packet & Supporting Materials
1. Master Application
2. Letter of Intent
3. Site Plan

4. Land Use Worksheet
5. Neighborhood Meeting
6. Agency Acknowledgements
7. Warranty Deed
8. Applicant Email Correspondence January 28, 2026
9. Applicant Email Correspondence March 5, 2026
10. Applicant Email Correspondence: March 17, 2026

B. Supplemental Documents

1. Parcel Information Report
2. Cases Maps/Reports
   - 2.1. Small Air Ortho (1-Mile)
   - 2.2. Small Vicinity Map
   - 2.3. Zoning and Classification
   - 2.4. Canyon County 20230 Future Land Use Map
   - 2.5. City Future Land Use Map
   - 2.6. Dairy, Feedlot, and Gravel Pit
   - 2.7. Soil and Prime Farmlands Map with Report
   - 2.8. Subdivision Map
   - 2.9. Lot Report
   - 2.10. Nitrate Priority Wells
   - 2.11. TAZ Households
   - 2.12. Lot Classification Map
   - 2.13. Case Map (1-Mile) and Summary Report
   - 2.14. Slope Percent Map
3. Blue Heron Subdivision Plat
4. Solitude Creek Subdivision RUMA
5. Drainage District No. 2 License Agreement
6. Shared Road and Maintenance Agreement (Lot 5, Lot 4, and Lot 3, Block 1 of Blue Heron Subdivision, and owners of proposed Sage Creek Subdivision (later Solitude Creek))

C. Site Visit Photos: December 3, 2025

D. Agency Comments Received by: April 6, 2026

1. Southwest District Health; Received: June 13, 2025
   - 1.1. SWDH Pre-Development Notes: October 7, 2024
2. Idaho Transportation Department; Received: June 17, 2025
3. Lemp Lateral, Middleton Mill Ditch Company and Middleton Irrigation Association; Received: June 17, 2025
   - 3.1. Lemp Lateral Association; Received: March 16, 2026
4. Department of Environmental Quality; Received: June 23, 2025
5. Highway District No. 4; Received: June 30, 2025
6. Idaho Power; Received: March 13, 2026
   - 6.1. Idaho Power Easement
7. Idaho Department of Water Resources, Floodplain Specialist; Received: March 12, 2026
8. Canyon County Paramedics; Received: March 6, 2026

E. Public Comments Received by: April 6, 2026

1. Arlene and Curt Custock; Received: April 6, 2026
2. Chad Custock; Received: April 6, 2026
3. Craig and Susan Lee; Received: April 6, 2026
4. Ryan Mathews; Received: April 6, 2026

F. Draft FCOS

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

Canyon County, ID Web Map



6/3/2025, 4:05:16 PM

Multiple Parcel Search _Query result

CC_PrivateRoads

CanyonCountyRoads

Roads

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

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

Canyon County, ID

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

ZONING AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Kevin & Kimberly Slazas	
	MAILING ADDRESS: 7718 Elko Lane Middleton ID 83644	
	PHONE: [redacted]	EMAIL: [redacted]

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

Signature: _____ *Date:* 09/13/2024

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME:	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

SITE INFO	STREET ADDRESS: 7718 Elko Lane Middleton ID	
	PARCEL NUMBER: R33822102 0	
	PARCEL SIZE: 8.1 acres	
	CHECK THE APPLICABLE APPLICATION TYPE:	
	☑ REZONE ☐ CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT	
	CURRENT ZONING: A	PROPOSED ZONING: R-1
	FLOOD ZONE (YES/NO) No	ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER: RZ2025-0004		DATE RECEIVED:	
RECEIVED BY: MBarron	APPLICATION FEE: 1900.00	CK MO CC CASH	

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-454-7458
Revised 3/21/23

Kevin Slazas

7718 Elko Lane Middleton ID 83644

[redacted]

Parcel 33822102 total 7.83 Acres

Lot 3 in Block 1 of Blue Heron Subdivision, according to the Plat thereof, filed in book 31 of Plats at Page 5, Records of Canyon County Idaho

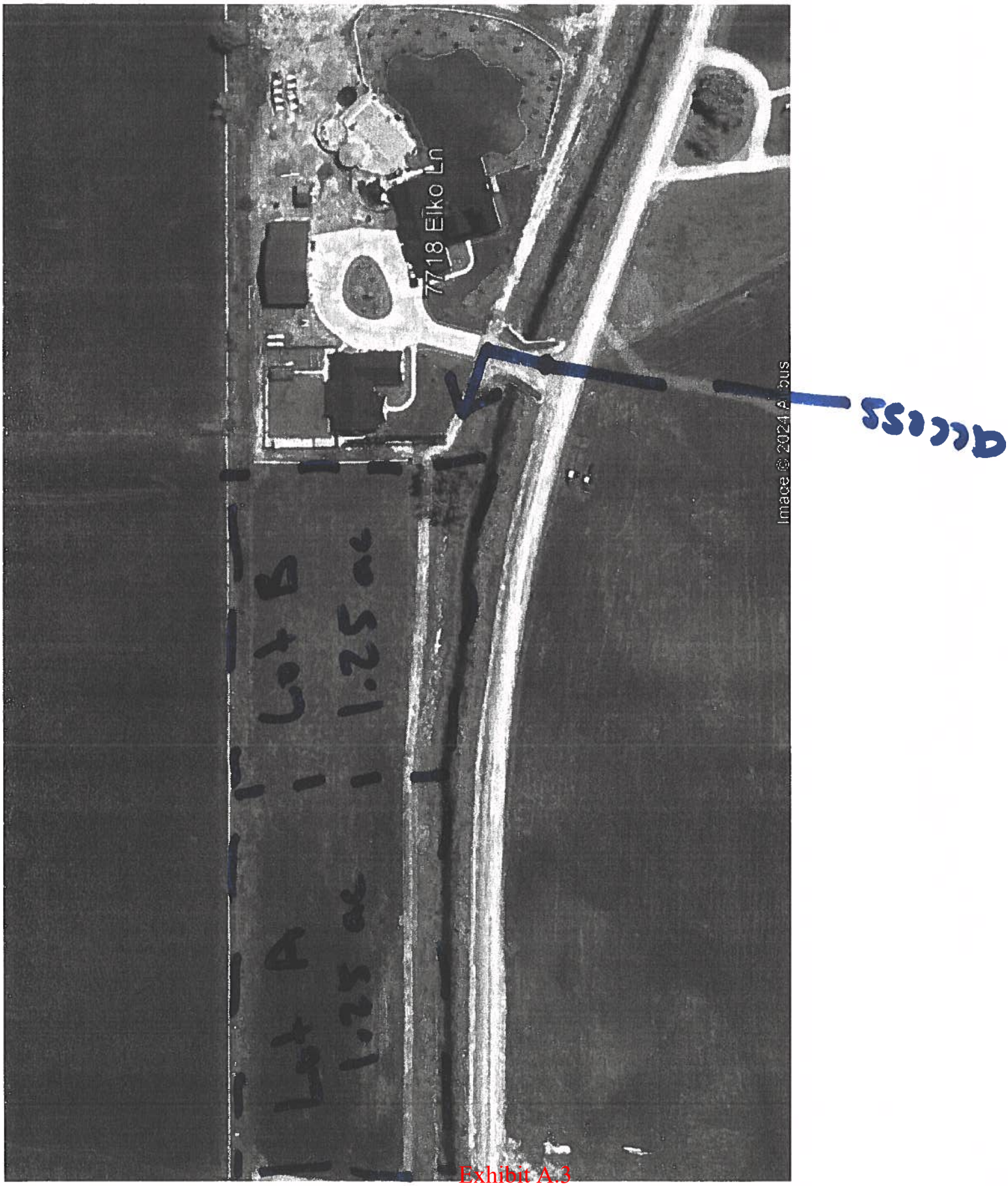
LETTER OF INTENT

We propose to subdivide the western portion (approx. 2.5 acres) of our land, which is currently used for grazing livestock into (2) approx. 1.25 acre lots. These lots would be accessed off of the new Quail Creek road and using the existing ditch crossing to get north of the ditch then turning left (west) and paralleling the drainage ditch.

Traffic will increase slightly through the future neighborhood, as there will be an additional pair of single family residences.

This type of zoning and lot size is consistent with the new Solitude development which is being built on the south side of the ditch along Winter Horses and Quail Creek.

3-24-2025


7718 Elko Ln
Image © 2024 Maxar
Access

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☑ Individual Domestic Well ☐ Centralized Public Water System ☐ City
   ☐ N/A – Explain why this is not applicable: _____
   ☐ How many Individual Domestic Wells are proposed? 2

2. **SEWER (Wastewater)** ☑ Individual Septic ☐ Centralized Sewer system
   ☐ N/A – Explain why this is not applicable: _____

3. **IRRIGATION WATER PROVIDED VIA:**
   ☐ Surface ☐ Irrigation Well ☑ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**
   ☐ Pressurized ☐ Gravity

5. **ACCESS:**
   ☐ Frontage ☐ Easement Easement width 25' Inst. # 202101 3048

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: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)
   Year-round ditch owned by Middleton Mill.

RESIDENTIAL USES

1. **NUMBER OF LOTS REQUESTED**:

☑ Residential 2 ☐ Commercial _____ ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. **FIRE SUPPRESSION:**

☐ Water supply source: Individual Wells

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

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. **SPECIFIC USE**: N/A

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

☐ Monday _____ to _____

☐ Tuesday _____ to _____

☐ Wednesday _____ to _____

☐ Thursday _____ to _____

☐ Friday _____ to _____

☐ Saturday _____ to _____

☐ Sunday _____ to _____

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

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

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

What type of sign: _____Wall _____ Freestanding _____ Other

5. **PARKING AND LOADING:**

How many parking spaces? _____

Is there is a loading or unloading area? _____

ANIMAL CARE-RELATED USES

1. **MAXIMUM NUMBER OF ANIMALS:** N/A

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: _____

Notice of Neighborhood Meeting
Pre-application requirement for a Public Hearing

Date

Dear Neighbor,

We are in the process of presenting an application to Canyon County Development Services for a Rezone [write in applicable application type i.e. variance, zoning ordinance map amendment, rezone]. One of the requirements necessary, prior to submission, is to hold a "Neighborhood Meeting" and provide information to our surrounding neighbors about our application; *Canyon County Zoning Ordinance § 07-01-15.* This meeting for our surrounding neighbors is only for informational purposes. We would like to receive feedback from you, our neighbors, as we move through the land use application process with the county.

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

The Neighborhood Meeting details are as follows:

Date:
Time:
Location:
Property description:

The project is summarized below:

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

We look forward to our neighborhood meeting and encourage you, as our neighbor, to attend. During our meeting, we will answer any questions you may have. Please note, the county does not currently have any information on our project. Also, please do not call the county regarding this meeting or our application as this meeting is a PRE-APPLICATION requirement; we have not submitted the application to the county for consideration at this time.

Feel free to contact me at (insert phone, email, or written correspondence).

Sincerely,

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: 7718 Elko Lane	Parcel Number: 33822102 0	
City: Middleton	State: ID	ZIP Code: 83644
Notices Mailed Date: 09/25/2024	Number of Acres: 8.1	Current Zoning: A
Description of the Request: Meeting to discuss a rezone and subdividing off 2 lots.		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Kevin Slazas		
Company Name:		
Current address: 7718 Elko Lane		
City: Middleton	State: ID	ZIP Code: 83644
Phone:	Cell: [redacted]	Fax:
Email: [redacted]		

MEETING INFORMATION

DATE OF MEETING: 10/09/2024	MEETING LOCATION: 7718 Elko Lane Middleton
MEETING START TIME: 6:00 pm	MEETING END TIME: 7:00 pm

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Nobody attended		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

Revised 6/9/22

10.
11.

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

NEIGHBORHOOD MEETING CERTIFICATION:

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

APPLICANT/REPRESENTATIVE (Please print): Kevin Slazas

APPLICANT/REPRESENTATIVE (Signature): K. Sl

DATE: 10 / 10 / 2024

Slazas rezone neighbor contacts. Mailed 09-25-2024.

Karen Cruise	7639 Elko Lane Middleton ID 83644
Craig and Susan Lee	189 West Claire Street meridian ID 83646
Alex and Nelli Vitruk	23182 Kingsbury Road Middleton ID 83644
Daniel Cisler	23372 Kingsbury Road Middleton ID 83644
Joe Walker	23252 Kingsbury Road Middleton ID 83644
John and Cindie Swain	23374 Kingsbury Road Middleton ID 83644
Sherpratap Brar	23256 Kingsbury Road Middleton ID 83644
Cache and Oceanna Wood	23038 Kingsbury Road Middleton ID 83644
Chris and Cindy Dempsey	23122 Kingsbury Road Middleton ID 83644
Rene Pickett	23224 Kingsbury Road Middleton ID 83644

No neighbors showed up for the meeting.

Karen Cruise, Craig Lee, Dan Cisler & John Swain called to say they would not be attending.

Exhibit A.5

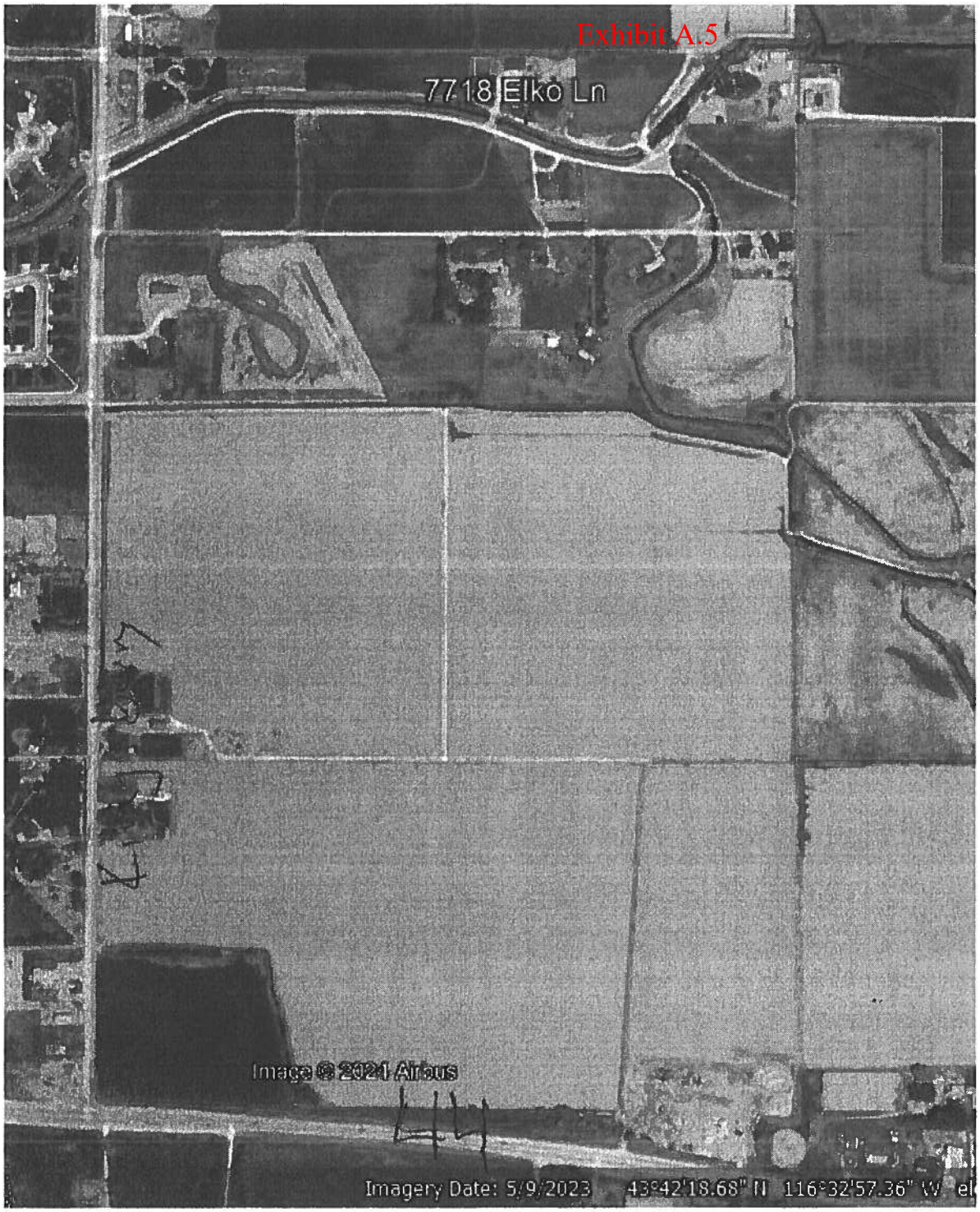


Exhibit A.5

AGENCY ACKNOWLEDGMENT

Date: 10-15-2024
Applicant: Kevin Slazer
Parcel Number: 338 22102 0
Site Address: 7218 Elko Lane Middleton ID 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

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

Southwest District Health:
☒ Applicant submitted/met for informal review.
Date: 10/17/2023 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: STAR Fire Protection Dist
☒ Applicant submitted/met for informal review.
Date: 10/15/24 Signed:
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: Highway Dist. 4
☒ Applicant submitted/met for informal review.
Date: 10/17/24 Signed:
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: Middleton Mill / DD2
☑ Applicant submitted/met for informal review.
Date: 10-16-24 Signed:
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: Star
☐ Applicant submitted/met for informal review.
Date: 10-15-24 Signed:
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

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

E PIRE
TITLE & ESCROW

Exhibit A.7

WARRANTY DEED

FOR VALUE RECEIVED

Mark Neice and Michelle Bennett Neice, husband and wife GRANTOR(s) does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto:

Kevin Slazas and Kimberly Slazas, husband and wife GRANTEE(s), whose current address is: 695 North Senita Way, Eagle, ID 83616 the following described real property in Canyon County, State of ID more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT A

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

Dated this 10th day of July, 2020

Mark Neice

Michelle Bennett Neice

State of Idaho

County Ada

On this 10 day of July, in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared **Mark Neice and Michelle Bennett Neice**, known or identified to me as the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for Idaho
Residing at: Nampa
My Commission Expires: 5/2/2025

NOTARY PUBLIC
Comm. No. 14678
STATE OF IDAHO

Exhibit A.7

EXHIBIT A

Lot 3 in Block 1 of Blue Heron Subdivision, according to the plat thereof, filed in Book 31, of Plats at Page 5, Records of Canyon County, Idaho.

TOGETHER WITH AND SUBJECT TO:

A 30 foot ingress-egress easement (known as Elko Lane) and utility easement as delineated on the face of the plat of Blue Heron Subdivision, recorded May 7, 2002, as Instrument No. 200220897, records of Canyon County, Idaho.

Karla Nelson

From: Kevin Slazas <[redacted]
Sent: Wednesday, January 28, 2026 3:05 PM
To: Karla Nelson
Subject: Re: [External] Slazas rezone application RZ2025-0004

Yes I support those conditions.
Sorry I should have been more clear.

Kevin Slazas
[redacted]

On Wed, Jan 28, 2026, 2:31 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Hi Kevin,
>
> Before I can schedule, I still need to know what conditions you are comfortable with, given past hearings, I think the following will come up:
>
> 1. Limit the number of divisions to allow for the property to be split into no more than three (3) lots.
> 2. Prohibit secondary residences on the two new undeveloped lots (approximately 1.25 acres in size).
>
> Are you supportive of these conditions, it is ok if you are not, I just need to know what you are or are not supportive of.
>
> You will also need to pay the additional fee before I can schedule. They will typically only take 4 items per hearing, and it is first come first serve so we will want to iron out those final details as soon as possible to schedule in March.
>
> Thanks!
>
> **Karla Nelson, AICP**
>
> Principal Planner
>
> Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Kevin Slazas <[redacted]
Sent: Tuesday, January 27, 2026 1:51 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

Thanks!

Kevin Slazas
[redacted]

On Tue, Jan 27, 2026, 1:50 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> The meeting will be held at the Canyon County administrative building, 111 N. 11th Ave. The Planning and Zoning Commission meets on the 1st floor. The meeting will start at 6:30, but depending on where we are on the agenda, it can be a late night. The administration building is across the street from the Canyon County courthouse. If we are able to secure that date, I'll send you an official scheduling letter.

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Kevin Slazas <[redacted]
Sent: Tuesday, January 27, 2026 1:47 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

Yes March 19 works for me. Is the meeting in Caldwell's council chambers?

Kevin Slazas
[redacted]

On Tue, Jan 27, 2026, 1:29 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Also, I do need to include recommended conditions. Let me know which of the following you would support (these are conditions that often come up):
>
> 1. Limit the number of divisions to allow for the property to be split into no more than three (3) lots.
> 2. Prohibit secondary residences on the two new undeveloped lots (approximately 1.25 acres in size).
>
> If you are not comfortable with either of those conditions, that is ok I just need to know, or if you have suggested revisions, please let me know that as well.

Thanks,

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Kevin Slazas <[redacted]>
Sent: Tuesday, January 27, 2026 1:22 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: [External] Slazas rezone application RZ2025-0004

Hello Karla, per our conversations about our rezone I am happy to follow through with a conditional rezone. I don't have a problem with the commissioners having their say. I understand the fee is $500 additional and I will go downtown later this week to pay that.

Kevin Slazas
[redacted]

Karla Nelson

From: Karla Nelson
Sent: Thursday, March 5, 2026 3:11 PM
To: 'Kevin Slazas'
Subject: RE: [External] Slazas rezone application RZ2025-0004

That is ok, I have it conditioned right now that it will be resolved before the preliminary plat phase.

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

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.

From: Kevin Slazas <[redacted]>
Sent: Thursday, March 5, 2026 2:41 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

Oh boy.
I'll have to work on this.
I think I won't get it done for an April hearing though.

Kevin Slazas
[redacted]

On Wed, Mar 4, 2026, 3:05 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Hi Kevin,
>
> In looking closer at the access, it seems like the documents all point to a 30' access easement on Elko Lane that seems to put your access at the drain crossing on the east side of your property, causing you to cross Parcel R33822103. In looking at the building permits, it seems like you built the culvert crossing by the existing homes around 2021 with an agreement with Drain District No. 2. Do you have any documents that show the width of your easement at that location? You are still crossing a portion of R33822103, but I can't figure out how wide your easement is at that location, or if, in fact, you have an easement there? I have seen

the recorded Road Users and Maintenance Agreement with the associated properties showing that you allow access over each other's properties for access, but it doesn't seem to show where or how wide (attached).



Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Kevin Slazas <[redacted]
Sent: Wednesday, February 11, 2026 12:38 PM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

The only realistic option is to widen the bridge.

Kevin Slazas
[redacted]

On Wed, Feb 11, 2026, 12:36 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Oh, and to your question below, you can pay the $500 anytime tomorrow. We don't close for lunch on Thursday. The April hearings are on April 2 and April 16. Let me know which one you would prefer. As I said below, I think you will want to speak to the access issue, and which options are feasible for you.
>
> Thanks,

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Karla Nelson
Sent: Wednesday, February 11, 2026 11:48 AM
To: Kevin Slazas [redacted]
Subject: RE: [External] Slazas rezone application RZ2025-0004

Hi Kevin,

The March date ended up filling up. We can go forward with April 2. I do think the commission will want some assurance that access is feasible. Do you have an idea on what option might end up working?

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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.

From: Kevin Slazas <[redacted]>
Sent: Wednesday, February 11, 2026 11:41 AM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

Hi Karla, I think I understand the risks here and we are ready to move forward. I will bring a check in to your office tomorrow. Do I need to plan around your office being closed at lunchtime?

Kevin Slazas
[redacted]

On Wed, Feb 4, 2026, 1:48 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Kevin,
>
> I wanted to check in. Given the challenges below, would you like to wait until April or a later month to schedule the Planning and Zoning hearing? We can go forward with the Planning and Zoning Commission hearing and include a recommended condition that all access issues will be resolved before submittal of the Preliminary Plat, but the Planning and Zoning Commission might be concerned about recommending approval if the access is not yet resolved. The Planning and Zoning Commission does not make the final decisions, so you would still have time between that hearing and the board hearing to work on the access issue.
>
> Let me know what you think in terms of the hearing. I don't have any meetings on Friday, if you want to give me a call.
>
> Thanks,

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

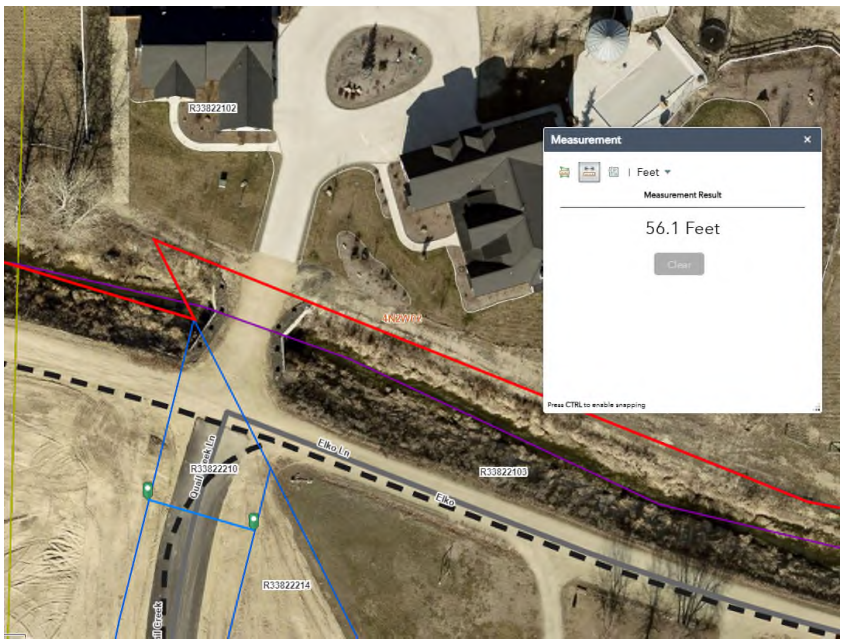
PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Karla Nelson
Sent: Tuesday, February 3, 2026 11:52 AM
To: Kevin Slazas [redacted]
Subject: RE: [External] Slazas rezone application RZ2025-0004

Hi Kevin, the access easement that you provided Inst. No. 2021013048 is 30' wide. In looking at our maps, the bridge leading to your property is about 35' wide, so it doesn't appear to be possible to get the minimum 50' wide private road lot that is required for a subdivision in that location. You can see in the images below that the private road going through Solitude Creek is in a road lot that is 56' wide. The road itself is 25' wide, but the lot and easement are required to be wider by our code. The reasoning behind that is so that additional improvements could be added if needed in the future, and so that the road could potentially be taken over by the highway district in the future if warranted. If it could be designed so that the new lots take a different access, then it could still work with our code. I could see that being possible if the irrigation district is willing to allow it on their access or if your neighbor to the south would allow it, and the new lots could be moved to the east side of your home. Perhaps there are other potential access locations that I'm not aware of. I'm guessing that widening the existing bridge is cost-prohibitive, but that would also be an option. The improvements don't need to be made until the time of the final plat, and bonding probably could be an option for those improvements.

Feel free to give me a call at a time convenient for you. I don't have any meetings today, but I will take a short lunch break.





Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Kevin Slazas <[redacted]
Sent: Tuesday, February 3, 2026 11:32 AM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: [External] Slazas rezone application RZ2025-0004

Hi Karla-

I got your message and I am processing it.

I do know that my bridge access is easily as wide as the private road (quail Creek) that feeds into it.

Are you saying that the new road fronting the canal would need to be wider?

Maybe we could set up a call so I can make sure I am understanding.

Kevin Slazas
[redacted]

On Fri, Jan 30, 2026, 9:32 AM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Hi Kevin,
>
> As I've dived deeper into my review, I've come across another concern. You do currently have access to Kingsbury through Quail Creek Lane, but your easement across the canal is only 30'. That width is fine for

your current use, but if the new lots will take access from this same location, it will need to be a private road when you go through the subdivision process. Our subdivision code requires a private road when it serves three or more homes, and that private road needs to be in its own lot with a minimum lot width of 60'. It can be reduced to a width of not less than 50' if we can prove a hardship and that it won't harm others. The private road itself needs to be 20' wide within that 60' or 50' wide lot. Since your access already serves two homes, any increase will require conformance with private road standards.

There is a 50' irrigation easement on the north side of the canal, if you were able to arrange with the irrigation company to utilize that easement for access to the two new lots then the access for your current home and secondary residence would only have to meet our shared driveway standards (driveway serving 2 residences) and the new access from the irrigation company would also only need to meet the driveway standards as that access would also only be serving two homes. Shared driveway easements can be reduced to 28' if we can show hardship.

You can go forward with the conditional rezone but access will need to be cleared up before the subdivision and the commission will likely want to know that you do have a feasible option. I think your options are:

1. Obtain a larger easement at your current access point that will allow for a private road lot (I think this will involve constructing a wider bridge, and of course, coordination/approval from the irrigation company).
2. Working with the irrigation company to get an access easement for the two new lots along their 50' easement on the north side of the canal.
3. Determining if you still have access along Elko Lane through Parcel R33822103, as shown in the Blue Heron subdivision, and rearranging your site plan so the new lots are on the east side of your property.
4. Coming up with some other access point.

Let me know your thoughts on what you think might work for your family and if you are still comfortable going forward with the conditional rezone in March.

Thanks,

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

Karla Nelson

From: Kevin Slazas [redacted]
Sent: Tuesday, March 17, 2026 9:17 AM
To: Karla Nelson
Subject: Re: FW: FW: [External] Agency Notice RZ2025-0004 / Slazas

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks Karla.
I have had that discussion with them also and I am getting quotes for pressurized irrigation fed by the ditch.

Kevin Slazas
[redacted]

On Mon, Mar 16, 2026, 12:01 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Hi Kevin,
>
> This is what I received from Lemp Lateral. Idaho Code requires that surface irrigation be used if available (rather than the domestic exemption for groundwater). The Planning and Zoning Commission often has questions about irrigation water, so speaking about your plans to provide irrigation will be helpful.
>
> Thanks,
>
> **Karla Nelson, AICP**
>
> Principal Planner
>
> Canyon County Development Services Department
>
> 111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Gloria Stokes <irrigation.mm.mi@gmail.com>
Sent: Monday, March 16, 2026 10:17 AM
To: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Subject: Re: FW: [External] Agency Notice RZ2025-0004 / Slazas

Hi Karla,

This is Gloria, representing Lemp Lateral, Inc.

As far as we are aware, this property, 7718 Elko Ln., has access to surface water.

Additionally, the water is attached to the land, and with the split, the current owner is responsible to ensure that the new parcels also have access to the surface water.

I hope this makes sense and that this information is useful to you.

Regards,

Gloria Stokes, Secretary

Canyon Hill Ditch Co.

Lemp Lateral Association, Inc.
Newman Ditch Co.
Foothill Ditch Co.
Pollard Lateral

P.O. Box 848
Middleton, ID 83644

Email: irrigation.mm.mi@gmail.com

Phone: 208-671-7911

On Thu, Mar 12, 2026 at 3:19 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

Hello,

Thank you for your attached comments regarding this upcoming rezone application for Parcel R33822102. I'm curious if the applicant has access to surface irrigation water from the adjacent ditch/ditches. The applicant land use worksheet checked none for irrigation water, but I wanted to confirm that no surface irrigation water is available.

Thank you,

Karla Nelson, AICP

Principal Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6036

Email: Karla.Nelson@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

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

Exhibit B.1

R33822102 PARCEL INFORMATION REPORT

3/4/2026 1:08:15 PM

PARCEL NUMBER:	R33822102
OWNER NAME:	SLAZAS KEVIN
CO-OWNER:	SLAZAS KIMBERLY
MAILING ADDRESS:	7718 ELKO LN MIDDLETON ID 83644
SITE ADDRESS:	7718 ELKO LN
TAX CODE:	1090000
TWP:	4N **RNG:** 2W **SEC:** 02 **QUARTER:** SW
ACRES:	7.83
HOME OWNERS EXEMPTION:	Yes
AG-EXEMPT:	Yes
DRAIN DISTRICT:	DD2
ZONING DESCRIPTION:	AG / AGRICULTURE
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	STAR FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	Star
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	RESIDENTIAL
IRRIGATION DISTRICT:	MIDDLETON IRRIGATION ASSN INC / MIDDLETON MILL DITCH CO
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0258G
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	NOT In COLLECTOR
INSTRUMENT NO. :	2021013048
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	02-4N-2W SW BLUE HERON SUB LT 3 BLK 1
PLATTED SUBDIVISION:	BLUE HERON SUB
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

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

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

Exhibit B.1

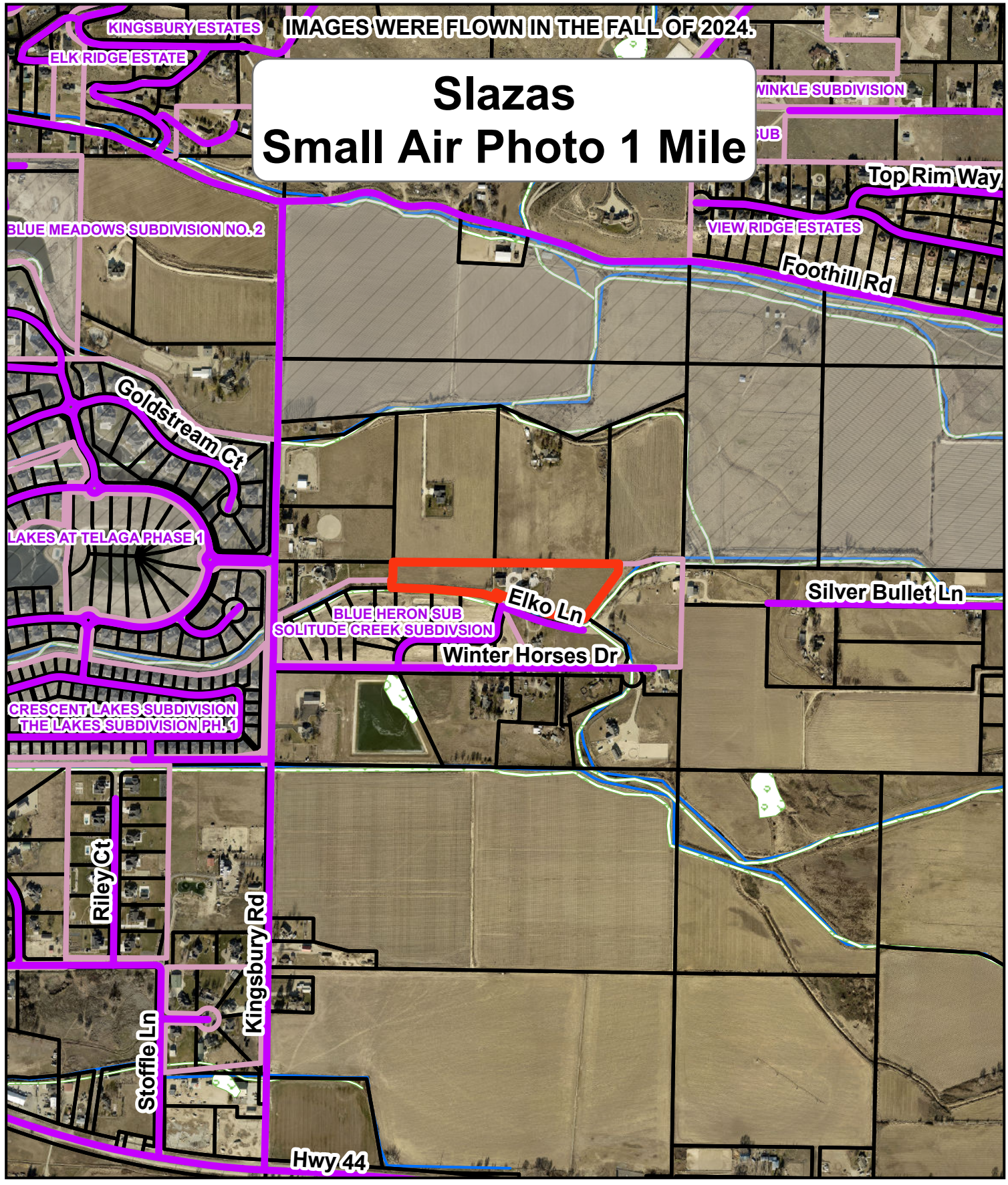

IMAGES WERE FLOWN IN THE FALL OF 2024.
Slazas
Small Air Photo 1 Mile
KINGSBURY ESTATES
ELK RIDGE ESTATE
WINKLE SUBDIVISION
Top Rim Way
BLUE MEADOWS SUBDIVISION NO. 2
VIEW RIDGE ESTATES
Foothill Rd
Goldstream Ct
LAKES AT TELAGA PHASE 1
Elko Ln
Silver Bullet Ln
BLUE HERON SUB
SOLITUDE CREEK SUBDIVSION
Winter Horses Dr
CRESCENT LAKES SUBDIVISION
THE LAKES SUBDIVISION PH. 1
Riley Ct
Kingsbury Rd
Stoffle Ln
Hwy 44
City_Limits
Wetlands
0
0.25
0.5
Miles

Exhibit B2.1

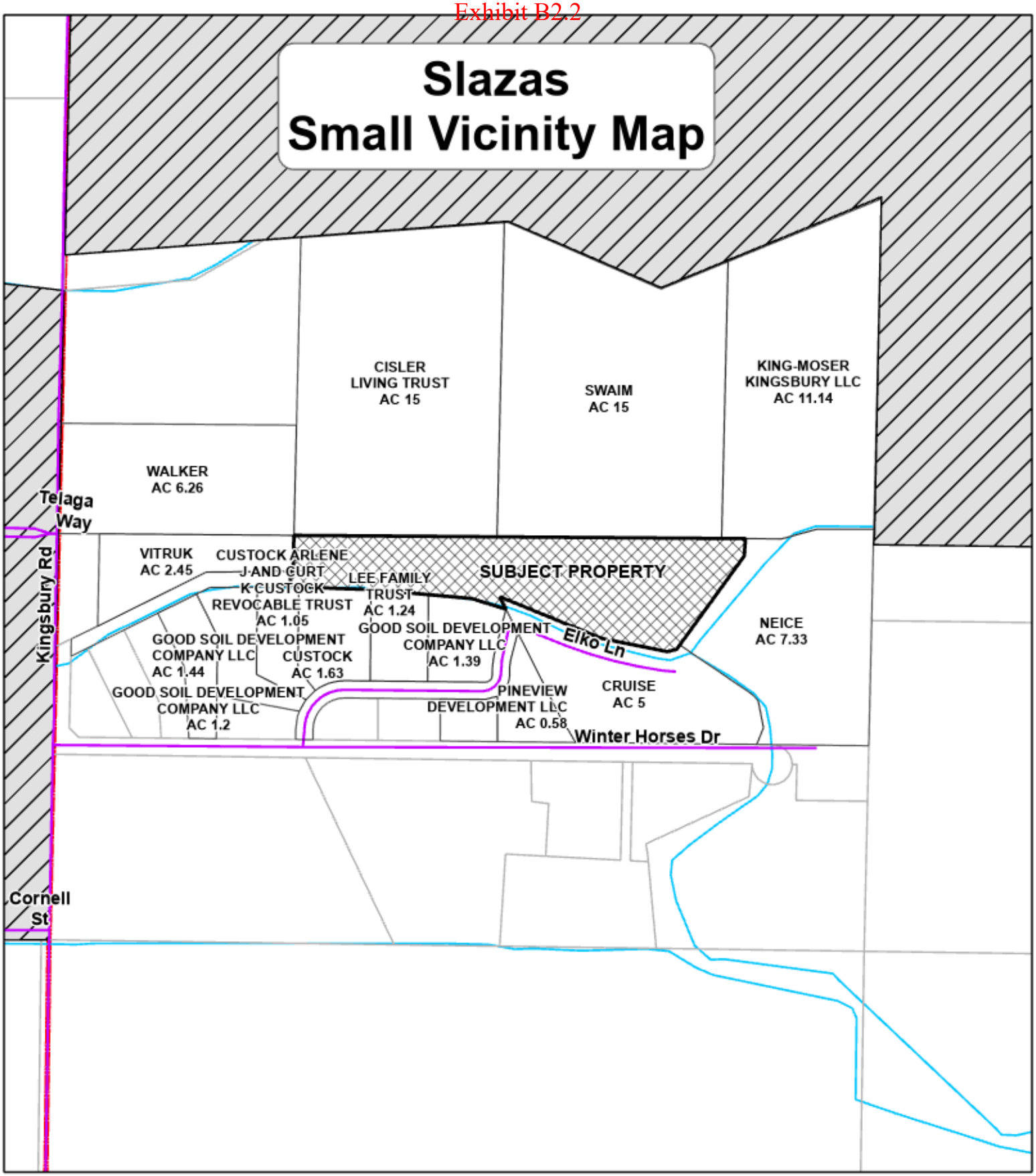
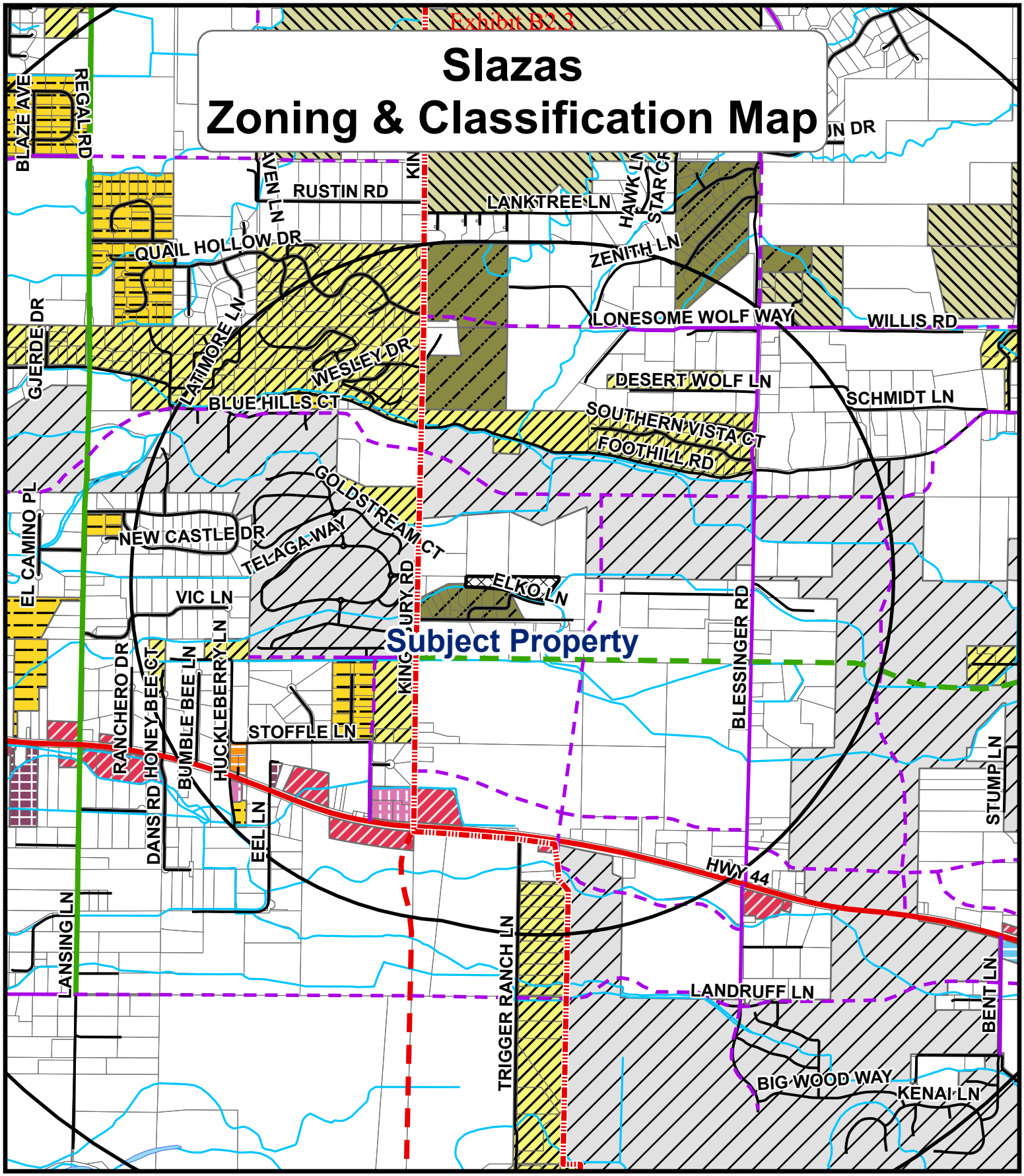

Slazas
Small Vicinity Map
CISLER
LIVING TRUST
AC 15
SWAIM
AC 15
KING-MOSER
KINGSBURY LLC
AC 11.14
WALKER
AC 6.26
Telaga
Way
Kingsbury Rd
VITRUK
AC 2.45
CUSTOCK ARLENE
J AND GURT
K CUSTOCK
REVOCABLE TRUST
AC 1.05
LEE FAMILY
TRUST
AC 1.24
SUBJECT PROPERTY
GOOD SOIL DEVELOPMENT
COMPANY LLC
AC 1.44
CUSTOCK
AC 1.63
GOOD SOIL DEVELOPMENT
COMPANY LLC
AC 1.2
GOOD SOIL DEVELOPMENT
COMPANY LLC
AC 1.39
Elko Ln
NEICE
AC 7.33
PINEVIEW
DEVELOPMENT LLC
AC 0.58
CRUISE
AC 5
Winter Horses Dr
Cornell
St
N
W
E
S
0
0.13
0.25
Miles

Exhibit B2.3

Slazas
Zoning & Classification Map



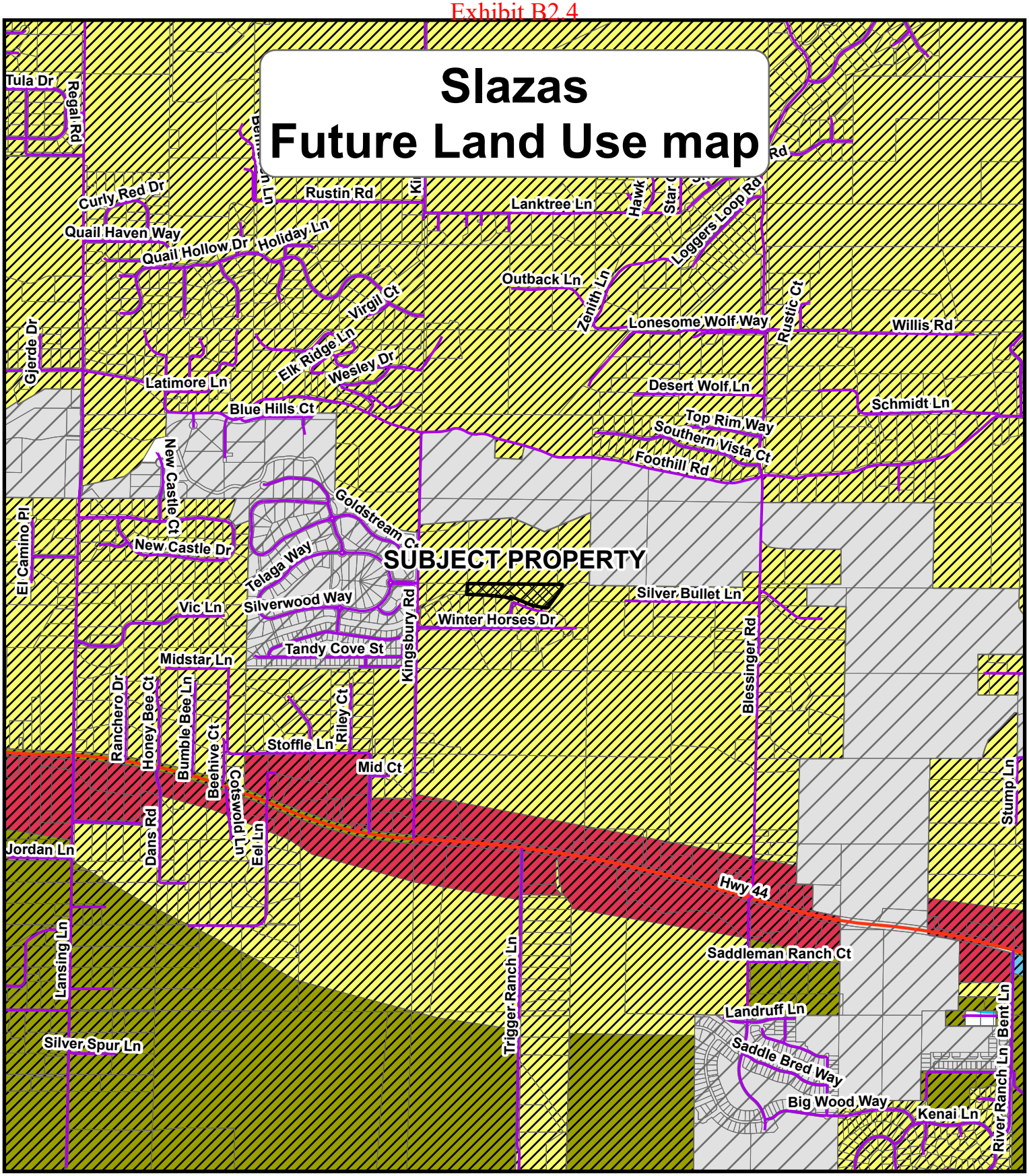
RR
CR-RR
R1
CR-R1
R2
C
C1
CR-C1
C2
CR-C2
M1
CR-M1
M2
AG
INTERSTATE
OTHER FREEWAY/ EXPRESSWAY
PROPOSED OTHER FREEWAY/ EXPRESSWAY
PRINCIPAL ARTERIAL
PROPOSED PRINCIPAL ARTERIAL
MINOR ARTERIAL
PROPOSED MINOR ARTERIAL
COLLECTOR
PROPOSED COLLECTOR

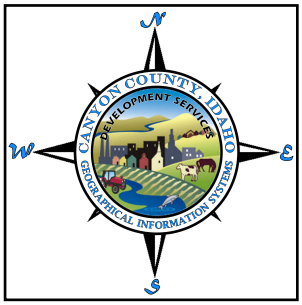
0 0.25 0.5 Miles

Exhibit B2.3

Exhibit B2.4

Slazas
Future Land Use map



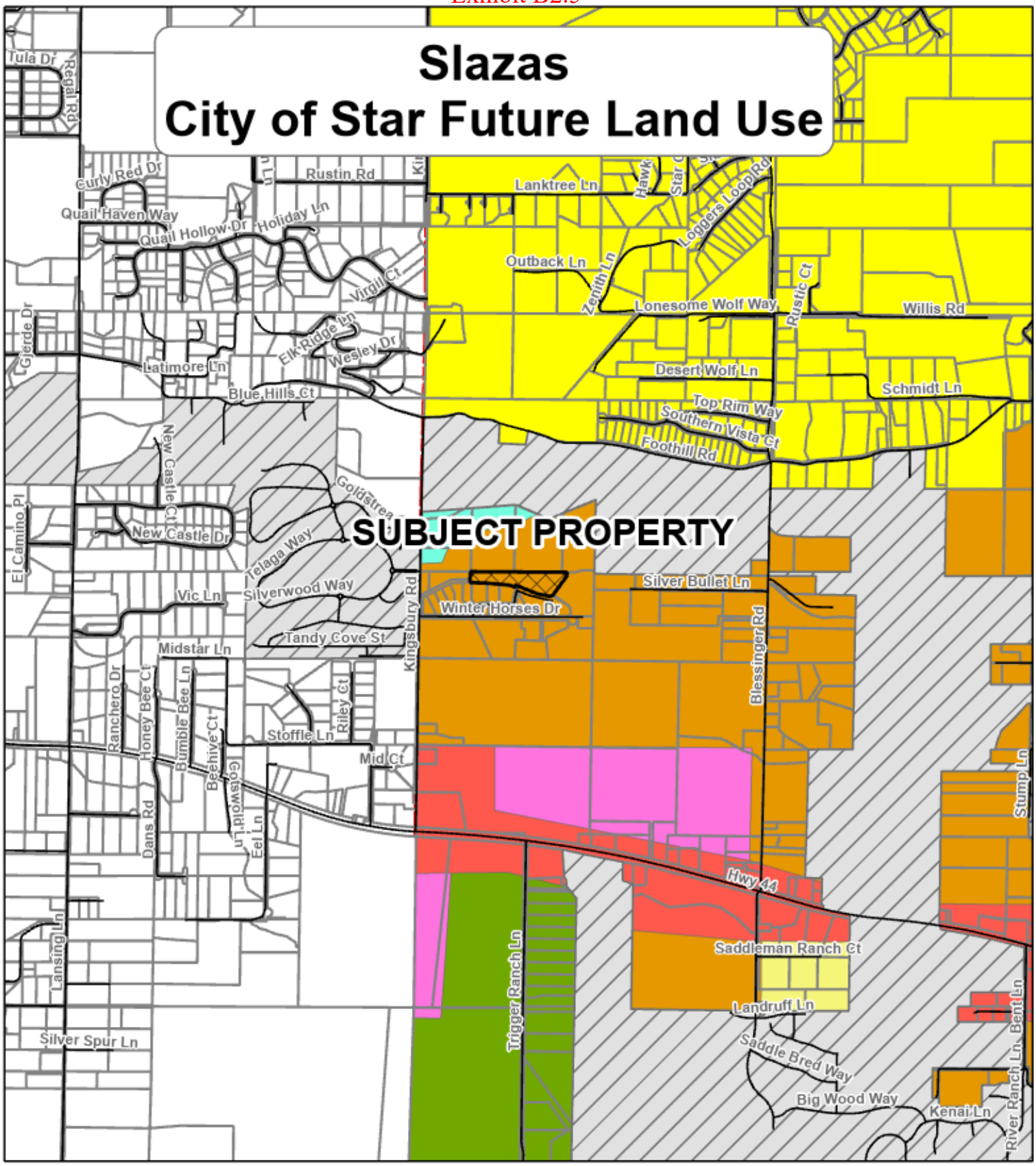


Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- RURAL RESIDENTIAL

0 0.5 1 Miles

Exhibit B2.4


Slazas
City of Star Future Land Use
SUBJECT PROPERTY
Tula Dr
Regal Rd
Curly Red Dr
Rustin Rd
Quail Haven Way
Quail Hollow Dr
Holiday Ln
Virgil Ct
Glerde Dr
Elk Ridge Ln
Wesley Dr
Latimore Ln
Blue Hills Ct
New Castle Ct
New Castle Dr
El Camino Pl
Goldstream
Telaga Way
Silverwood Way
Vic Ln
Tandy Cove St
Midstar Ln
Ranchero Dr
Honey Bee Ct
Bumble Bee Ln
Beehive Ct
Goldstream Ln
Dans Rd
Eel Ln
Stoffle Ln
Riley Ct
Mid Ct
Kingsbury Rd
Lansing Ln
Silver Spur Ln
Lanktree Ln
Hawk
Star
Loggers Loop Rd
Outback Ln
Zenith Ln
Lonesome Wolf Way
Rustic Ct
Willis Rd
Desert Wolf Ln
Schmidt Ln
Top Rim Way
Southern Vista Ct
Foothill Rd
Silver Bullet Ln
Winter Horses Dr
Blessinger Rd
Stump Ln
Hwy 44
Saddleman Ranch Ct
Landruff Ln
Trigger Ranch Ln
Saddle Bred Way
Big Wood Way
Kenai Ln
River Ranch Ln
Bent Ln
N
W
E
S
StarCompPlan
Central Business District
Commercial
Compact Residential
Estate Rural Residential
Estate Urban Residential
Floodway
High Density Residential
Light Industrial
Low Density Residential
Mixed Use
Neighborhood Residential
Public/Open Space
Rural Residential
South of the River Planning Area
0
0.4
0.8
Miles

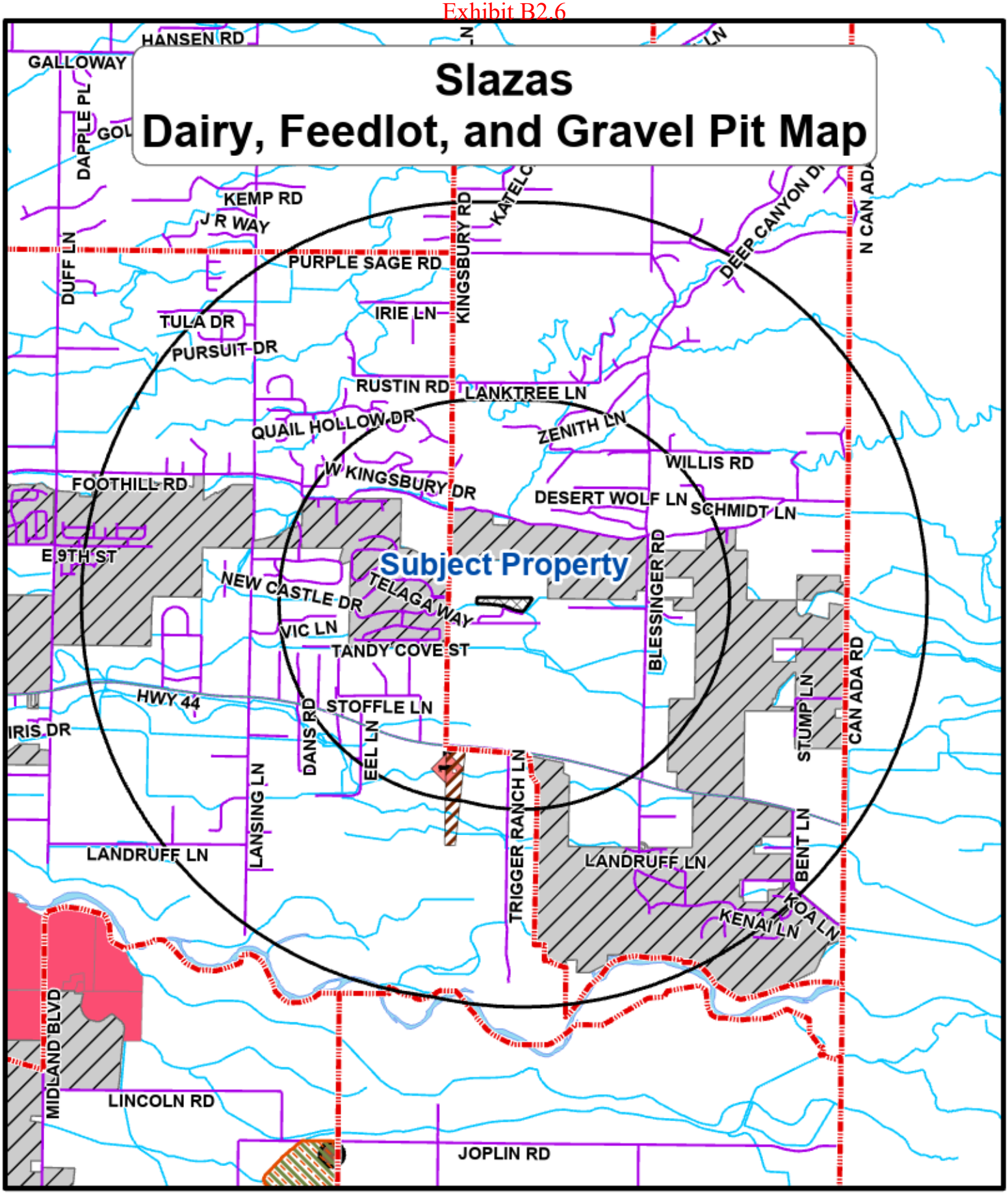

Slazas
Dairy, Feedlot, and Gravel Pit Map
Subject Property
HANSEN RD
GALLOWAY
DAPPLE PL
KEMP RD
J R WAY
DUFF LN
PURPLE SAGE RD
KINGSBURY RD
KATELC
DEEP CANYON DR
N CAN ADA
TULA DR
PURSUIT DR
IRIE LN
RUSTIN RD
LANKTREE LN
QUAIL HOLLOW DR
ZENITH LN
WILLIS RD
W KINGSBURY DR
DESERT WOLF LN
SCHMIDT LN
FOOTHILL RD
E 9TH ST
NEW CASTLE DR
TELAGA WAY
VIC LN
TANDY COVE ST
BLESSINGER RD
HWY 44
STOFFLE LN
IRIS DR
DANS RD
EEL LN
STUMP LN
CAN ADA RD
LANSING LN
TRIGGER RANCH LN
BENT LN
LANDRUFF LN
LANDRUFF LN
KENAI LN
KOA LN
MIDLAND BLVD
LINCOLN RD
JOPLIN RD
FEEDLOTS
DAIRIES
GRAVELPITS
0
0.75
1.5
Miles

Exhibit B2.7

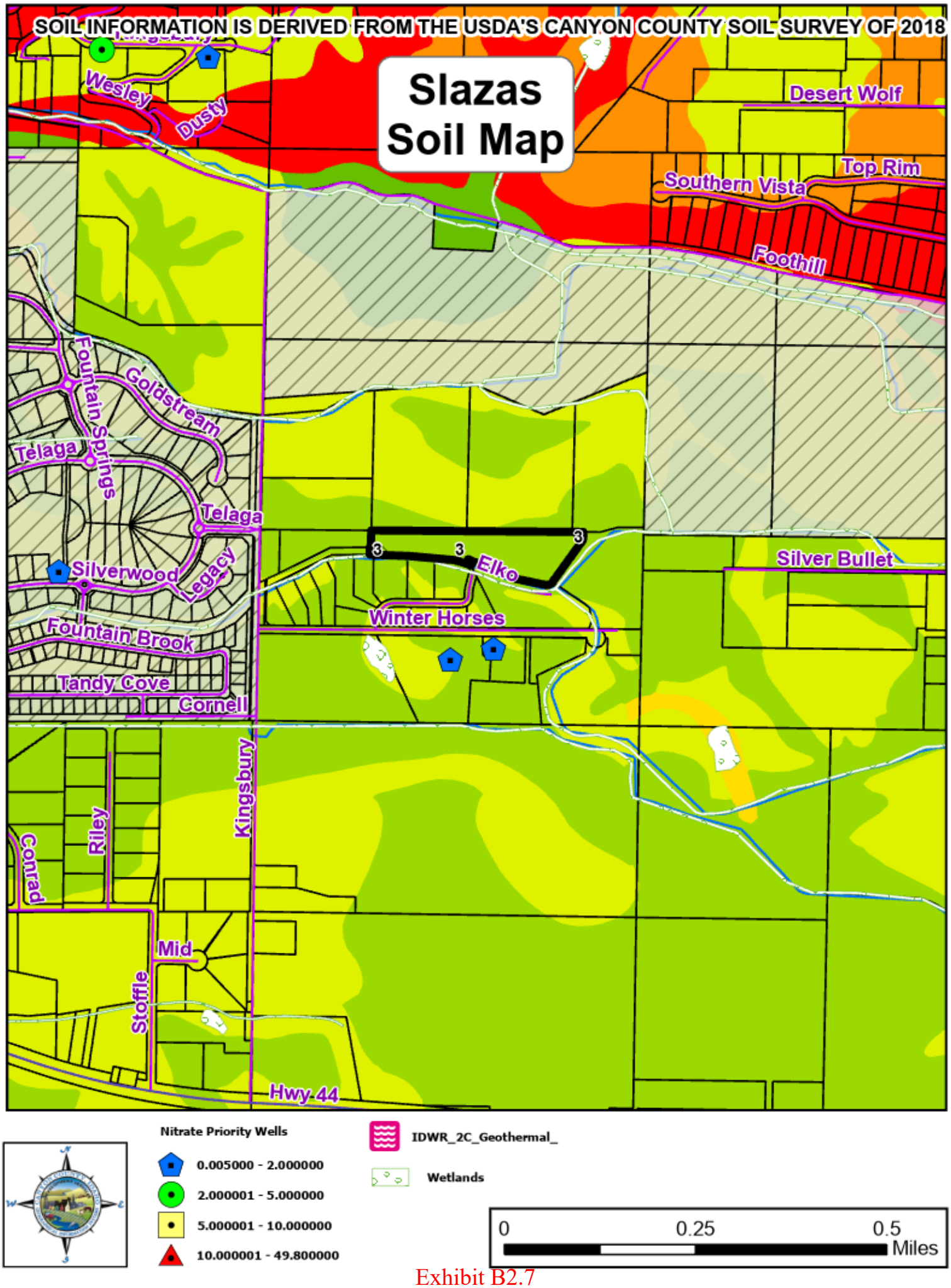


Exhibit B2.7

Exhibit B2.7

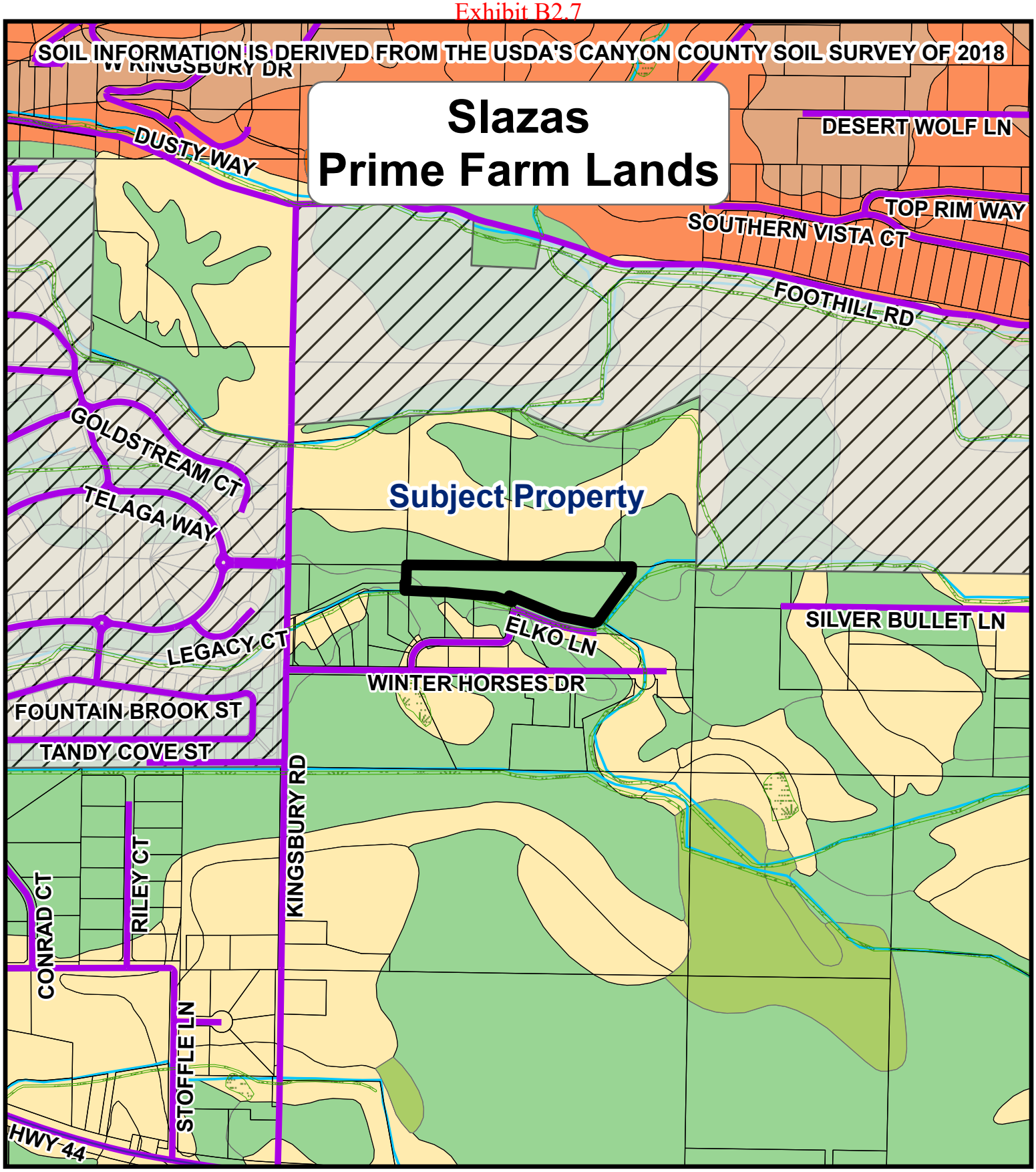


Exhibit B2.7

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	4834.04	0.11	1.42%
3	MODERATELY SUITED SOIL	327681.71	7.52	96.02%
3	MODERATELY SUITED SOIL	8733.27	0.20	2.56%
		341249.02	7.83	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
No	Prime farmland if irrigated	4834.04	0.11	1.42%
FaA	Prime farmland if irrigated	327681.71	7.52	96.02%
No	Prime farmland if irrigated	8733.27	0.20	2.56%
		341249.02	7.83	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

Exhibit B2.8

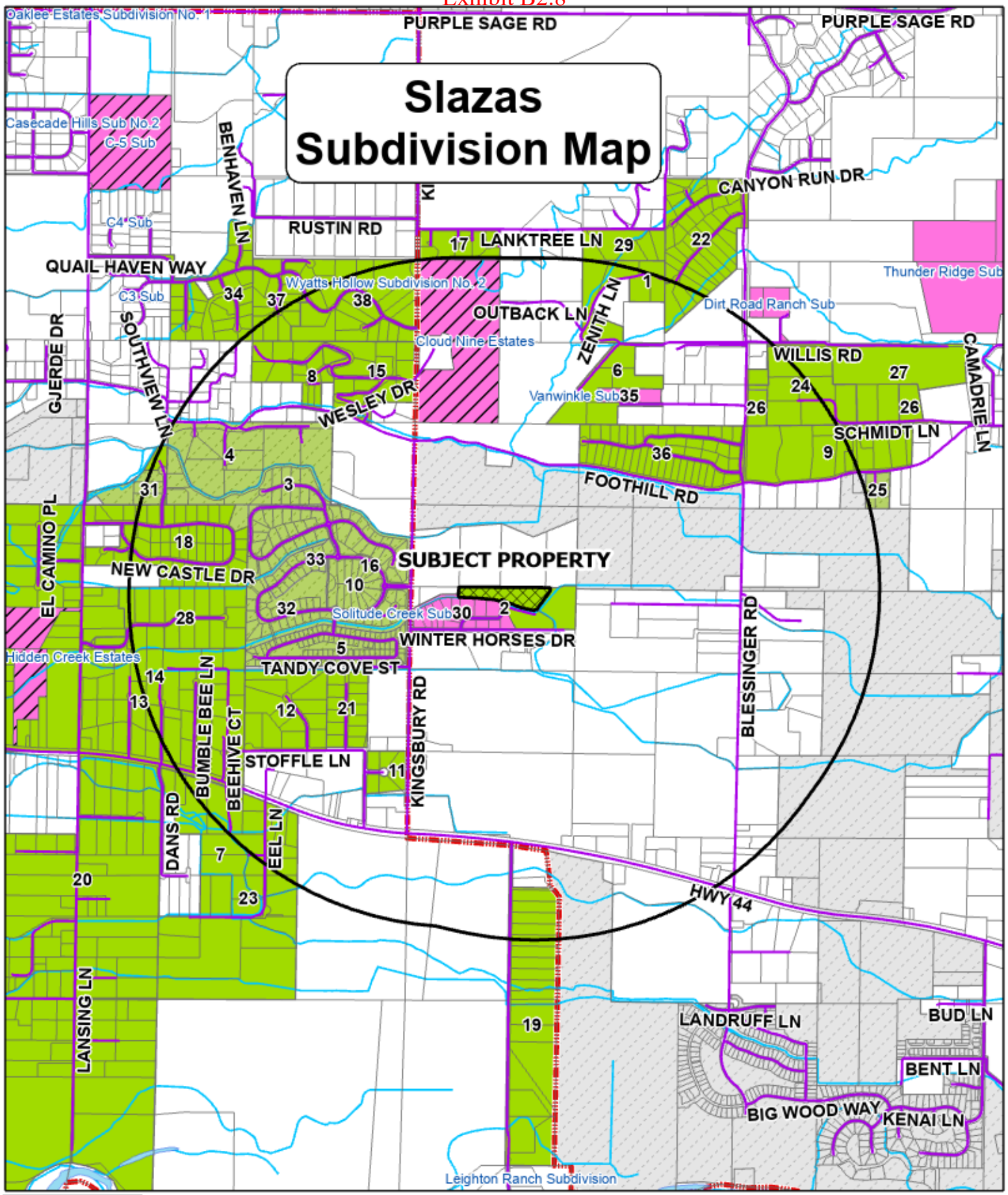


Exhibit B2.8

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
38	2232.74	885	2.52

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
4	153.61	84	1.83

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
33	5.87	2.09	0.58	32.49

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

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
BLESSINGER WEST SUB	1	5N2W35	23.04	6	3.84	COUNTY (Canyon	2002
BLUE HERON SUB	2	4N2W02	36.99	5	7.40	COUNTY (Canyon	2002
BLUE MEADOWS SUBDIVISION NO. 1	3	4N2W03	25.81	18	1.43	MIDDLETON	2020
BLUE MEADOWS SUBDIVISION NO. 2	4	4N2W03	54.38	12	4.53	MIDDLETON	2022
CRESCENT LAKES SUBDIVISION	5	4N2W03	32.15	107	0.30	MIDDLETON	2021
DESERT WOLF SUB	6	4N2W02	24.49	5	4.90	COUNTY (Canyon	2003
EEL LANE ESTATES - VACATED with Inst.	7	4N2W10	10.15	5	2.03	COUNTY (Canyon	2008
ELK RIDGE ESTATE	8	4N2W03	9.46	9	1.05	COUNTY (Canyon	1995
FOSTER HEIGHTS	9	4N2W01	52.31	13	4.02	COUNTY (Canyon	1991
FOUNTAIN SPRINGS SUBDIVISION	10	4N2W03	14.80	17	0.87	MIDDLETON	2023
FOX MEADOWS SUB	11	4N2W10	8.70	6	1.45	COUNTY (Canyon	2004
FOX MEADOWS SUB #2	12	4N2W10	39.68	13	3.05	COUNTY (Canyon	2004
GREENVIEW ACRES	13	4N2W10	61.59	20	3.08	COUNTY (Canyon	1988
HONEY BEE ACRES SUBDIVISION	14	4N2W10	5.25	2	2.63	COUNTY (Canyon	2018
KINGSBURY ESTATES	15	4N2W03	46.32	17	2.72	COUNTY (Canyon	1972
LAKES AT TELAGA PHASE 1	16	4N2W03	66.06	149	0.44	0	2006
LANKTREE ESTATES	17	5N2W35	15.01	7	2.14	COUNTY (Canyon	1998
LANSING MEADOWS SUB	18	4N2W03	65.02	50	1.30	COUNTY (Canyon	2002
LEIGHTON LAKE ESTATES SUBDIVISION	19	4N2W11&14	82.09	20	4.10	COUNTY (Canyon	2020
LEMP PARK URBAN TRACTS	20	4N2W09	916.60	85	10.78	COUNTY (Canyon	1913
LINFIELD ESTATES SUBDIVISION	21	4N2W10	18.92	13	1.46	COUNTY (Canyon	2020
MONUMENT PLACE SUBDIVISION	22	5N2W35	54.92	39	1.41	COUNTY (Canyon	2022
PERKEL ACREAGE	23	4N2W10	147.76	39	3.79	COUNTY (Canyon	1911
QUAIL VIEW SUB	24	4N2W01	35.49	6	5.91	COUNTY (Canyon	2002
RYKEN MEADOWS ESTATES	25	4N2W01	5.21	5	1.04	COUNTY (Canyon	2020
SCHMIDT SUB	26	4N2W01	12.48	4	3.12	COUNTY (Canyon	1996
SCHMIDT SUB #2	27	4N2W01	44.83	4	11.21	COUNTY (Canyon	2001
SCHREINER ESTATES	28	4N2W03	49.40	20	2.47	COUNTY (Canyon	1998
SERENDIPITY SUB	29	5N2W35	15.01	5	3.00	COUNTY (Canyon	2006
SOLITUDE CREEK SUBDIVSION	30	4N2W02	16.55	15	1.10	COUNTY (Canyon	2025
SQUIRES SUB	31	4N2W03	13.02	6	2.17	0	2003
THE LAKES SUBDIVISION PH. 1	32	4N2W03	40.46	36	1.12	MIDDLETON	2015
THE LAKES SUBDIVISION PHASE 2	33	4N2W03	9.78	16	0.61	MIDDLETON	2017
THE RIDGE AT QUAIL HOLLOW	34	5N2W34	41.58	26	1.60	COUNTY (Canyon	2007
VANWINKLE SUBDIVISION	35	4N2W02	5.18	2	2.59	COUNTY (Canyon	2024
VIEW RIDGE ESTATES	36	4N2W02	52.50	47	1.12	COUNTY (Canyon	2005
WYATT'S HOLLOW SUBDIVISION NO. 1	37	5N2W34	20.77	13	1.60	COUNTY (Canyon	2014
WYATT'S HOLLOW SUBDIVISION NO. 2	38	5N2W34	58.98	23	2.56	COUNTY (Canyon	2024

SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Wyatts Hollow Subdivision No. 2	59.10	23	2.57
Solitude Creek Sub	16.54	15	1.10
Vanwinkle Sub	5.18	2	2.59
Cloud Nine Estates	72.79	44	1.65

MOBILE HOME & RV PARKS

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

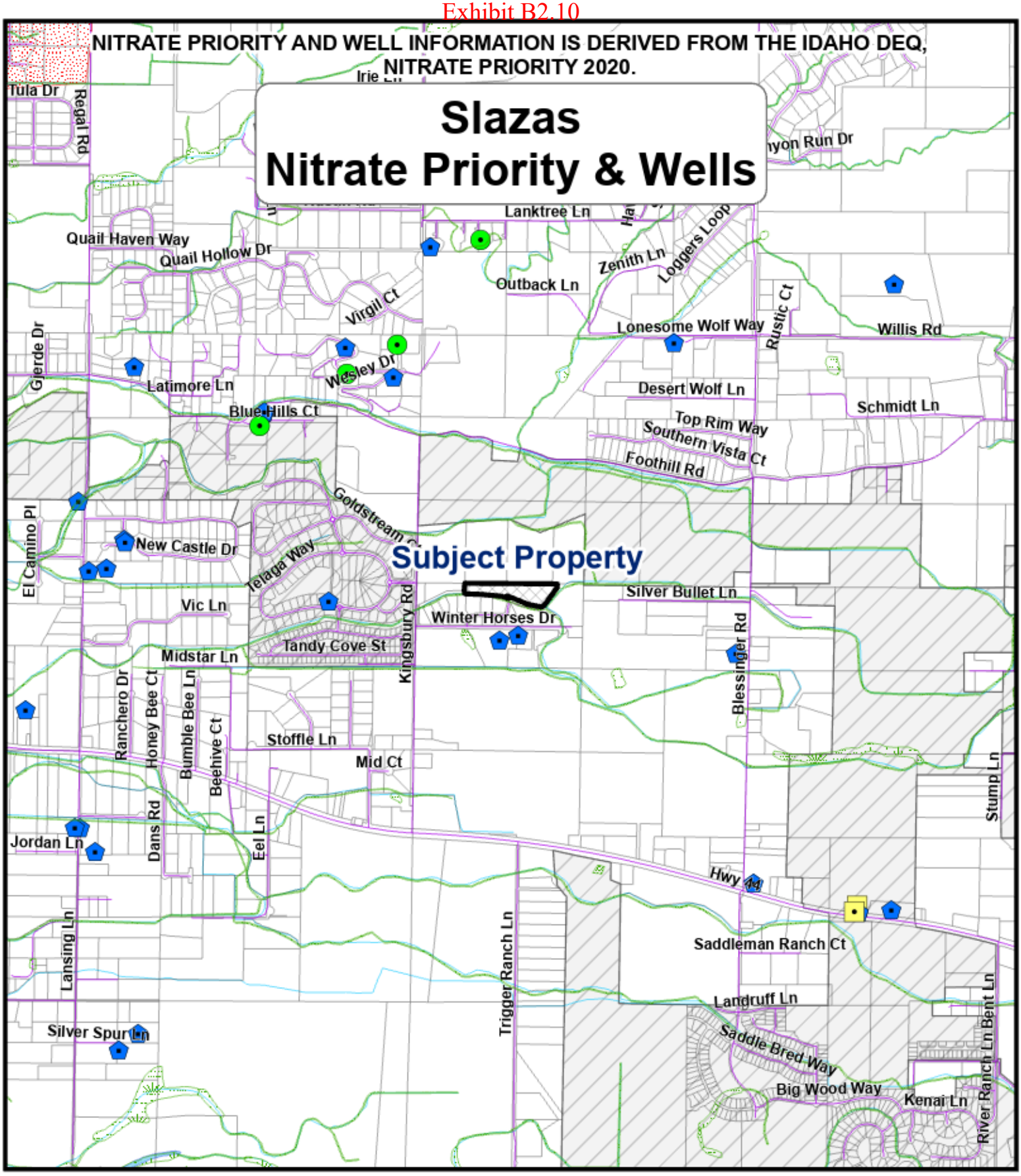
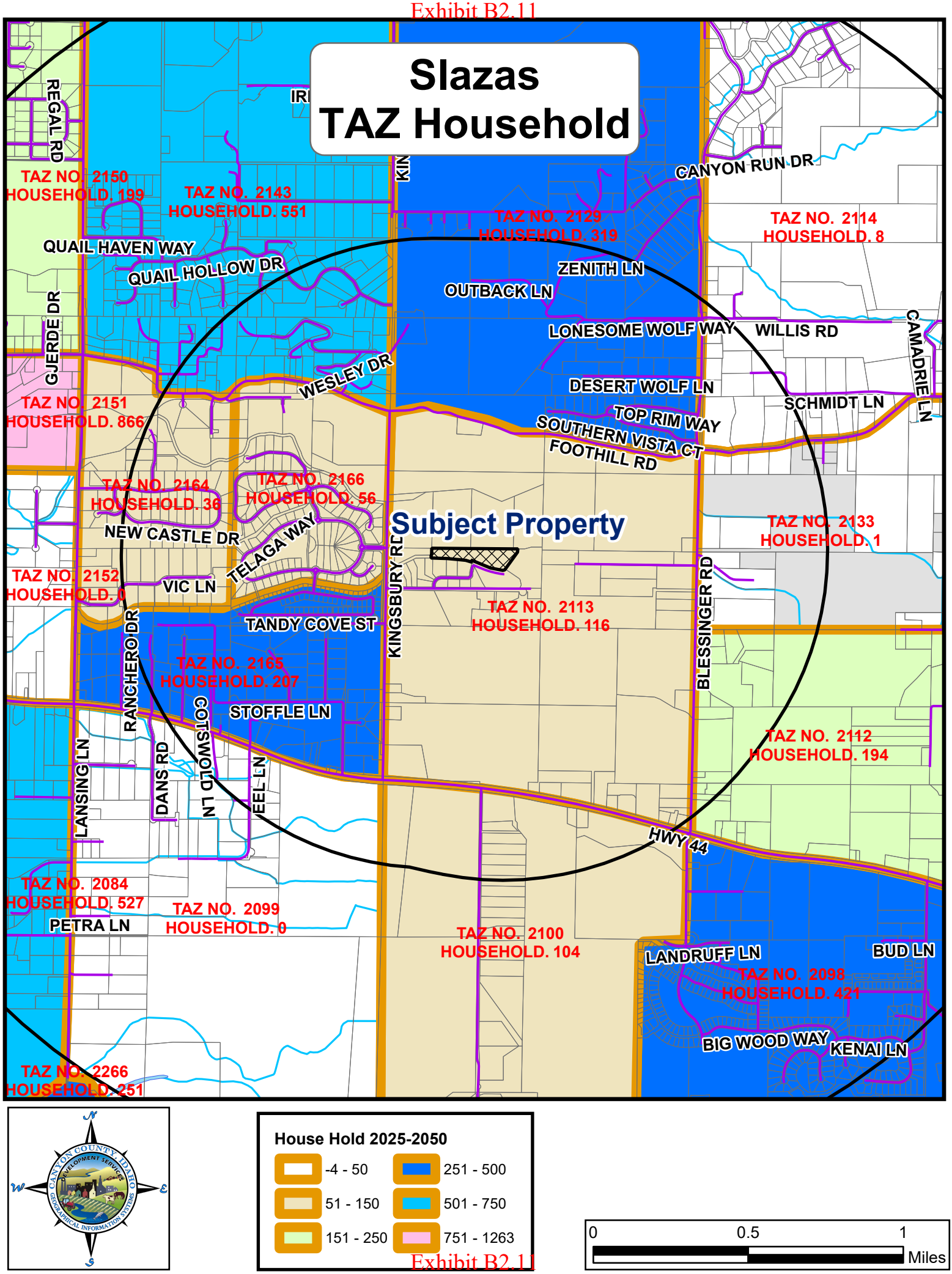


Exhibit B2.10


Slazas
TAZ Household
REGAL RD
TAZ NO. 2150
HOUSEHOLD. 199
TAZ NO. 2143
HOUSEHOLD. 551
QUAIL HAVEN WAY
QUAIL HOLLOW DR
GJERDE DR
TAZ NO. 2151
HOUSEHOLD. 866
WESLEY DR
TAZ NO. 2164
HOUSEHOLD. 36
TAZ NO. 2166
HOUSEHOLD. 56
NEW CASTLE DR
TELAGA WAY
VIC LN
TAZ NO. 2152
HOUSEHOLD. 0
TANDY COVE ST
RANCHERO DR
TAZ NO. 2165
HOUSEHOLD. 207
STOFFLE LN
COTSWOLD LN
DANS RD
LANSING LN
EEL LN
PETRA LN
TAZ NO. 2084
HOUSEHOLD. 527
TAZ NO. 2099
HOUSEHOLD. 0
TAZ NO. 2266
HOUSEHOLD. 251
KINGSBURY RD
TAZ NO. 2129
HOUSEHOLD. 319
ZENITH LN
OUTBACK LN
LONESOME WOLF WAY
DESERT WOLF LN
TOP RIM WAY
SOUTHERN VISTA CT
FOOTHILL RD
Subject Property
TAZ NO. 2113
HOUSEHOLD. 116
CANYON RUN DR
TAZ NO. 2114
HOUSEHOLD. 8
WILLIS RD
CAMADRIE LN
SCHMIDT LN
TAZ NO. 2133
HOUSEHOLD. 1
BLESSINGER RD
TAZ NO. 2112
HOUSEHOLD. 194
HWY 44
TAZ NO. 2100
HOUSEHOLD. 104
LANDRUFF LN
BUD LN
TAZ NO. 2098
HOUSEHOLD. 421
BIG WOOD WAY
KENAI LN
House Hold 2025-2050
-4 - 50
51 - 150
151 - 250
251 - 500
501 - 750
751 - 1263
0
0.5
1
Miles

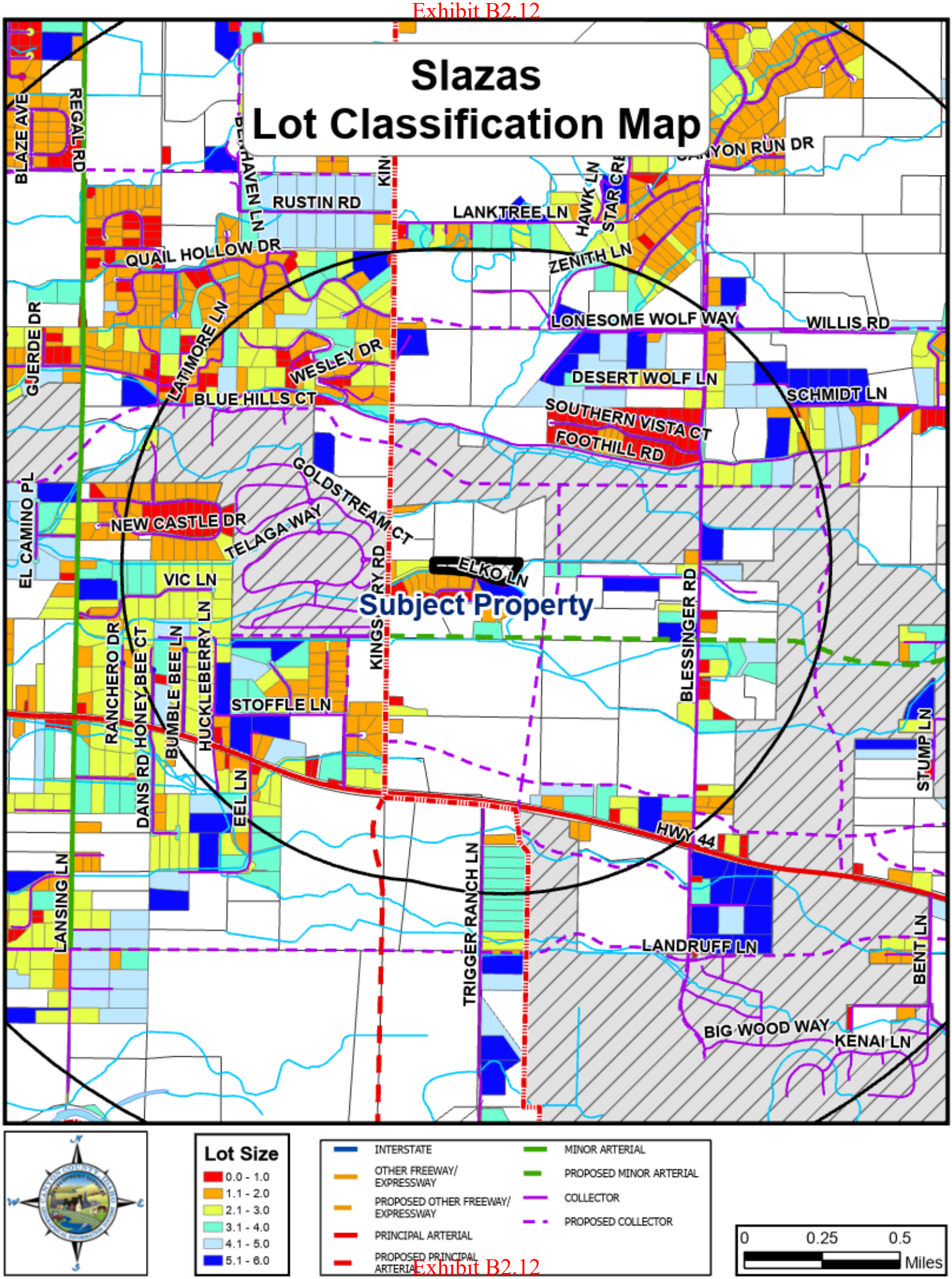

Slazas
Lot Classification Map
BLAZE AVE
REGAL RD
RUSTIN RD
LANKTREE LN
HAWK LN
STAR CR
CANYON RUN DR
QUAIL HOLLOW DR
ZENITH LN
LONESOME WOLF WAY
WILLIS RD
GJERDE DR
LATIMORE LN
WESLEY DR
BLUE HILLS CT
DESERT WOLF LN
SCHMIDT LN
SOUTHERN VISTA CT
FOOTHILL RD
GOLDSTREAM CT
EL CAMINO PL
NEW CASTLE DR
TELAGA WAY
VIC LN
ELKO LN
Subject Property
BLESSINGER RD
RANCHERO DR
HONEY BEE CT
BUMBLE BEE LN
HUCKLEBERRY LN
STOFFLE LN
STUMP LN
DANS RD
EEL LN
HWY 44
LANSING LN
TRIGGER RANCH LN
LANDRUFF LN
BENT LN
BIG WOOD WAY
KENAI 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

Exhibit B2.13

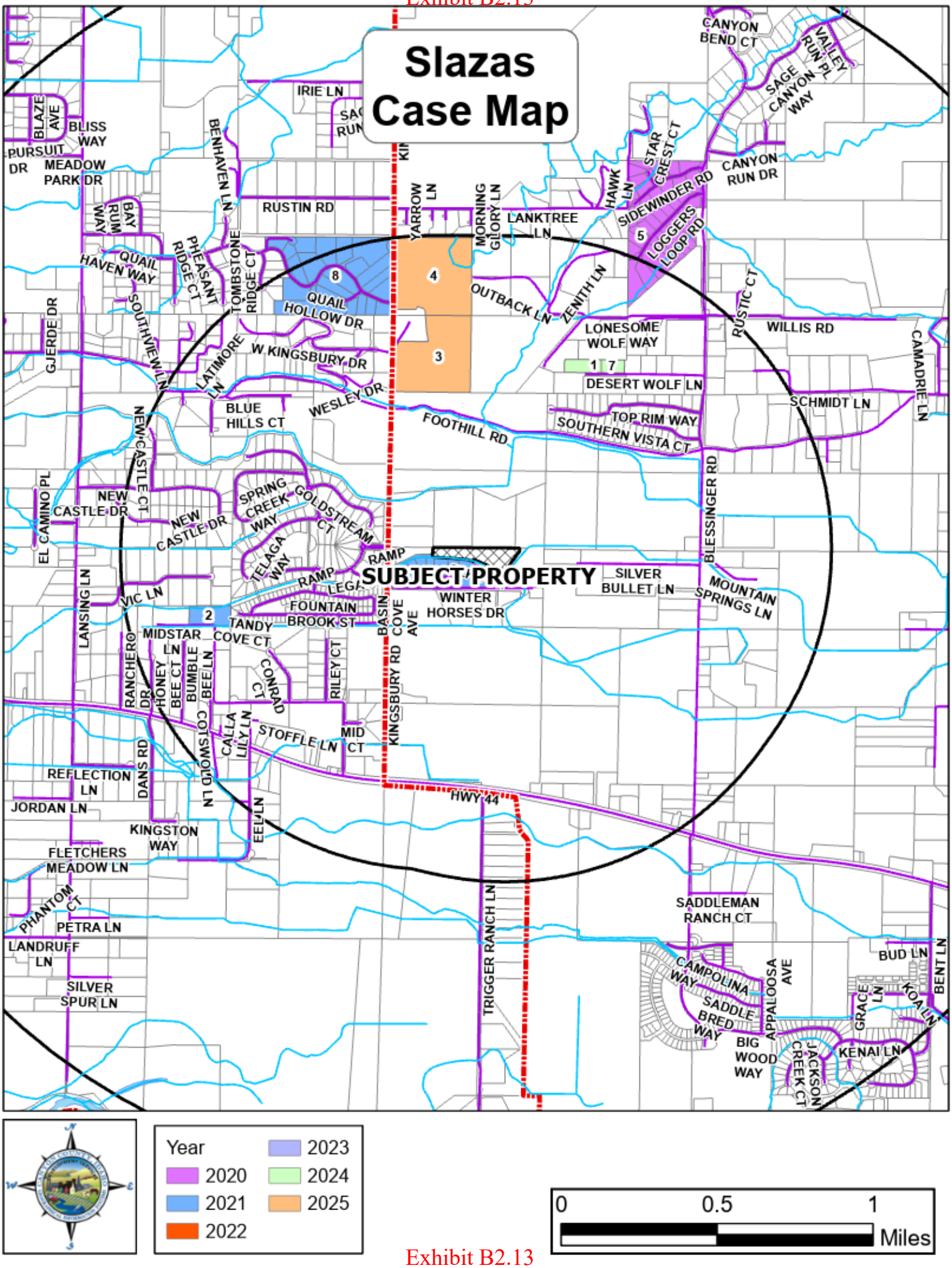
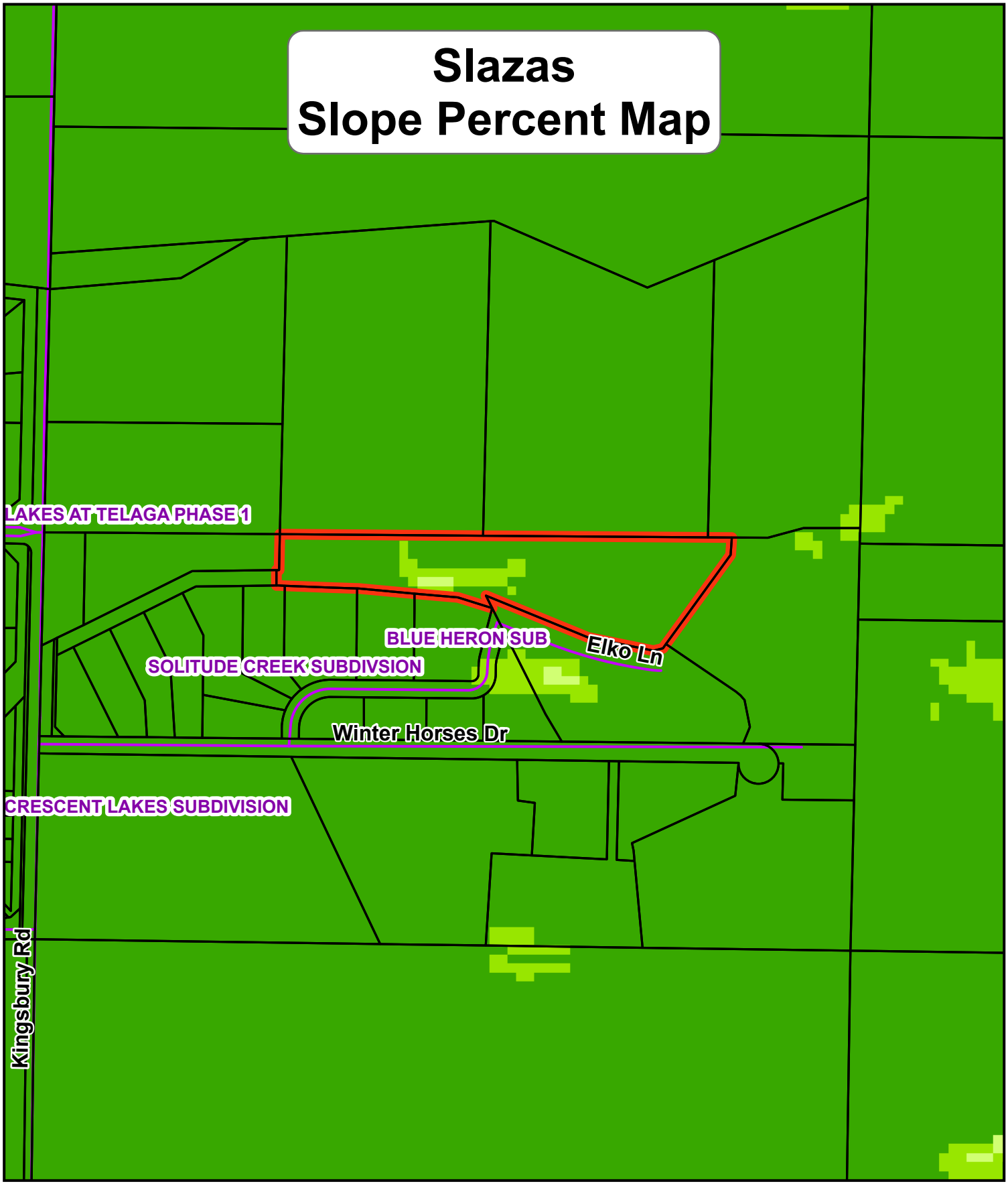


Exhibit B2.13

CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2021-0020	Rezone AG to RR	Jeff Van Winkle	APPROVED
2	RZ2020-0016	Rezone AG to RR	Jensen	APPROVED
3	CR2022-0003	AG to CR-R1	LWD Development, Inc	APPROVED
4	CR2022-0003	AG to CR-R1	LWD Development, Inc	APPROVED
5	SD2019-0006	Plat - Monument Place Sub	Monument Place Sub	APPROVED
6	SD2020-0016	Preliminary Plat	Solitude Creek Sub	Approved
7	SD2022-0046	Preliminary Plat - Vanwinkle Sub	Vanwinkle Sub	APPROVED
8	SD2019-0039	Plat - Watt's Hollow Sub	Watt's Hollow Sub	APPROVED


Slazas
Slope Percent Map
LAKES AT TELAGA PHASE 1
BLUE HERON SUB
Elko Ln
SOLITUDE CREEK SUBDIVSION
Winter Horses Dr
CRESCENT LAKES SUBDIVISION
Kingsbury Rd
Slope Percent
0.001 - 3
3.001 - 6
6.001 - 9
9.001 - 12
12.001 - 14.999
15 - 202.718
0
200
400
600
Feet

Blue Heron Subdivision

A PORTION OF THE N1/2S1/2SW1/4, NW1/4SW1/4
AND OF THE NE1/4SW1/4 OF SECTION 2
TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO
2002

200220897
200220897
RECORDED
2002 MAY 7 PM 2 26
© NOEL HALES
CANYON COUNTY RECORDER
BY Jeppsen FEE 16.00

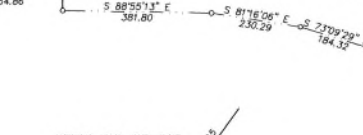
CURVE TABLE					
NO.	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	68.09	59°31'21"	70.74	67.60	S 86°34'23" E
C2	554.00	26°51'39"	259.72	257.35	S 77°05'47" W
C3	888.00	7°21'07"	113.94	113.87	N 85°47'50" W
C4	888.00	12°27'21"	193.05	192.67	N 75°53'36" W
C5	770.00	7°58'07"	107.09	107.00	S 73°39'00" E
C6	100.00	43°41'34"	76.26	74.42	N 80°31'10" E
C7	20.00	28°48'21"	10.06	9.95	S 70°10'23" E
C8	20.00	62°43'13"	21.89	20.82	N 76°02'14" W
C9	130.00	56°08'31"	127.39	122.36	N 74°17'32" E
C10	830.00	7°58'07"	115.44	115.34	S 73°39'01" E
C11	828.00	12°27'21"	180.00	179.65	N 75°53'37" W
C12	828.00	7°21'07"	106.25	106.17	N 85°47'50" W
C13	494.00	26°51'39"	231.59	229.48	S 77°05'47" W
C14	205.54	22°34'09"	80.96	80.44	N 74°57'01" E
C15	20.00	84°54'45"	29.64	27.00	S 43°46'43" W
C16	175.54	27°39'24"	84.73	83.91	N 77°29'39" E
C17	524.00	26°51'39"	245.66	243.41	S 77°05'46" W
C18	858.00	7°21'07"	110.10	110.02	N 85°47'50" W
C19	858.00	12°27'21"	186.53	186.16	N 75°53'37" W
C20	800.00	7°58'07"	111.26	111.17	S 73°38'59" E
C21	160.00	29°45'47"	83.11	82.18	S 87°29'03" W
C22	60.00	219°53'56"	230.28	112.80	S 25°22'55" W
C23	20.00	114°26'35"	39.95	33.63	N 01°27'05" E

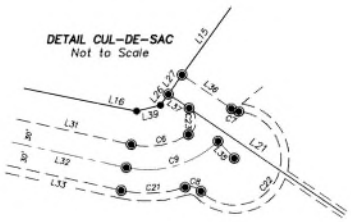
LINE TABLE		
LINE	LENGTH	BEARING
L1	281.71	N 89°21'03" E
L2	116.11	N 01°19'14" E
L3	119.08	N 74°37'43" E
L4	184.20	S 89°58'23" E
L5	40.00	N 89°23'56" W
L6	45.16	N 63°39'57" E
L7	7.12	N 89°21'03" E
L8	153.85	S 87°36'32" E
L9	104.51	S 88°08'58" E
L10	323.88	S 84°51'02" E
L11	116.26	S 72°46'24" E
L12	384.57	S 26°43'37" E
L13	103.10	S 30°45'50" E
L14	56.65	S 04°06'23" W
L15	326.13	S 35°55'25" E
L16	215.95	N 78°39'04" W
L17	357.69	N 67°46'30" W
L18	45.15	S 26°43'37" E
L19	50.01	S 00°09'43" E
L20	8.43	N 89°21'03" E
L21	272.83	S 55°46'13" E
L22	20.24	S 51°23'23" E
L23	20.14	S 40°34'50" E

LINE TABLE		
LINE	LENGTH	BEARING
L24	88.83	S 11°04'07" E
L25	58.00	S 22°07'37" W
L26	17.27	N 35°55'25" E
L27	30.00	S 35°55'25" W
L28	88.08	S 82°07'16" E
L29	88.08	S 82°07'16" E
L30	88.08	N 82°07'16" W
L31	162.17	S 77°38'02" E
L32	162.17	S 77°38'02" E
L33	162.17	N 77°38'02" W
L34	50.00	S 01°17'06" W
L35	30.00	S 43°46'54" E
L36	76.53	S 55°46'13" E
L37	32.29	N 55°46'13" W
L38	117.27	S 89°35'32" E
L39	31.46	S 76°05'50" W
L40	43.63	N 01°19'21" E
L41	49.11	N 01°19'21" E
L42	49.11	N 01°19'21" E
L43	429.71	S 26°43'37" E
L44	25.14	N 11°11'17" E
L45	25.01	N 03°30'00" E
L46	25.00	N 02°07'15" E



DETAIL ADA DRAIN DITCH
Not to Scale



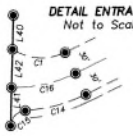


DETAIL CUL-DE-SAC
Not to Scale

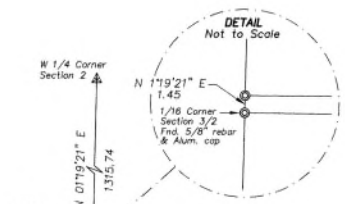
0 200 400
Scale: 1" = 200'

LEGEND

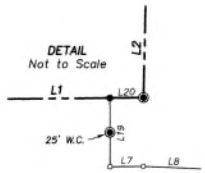
- RAIL ROAD SPIKE MONUMENT – FOUND
- BRASS CAP MONUMENT – FOUND
- 5/8" REBAR – FOUND
- 5/8" x 30" REBAR – SET
- 1/2" x 24" REBAR – SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- W.C. WITNESS CORNER



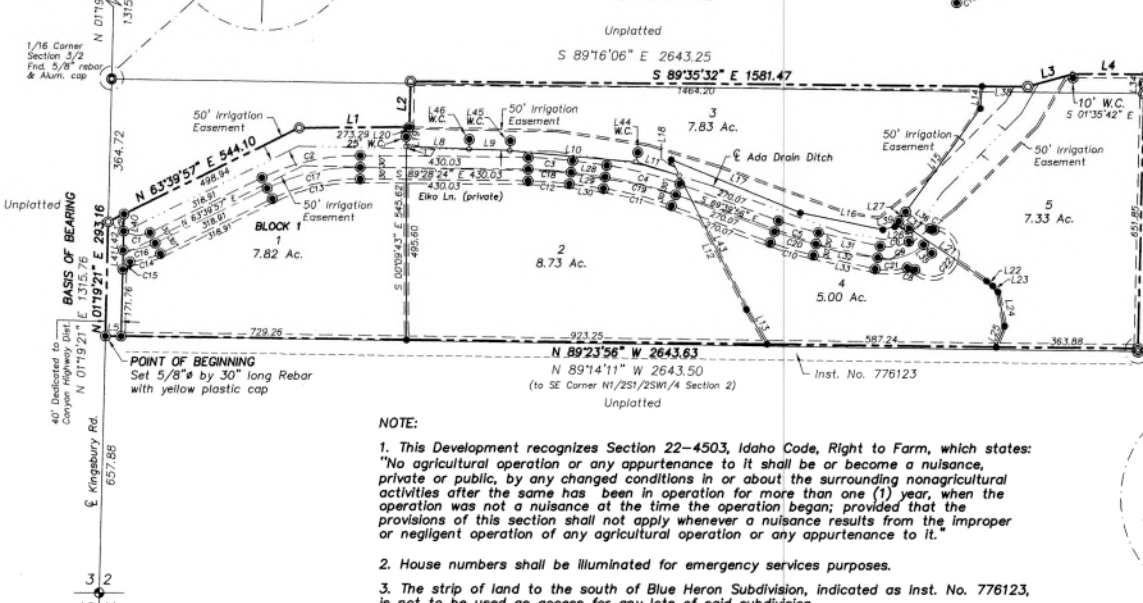
DETAIL ENTRANCE
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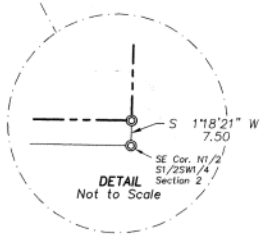
DETAIL
Not to Scale



DETAIL
Not to Scale



Utility, drainage and irrigation easement.
Unless otherwise noted widths shall be:
10 feet along street frontage
10 feet on each side of back lot lines
5 feet on each side of interior lot lines
If a lot line is moved the easement(s) shall move with the lot line, provided that utilities have not been installed within the easement(s).



DETAIL
Not to Scale

NOTE:

1. This Development recognizes Section 22–4503, Idaho Code, Right to Farm, which states: "No agricultural operation or any appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or any appurtenance to it."

2. House numbers shall be illuminated for emergency services purposes.

3. The strip of land to the south of Blue Heron Subdivision, indicated as Inst. No. 776123, is not to be used as access for any lots of said subdivision.

PROFESSIONAL LAND SURVEYOR
3627
CRAIG L SKINNER
2002

DATE OF PREPARATION
DECEMBER 4, 2001

Skinner Land Survey Co. Inc.
2512 S. Georgia Ave.
Caldwell, Id. 83605
(208)-454-0933
AP230101
Sheet 1 of 2

Bk. 31 Pg. 5

Blue Heron Subdivision

OWNERS' CERTIFICATE

We, Wade F. Woodson and Gwen G. Woodson, husband and wife, being first duly sworn depose and say we are the owners of BLUE HERON SUBDIVISION more particularly described in the legal description below, state that it is our intention to include said property in this subdivision plat, and that we do for ourselves, our heirs, transferees, successors, and assigns; hereby dedicate, donate, and convey to the public forever the public streets shown on this plat. The easements shown on this plat are intended for the right and purpose set forth and no structures other than those for Utility, Irrigation, or Drainage purposes are to be erected within limits of the easements. Also, we hereby certify that this subdivision is in compliance with paragraph 1, section 50-1334 of the Idaho Code.

This parcel is a portion of the N 1/2 S 1/2 SW 1/4, of the NW 1/4 SW 1/4, and of the NE 1/4 SW 1/4 of Section 2, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southwest corner of the SW 1/4 of said Section 2;

thence North 01° 19' 21" East along the west boundary of said SW 1/4 a distance of 657.88 feet to the southwest corner of said N 1/2 S 1/2 SW 1/4, said point being the TRUE POINT OF BEGINNING;

thence continuing North 01° 19' 21" East along said west boundary a distance of 293.16 feet;

thence North 63° 39' 57" East a distance of 544.10 feet;

thence North 89° 21' 03" East a distance of 281.71 feet;

thence North 01° 19' 14" East a distance of 116.11 feet;

thence South 89° 35' 32" East a distance of 1581.47 feet;

thence North 74° 37' 43" East a distance of 119.08 feet;

thence South 89° 58' 23" East a distance of 184.20 feet to a point on the east boundary of said NE 1/4 SW 1/4;

thence South 01° 17' 06" West along said east boundary a distance of 50.00 feet to the northeast corner of said N 1/2 S 1/2 SW 1/4;

thence South 01° 17' 06" West along the east boundary of said N 1/2 S 1/2 SW 1/4 a distance of 651.85 feet;

thence North 89° 23' 56" West a distance of 2643.63 feet to the TRUE POINT OF BEGINNING, containing 36.997 acres, more or less.

Wade F. Woodson

Gwen G. Woodson

ACKNOWLEDGEMENT

Be it remembered that on this 7th day of March, 2002, personally appeared Wade F. Woodson and Gwen G. Woodson, husband and wife, who are known to me to be the owners of Blue Heron Subdivision and that executed the above instrument.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for Idaho
Residing at Caldwell, Canyon, Idaho
Commission expires 11-03-2003

CERTIFICATE OF COUNTY TREASURER

I, Tracie Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full.
This certificate is valid for the next thirty (30) days only.

Tracie Lloyd — County Treasurer — 4/24/02 — Date

SURVEYOR'S CERTIFICATE

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat of Blue Heron Subdivision as described in the owners' certificate and the attached plat, was drawn from an actual survey made by me and accurately represents the points thereon.

I further certify that I made this survey under the direction of the owner thereof and that the survey is in conformity with the State of Idaho Codes relating to plats and subdivisions.

PROFESSIONAL LAND SURVEYOR — 3627 — STATE OF IDAHO — GREG L. SKINNER — 2002

CERTIFICATION AND APPROVAL OF COUNTY SURVEYOR

I, Dennis A. King, Canyon County Surveyor, do hereby certify that I have examined the plat of Blue Heron Subdivision and that it complies with the requirements of Idaho State Code.

Dennis A. King P.L.S. 944 — County Surveyor — 3/20/02 — Date

CERTIFICATION AND APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Lots in this subdivision are subject to sanitary restrictions as per Idaho State Code 50-1326. Sanitary restrictions are in place.

E.H.S. — Southwest District Health Department — 3-27-02 — Date

CERTIFICATION AND APPROVAL OF CANYON HWY. DIST.

Canyon Highway District has no responsibility for the streets shown on this plat, unless and until a petition has been received and approved together with a dedication of rights-of-way and evidence that said streets meet current District Standards for Construction.

Chairman — 29 March 2002 — Date

CERTIFICATION AND APPROVAL OF CANYON COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this 4 day of April 2002 by the Canyon County Planning and Zoning Commission, Canyon County, Idaho.

Chairman

CERTIFICATION AND APPROVAL OF CANYON COUNTY COMMISSIONERS

Accepted and approved this 2nd day of May 2002 by the Canyon County Commissioners, Canyon County, Idaho.

Matt Beebe — Chairman
Brad Holton Clerk

CANYON COUNTY IDAHO

COUNTY RECORDER'S CERTIFICATE
INSTRUMENT NUMBER ____ FEE ____
STATE OF IDAHO } SS
COUNTY OF CANYON }
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF GRANDY LAND SURVEYING AT ____ O'CLOCK PAST ____ RECORDED UNDER INST. NO. ____ AND RECORDED IN BOOK ____ OF PLATS, AT PAGE ____
EX-OFFICIO RECORDER ____ DEPUTY ____

Sheet 2 of 2

BK. 31, PG. 5

Exhibit B.4

UNOFFICIAL COPY

2025-030496
RECORDED
08/28/2025 09:53 AM
00884782202500304960090091
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=9 JWINSLOW $34.00
AGR
GOOD SOIL DEVELOPMENT

SOLITUDE CREEK SUBDIVISION
ROAD MAINTENANCE AGREEMENT

This Private Road Maintenance Agreement shall be included in the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOLITUDE CREEK SUBDIVISION**,(CCR's) effective as of June 1, 2021.

WHEREAS, Solitude Creek Subdivision consists of 14 homeowner lots situated on approximately 16 acres situated in Canyon County Idaho, more particularly described in Exhibit A of the CC&R's recorded with Canyon County.

WHEREAS, Quail Creek Lane, a private lane and the drainage areas along Quail Creek Lane are to be maintained by the Owners of the properties within the development, per Canyon County requirements.

NOW, THEREFORE, in consideration of the premises and the convenants and agreements hereinafter contained, the Property Owners within Solitude Creek Subdivision hereby certify and declare that they have established Solitude Creek Homeowners Association, Inc.(The HOA) as the organization responsible for all road and drainage ditch maintenance and restrictions hereunto set forth shall be deemed and treated as convenants running with the land and shall bind the heirs, successors, assignees, and legal representatives of the parties hereunto.

THIS DECLARATION is made on the express conditions subsequent each of which are the essence of the consideration hereof and form a part of the general scheme restricting the use of the above described property for the mutual benefits and advantages of the parties hereto and of the purchasers thereof and are intended to enhance the value of said properties and to increase its desirability for residence purposes and which conditions subsequent are as follows, to wit:

1. It is hereby agreed and declared that The HOA is responsible for road and drainage ditch maintenance and each lot within the sub-division shall bear an equal share of any and all costs required for maintenance and repairs of the roads and ditches within said sub-division under the terms and conditions as set forth herein:

   A. General - Said road described above may be used by all owners of properties within the development and those properties currently using the portion of Elko Lane that will be abandoned during the development process for ingress and egress.

Exhibit B.4

Exhibit B.4

UNOFFICIAL COPY

B. Right-of-way – the right-of-way created by said easements shall be maintained in a good, passable condition under all traffic and weather conditions. This includes road maintenance as well as snow or debris removal.

C. Erosion Protection Plan – Erosion within the sub-division shall be controlled by maintenance of the drainage easements as delineated on the "Final Plat." The maintenance of these areas shall be provided for as hereafter stated.

D. Frequency of Repair – Repairs on the said roads and said drainage shall be required when the HOA Board or its designated agent reach an agreement that repairs are needed. Pursuant to said agreement The HOA shall obtain three bids from reputable licensed contractors and shall accept the bid deemed to be the lowest overall cost in the long run to the HOA and shall then initiate the repairs of said street with the HOA responsible for the entire cost and expense thereof, regardless of whether individual members of the HOA were in agreement with the decision or affected by the decision.

E. Individual Damages – Every owner of property who shall cause or allow, in any manner, said private roads or drainage ditches to be used, traversed, or altered by vehicular traffic or otherwise, thereby causing damage to the surface thereof, as may be determined by the HOA Board or its agent, shall bear as his responsibility the costs and expense of repairing such damage.

2. Easements

A. Reservations – the easements shown on the Final Plat remain in effect.

B. Use or Maintenance by Owners – The areas of any lot affected by the easements reserved herein shall be maintained continuously by the owner of such lot, but no structures, plantings, or other material shall be placed or permitted to remain or other activities undertaken thereon which may damage or interfere with the use of said easements for the purposes herein set forth. Improvements within such areas shall be maintained by the owner except those for which a public authority or utility company or district is responsible.

C. Liability for Use of Easements – No owner shall have any claim or cause of action against Declarant or its Licensees arising out of the exercise or nonexercise of any easement reserved hereunder or shown on the Map except in cases or negligence. The fire departments will have no liability whatsoever for any damage arising from emergency access for fire protection of this property or adjacent property.

3. Remedies

A. Enforcement – The HOA may enforce remedies to violations of this agreement per the Power and Duties of the Association as described in Section 5 of the CCR's.

4. Term

The provisions of this agreement, pertaining to road maintenance conditions and conditions and restrictions and easements shall affect and run with the land and shall exist and be binding upon all parties claiming an interest in the subdivision forever, or until such time

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Exhibit B.4

Exhibit B.4

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as the said private roads are dedicated to and accepted for use as public streets or thoroughfares by municipal government lawfully exercising jurisdiction over said private roads.

5. Grantee's Acceptance – Each grantee or purchaser of any lot or parcel shall, by acceptance of a deed conveying title thereto, or the execution of a contract for the purchase hereof, whether from Declarant or a subsequent owner of such lot or parcel, accept such deed or contract upon and subject to each and all of the provisions of this Declaration and to the jurisdiction, rights, powers, privileges, and immunities of Declarant and of the Committee. By such acceptance such grantee or purchaser shall for himself, his heirs, personal representatives, successors and assignees, covenant, consent, and agree to and with Declarant, and to and with the Grantees and subsequent owners of each of the other lots or parcels in the Development to keep, observe, comply with, and perform all of the provisions of this Declaration.

6. Severability – Every provision of this Declaration is hereby declared to be independent of and severable from every other provision hereof. If any provision hereof shall be held by a court of competent jurisdiction to be invalid, or unenforceable, all remaining provisions shall continue unimpaired and in full force and effect.

7. Captions – Paragraph captions in this Declaration are for convenience only and do not in any way limit or amplify the terms of provisions hereof.

8. Term and Amendment – the provisions of this Declaration shall affect and run with the land and shall exist and be binding upon all parties claiming an interest in the Development for as long as Solitude Creek Homeowner's Association exists.

IN WITNESS WHEREOF, Declarants have executed this Declaration the day and year first above written.

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Exhibit B.4

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SOLITUDE CREEK SUBDIVISION
ROAD MAINTENANCE AGREEMENT

Signature page

Good Soil Development Company, LLC.

By: Craig D. Lee, Manager

State of ID, County of Canyon

This record was acknowledged before me on August 28, 2025 by Craig D. Lee, as Manager of Good Soil Development Company, LLC.

Signature of notary public
Commission Expires: _____

VICKI HUNSPERGER
COMMISSION #31135
NOTARY PUBLIC
STATE OF IDAHO

Residing in: Caldwell, ID
Commission Expires: 12/02/2028

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EXHIBIT A

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Block 1, Solitude Creek Subdivision, a re-plat of Lots 1-2, Block 1, Blue Heron Subdivision, according to the plat thereof, filed in Book 59 of Plats at page(s) 22, records of Canyon County, Idaho.

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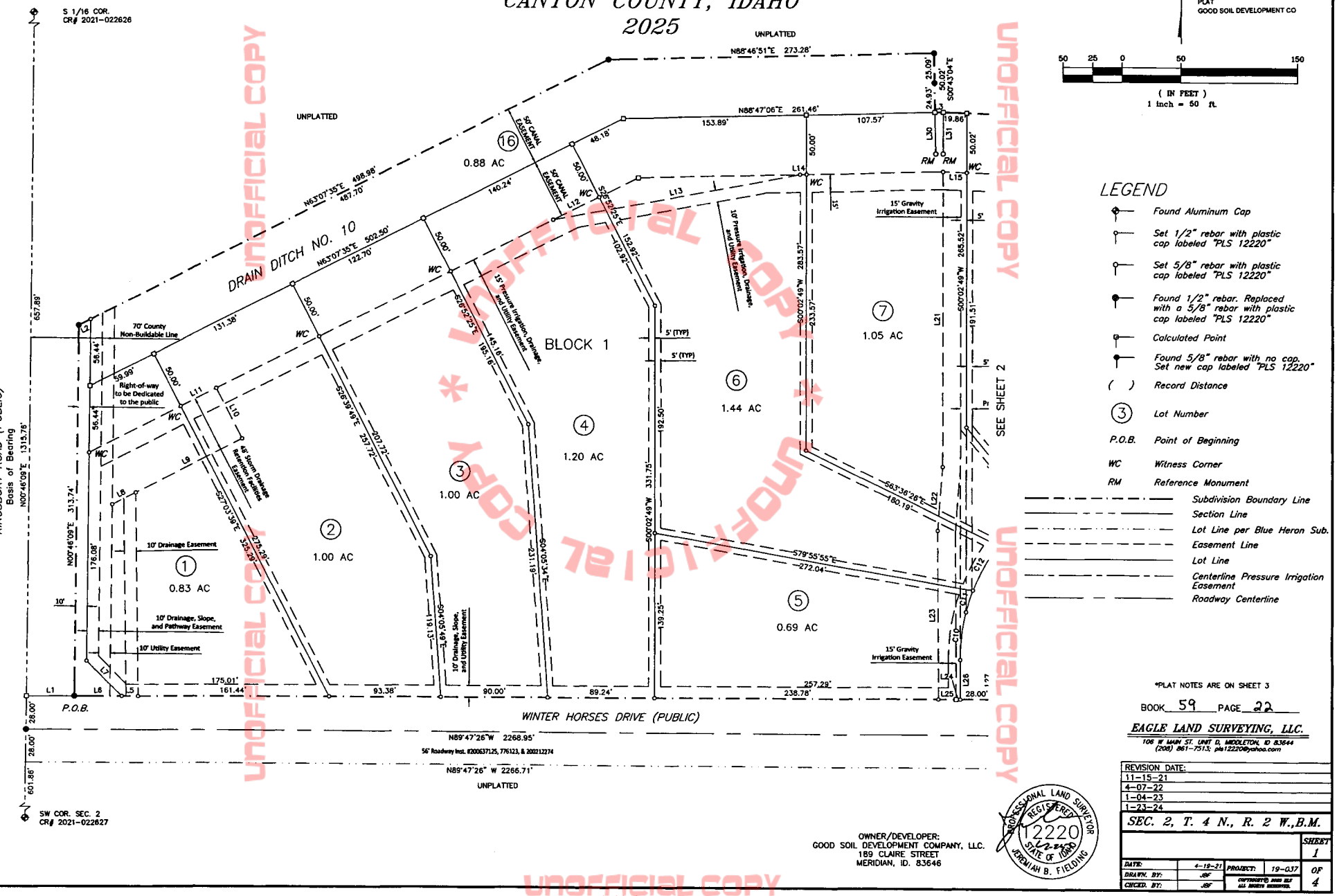
Exhibit B.4

FINAL PLAT

SOLITUDE CREEK SUBDIVISION

RE-PLAT OF LOTS 1-2, BLOCK 1, BLUE HERON SUBDIVISION
SECTION 2, T. 4 N., R. 2 W.,B.M.
CANYON COUNTY, IDAHO
2025

2025-024733
RECORDED
07/16/2025 12:22 PM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=4 JWINSLOW $11.00
PLAT
GOOD SOIL DEVELOPMENT CO



50 25 0 50 150
(IN FEET)
1 inch = 50 ft.

LEGEND

- Found Aluminum Cap
- Set 1/2" rebar with plastic cap labeled "PLS 12220"
- Set 5/8" rebar with plastic cap labeled "PLS 12220"
- Found 1/2" rebar. Replaced with a 5/8" rebar with plastic cap labeled "PLS 12220"
- Calculated Point
- Found 5/8" rebar with no cap. Set new cap labeled "PLS 12220"
- ( ) Record Distance
- (3) Lot Number
- P.O.B. Point of Beginning
- WC Witness Corner
- RM Reference Monument
- Subdivision Boundary Line
- Section Line
- Lot Line per Blue Heron Sub.
- Easement Line
- Lot Line
- Centerline Pressure Irrigation Easement
- Roadway Centerline

*PLAT NOTES ARE ON SHEET 3

BOOK 59 PAGE 22

EAGLE LAND SURVEYING, LLC.
106 W. MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; pls12220@yahoo.com

REVISION DATE:
11-15-21
4-07-22
1-04-23
1-23-24

SEC. 2, T. 4 N., R. 2 W.,B.M.

SHEET 1

DATE: 4-19-21 PROJECT: 19-037 OF 4
DRAWN BY: JBF
CHECKED BY: JBF
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OWNER/DEVELOPER:
GOOD SOIL DEVELOPMENT COMPANY, LLC.
189 CLAIRE STREET
MERIDIAN, ID. 83646

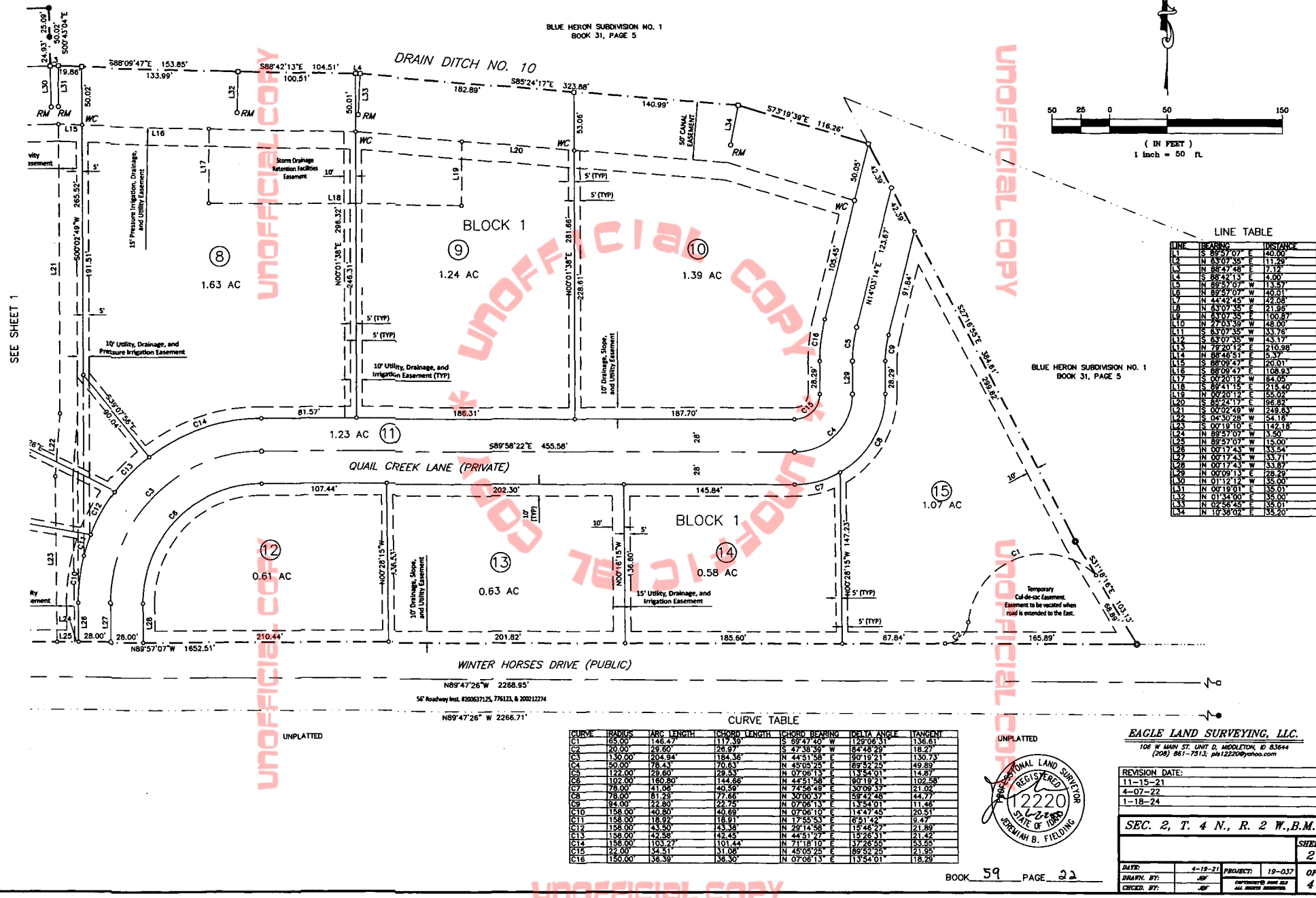
PROFESSIONAL LAND SURVEYOR REGISTERED 12220 STATE OF IDAHO JEREMIAH B. FIELDING

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Exhibit B.4

Exhibit B.4

FINAL PLAT

SOLITUDE CREEK SUBDIVISION



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°57'07" E	40.00'
L2	N 63°07'35" E	11.29'
L3	N 88°47'48" E	7.12'
L4	S 88°42'13" E	4.00'
L5	N 89°57'07" W	13.57'
L6	N 89°57'07" W	40.01'
L7	N 44°42'45" W	42.08'
L8	N 63°07'35" E	21.96'
L9	N 63°07'35" E	100.87'
L10	N 27°03'39" W	48.00'
L11	S 63°07'35" W	33.76'
L12	S 63°07'35" W	45.17'
L13	N 79°20'12" E	210.98'
L14	N 88°46'51" E	5.37'
L15	S 88°09'47" E	20.01'
L16	S 88°09'47" E	108.93'
L17	S 00°20'12" W	84.05'
L18	S 89°41'15" E	215.40'
L19	N 00°20'12" E	55.00'
L20	S 85°24'17" E	96.82'
L21	S 00°02'49" W	249.63'
L22	S 04°30'28" W	54.16'
L23	S 00°19'10" E	142.18'
L24	N 89°57'07" W	3.50'
L25	N 89°57'07" W	15.00'
L26	N 00°17'43" W	33.54'
L27	N 00°17'43" W	33.71'
L28	N 00°17'43" W	33.87'
L29	N 00°09'13" E	28.29'
L30	N 01°12'12" W	35.00'
L31	N 00°19'01" E	35.01'
L32	N 01°34'00" E	35.00'
L33	N 02°56'45" E	35.01'
L34	N 10°38'02" E	35.20'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	65.00'	146.47'	117.39'	S 69°47'40" W	129°06'31"	136.61'
C2	20.00'	29.60'	26.97'	S 47°38'39" W	84°48'29"	18.27'
C3	130.00'	204.94'	184.36'	N 44°51'58" E	90°19'21"	130.73'
C4	50.00'	78.43'	70.63'	N 45°05'25" E	89°52'25"	49.89'
C5	122.00'	29.60'	29.53'	N 07°06'13" E	13°54'01"	14.87'
C6	102.00'	160.80'	144.66'	N 44°51'58" E	90°19'21"	102.58'
C7	78.00'	41.06'	40.59'	N 74°56'49" E	30°09'37"	21.02'
C8	78.00'	81.29'	77.66'	N 30°00'37" E	59°42'48"	44.77'
C9	94.00'	22.80'	22.75'	N 07°06'13" E	13°54'01"	11.46'
C10	158.00'	40.80'	40.69'	N 07°06'10" E	14°47'45"	20.51'
C11	158.00'	18.92'	18.91'	N 17°55'53" E	6°51'42"	9.47'
C12	158.00'	43.50'	43.36'	N 29°14'58" E	15°46'27"	21.89'
C13	158.00'	42.58'	42.45'	N 44°51'27" E	15°26'31"	21.42'
C14	158.00'	103.27'	101.44'	N 71°18'10" E	37°28'55"	53.55'
C15	22.00'	34.51'	31.08'	N 45°05'25" E	89°52'25"	21.95'
C16	150.00'	36.39'	36.30'	N 07°06'13" E	13°54'01"	18.29'

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; pls12220@yahoo.com

REGISTERED PROFESSIONAL LAND SURVEYOR 12220 STATE OF IDAHO JEREMIAH B. FIELDING

REVISION DATE:
11-15-21
4-07-22
1-18-24

SEC. 2, T. 4 N., R. 2 W.,B.M.

SHEET 2 OF 4

DATE: 4-19-21 PROJECT: 19-037
DRAWN. BY: JBF
CHCKD. BY: JBF

BOOK 59 PAGE 22

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Exhibit B.4

Exhibit B.4

FINAL PLAT

SOLITUDE CREEK SUBDIVISION

CERTICATE OF OWNERS

KNOW ALL PEOPLE BY THESE PRESENT: THAT WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THAT REAL PROPERTY TO BE KNOWN AS SOLITUDE CREEK SUBDIVISION, AND THAT WE INTEND TO INCLUDE SAID REAL PROPERTY, AS DESCRIBED BELOW, IN THIS PLAT:

A Re-Plat of Lots 1 and 2, Block 1, Blue Heron Subdivision that is located in Section 2, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho described as:

Commencing at a found Aluminum Cap marking the Southwest corner of Section 2, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence N00°46'09"E 657.86 feet along the West line of said Section; thence S89°57'07"E 40.00 feet to a found 5/8" rebar marking the Southwest corner of Lot 1, Block 1, Blue Heron Subdivision (said point being the Point of Beginning); thence N00°46'09"E 313.74 feet to a found 5/8" rebar marking the Northwest corner of said Lot 1; thence N63°07'35"E 498.98 feet along the North line of said Lot 1 to a found 5/8" rebar; thence N88°46'51"E 273.28 feet along said North line to a found 5/8" rebar marking the Northeast corner of said Lot; thence S00°43'04"E 50.02 feet to the centerline of the Drain Ditch No. 10 marking the Northwest corner of Lot 2, Block 1, Blue Heron Subdivision; thence N88°47'48"E 7.12 feet along the North line of said Lot 2; thence S88°09'47"E 153.85 feet along said North line; thence S88°42'13"E 104.51 feet along said North Line; thence S85°24'17"E 323.88 feet along said North line; thence S73°19'39"E 116.26 feet along said North line to the Northeast corner of said Lot 2; thence S27°16'55"E 384.61 feet along the East line of said Lot 2; thence S31°18'16"E 103.13 feet along said East line to the Southeast corner of said Lot 2; thence N89°57'07"W 1652.51 feet to the Point of Beginning.

Parcel contains 16.55 acres more or less.

THE PUBLIC STREETS AND RIGHTS-OF-WAYS SHOWN ON THIS PLAT ARE DEDICATED TO THE PUBLIC FOREVER. THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, HOWEVER THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR THE USES SPECIFICALLY DEPICTED ON THE PLAT, AND FOR OTHER PURPOSES DESIGNATED HEREON, AND NO PERMANENT STRUCTURES, OTHER THAN FOR SUCH USES AND PURPOSES, ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL INDIVIDUAL LOTS WITHIN THIS SUBDIVISION WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE OR MORE OF THE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

IN WITNESS WHEREOF: I HAVE HEREUNTO SET MY HAND:

Craig D Lee

CRAIG D. LEE, AUTHORIZED AGENT
GOOD SOIL DEVELOPMENT COMPANY, LLC.

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF ~~CANYON~~ NDA) S.S.

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON 05/21/25 *2024, BY CRAIG D. LEE, AUTHORIZED AGENT, GOOD SOIL DEVELOPMENT COMPANY, LLC.*

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 09/17/2027

JAQUELIN G MENDOZA
Notary Public
State of Idaho
Commission No. 20214421

SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN COMFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

PROFESSIONAL LAND SURVEYOR REGISTERED 12220 STATE OF IDAHO JEREMIAH B. FIELDING

JEREMIAH B. FIELDING, P.L.S. *IDAHO LICENSE NO. 12220*

NOTES

1. *MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OR ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.*

2. *THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."*

3. *IRRIGATION WATER HAS BEEN PROVIDED FROM MIDDLETON CANAL COMPANIES WHICH INCLUDE THE MIDDLETON MILL DITCH COMPANY, MIDDLETON IRRIGATION ASSOCIATION, INC. AND THE LEMP LATERAL, INC. IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(b). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM SAID MIDDLETON CANAL COMPANIES.*

4. *ALL REAR LOT LINES ADJACENT TO THE SUBDIVISION BOUNDARY AND FRONT LOT LINES ADJACENT TO A ROAD RIGHT-OF-WAY, SHALL HAVE A TEN (10) FOOT WIDE PROPERTY DRAINAGE, IRRIGATION, SLOPE, AND PUBLIC UTILITY EASEMENT UNLESS SHOWN OTHERWISE.*

5. *ALL SIDE YARD LOT LINES AND INTERIOR REAR LOT LINES SHALL HAVE A FIVE (5) FOOT WIDE PROPERTY DRAINAGE, IRRIGATION, AND PUBLIC UTILITY EASEMENT ON EACH SIDE, UNLESS OTHERWISE SHOWN.*

6. *ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.*

7. *THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.*

8. *NO NEW DEVELOPMENT OR REDEVELOPMENT OF LAND MAY DISCHARGE STORM WATER ONTO HIGHWAY DISTRICT RIGHT-OF-WAY OR INTO THE DISTRICT'S MUNICIPAL SEPARATE STORM SEWER SYSTEM.*

9. *NO PERMANENT STRUCTURES SHALL BE LOCATED CLOSER THAN SEVENTY FEET TO ANY SECTION LINE OR QUARTER SECTION LINE UNLESS THE HIGHWAY DISTRICT WAIVES THE SEVENTY FEET SETBACK REQUIREMENT.*

10. *AN EASEMENT 50 FEET EACH SIDE OF CENTERLINE IS RESERVED TO DRAINAGE DISTRICT NO. 2 FOR DRAINAGE, INGRESS/EGRESS AND MAINTENANCE OF FACILITIES. A 100 FOOT WIDE PRESCRIPTIVE EASEMENT RESERVED TO DRAINAGE DISTRICT NO. 2 LYING 50 FEET EACH SIDE OF THE CENTERLINE OF THE MILL SLOUGH DRAIN.*

11. *LOT 11 IS A PRIVATE ROAD TO BE OWNED AND MAINTAINED BY THE SOLITUDE CREEK SUBDIVISION HOA.*

12. *LOT 16, BLOCK 1 IS HEREBY RESERVED AS COMMON AREA TO BE OWNED AND MAINTAINED BY THE HOA. SAID LOT ARE RESERVED FOR PUBLIC AND PRIVATE UTILITIES, DRAINAGE AND IRRIGATION PURPOSES.*

13. *A LICENSE AGREEMENT HAS BEEN RECORDED BETWEEN DRAINAGE DISTRICT NO. 2 AND LEE FAMILY TRUST RECORDED AS INSTRUMENT NO. 202-042836.*

14. *NO DIRECT ACCESS TO ADJACENT COLLECTOR AND ARTERIAL ROADWAYS ARE ALLOWED.*

15. *THE HOMEOWNER'S ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL AMENITIES (LAWNS, SPRINKLERS, SIDEWALKS, LANDSCAPING, ETC.) APPROVED BY THE DISTRICT TO BE WITHIN THE PUBLIC RIGHT-OF-WAY.*

16. *LOTS SHALL BE SERVICED BY INDIVIDUAL SEPTIC SYSTEMS AND INDIVIDUAL WELLS.*

17. *NO DIRECT ACCESS IS ALLOWED TO ELKO LANE.*

18. *A PUBLIC PATHWAY EASEMENT IS HEREBY RESERVED ADJACENT TO KINSBURY ROAD UNLESS OTHERWISE SHOWN. PATHWAYS LOCATED OUTSIDE OF THE RIGHT-OF-WAY ARE NOT OWNED OR MAINTAINED BY THE PUBLIC ROAD JURISDICTION.*

20. *PARCLES R33822102, R33822103, R33822104 HAVE ACCESS TO WINTER HORSES DRIVE (PUBLIC) AND KINGSBURY ROAD (PUBLIC) VIA QUAIL CREEK LANE (PRIVATE).*

BOOK 59 PAGE 22

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; phs12220@yahoo.com

REVISION DATE:
11-15-21
4-07-22
1-23-24

SEC. 2, T. 4 N., R. 2 W., B.M.

SHEET 3 OF 4

DATE:	4-19-21	PROJECT:	19-037
DRAWN BY:	JBF		
CHECKD. BY:	JBF		

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Exhibit B.4

Exhibit B.4

FINAL PLAT

SOLITUDE CREEK SUBDIVISION

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

Arthur Ser — 07/02/2024
SOUTHWEST DISTRICT HEALTH DEPARTMENT — DATE

APPROVAL OF CANYON COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS 11th DAY OF July, 2025, BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.

Brad Holton
CHAIRMAN, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

Rick Hogaboam, Clerk
SECRETARY, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS
Jess, Deputy Clerk

CANYON COUNTY IDAHO 1892

CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR, ~~IN AND~~ FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

4/23/24
CANYON COUNTY SURVEYOR UNDER IC 50-1305
DAVID R. KINZER PE/PLS 12659

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TRESURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Jennifer Watters by cdarbin 6-25-25
CANYON COUNTY TREASURER — DATE

TREASURER'S SEAL OF CANYON COUNTY, IDAHO CORPORATE SEAL

APPROVAL OF HIGHWAY DISTRICT #4

HIGHWAY DISTRICT NO. 4 DOES HEREBY ACCEPT THIS PLAT, AND THE DEDICATED PUBLIC STREETS, HIGHWAYS AND RIGHTS-OF-WAY AS ARE DEPICTED ON THIS PLAT, IN ACCORDANCE WITH THE PROVISIONS OF I.C. 50-1312. PRIVATE STREETS DEPICTED ON THIS PLAT ARE NOT MAINTAINED BY OR UNDER THE JURISDICTION OF THE HIGHWAY DISTRICT. THERE IS NO LEGAL OBLIGATION OR ASSURANCES THAT THE PRIVATE STREETS WILL BE ACCEPTED AS PUBLIC STREETS IN THE FUTURE.

CHAIRMAN — June 18, 2025 DATE

SURVEYOR NARRATIVE:

1. THE BOUNDARY OF THIS SUBDIVISION WAS ESTABLISHED BY LOTS 1-2, BLOCK BLOCK 1, BLUE HERON SUBDIVISION. BOOK 31, PAGE 5.

2. THIS PLAT WAS DONE AT THE REQUEST OF LEE FAMILY TRUST TO SUBDIVIDE THIS PROPERTY INTO 16 LOTS WITH 14 OF THEM BEING BUILDABLE.

PROFESSIONAL LAND SURVEYOR REGISTERED 12220 STATE OF IDAHO JEREMIAH B. FIELDING Sept-24

BOOK 59 PAGE 22

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; pls12220@yahoo.com

REVISION DATE:

SEC. 2, T. 4 N., R. 2 W., B.M.

SHEET 4 OF 4

DATE:	4-10-24	PROJECT:	19-037
DRAWN BY:	JBF		
CHKD. BY:	JBF		

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Exhibit B.4

Exhibit B.5
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2021-033957
RECORDED
05/10/2021 03:49 PM
00613091202100339570140145
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=14 MBROWN NO FEE
AGR
DRAINAGE DISTRICT NO 2

LICENSE AGREEMENT

LICENSE AGREEMENT, made and entered into this 5 day of May, 2021, by and among DRAINAGE DISTRICT NO. 2, a drainage district organized and existing under and by virtue of the laws of the State of Idaho, hereinafter referred to as the "District", and

KEVIN SLAZAS AND KIMBERLY SLAZAS, husband and wife,
whose address is: 695 North Senita Way, Eagle, Idaho 83616,

hereinafter referred to as the "Licensee",

W I T N E S S E T H:

WHEREAS, the District owns the drainage ditch or drain known as DRAIN NO. 10 (hereinafter referred to as "ditch or drain"), an integral part of the irrigation and drainage works and system of the District, together with the easement therefor to convey irrigation and drainage water, to operate, clean, maintain, and repair the ditch or drain, and to access the ditch or drain for those purposes; and,

WHEREAS, the District operates, cleans, maintains, repairs and protects the ditch or drain for the benefit of District landowners; and,

WHEREAS, the Licensee is the owner of real property that is servient to the District's ditch or drain and easement, and is particularly described in the "Legal Description" and/or deed attached hereto as **Exhibit A** and by this reference made a part hereof; and,

WHEREAS, the ditch or drain crosses and intersects the real property described in Exhibit A as shown on **Exhibit B**, attached hereto and by this reference made a part hereof; and,

WHEREAS, the Licensee desires a license to cross, encroach upon or modify said ditch or drain and/or the District's easement under the terms and conditions of this License Agreement;

NOW, THEREFORE, for and in consideration of the premises and of the covenants, agreements and conditions hereinafter set forth, the parties agree as follows:

A. Acknowledgment of the District's Easement.

1. Licensee acknowledges that the District's easement for the drain includes a sufficient area of land to convey irrigation and drainage water, to operate, clean, maintain and repair the ditch or drain, and to access the ditch or drain for said purposes, and is a minimum of 100 feet, 50 feet to either side of the centerline for open sections and 50 feet, 25 feet to either side of the centerline of the drain for piped or closed sections.

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Exhibit B.5

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B. Scope of License

1. The Licensee shall have the right to modify the ditch or drain or encroach upon the District's easement along the ditch or drain in the manner described in the "Purpose of License" attached hereto as **Exhibit C** and by this reference made a part hereof.

2. Any crossing, encroachment upon or modification of the ditch or drain and/or the District's easement shall be performed and maintained in accordance with the "Special Conditions" stated in **Exhibit D**, attached hereto and by this reference made a part hereof. Any difference or discrepancy between the items listed in Exhibit C, "Purpose of License," and any plans or drawings referenced in or attached to Exhibit D shall be resolved in favor of Exhibit C. Licensee shall only be permitted to cross, encroach upon or modify the ditch or drain and/or the District's easement as described in Exhibit C even if any plans or drawings referenced or attached to Exhibit D provide or show otherwise.

3. This License Agreement pertains only to the Licensee's crossing, encroachment upon or modification of the ditch or drain and/or the District's easement for the purposes and in the manner described herein. The Licensee shall not excavate, discharge, place any structures, nor plant any trees, shrubs or landscaping within the District's easement, nor perform any construction or activity within the District's easement for the ditch or drain except as referred to in this License Agreement without the prior written consent of the District.

4. The Licensee recognizes and acknowledges that the license granted this License Agreement pertains only to the rights of the District as owner of an easement. The District has no right or power to create rights in the Licensee affecting the holder of title to the property subject to the District's easement. Any such rights affecting fee title must be acquired by the Licensee from the holder of title to the property. Should Licensee fail to obtain such rights from the holder of title to the property or should the rights obtained prove legally ineffectual, Licensee shall hold harmless, indemnify and defend the District from any claim by any party arising out of or related to such failure of rights and at the option of the District this License Agreement shall be of no force and effect.

C. Facility Construction, Operation, Maintenance and Repair

1. Licensee agrees that the work performed and the materials used in any construction permitted by this License Agreement shall at all times be subject to inspection by the District and the District's engineers, and that final acceptance of the such work shall not be made until all such work and materials shall have been expressly approved by the District. Such approval by the District shall not be unreasonably withheld.

2. Each facility ("facility" as used in this License Agreement means any object or thing installed by the Licensee on, over or in the vicinity of the District's easement) shall be constructed, installed, operated, maintained, and repaired at all times by the Licensee at the cost and expense of the Licensee.

3. Licensee agrees to construct, install, operate, maintain and repair each facility and conduct its activities within or affecting the District's easement so as not to constitute or cause:

a. a hazard to any person or property;

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b. an interruption or interference with the flow of irrigation or drainage water in the ditch or drain or the District's delivery of irrigation water;
c. an increase in seepage or any other increase in the loss of water from the ditch;
d. the subsidence of soil within or adjacent to the easement;
e. an interference with the District's use of its easement to access, operate, clean, maintain, and repair the ditch or drain; and
f. any other damage to the District's easement and irrigation or drainage works.

4. The Licensee agrees to indemnify, hold harmless, and defend the District from all claims for damages arising out of any of the Licensee's construction or activity which constitutes or causes any of the circumstances enumerated in the preceding paragraph, 3.a. through 3.f., or any other damage to the easement and irrigation works which may be caused by the construction, installation, operation, maintenance, repair, and any use or condition of any facility.

5. The Licensee shall, upon demand of the District, remove any facility or repair any alteration of the District's easement which interferes with the District's operation and maintenance of the ditch or drain, or causes or contributes to any of the circumstances enumerated in the preceding paragraph, 3.a. through 3.f., or any other damage to the easement and irrigation works. The District shall give reasonable notice to the Licensee, and shall allow the Licensee a reasonable period of time to perform such maintenance, repair, and other work, except that in cases of emergency the District shall attempt to give such notice as is reasonable under the circumstances. The District reserves the right to perform any and all work which the Licensee fails or refuses to perform within a reasonable period of time after demand by the District. The Licensee agrees to pay to the District, on demand, the costs which shall be reasonably expended by the District for such purposes. Nothing in this paragraph shall create or support any claim of any kind by the Licensee or any third party against the District for failure to exercise the options stated in this paragraph, and the Licensee shall indemnify, hold harmless and defend the District from any claims made against the District arising out of or relating to the terms of this paragraph, except for claims arising solely out of the negligence or fault of the District.

D. District's Rights Are Paramount

1. The Licensee understands and agrees that the ditch or drain is a manmade channel that was constructed and is used and maintained by the District for the exclusive purpose of draining lands within the District. As such, Licensee further acknowledges and agrees that the ditch or drain does not constitute a natural or navigable watercourse or stream.

2. The parties hereto understand and agree that the District has no right in any respect to impair the uses and purposes of the drainage works and system of the District by this License Agreement, nor to grant any rights in its irrigation or drainage works and system incompatible with the uses to which such drainage works and system are devoted and dedicated and that this contract shall be at all times construed according to such principles.

3. Nothing herein contained shall be construed to impair the ditch or drain or the District's easement, and all construction and use of the District's easement by the Licensee and the license herein provided therefor shall remain inferior and subservient to the rights of the District to the use of the ditch or

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drain for the transmission of drainage water.

4. The Licensee agrees that the District shall not be liable for any damages which shall occur to any facility in the reasonable exercise of the rights of the District in the course of performance of maintenance or repair of the ditch or drain. The Licensee further agrees to suspend its use of the said easement areas when the use of the easement areas is required by the District for maintenance or repair under this or any other paragraph of this License Agreement.

5. In the event of the failure, refusal or neglect of the Licensee to comply with all of the terms and conditions of this License Agreement, the license of the Licensee under the terms hereof may be terminated by the District, and any facility, structure, plant, or any other improvement in or over the drain or ditch, and the right of way therefor, which may impede or restrict the maintenance and operation of such ditch or drain by the District with its equipment for the maintenance of the ditch or drain shall be promptly removed by the Licensee upon demand of the District.

E. Applicable Law and Jurisdiction Unaffected.

1. Neither the terms of this License Agreement, the permission granted by the District to the Licensee, the Licensee's activity which is the subject of this License Agreement, nor the parties exercise of any rights or performance of any obligations of this License Agreement, shall be construed or asserted to extend the application of any statute, rule, regulation, directive or other requirement, or the jurisdiction of any federal, state, or other agency or official to the District's ownership, operation, and maintenance of its drains, works and facilities which did not apply to the District's operations and activities prior to and without execution of this License Agreement.

2. In the event the District is required to comply with any such requirements or is subject to the jurisdiction of any such agency as a result of execution of this License Agreement or the Licensee's activity authorized hereunder, Licensee shall indemnify, hold harmless and defend the District from all costs and liabilities associated with the application of such laws or the assertion of such jurisdiction or, at the option of the District, this License Agreement shall be of no force and effect and the Licensee shall cease all activity and remove any facility authorized by this License Agreement.

F. Indemnification

1. In addition to all other indemnification provisions herein, Licensee further agrees to indemnify, hold harmless and defend the District from any injury, damages, claim, lien, cost and/or expense (including reasonable attorney's fees) incurred by, or asserted against, the District by reason of the negligent acts or omissions of Licensee or its agents, contractors or subcontractors in performing the construction and activities authorized by this License Agreement.

G. Fees and Costs

1. The Licensee agrees to pay attorney fees and engineering fees charged by the attorney for the District or by the engineers for the District in connection with the negotiation and preparation of this License Agreement.

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2. Should either party incur costs or attorney fees in connection with efforts to enforce the provisions of this License Agreement, whether by institution of suit or not, the party rightfully enforcing or rightfully resisting enforcement of the provisions of this License Agreement, or the prevailing party in case suit is instituted, shall be entitled to reimbursement for its costs and reasonable attorney fees from the other party.

H. Miscellaneous

1. No Claims Created. Nothing in this License Agreement shall create or support a claim of estoppel, waiver, prescription or adverse possession by the Licensee or any third party against the District.

2. Assignment. Neither this License Agreement nor any agreement entered pursuant to this License Agreement may be assigned or transferred without the prior written approval of the Parties, which approval shall not be unreasonably withheld.

3. Amendment and Modification. Any amendment or modification of this License Agreement must be in writing and signed by all parties to be enforceable.

4. Interpreted. This License Agreement shall be interpreted and enforced in accordance with the laws of the State of Idaho. This License Agreement is not intended for the benefit of any third party and is not enforceable by any third party. If any provision of this License Agreement is determined by a court of competent jurisdiction to be invalid or otherwise unenforceable, all remaining provisions of this License Agreement shall remain in full force and effect. The parties represent and warrant to each other that they each have authority to enter this License Agreement. The catchlines or section headings herein set forth are provided only for the convenience of the parties in locating various provisions of this License Agreement, and are not intended to be aids in interpretation of any provision of this License Agreement with respect to which the parties might disagree at some future time, and shall not be considered in any way in interpreting or construing any provision of the License Agreement.

5. Binding Effect. The covenants, conditions and agreements herein contained shall constitute covenants to run with, and running with, the real property described in **Exhibit A**, and shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

6. Notices. Any and all notices, demands, consents and approvals required pursuant to this License Agreement shall be delivered to the parties as follows:

Drainage District No. 2
c/o S. Bryce Farris
P.O. Box 7985
Boise, ID 83707

See page 1 for Licensee

Notices shall be deemed to have been delivered upon hand deposit in the United States mail as provided above.

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7. Counterparts. This License Agreement may be executed and delivered in counterparts, each of which shall be deemed to be an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the District has hereunto caused its name to be subscribed by its officers first hereunto duly authorized by resolution of its Board of Directors and the Licensee has caused its name to be subscribed, all as of the day and year herein first above written.

DRAINAGE DISTRICT NO. 2

By _____
Its President

ATTEST:

_____
Its ~~Secretary~~ Board Member

STATE OF IDAHO)
) ss:
County of Ada)

On this 5 day of May, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Gary Olson and Lee Clark known to me to be the President and Board Member respectively, of DRAINAGE DISTRICT NO. 2, the drainage district that executed the foregoing instrument and acknowledged to me that such drainage district executed the same.

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

KATIE R. KELLY
COMMISSION #37638
NOTARY PUBLIC
STATE OF IDAHO

_____
Notary Public for Idaho
Residing at Oasis, Idaho
My Commission Expires: 2/20/2026

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KEVIN SLAZAS AND KIMBERLY SLAZAS, husband and wife

Kevin Slazas

Kimberly Slazas

Kimberly Slazas

STATE OF IDAHO)

County of ADA ~~IDAHO~~) : ss.

On this 15th day of March, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared KEVIN SLAZAS AND KIMBERLY SLAZAS, known to me to be the husband and wife that executed the foregoing instrument and acknowledged to me that they executed the same.

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

Tammy L Jones

Notary Public for Wells Fargo Bank

Residing at Eagle, ID, 83616

My Commission Expires: 04/12/2024

TAMMY L JONES
COMMISSION NUMBER 2018-0057
NOTARY PUBLIC
State of Idaho
My Commission Expires 01/12/2024

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6022 EIP

EMPIRE
TITLE & ESCROW

WARRANTY DEED

FOR VALUE RECEIVED

Mark Neice and Michelle Bennett Neice, husband and wife GRANTOR(s) does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto:

Kevin Slazas and Kimberly Slazas, husband and wife GRANTEE(s), whose current address is: 695 North Senita Way, Eagle, ID 83616 the following described real property in Canyon County, State of ID more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT A

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

Dated this 10th day of July, 2020

Mark Neice

Mark Neice

Michelle Bennett Neice

Michelle Bennett Neice

State of Idaho

County Ada

On this 10 day of July, in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared **Mark Neice and Michelle Bennett Neice**, known or identified to me as the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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EXHIBIT A

Lot 3 in Block 1 of Blue Heron Subdivision, according to the plat thereof, filed in Book 31, of Plats at Page 5, Records of Canyon County, Idaho.

TOGETHER WITH AND SUBJECT TO:

A 30 foot ingress-egress easement (known as Elko Lane) and utility easement as delineated on the face of the plat of Blue Heron Subdivision, recorded May 7, 2002, as Instrument No. 200220897, records of Canyon County, Idaho.

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EXHIBIT B
Crossing Location

See Exhibit D-1.

EXHIBIT C
Purpose of License

The purpose of this License Agreement is to permit Licensee to:

1. construct and install pipe/cuvert consisting of an 84" galvanized CMP with gravel backfill to grade, in the District's drain;
2. construct and install a roadway over the above-referenced pipe/culvert, including roadway improvements such as asphalt, over the District's drain and within the District's easement for access to Licensee's property located at 7718 Elko Road in Middleton, Idaho; and
3. construct and install underground utilities and/or conduits for gas, power and telecom, across and under the above-referenced pipe/culvert, and within the District's easement (the utilities/conduits shall be located a minimum of 48 inches (4') below the bottom of the District's drain)

all within Licensee's property described in Exhibit A, 7718 Elko Lane in Middleton, Canyon County, Idaho. No other construction or activity is permitted within or affecting the drain or the District's easement.

EXHIBIT D
Special Conditions

a. The construction described in Exhibit C shall be in performed in accordance with certain plans attached hereto as **Exhibit D-1** and by this reference incorporated herein.

b. Licensee shall notify the District prior to and immediately after construction by contacting Allen Funkhouser at 208-571-3804 so that he or the District's engineers may inspect and approve construction.

c. Licensee shall be responsible for operation, maintenance, and repair associated with the drain which has been placed in pipe/culvert within the property described in Exhibit A, including rehabilitation or replacement of the pipe/culvert, and rehabilitation of the District's easement. Maintenance shall include, but not be limited to, the removal and disposal of silt, gravel, plant material, and all trash and debris which may accumulate in the culvert. Repairs shall include, but not be limited to, all repairs necessary to preserve the structural integrity and unobstructed flow of water through the drain and prevent the loss of water from the drain. If the Licensee shall fail in any respect to properly operate, maintain and repair such portion of the drain, then the District, at its option, and without impairing or in anyway affecting its other rights and remedies hereunder, shall have the right to perform the necessary maintenance and repairs and the Licensee

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agrees to pay to the District, on demand, the cost or expense which shall be reasonably expended or incurred by the District for such purposes. The District shall give reasonable written notice to the Licensee and allow Licensee a reasonable opportunity to perform the necessary maintenance and repairs or other work prior to the District's performing such maintenance, repair or other work except that in cases of emergency the District shall attempt to give such notice as reasonable under the circumstances. Nothing in this paragraph shall create or support any claim of any kind by Licensee or any third party against the District for failure to exercise the options stated in this paragraph, and Licensee shall indemnify, hold harmless and defend the District from any claims made against the District arising out of or relating to the terms of this paragraph except for claims arising solely out of the negligence or fault of the District.

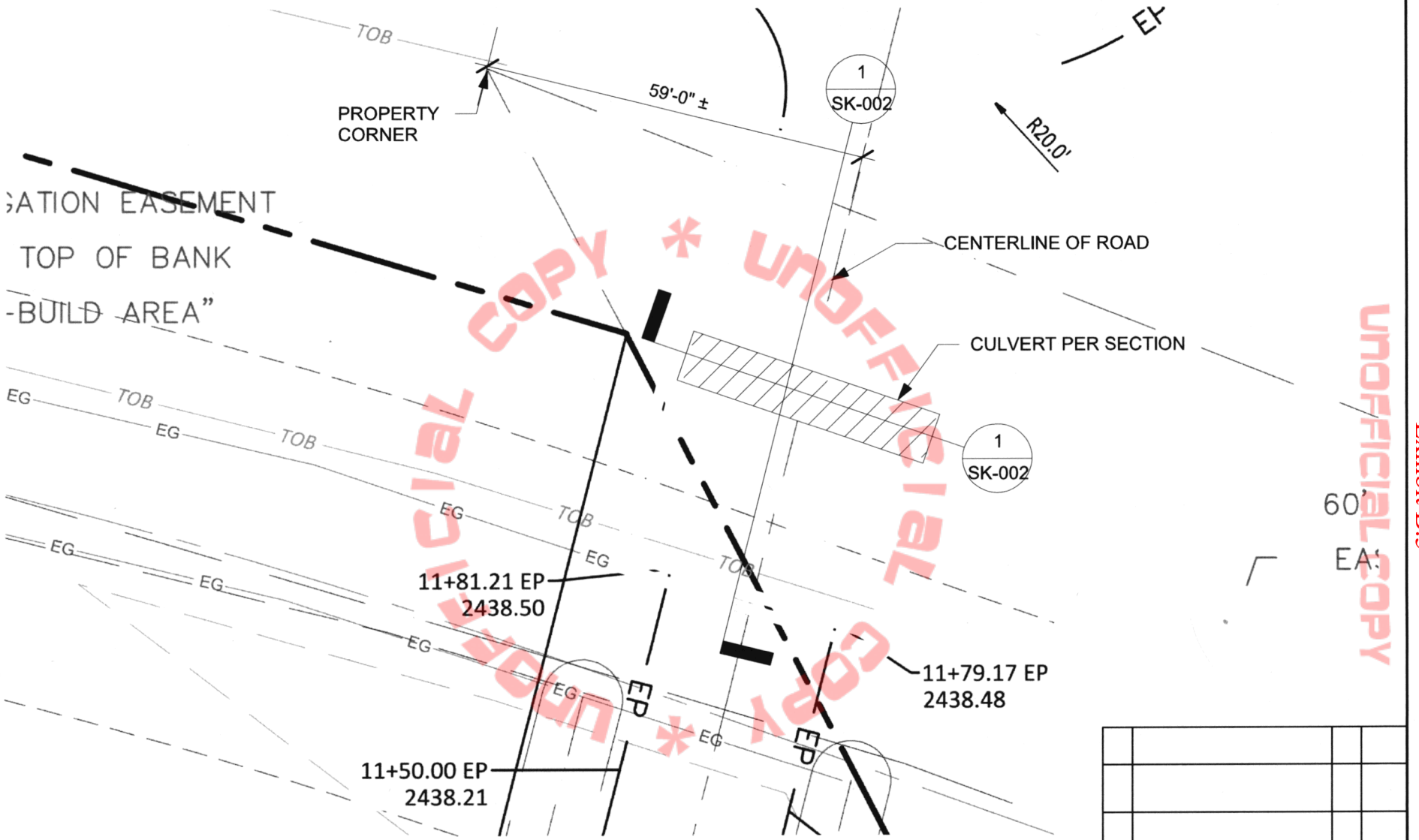
d. Licensee acknowledges and agrees that should any encroachments need to be removed in order for the District to access, operate, maintain or repair the drain, it shall be Licensee's obligation and cost of removing or replacing the encroachments. Licensee further agrees that the District shall not be liable for any damages which shall occur to the improvements or other encroachments in the reasonable exercise of the rights of the District in the course of performance of maintenance or repair of the drain.

e. Construction authorized by this Agreement shall be completed one year from the date of this Agreement. Time is of the essence.

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REV:	DESCRIPTION:	BY:	DATE:

AMENDMENTS:

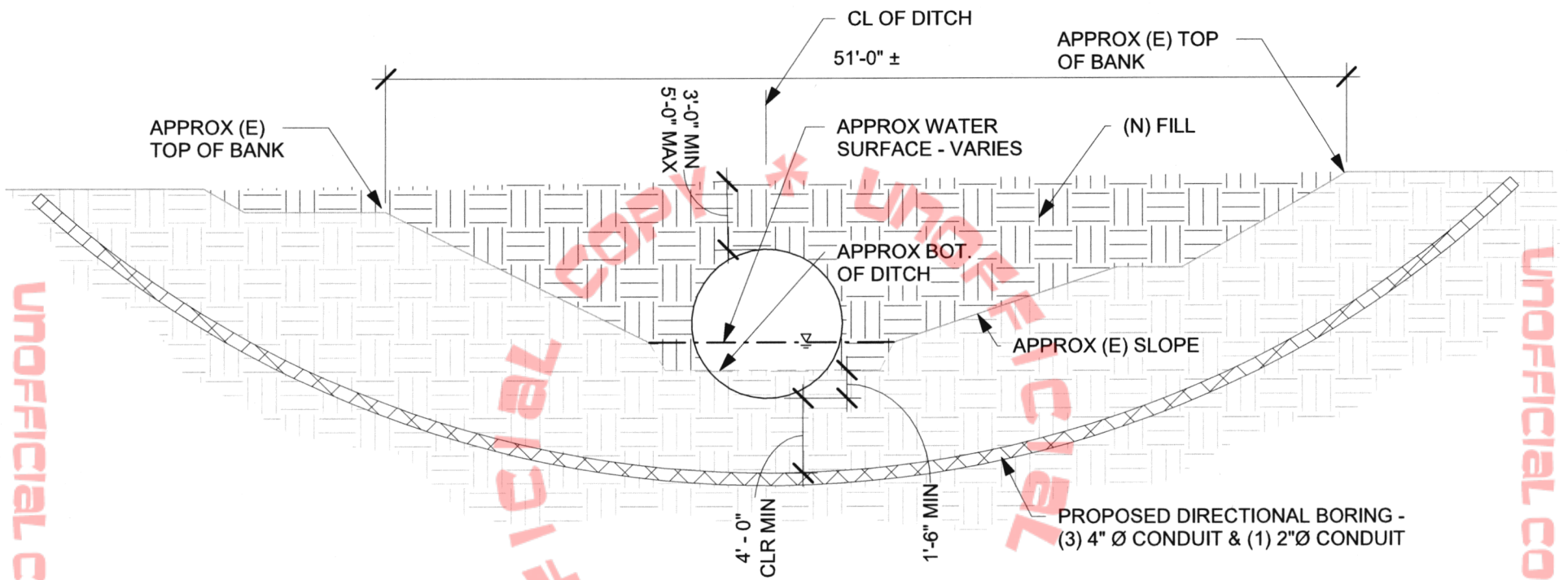
SITE: 7718 ELKO ROAD, MIDDLETON, IDAHO 83644	SK-001 DRAWING NO.		PROJECT NO.	03/04/21 DATE.
TITLE: CULVERT PLAN	SCALE AT A4.	MS DRAWN.	KS CHECKED.	REVISION.

SLAZAS/GATTI CULVERT AT ELKO ROAD

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Exhibit B.5 Page 1
Exhibit B.5

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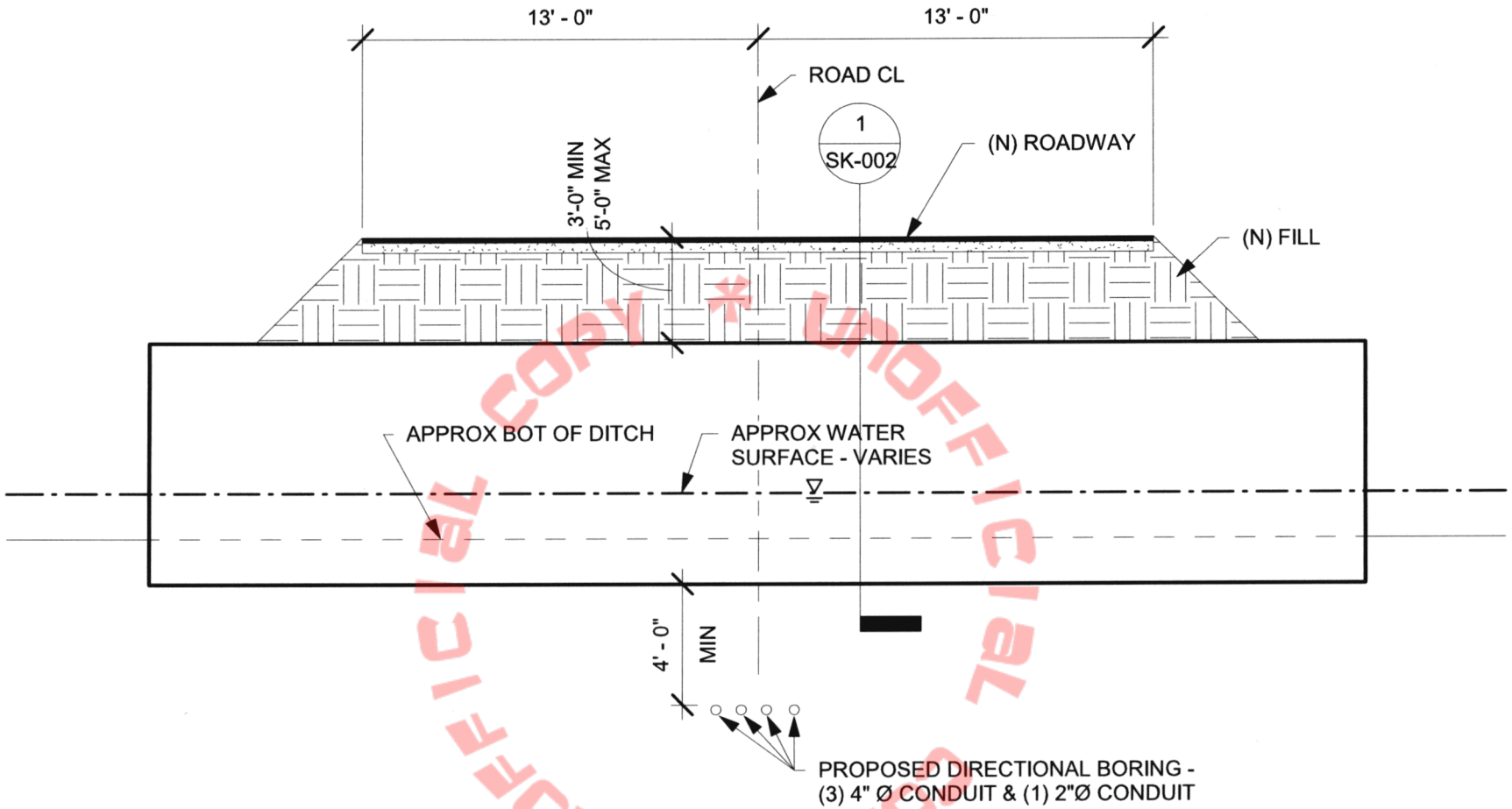
REV:	DESCRIPTION:	BY:	DATE:

AMENDMENTS:

SITE: 7718 ELKO ROAD, MIDDLETON, IDAHO 83644	SK-002 DRAWING NO.		PROJECT NO.	03/04/21 DATE.	SLAZAS/GATTI CULVERT AT ELKO ROAD
TITLE: CULVERT TRANSVERSE SECTION	SCALE AT A4.	MS DRAWN.	KS CHECKED.	REVISION.	

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Exhibit B.5
Exhibit B.5
Exhibit B.5 Page 2

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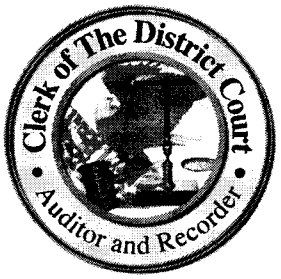
REV:	DESCRIPTION:	BY:	DATE:

AMENDMENTS:

SITE: 7718 ELKO ROAD, MIDDLETON, IDAHO 83644	SK-003 DRAWING NO.		03/04/21 DATE.	SLAZAS/GATTI CULVERT AT ELKO ROAD
TITLE: CULVERT LONGITUDINAL SECTION	SCALE AT A4.	MS DRAWN.	KS CHECKED.	REVISION.

Exhibit B.5 Page 3
Exhibit B.5

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2020-040278
RECORDED
07/22/2020 02:37 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=6 PBRIDGES $25.00
TYPE: AGR
EMPIRE TITLE, LLC, AN IDAHO LIMITED
ELECTRONICALLY RECORDED

Canyon County Recorder's Office

Cover Page

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SHARED ROADWAY AND MAINTENANCE AGREEMENT

The Shared Roadway and Maintenance Agreement dated this 6th day of July, 2020 by Mark Neice and Michelle Bennett-Neice; Lynda Friesz-Martin and Brian Martin; Kevin Slazas and Kim Slazas; and Craig Lee and Susan Lee on behalf of Lee Family Trust and collectively referred to as Users.

Background of Agreement

Users are owners of adjacent properties in the city of Middleton, Canyon County, ID. Mark Neice and Michelle Bennett-Neice are the owners of the property known as Lot 5 Block 1, Blue Heron Subdivision. Lynda Friesz-Martin and Brian Martin are owners of the property known as Lot 4, Block 1, Blue Heron Subdivision. Kevin Slazas and Kim Slazas are the owners of Lot 3, Block 1, Blue Heron. Craig Lee and Susan Lee AKA: Lee Family Trust are the owners of proposed Sage Creek Subdivision (7927 & 7783 Elko Lane) that adjoins Blue Heron.

The Users own properties that abut each other and have access *to* Kingsbury Road, Middleton, ID. There is a common roadway known as Elko Lane that serves all three lots of Blue Heron and proposed Sage Creek (7927 & 7783 Elko Lane) for access to Kingsbury Road to access and exit referenced properties. Elko Road includes maintenance of the culvert bridge crossing Drainage District 2, #10 waterway that provides access to all or some portion of the Lots 3, 4, and 5 and the north side of the proposed Sage Creek Subdivision. The Users have determined that it is in their mutual interest to have executed and recorded an agreement for sharing the costs of maintenance and repair of the roadway. The purpose of this Agreement is to place into writing the mutual rights and obligations of the users of the jointly used driveway.

Agreement

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

1. Grant of Easement. Each party grants to the other a permanent easement over and across their respective properties for the purpose in ingress and egress to their adjoining properties.

2. Sharing of Costs and Expenses. The parties shall share the expenses as follows: Mark Neice, Michelle Bennett-Neice; Lynda Friesz-Martin, and Brian Martin; Kevin Slazas and Kim Slazas; Craig Lee and Susan Lee AKA: Family Trust and his/her successors and assigns shall pay equal expense for the maintenance and repair of the roadway that is jointly used that extends from Kingsbury Road, Middleton, ID which joins east on Elko Lane, Middleton, ID and extends to lots 3, 4, 5 of Blue Heron and proposed Sage Creek Subdivision.

   If the cost of repairs exceeds $500.00, three bids are required. In the event that the portion of Elko Lane owned by Lee Family Trust is vacated, Craig Lee and Susan Lee, Lee Family Trust, and the proposed Sage Creek Subdivision ensure that access be provided through Sage Creek Lane to Kingsbury Road (see 11 on attached preliminary plat map of Sage Creek Subdivision) to

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remaining portion of Elko Lane, and the cost of construction and maintenance of the new roadway through the proposed Sage Creek subdivision is the responsibility of Craig Lee and Susan Lee, Lee Family Trust, and the proposed Sage Creek subdivision. Upon completion of Sage Creek Lane through proposed Sage Creek Subdivision, owners of the Blue Heron Subdivision parcels vacate responsibility to maintain the portion of Elko Lane owned by Lee Family Trust, and or assigned and assume no responsibility for maintaining Sage Creek Lane and simultaneously, the owners of the Sage Creek Subdivision vacate responsibility to maintain the portion of Elko Lane retained by owners of Lots 3, 4, and 5.

Weed Abatement. Each party is responsible for controlling and eliminating weeds on a continual basis and maintaining aesthetic appearance of the roadside and creek side of Ada Drainage Ditch owned by each party.

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

This Agreement dated this 9th day of July, 20 20.

Mark Neice Lot 5, Block 1

Michelle Bennett-Neice Lot 5, Block 1

Brian Martin Lot 4, Block 1

Lynda Friesz-Martin Lot 4, Block 1

Kevin Slazas – Lot 3, Block 1

Kim Slazas – Lot 3, Block 1

Craig Lee AKA Lee Family Trust - Sage Creek

Susan Lee AKA Lee Family Trust - Sage Creek

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STATE OF: Idaho)

COUNTY OF Ada)

On this 10 day of July , in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared Brian Martin and Lynda Friesz-Martin known or identified to me (or proved to me on the oath of ....), to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Nanette R

Notary Public for Idaho
Residing at: Nampa
My commission expires: 5/2/2025

NANETTE ROBINSON NOTARY PUBLIC COMM. No. 14678 STATE OF IDAHO

STATE OF: Idaho)

COUNTY OF Ada)

On this 9 day of July , in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared Craig Lee ~~and Susan Lee~~ known or identified to me (or proved to me on the oath of ....), to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Nanette R

Notary Public for Idaho
Residing at: Nampa
My commission expires: 5/2/2025

NANETTE ROBINSON NOTARY PUBLIC COMM. No. 14678 STATE OF IDAHO

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STATE OF: Idaho)

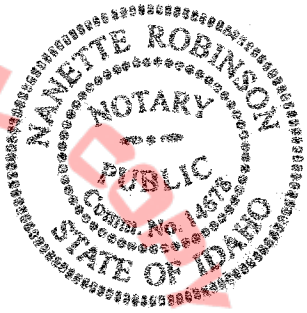
COUNTY OF Ada)

On this 10 day of July , in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared Mark Neice and Michelle Bennett-Neice known or identified to me (or proved to me on the oath of ....), to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Nanette Robinson

Notary Public for Idaho
Residing at: Nampa
My commission expires: 5/2/2025



STATE OF: Idaho)

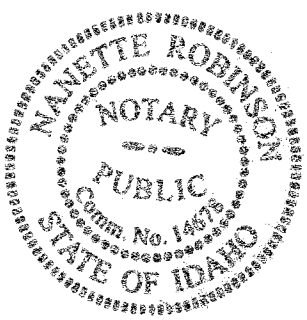
COUNTY OF Ada)

On this 10 day of July , in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared Kevin Slazas and Kim Slazas known or identified to me (or proved to me on the oath of ....), to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Nanette Robinson

Notary Public for Idaho
Residing at: Nampa
My commission expires: 5/2/2025



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STATE OF: Idaho)
COUNTY OF Ada)

On this 10 day of July, in the year of 2020, before me the undersigned Notary Public in and for said State, personally appeared Susan Lee known or identified to me (or proved to me on the oath of ....), to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Notary Public for Idaho
Residing at: Nampa
My commission expires: 5/2/2025

NANETTE ROBINSON NOTARY PUBLIC COMM. NO. 14678 STATE OF IDAHO

UNOFFICIAL COPY

EXHIBIT C

Site Visit Photos: December 3, 2025

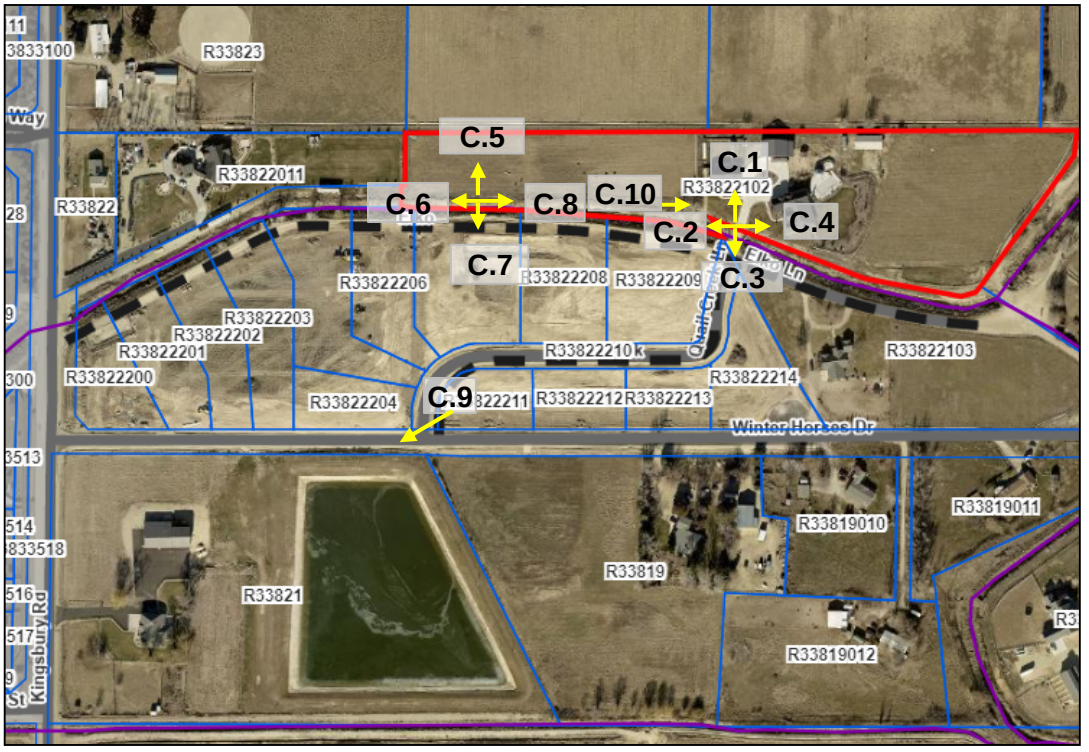
Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

Exhibit C

KEY	NAME: Slazas	CASE #: RZ2025-0004



N

Exhibit: C
RZ2025-0004
Site Visit Photos:
December 3, 2025

Exhibit C

EXHIBIT: C.1



Facing Property from Elko Ln.

EXHIBIT: C.2



Irrigation Ditch Facing West

Exhibit C

EXHIBIT: C.3



Qual Creek Ln,
Facing South

EXHIBIT: C.4



Facing East

Exhibit C

EXHIBIT: C.5



EXHIBIT: C.6



Exhibit C

EXHIBIT: C.7



EXHIBIT: C.8



Exhibit C

EXHIBIT: C.9



EXHIBIT: C.10



EXHIBIT D

Agency Comments Received by: April 6, 2026

Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

Karla Nelson

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Friday, June 13, 2025 2:07 PM
To: Karla Nelson
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice RZ2025-0004 / Slazas
Attachments: Pre.Development.Notes.Signed.10.07.2024.pdf

Hi Karla,

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? **No approvals for septic systems have been considered at this time.**
3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and the nearby city? **There are no concerns with the use or request for rezoning if the applicant can meet all SWDH requirements.**

Please see the attached pre-development notes from 10/07/2024.

Please let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

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

Anthony Lee, RS/BS | Land Development Senior

o 208.455.5384 | c 208.899.1285 | f 208.455.5300

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

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, June 13, 2025 11:38 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'lriccio@hwydistrict4.org' <lriccio@hwydistrict4.org>;

Pre-Development Meeting

Name of Development: Kevin Slazzar/7718 Elko Ln
Applicant: Kevin Slazzar
P.E./P.G.:
All others in Attendance:

EHS #'s 035 Date 10/17/24

Number of Lots or Flow: 2 Acreage of Proposed Development: 1.25 (each parcel)
Location of Development: 7718 Elko Ln
Middleton, ID 83644
Parcel # R33822102 0

Project in Area of Concern: _____ Groundwater/Rock <10' >5'
Level 1 NP Necessary for N: No

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

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

Additional Comments: Applicant discussed with SWDH the proposal for a land division of an existing 8.11 acre parcel into two (2) 1.25 acres parcels within the Blue Heron #2 Subdivision. There is an existing septic system on 7718 Elko Ln. There is a lateral that spans west to east of the two (2) proposed 1.25 arce parcels. Septic systems may not be allowable on the proposed parcels due to horizontal separation distances from the lateral to the proposed drainfield areas. Options for a wastewater incinerator were discussed along with the potential of granting an easement on to property with an existing septic system (7718 Elk Ln). Soils indicated B-1 sandy loam and A-2b loamy sand. Groundwater monitoring may be required before issuing permits if the land division is approved and applicant wants to move the process forward in obtaining septic permits. No approvals have considered by SWDH at this time. 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

Karla Nelson

From: Caitlin Ross
Sent: Tuesday, June 17, 2025 9:44 AM
To: Karla Nelson
Subject: FW: [External] RE: Agency Notice RZ2025-0004 / Slazas

FYI – thanks!
-Caitlin

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Tuesday, June 17, 2025 9:32 AM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Subject: [External] RE: Agency Notice RZ2025-0004 / Slazas

Hello,

After careful review of the transmittal submitted to ITD on June 13, 2025 regarding, RZ2025-0004/Slazas, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study nor does it pose any safety concern. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ Niki.Benyakhlef@itd.idaho.gov.

Thank you
Mila Kinakh
D3 Planning and Development
Administrative Assistant



From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, June 13, 2025 11:38 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'lriccio@hwydistrict4.org' <lriccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'irrigation.mm.mi@gmail.com' <irrigation.mm.mi@gmail.com>; 'drain.dist.2@gmail.com' <drain.dist.2@gmail.com>; 'bryce@sawtoothlaw.com' <bryce@sawtoothlaw.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>;

Boise Office
Golden Eagle Building
1101 W. River St., Ste. 110
Boise, Idaho 83702
Tel. (208) 629-7447

Challis Office
1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office
213 Canyon Crest Drive
Suite 200
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559

SAWTOOTH LAW OFFICES, PLLC

David P. Claiborne
S. Bryce Farris
Evan T. Roth
Daniel V. Steenson
Andrew J. Waldera
Kelsea E. Ross
Brian A. Faria
Thomas M. Larsen
Patxi Larrocea-Phillips
Katie L. Vandenberg-Van Vliet
James R. Bennetts
(*retired*)

Tuesday, June 17, 2025

Canyon County Development Services Department
Attn: Karla Nelson
111 North 11th Avenue, #310
Caldwell, Idaho 83605
Sent via email: ***Karla.Nelson@canyoncounty.id.gov***

Re: Case No. RZ2025-0004/7718 Elko Ln, Middleton - Slazas property

Dear Ms. Nelson:

Lemp Lateral, Inc. and the Middleton Mill Ditch Company and Middleton Irrigation Association (collectively referred to as "Ditch Companies") have ditches and easements that run through or abuts this property. The easement is 25 feet each side from the top of bank. The developer must contact the Ditch Companies' attorneys, Sawtooth Law Offices, PLLC, for approval before any encroachment, change of easement, or drainage discharge into Ditch Companies' facilities occur. The Ditch Companies must review drainage plans and construction plans prior to any approval.

The Ditch Companies generally require a License Agreement prior to any approval for the following reasons:

1. Relocation of a facility which would also require a new easement and relinquishment of the old easement once the relocation has been completed.
2. Piping of a facility.
3. Encroachment on a facility with gas, water and sewer lines, utility lines, roadways, bridges or any other structures.
4. Drainage discharges into any facilities.

SAWTOOTH LAW
OFFICES, PLLC

Also, please be advised that the Ditch Companies approve of trees within their easements. Therefore, any existing trees within easement will need to be removed. On occasion, the Ditch Companies may make an exception on a case-by-case basis, which requires the developers/owners to obtain written permission from the Ditch Companies for existing trees to remain.

Please contact me if you have any questions.

Yours very truly,

Sent without signature
to avoid delay

S. Bryce Farris

SBF:krk
cc: Lemp/MM-MI

Karla Nelson

From: Gloria Stokes <irrigation.mm.mi@gmail.com>
Sent: Monday, March 16, 2026 10:17 AM
To: Karla Nelson
Subject: Re: FW: [External] Agency Notice RZ2025-0004 / Slazas

Hi Karla,
This is Gloria, representing Lemp Lateral, Inc.
As far as we are aware, this property, 7718 Elko Ln., has access to surface water.
Additionally, the water is attached to the land, and with the split, the current owner is responsible to ensure that the new parcels also have access to the surface water.
I hope this makes sense and that this information is useful to you.
Regards,

Gloria Stokes, Secretary
Canyon Hill Ditch Co.
Lemp Lateral Association, Inc.
Newman Ditch Co.
Foothill Ditch Co.
Pollard Lateral

P.O. Box 848
Middleton, ID 83644
Email: irrigation.mm.mi@gmail.com
Phone: 208-671-7911

On Thu, Mar 12, 2026 at 3:19 PM Karla Nelson <Karla.Nelson@canyoncounty.id.gov> wrote:

> Hello,
>
> Thank you for your attached comments regarding this upcoming rezone application for Parcel R33822102. I'm curious if the applicant has access to surface irrigation water from the adjacent ditch/ditches. The applicant land use worksheet checked none for irrigation water, but I wanted to confirm that no surface irrigation water is available.
>
> Thank you,

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

Brad Little, Governor
Jess Byrne, Director

June 23, 2025

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

Subject: Agency Notice RZ2025-0004 / Slazas

Dear Ms. Nelson:

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 new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

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

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 D.4

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

TELEPHONE 208.454.8135
FAX 208.454.2008

June 30, 2025

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

RE: RZ2025-004 Rezone from Agricultural to R-1 Residential
Canyon County Parcel R33822102 aka 7718 Elko Lane
aka Lot 3 Block 1 Blue Heron Subdivision

Dear Commissioners:

Highway District No. 4 has reviewed the application for Rezone of the above described parcel R33822102 from Agricultural to R-1 Residential and offers the following comments on the proposed use:

General
The subject property consists of approximately 8.11 acres located east of Kingsbury Rd in the SW 1/4 Sec 2 T4N R2W. The subject property has no public road frontage. The subject property has access granted by plat of Solitude Creek Subdivision to Winter Horses Drive (public) via Quail Creek Lane (private). The applicants have indicated they intend to create an additional 2 residential lots (for a total of 3) on the subject property.

Access
The existing Quail Creek Lane (private) approach to Winter Horses Drive meets current HD4 standards for private road access, and is acceptable for use for the proposed residential development.

Transportation Impacts:
The proposed 2 additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. Traffic impacts from the new development will be mitigated by collection of transportation impact fees at the time of building permit issuance.

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

Respectfully,

Chris Hopper, P.E.
District Engineer

File: Kingsbury Rd- RZ2025-004 Slazas Rezone

Karla Nelson

From: Letson, Leon <LLetson@idahopower.com>
Sent: Friday, March 13, 2026 10:15 AM
To: Karla Nelson
Cc: Caitlin Ross
Subject: [External] Agency Review Request - RZ2025-0004

Hi Karla,

There is an old Idaho Power easement that crosses the subject property (see below). I would recommend the applicant pursue a relinquishment of this easement (attached). Below is a link to our website for information on how you can go about this relinquishment.

Easement Services - Idaho Power



Thanks,

Leon Letson
FACILITY SITING COORDINATOR
Idaho Power | Economic & Community Development
Office 208-388-5224 | Cell 509-859-3723
idahopower.com

IDAHO POWER LEGAL DISCLAIMER

This transmission may contain information that is privileged, confidential and/or exempt from disclosure

Bowen

INSTRUMENT NO 716144 ·

Exhibit D6.1

Idaho Power Company
POWER LINE EASEMENT

IDAHO POWER COMPANY, GRANTEE
P. O. BOX 70
BOISE, IDAHO 83721

Dec

L Bowen and Judy Bowen

his wife, Grantor(s), of Canyon County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, with the right to permit the attachment of the wires and fixtures of other companies or parties, over, on and across the following premises, belonging to the said Grantor(s) in Canyon County, State of Idaho, in the following location, to-wit:

THE N½ OF NE¼SW¼SW¼ OF SECTION 2, T.4N., R.2W, B.M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 7th day of March, 1973

Judy Bowen

Dee L. Bowen

STATE OF Idaho }
County of CANYON } ss.

On this 7 day of March, 1973, before me, ALVIN H. Moses a Notary Public, personally appeared Dee L. Bowen & Judy Bowen and , known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

Alvin H. Moses
Notary Public, residing at Middleton, Idaho
Commission expires MARCH 21, 1973

(Notarial Seal)

OVER

503 3M 9-72

42-334-413

Exhibit D6.1

8

Exhibit D6.1

STATE OF .....
County of ..... } ss.

On this ..... day of ....., 19....., before me, ...
a Notary Public, personally appeared ..... and
..... and, to me personally known, who being duly sworn, did say that
they are respectively the ..... President and the ..... Secretary of the corporation that executed the within
instrument, and acknowledged to me that such corporation executed the same as the free act and deed of said corporation.

.....
Notary Public, residing at .....
(Notarial Seal) Commission expires ....., 19.....

7 1 6 1 4 4

FILED
OCT 12 10 36 AM '73
WALTER FRY
CANYON COUNTY RECORDER
BY Bev Funk

RECORDED
AT THE REQUEST OF
IDAHO POWER COMPANY
IN
OF
FEE 1.00

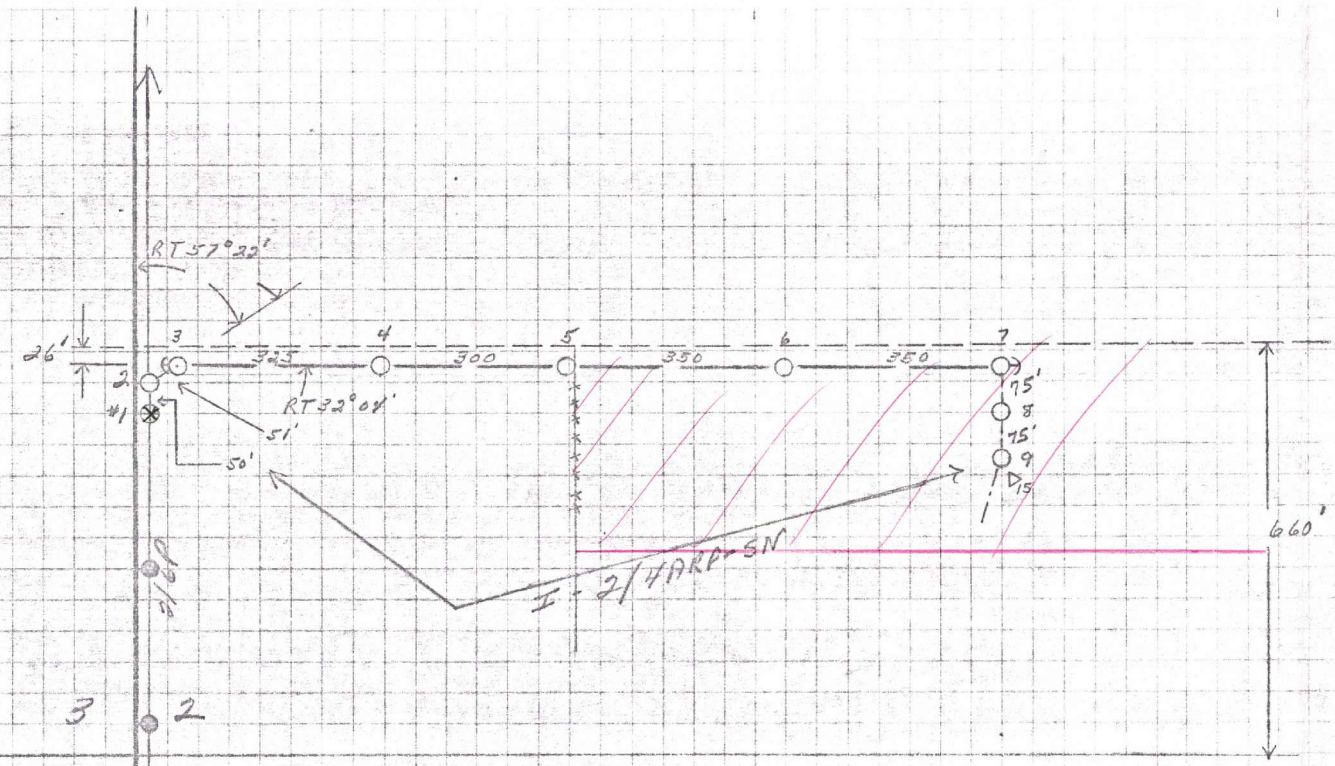
Dee A. Bowen
Return to

IDAHO POWER COMPANY

Recorded	
Compared	
Ind. Direct	BP
Ind. Reverse	BP
Bk. & Pg. D.	
Bk. & Pg. R.	
Assigned	
Released	

BHG
Exhibit D6.1

Dee L Bowen, etux



Graphic Scale 0 200 400

CLASS & TAX DIST.	P.	POLE	WIRE	V

JOB LOCATION: FIELD CALDWELL DIST. OFFICE CALDWELL

Description DEE BOWEN - SINGLE PHASE PRIMARY EXT. (2.3KV) TO SERVE A E HOME

VOLTAGE: Const. 12.5 Op. 4KV FEEDER CODE & NO. L5NG012-1

	BY	DATE	STATE	COUNTY	DIST. NO.
Prepared	DEO	2/28/73	IDA	CANYON	31
Completed					
Gen'l. Off. Plat'g. PR			SEC.	TWP.	RGE.	MERID.
Gen'l. Off. Plat'g. Fdr.			2	4N	2W	BM
Gen'l. Off. Plat'g Disp.						

R/W PERMISSION: Govt. ☐ Pvt. ☑ RR ☐ Hwy. ☐ J.U. ☐

Plat Map Number Z-2875-10

Feeder Map Number 24D18506

Work Order No.: Function 42 Location 33 Work Order 413

IDAHO POWER CO. WORK ORDER MAP SHEET 1 OF 1

FORM 511 2M 4-72

Exhibit D6.1
Exhibit D6.1

Karla Nelson

From: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>
Sent: Thursday, March 12, 2026 12:06 PM
To: Karla Nelson
Subject: [External] re: Legal Notice RZ2025-0004 / Slazas - 7718 Elko Ln, Middleton
Attachments: NEW - P&Z Rezone full political agency notice.pdf

Karla,

The site is not located in the floodplain therefore I have no comments.



I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.

Thank you,
Maureen O'Shea, CFM
Floodplain Specialist
Idaho Dept. of Water Resources
322 E. Front Street, PO Box 83720,
Boise, ID 83720-0098
Office # 208-287-4928
Cell # 208-830-4174
Maureen.OShea@idwr.idaho.gov
https://www.idwr.idaho.gov/floods/

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Thursday, March 12, 2026 9:53 AM
To: Jackson, Peter <Peter.Jackson@idwr.idaho.gov>; O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>;
Subject: Legal Notice RZ2025-0004 / Slazas

Dear Agencies,

Your agency is being notified pursuant to the Local Land Use Planning Act, Idaho Code 67-6509, to all political subdivisions providing services within the planning jurisdiction of Canyon County, including school districts and media. A copy of the application can be found on our Land Hearings website at Land Hearings | Canyon County.

Karla Nelson

From: Keaton Massie <kmassie@ccparamedics.com>
Sent: Friday, March 6, 2026 9:43 PM
To: Karla Nelson; Michael Stowell
Subject: [External] Re: RZ2025-0004
Attachments: R33822102 Response Time 2.pdf; R33822102 Response Time.pdf

Hello Karla,

Attached is the response time map for this parcel. https://arcg.is/1SW0H01 I also attached two pdf files with the response times.

If you have any questions, please do not hesitate to reach out!

Thank you,
Capt. Massie

From: Karla Nelson <Karla.Nelson@canyoncounty.id.gov>
Sent: Wednesday, March 4, 2026 8:45 AM
To: Keaton Massie <kmassie@ccparamedics.com>; Michael Stowell <mstowell@ccparamedics.com>
Subject: RZ2025-0004

Hello,
We have a conditional rezone request going to the planning and zoning commission on April 16. They are always interested in emergency response times. Since we originally sent the notice, the applicant has elected to make the request a conditional rezone so that the commission will be able to add conditions to the development agreement. The proposed conditions will limit the future division into three lots, and the two new lots that are proposed to be 1.25 acres in size to the west of the existing home will be prohibited from secondary residences. The property is located at 7718 Elko Lane, Parcel # R33822102.

Thank you for any comments you can provide!

All the best,

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

Exhibit D.8

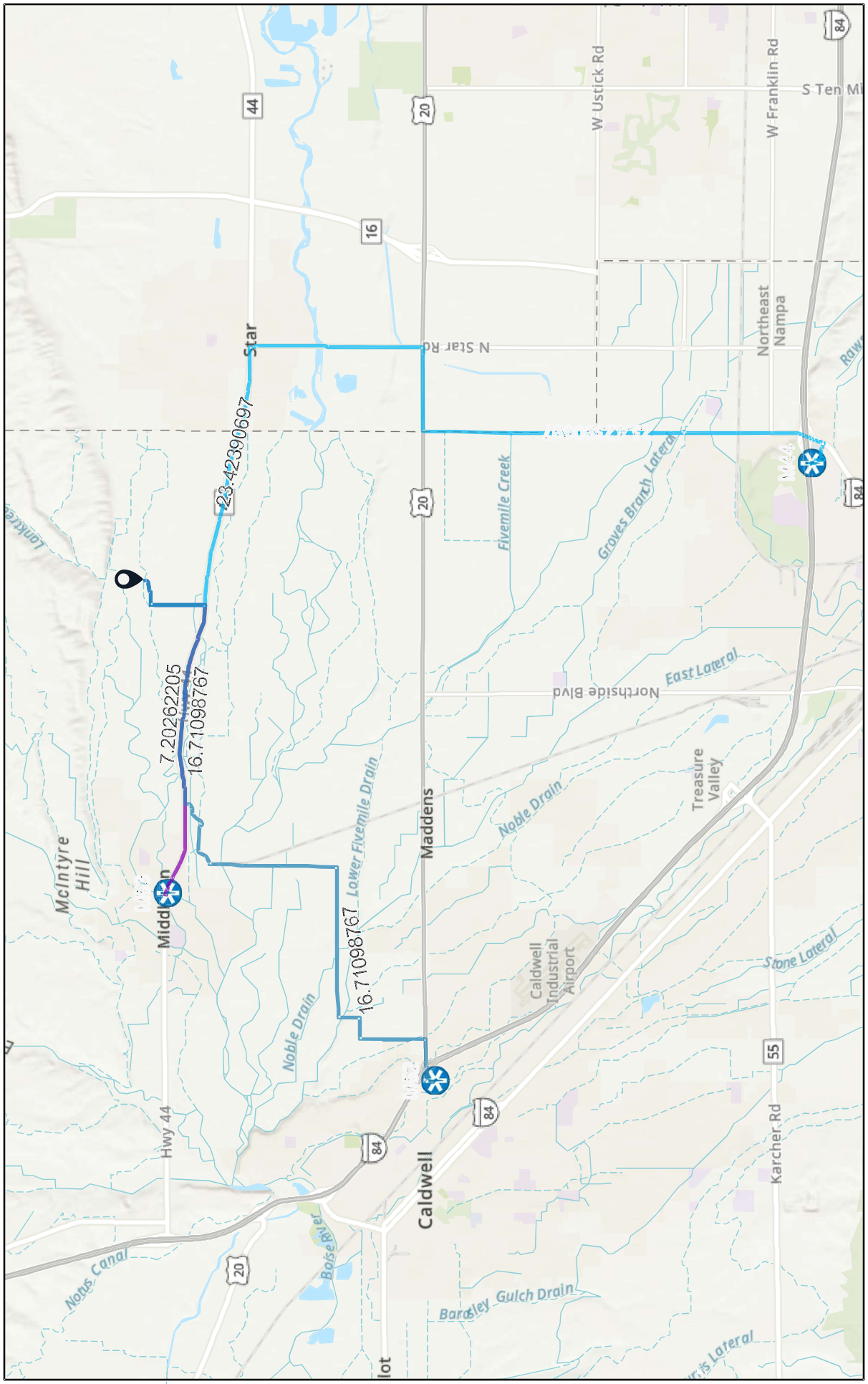


Exhibit D.8

EXHIBIT E

Public Comments Received by: April 6, 2026

Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

Karla Nelson

From: A C <[redacted]>
Sent: Monday, April 6, 2026 1:51 PM
To: Karla Nelson
Subject: [External] Public Comment -- Case No. RZ2025-0004 | Slazas Rezone, 7718 Elko Lane

To: Karla Nelson (Principal Planner at Canyon County Development Services Department)

Dear Ms. Nelson,

My name is Arlene Custock, and my husband Curt and I are the owners of Lot 7, Block 1 of Solitude Creek Subdivision (Parcel 33822206 0, NNA Quail Creek Lane, Middleton). We purchased this lot with the intention of building our retirement home there. This is not a casual investment for us. It is where we are planning to spend our retirement years, and we want to make sure we understand what we are moving next to.

Our neighbors have both been following this rezone case carefully and have shared the relevant information with us. Based on those conversations, and after reviewing what I could on my own, I have some concerns I would like to be included in the public record for Case No. RZ2025-0004.

Please be assured, I am not opposed to the Slazas having plans for their property. I understand that people want to do things with their land, and I respect that sense of freedom. I simply want to make sure that what is approved is well thought through, because whatever gets built across that canal will become our neighbors and part of our living environment in for the rest of our lives.

From what I have been told and what I have been able to read, there may be a real problem with putting standard septic systems on the two proposed new lots. The county's health authority, Southwest District Health, apparently found that a sewer lateral runs through the area of both lots and that traditional septic may not be allowed there because of how close things are. As of their most recent formal comment last year, they had not approved any septic system for those lots.

The option that was brought up as an alternative is something called a wastewater incinerator. I had to look that up because I was not familiar with it. From what I understand, it is a system that burns waste, runs for several hours at a time, and can produce odor that neighbors may notice depending on the wind. This is not something we feel is acceptable right next to our home. If something like this were to be allowed, it would certainly become a nuisance and would impact air quality in the immediate area. This air pollution would not be acceptable. Additionally, it may affect the property values for the immediate area.

As someone who is planning to build my retirement home directly next door, I would really like to know before this rezone is approved whether there is actually a workable wastewater solution for those lots -- one that has been reviewed and confirmed by the health district, not just something the applicant plans to sort out later. This is certainly not an unreasonable request for us to make.

There is a second serious concern/question I'd like addressed. I understand that the only road access to the Slazas property runs across a private bridge and along a private lane that is shared between several property owners, including Craig Lee, who developed Solitude Creek. Adding two more homes to that road will increase traffic on it, and I have been told that the bridge and the access easement may not currently meet the county's width requirements for a road serving that many homes.

Exhibit E.1

I do not know all of the details, but it seems like this question should be considered and answered before an approval decision is made: *Is the access situation actually resolved? And have all the neighbors who share that road been part of the conversation?*

Mr. Lee put a great deal of care into designing Solitude Creek with rules that protect everyone's investment and quality of life -- things like restrictions on animals, fencing standards, home approval requirements, and limits on running certain businesses from residential properties. Those rules exist because neighbors living close together want some protections for their standard of living.

The new lots being proposed would sit directly across the canal from where Curt and I plan to live. I would feel much more comfortable knowing that those lots will be developed with some consistent standards, and that the development agreement being negotiated with the county includes reasonable use restrictions that reflect the character of the existing neighborhood that is already being developed and that we are moving into.

My husband, Curt, and I are both senior citizens and are planning a major life decision about where to retire. We are trusting that the county will make sure these important questions (and any other raised through this process) are answered before approving this rezone.

If those things have not been fully worked out yet, I would ask that the hearing be delayed until they are. This is a fair and reasonable request from an existing property owner who is planning to be a permanent neighbor to whatever gets approved.

Thank you very much for your time and for including this letter in the record.

Sincerely

Curt and Arlene Custock
Lot 7, Block 1, Solitude Creek Subdivision
NNA Quail Creek Lane, Middleton, ID 83644
(Current Mailing Address: 986 Calle Verde, Martinez, CA 94553)
Email: [redacted]

Case No. RZ2025-0004

Exhibit E.1

Karla Nelson

From: Chad Custock [redacted]
Sent: Monday, April 6, 2026 9:23 AM
To: Karla Nelson
Subject: [External] Public Comment – Case No. RZ2025-0004 | Slazas Rezone, 7718 Elko Lane

Public Comment – Case No. RZ2025-0004 | Slazas Rezone, 7718 Elko Lane

To Whom It May Concern,

My name is Chad Custock, and my wife Jennifer and I own the lot directly across the canal from the Slazas property -- Lot 8, Block 1 of Solitude Creek Subdivision (Parcel 33822207, NNA Quail Creek Lane, Middleton). We bought it because we love this area and we're genuinely excited about the neighborhood Craig Lee has been building out. We're hoping to break ground later this year with a target move-in around spring 2027. This isn't a speculative investment for us; it's where we're planning to live.

I'm not writing to try to stop the Slazas from doing something with their property. They seem like reasonable people and I understand wanting to create a couple of lots with their property. I've spent some time reading through the county's public hearing materials for this case, and I have some honest questions that I think deserve answers before the Commission recommends approval. I'd appreciate these being entered into the public record for Case No. RZ2025-0004.

1. Wastewater -- I'm not sure this is actually solved yet

The Slazas listed "Individual Septic" on their land use worksheet, but when I read the Southwest District Health pre-development notes from October 2024, it sounds like that may not actually work. SWDH found that an existing sewer lateral runs across both of the proposed new lots, and noted that traditional septic systems "may not be allowable" because of the separation distance problem. They also said groundwater monitoring might be required. As of June 2025, SWDH's formal comment was simply that "no approvals for septic systems have been considered at this time."

The alternative that came up in the SWDH meeting was a wastewater incinerator. I did some reading on those, and I'll be honest, I was surprised. Idaho DEQ's own guidance (Technical Guidance Manual Section 4.15) says incinerators should only be considered "after all other reasonable options have been explored." These aren't standard residential systems. They run burn cycles that last one to four hours, they're rated at 54 to 60 decibels during operation, and the EPA's own fact sheet acknowledges they're not odor-free. **I've read multiple accounts from users describing a singed-hair smell that can drift to neighboring properties depending on wind and atmospheric conditions. With our homes sitting right across the canal, that's not a trivial concern.**

If an incinerator is the plan, I'd want to know which specific model (Idaho DEQ only permits units listed in their approved table), whether a DEQ Permit to Construct is required, and whether anyone has actually assessed what that looks like for the neighbors directly across the water.

I think before a rezone is approved, SWDH should be able to say on the record that there is a specific, viable wastewater solution for each of those lots. Not something to figure out later.

2. Access -- the road situation seems genuinely complicated

I'm a party to the Shared Roadway and Maintenance Agreement (Instrument No. 2020-040278) that covers Elko Lane and Quail Creek Lane. That agreement was worked out between the Slazas, the Neices, the Martins, and the Lee Family Trust, and it runs with the land. Adding two more households to that road significantly changes things for everyone who signed that agreement, and as far as I know, none of us have been consulted about what that would look like.

Beyond the agreement question, the county's own planner pointed out in January 2026 that the access easement is only 30 feet wide and the bridge is about 35 feet, which is well short of the 50 to 60 feet the county requires for a private road serving three or more homes. When the Slazas were asked how they'd solve that, the answer was widening the bridge. But the attorneys for the ditch companies (Sawtooth Law, in a letter from June 2025) made clear that any bridge work requires a License Agreement from Lemp Lateral and Middleton Mill Ditch first. As of the last materials I could find, none of that had been arranged.

I think it's reasonable to ask: what exactly is the access plan, will the existing Shared Roadway and Maintenance Agreement need to be updated to reflect the additional users, and has any of this actually been worked out with the ditch companies?

3. Land Use -- What gets built there matters to us directly

Solitude Creek has a full set of recorded CCRs (Instrument No. 2025-030495) that govern what residents can do with their properties. The Blue Heron lots, including the Slazas' property, have very limited covenants and no real enforcement mechanism. The new lots would sit right across the canal from our homes.

I don't know what the Slazas intend to build, and for all I know, it would be perfectly fine. But without any deed restrictions beyond the lot count cap and the secondary dwelling prohibition in the development agreement, there's nothing preventing uses that could affect our quality of life: a dog kennel, livestock, intensive outdoor operations, or other things that are technically permitted in an R-1 zone but wouldn't be appropriate right next to a neighborhood with enforceable standards. It seems like this would be a reasonable thing to address in the development agreement.

To recap:

A) Has SWDH confirmed a specific, approved wastewater solution for each proposed lot?

B) If incinerators are involved, what are the impacts on adjacent neighbors, and has the DEQ permitting question been answered?

C) What is the actual access plan, and has it been approved by the ditch companies?

D) Will the existing road agreement need to be amended, and have the parties to it been included in that conversation?

E) Should the development agreement include use restrictions that reflect the character of the surrounding area?

If those questions don't have solid answers yet, I'd respectfully ask that the case be continued so the applicant has time to work through them. I don't think anyone benefits from approving a rezone that creates problems down the road that could have been addressed now.

Thank you for your time and for including this in the record.

Chad Custock

Lot 8, Block 1, Solitude Creek Subdivision NNA Quail Creek Lane, Middleton, ID 83644
(Mailing Address: 2597 W. Astonte Dr., Meridian, ID 83646)

[redacted]

Case No. RZ2025-0004

Exhibit E.2

Comments/Questions on rezoning Slazas property from Agriculture to Residential.

Case RZ2025-0004

Sewer

There is not enough distance anywhere on the property for an individual septic system. I understand that they will be required to enlarge and connect to the system that currently serves the two houses on that property or incinerate the waste, which poses additional concerns as pointed out in another correspondence.

Irrigation

The Land Use Worksheet prepared by Kevin and Kim Slazas does not specify how the two 1.25 acre lots will be irrigated. It is my understanding that the water rights will run to the HOA on a new subdivision and pressurized irrigation or specific irrigation wells must be provided. The irrigation is currently gravity/flood irrigation and the source of the water is the Lemp Lateral at the SE corner of the property. Also, who owns the water rights?

Roads

The existing bridge utilizing a culvert will need to be widened, further encroaching on private property.

Quail Creek Lane, a private road constructed by us and maintained by us, will see a practical increase of about 20%.

HOA Items

The applicant stated that the use would be consistent with the Solitude Creek Development.

- Will all the roadways all be paved?
- Will the HOA CCR's be consistent with Solitude Creek? For example, there are no animal restrictions specified in the land use worksheet but Solitude Creek specifically prohibits certain animals due to potential odor or noise issues with the neighbors. They also must approve the size and color of the homes and require approval of the placement and exterior design of the homes.

- No fencing is specified but the current property is enclosed by a barb wire fence. Solitude Creek specifies the type and location of fences allowed. In addition, the Irrigation District will require a fence at the boundary of the existing easement.
- The Non-Residential uses were not specified, does that mean there will be no businesses run from the homes requiring access by customers or employees? Solitude Creek prohibits certain types of businesses to be run from the homes and limits the hours and number of people that can visit the home daily.
- Will the current mailboxes for the Blue Heron subdivision that are currently on Solitude Creek Sub Lot 15 be required to replaced by one unit servicing all the homes on Elko Lane?

The Agency Acknowledgement signatures are 1.5 years old, hence no longer valid. I realize this was only an informal review and has no bearing on the actual approval. However, people reading the document may believe that the agencies “informally” support the application, when, in fact, there may be serious issues.

We obviously have other concerns about changes to our future quality of life, especially restricting or eliminating our view to the north. We also wonder why they are trying to split the parcel to their west rather than that to their east. That parcel would seem to allow individual septics due to its depth and allow the access road to run along the irrigation ditch across from the current road, Elko Lane, and not across the ditch from our yard and not block anyone’s current view, except possibly the Slazas’s. .

Thank you for your consideration,

Craig and Susan Lee
7794 Quail Creek Lane
Middleton, ID 83644
[redacted]

Karla Nelson

From: Ryan Mathews <[redacted]>
Sent: Monday, April 6, 2026 11:04 AM
To: Karla Nelson
Subject: [External] Public Comment – Case No. RZ2025-0004 | Slazas Rezone, 7718 Elko Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Public Comment – Case No. RZ2025-0004 | Slazas Rezone, 7718 Elko Lane

To Whom It May Concern,

My name is Ryan Mathews, and I am building on a lot in the Solitude Creek Subdivision adjacent to the Slazas property. I'm writing to express my support for the public comment submitted by Chad Custock regarding Case No. RZ2025-0004.

I'm not opposed to the Slazas creating a couple of lots from their property. But I do share the concerns Chad raised, particularly around wastewater, the potential for incinerators and the odor they produce, and the access and road agreement questions that don't appear to be resolved yet.

These seem like things that should have clear answers before the rezone moves forward, not after. I'd respectfully ask that the Commission ensure those issues are addressed before recommending approval.

Thank you for including this in the public record.

Ryan Mathews

Exhibit E.4

EXHIBIT F

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

Planning & Zoning Commission

Case# RZ2025-0004

Hearing date: April 16, 2026

PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of:
Kevin and Kimberly Slazas – RZ2025-0004

The Canyon County Planning and Zoning Commission considers the following:

1) Conditional Rezone of Parcel R33822102 from the "A" (Agricultural) zone to the "CR-R-1" (Conditional Rezone-Single-Family Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots and prohibiting secondary dwellings on the two (2) lots that are proposed to be approximately 1.25 acres in size.
2) Location: Case RZ2025-0004: The subject property is located at 7718 Elko Lane, Middleton, ID 83644 also referenced as Lot 3, Block 1 of Blue Heron Subdivision, a portion of the SW ¼ of Section 2, T4N, R2W, BM, Canyon County, Idaho

Summary of the Record

1. The record is comprised of the following:

   A. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2025-0004.

      1. All exhibits can be found in the case staff report dated April 16, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO §09-19-12 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).

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

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

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

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

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

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

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

The application, RZ2025-0004, was presented at a public hearing before the Canyon County Planning and Zoning Commission on April 16, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

Table 1. Conditional Rezone Standards of Evaluation

Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Analysis**
Yes	**1**	**Is the proposed conditional rezone generally consistent with the comprehensive plan?**
Analysis		The proposed zone change is generally consistent with the Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates the future land use of the parcel as "Residential" (**Staff Report Exhibit B2.4**). The parcel is located within the City of Star's Area of Impact, and Star's comprehensive plan designates the area for "Estate Urban Residential," which is defined as being suitable for single-family residential development with a maximum of 3 dwelling units per acre (**Staff Report Exhibit B2.5**). COMPASS forecasts residential growth of 116 households by the year 2050 for the associated Traffic Analysis Zone (TAZ 2113, **Staff Report Exhibit B2.11**). The 2030 Canyon County Comprehensive Plan states that the residential designation is for residential development and that residential development should promote compatibility with the existing agricultural activity. The requested CR-R-1 zone is listed as an applicable zoning district for the residential designation. The property is in a transitional area near the cities of Star and Middleton, in an area where residential zones and uses are common and planned (**Staff Report Exhibits B2.1, B2.3, B2.4, B2.5**). The request generally complies with the following goals and policies of the 2030 Comprehensive Plan: <u>Property Rights</u> The request was processed per the following laws and ordinances, Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures). • Goal 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." • Policy 1: "No person shall be deprived of private property without due process of law." • Policy 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." <u>Population Component</u>

	COMPASS forecasts an increase of 116 households over the next 25 years in Traffic Analysis Zone 2113, where the subject parcel is located (**Staff Report Exhibit B2.11**). Planned growth in the area supports the requested conditional rezone to single-family residential. • Goal 2: "Promote housing, business, and service types needed to meet the demand of the future and existing population." <u>Economic Development</u> • Goal 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability." <u>Land Use</u> The proposed conditional rezone limits development to three (3) residential lots with restrictions on secondary dwellings on two (2) of the lots. This limited scale aligns with nearby development and protects the rural character of the area while allowing for residential development in a defined growth area within the Star Area of Impact. The proposed site plan preserves grazing land on the east side of the property. • Policy 1.1: "Maintain a balance between residential growth and agriculture that protects the rural character." • Policy 1.2: "Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights. " • Goal 2: "Ensure that growth maintains and enhances the unique character throughout the County." • Goal 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning." • Policy 4.2: "Align planning efforts in areas of city impact." • Goal 7: "Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to the good quality of life. " • Policy 7.1: "Plan land uses that are compatible with the surrounding community." • Policy 8.1: "Protect and enhance the rural landscape as an essential feature of the County." <u>Housing</u> The proposed rezone will allow for two additional residential lots in an area where similar rezones and lot sizes have been approved and will not further fragment agricultural resources. • Goal 1: "Encourage opportunities for a diversity of housing choices in the County." • Goal 2: "Maintain the rural character of Canyon County while providing sufficient housing without fragmenting agricultural and natural resources."
Criteria Met? **Yes**	**2** **When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
Analysis	In consideration of the surrounding land uses, the proposed zone change to "CR-R-1" Single-Family Residential is more appropriate than the current zoning designation of "A" Agricultural. The parcel is located within Star's Area of Impact, where residential growth is anticipated. Residential development is further supported through Canyon County and Star's Future Land Use Maps, which both designate the area for residential land use (**Staff Report Exhibits B2.4 and B2.5**). Pursuant to Canyon County ordinance CCCO §07-10-25(3), the purpose of the "R-1" Single-Family Residential zoning district is to promote and enhance predominantly single-family living areas at a low-density standard. Proximity to the City of Star, the City of Middleton, nearby residential zoning and lot sizes, as well as recent land use cases, all demonstrate that the area is trending towards residential use and indicate that "CR-R-1" zoning is more appropriate than the current "A" Agricultural zone (**Staff Report Exhibit B2.1, B2.3, B2.4, B2.5, B2.12, and B2.13**).

The Lakes Subdivision within the City of Middleton is 0.15 miles from the subject property on the west side of Kingsbury Road and primarily contains lots less than one-acre in size (**Staff Report Exhibit B2.9**). There are 38 platted subdivisions within a one-mile radius of the subject property with an average lot size of 2.52 acres (**Staff Report Exhibit B2.8 and B2.9**). Solitude Creek Subdivision is located directly south of the subject property and has an average lot size of 1.10 acres (**Staff Report Exhibit B2.9**). The applicant has agreed to enter into a development agreement that will limit division of the property into three (3) residential lots and will prohibit secondary dwellings on two (2) of the lots. If the rezone is approved, the applicant's proposed subdivision will be commensurate with nearby properties and will result in two (2) lots of 1.25 acres and one 5.33-acre lot. Even without a development agreement, if the applicant were able to fully realize the full development potential of the R-1 zone, the allowable seven (7) approximately 1-acre lots could be considered transitional and consistent with development trends in the immediate vicinity (**Staff Report Exhibits B2.1, B2.3, B2.8, B2.9, B2.12, and B2.13**).

The surrounding area is a mix of "A" Agricultural, "R-R" Rural Residential, "CR-R-1" Conditional Rezone Single-Family Residential, "R-1" Single-Family Residential zoning, as well as property zoned within the City of Middleton and the City of Star (**Staff Report Exhibits B2.3 and B2.1**). The "CR-R-1" zoning directly south of the subject property has been in place since 2019 (RZ2018-0018).

Existing Conditions within a 1-mile Radius:

Direction	Existing Use	Adjacent Zone	Other Zone
N	**Agricultural and Residential Use**	**A**	**City of Star, R-R, CR-R1**
S	**Residential and Agricultural Use**	**CR-R1**	**A, C-1, R-R, City of Star**
E	**Residential and Agricultural Use**	**A**	**City of Star**
W	**Residential Use**	**A**	**City of Middleton, R-R, R-1, 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:
The following land use cases were submitted since 2019 and are located within one mile of the subject property.

- RZ2021-0020 – Rezone from "A" to "R-R"-Approved
- RZ2020-0016 – Rezone from "A" to "R-R" - Approved
- CR2022-0003 – Conditional rezone from "A" to "CR-R-1" – Approved
- SD2019-0006 – Monument Place Subdivision – Approved
- SD2020-0016 – Solitude Creek Subdivision – Approved
- SD2022-0046 – Vanwinkle Subdivision – Approved
- SD2019-0039 – Watt's Hollow Subdivision - Approved

Other:
RZ2018-0018 – Rezone from "A" to "CR-R-1" – Approved

The land use cases approved since 2019 demonstrate that the area is trending toward more residential use.

See further analysis located in section 07-06-07(6)A3 & A4.

Criteria Met?	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**
Yes		

Analysis

The proposed conditional rezone to "CR-R-1" is compatible with surrounding land uses.

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

Exhibit F

	of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses. The subject property is in the City of Star Impact Area and is a planned growth area designated for future residential use both within the county and the city's future land use maps (**Staff Report Exhibits B2.4 and B2.5**). The property is a transitional area between residential developments within the City of Middleton, unincorporated Canyon County, and the City of Star. There are still some agricultural fields in this transitional area, and one (1) feedlot is found within a one-mile radius of the property (**Staff Report Exhibits B2.2 and B2.6**). However, subdivisions with average lot sizes smaller than those proposed by the applicant are found directly south of the subject property and 760 feet to the west, in the Solitude Creek, Lakes Phase I, Lakes at Telaga Phase 1, and Crescent Lakes Subdivisions. The applicant's proposed average lot size is approximately 2.6 acres, compared to 1.1, 1.12, 0.44, and 0.3 acres, respectively (**Staff Report Exhibits B2.8 and B2.9**). The proposed development is not anticipated to interfere with nearby agricultural production, nor detract from established or planned residential uses. Adding two (2) new lots for a total of three from the subject property is consistent with residential use and characteristics of this area. The applicant has agreed to enter into a development agreement to ensure that the property is only divided into three (3) parcels and to prohibit secondary residences on the two (2) approximately 1.25-acre lots. The property currently contains a single-family residence and a secondary residence, which will be retained on an approximately 5.33-acre lot. The proposed conditions, along with the setbacks of the R-1 zone and the irrigation easement on the property, will ensure appropriate distances are maintained from adjacent properties and that the density of the development is compatible with surrounding land uses. See further analysis located in section 07-06-07(6)A2 & A4.
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone will not negatively affect the character of the area. Any necessary measures to mitigate impacts are detailed below. **Character of the Area** The surrounding area is characterized by residential and agricultural uses (**Staff Report Exhibit B2.1 and B2.3**). The property is in a transitional area between the cities of Star and Middleton, within the Star Area of Impact. Subdivisions with lot sizes smaller than those proposed are found directly to the south and approximately 760 feet to the west, across Kingsbury Road (**Staff Report Exhibits B2.8 and B2.9**). Fifteen-acre residential parcels with pastures and grazing land are found directly to the north. Larger, productive agricultural fields ranging in size from approximately 20 to 76 acres, without any residential use, are found approximately 450 feet to the east, 800 feet to the north, and 1,000 feet to the south. Much of the productive agricultural land to the north has been annexed into the City of Star and will likely be developed into residential subdivisions as envisioned in the City of Star Comprehensive Plan (**Staff Report Exhibits B2.3 and B2.5**). While the area still has productive agriculture, the rural character is transitioning to a suburban residential character as the cities of Star and Middleton grow near the subject property, approximately 800 feet to the north, 415 feet to the east, and 760 feet to the west (**Staff Report Exhibits B2.1, B2.3, B2.4, and B2.12**). **The following measures will be implemented to mitigate the impact** The applicant has agreed to enter into a development agreement to limit the future subdivision of the property into no more than three (3) lots and to prohibit secondary dwellings on two (2) lots that are proposed to be approximately 1.25 acres in size. With these restrictions in place, the proposal is not anticipated to negatively affect the character of the area, as only two new residences will be allowed in an area that is transitioning to residential use. The Planning and Zoning Commission could recommend additional conditions if deemed necessary.	
Criteria Met? **Yes**	**5**	**Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities, be provided to accommodate the proposed conditional rezone?**

Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone based on the analysis contained herein. **Sewer:** The applicant proposes individual septic systems on the two (2) new proposed lots (**Staff Report Exhibit A.4**). The lot that will retain the existing home and secondary residence is served by existing septic systems with a conjoined drainfield. Comments from Southwest District Health detail that there are no concerns with the request, provided the applicant can meet all SWDH requirements (**Staff Report Exhibit D.1**). SWDH pre-development meeting notes state that a lateral spans west to east of the two (2) proposed 1.25 parcels, and septic systems might not be allowable on the proposed lots due to separation distances from the lateral to the proposed drainfields (**Staff Report Exhibit D1.1**). Options to address sewer include a wastewater incinerator or granting of an easement onto the portion of the property with the existing septic system (**Staff Report Exhibit D1.1**). The proposal will require subdivision platting if the conditional rezone is approved, and at that time, the applicant will need to receive approval from Southwest District Health. **Water:** Per the applicant's land use worksheet, two (2) new individual domestic wells are proposed. The existing home and secondary residence are served by existing domestic wells. Notice was provided to the Idaho Department of Water Resources, but no comments were received. The property is not within a nitrate priority area (**Staff Report Exhibit B2.10**). **Drainage:** The applicant intends to retain drainage on site (**Staff Report Exhibit A.4**). **Irrigation:** According to the Lemp Lateral Association, surface irrigation water is available to the property, and the applicant intends to provide pressurized irrigation to the new lots (**Staff Report Exhibits D3.1 and A10**). Comments from Sawtooth Law Offices representing the Middleton Mill Ditch Company and Middleton Irrigation Association state that ditches and easements run through or abut the subject property. The easement is 25 feet from each side of the top of the bank. If the rezone is approved, the developer must contact the Ditch Companies' attorneys for approval before any encroachment, change of easement, or drainage discharge into Ditch Company facilities. The Ditch Company must review drainage plans and construction plans before subdivision approval (**Staff Report Exhibit D.3**). **Utility:** Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on June 13, 2025, and March 12, 2026. Comments from Idaho Power detail that an old Idaho Power easement crosses the subject property and that the applicant should pursue relinquishment of the easement (**Staff Report Exhibit D7**). No other agency comments from utility providers were provided 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 utilities needed.
Criteria Met? **Yes**	**6**	**Does the proposed zoning map amendment require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?**
Analysis	The proposed conditional rezone will not require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. Comments from Highway District No. 4 state that the proposed two additional residential lots are not anticipated to impact the existing or proposed transportation system significantly. Traffic impacts from the new development will be mitigated by the collection of transportation impact fees at the time of building permit issuance (**Staff Report Exhibit D.5**). The Idaho Transportation Department provided a comment stating that the application does not meet thresholds for a traffic impact study, nor does it pose any safety concern (**Staff Report Exhibit D.2**).	

Criteria Met?		
Yes	7	**Does legal access to the subject property for the zoning map amendment exist or will it exist at the time of development?**
Analysis	The subject property does have legal access for the zoning map amendment, and as conditioned, legal access will exist at the time of the development. See the review and analysis detailed below. The subject property has access granted in the Solitude Creek Subdivision Plat via a plat note to Winter Horses Drive (Public) via Quail Creek Lane, a 56-foot-wide private road lot (**Staff Report Exhibit D.5 and B.4**). Per a letter from the highway district, the existing Quail Creek Lane approach to Winter Horse Drive meets current standards for private road access and is acceptable (**Staff Report Exhibit D.5**). The proposed two (2) additional residential lots are not anticipated to significantly impact the existing or proposed transportation system. North of the access granted through the Solitude Creek Subdivision, there is an ingress-egress easement that provides direct access to the subject property over Parcel R33822103 and Drainage Ditch No. 10 along the subject property's southern boundary (**Staff Report Exhibit A.7 and B.6**). The applicant constructed a culvert with a license agreement from Drainage District No. 2 (**Staff Report Exhibit B.5**) to serve as the driveway for the existing home and secondary residence (BP2020-0763 and BP2020-0764). The culvert is approximately 37 feet at its narrowest. The existing culvert bridge serving the subject property is sufficiently wide to accommodate the required 20-foot all-weather driving surface for private roads serving 100 Average Daily Trips (ADT) or fewer. For access, in addition to the driving surface, Canyon County Code requires either an easement or frontage of 60 feet. The width may be reduced to 28 feet for a driveway or 50 feet for a private road within a subdivision when physical site characteristics justify the reduction and adequate access can still be provided. Canyon County's subdivision regulations also require that private roads serving three or more residential units be contained within a dedicated private road lot rather than within an easement. Easement and private road lot width requirements exceed the minimum roadway surface width to allow the highway district to assume jurisdiction over the roadway in the future, if necessary. Ideally, the applicant will be able to acquire a portion of Parcel R33822103 through a minor replat to provide sufficient width for a private road lot fully connected to Quail Creek Lane within the Solitude Creek Subdivision. However, because Parcel R33822103 is not included in the proposed subdivision, the private road lot will only be required on the portion of the access located on the subject property that serves more than two residences. The two new lots will be restricted from establishing secondary residences and, therefore, may be served by a shared driveway extending from the private road. The access easement across the ditch on Parcel R33822103 must be at least 50 feet wide. Instrument No. 2020-040278 states that each party to the agreement grants the other a permanent easement across their respective properties for ingress and egress to adjoining parcels. The agreement does not specify ingress-egress locations or easement widths (**Staff Report Exhibit B.6**). The applicant also provided a warranty deed that specifies a 30-foot ingress-egress easement (**Staff Report Exhibit A.7**). Access arrangements must be finalized before platting. If the applicant cannot demonstrate a 50-foot easement across the ditch, alternative access locations may need to be pursued.	
Criteria Met?		
Yes	**8**	**Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?**
Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts are detailed below. **Schools:** The subject property is served by Middleton School District No. 134. It is not anticipated that the proposal will have a negative impact on the district or that accommodation will be needed. Only two additional lots are requested, and secondary residences will be prohibited on the new lots. Agency comments were sent out on June 13, 2025, and March 12, 2026, and no comments were received by the school district.	

	Police: Parcel R33822102 is under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the parcel. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency comments were sent out on June 13, 2025, and March 12, 2026, and no comments were received by the Sheriff's Office. **Fire protection & Emergency Medical Services:** The subject property is under the jurisdiction of the Star Fire Protection District. Agency comments were sent out on June 13, 2025, and March 12, 2026, and follow-up requests for comment were sent on March 4, 2026, and March 18, 2026, but none were received. Emergency Medical Services are provided to the property. Canyon County Paramedics sent over estimated response times from three (3) different stations – Station M53 would be approximately 7.2 minutes, Station M52 would be approximately 16.7 minutes, and Station M44 would be approximately 23.4 minutes **(Staff Report Exhibit D8).** Should the conditional rezone be approved, platting as a residential subdivision is required. The Preliminary Plat will be provided for review and comments by all affected essential service agencies. The applicant does not propose any mitigation for school, police, fire protection, or emergency service impacts.

Table 2. Area of City Impact

CCCO §09-19-01: Star Area of City Impact (Plans and Ordinances/Map) Ordinance Applicable Ordinances and Standards: Within the Star area of city impact, the following ordinances apply, but the city of Star ordinances are subject to the waiver provisions in subsection (6) of this section.		
County Ordinance and Review		
Criteria Met?	**Code Section**	**Analysis**
Yes	**09-19-09**	**Applicable Ordinances and Standards**: (1) Canyon County zoning ordinance, as lawfully amended. (2) City of Star's subdivision ordinance, Title 8, Chapter 6, of the Unified Development Code, in the form existing as of January 1, 2022, or as may be amended, except for simple division (lot split) provisions and except for hearing procedures. The county's hearing procedures shall apply. (3) The following City of Star ordinances apply, even when in conflict with otherwise applicable county provisions: A. City road widths and profiles found in Title 8, Chapter 6, Article B of the City of Star Unified Development Code, in the form existing as of January 1, 2022, or as may be amended; B. Unified Development Code of the City of Star, Title 8, Chapter 8, Article D, "Star Landscape Ordinance", in the form existing as of January 1, 2022, or as may be amended. C. City of Star adopted Economic Corridors Access and Roadway Connection Management Plan ("ECMAP"), in the form existing as of January 1, 2022, or as may be amended. The ECAMP shall be given the same consideration as the adopted Canyon County functional classification map. (4) Except as set forth above, all other standards of applicable Canyon County codes and ordinances; and (5) For subdivisions and planned unit developments applied for in the Star area of city impact, Canyon County will require on the face of each final plat a certification line for execution by the City of Star engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signing the plat. (6) Waiver of City of Star Ordinance Provisions: The requirements listed in the Star ordinances, identified in subsections (2) and (3) of this section, may be waived by the Canyon County board of commissioners in its discretion. An applicant for such waiver bears the burden of persuasion and must specifically state the reasons why a waiver is necessary and prove said waiver will not cause an adverse effect to the health, safety and welfare of the community and

		that the requirements sought to be waived constitute an undue hardship. For the purpose of this section, increased financial expense associated with a requirement, by itself, does not constitute an undue hardship. Notice of the requested waiver must be given to the City of Star not less than thirty (30) days prior to the hearing on the waiver application. Any further notice on the proposed waiver will be provided to the City of Star at least seven (7) days prior to any public hearing. Written objections from the City of Star will be considered by the Canyon County commissioners. The application for waiver must show that prior to filing the application, the applicant first sought consent from the City of Star to the waiver, indicating the date of the request and the response, if any, from the city of Star. In granting any waiver, the county may impose any conditions the county deems necessary to help mitigate any adverse effect to the health, safety and welfare of the community. The application for waiver will first be considered by the Canyon County planning and zoning commission at a public hearing, which shall make recommendations to the Canyon County board of commissioners for their consideration at a public hearing. The public hearings held before the Canyon County planning and zoning commission and the Canyon County board of commissioners will be conducted in accordance with the notice and hearing procedures provided by subsections 07-17-09(4) and (5) of this code. (Ord. 22-003, 3-15-2022) **09-19-10 Zoning Ordinance Amendment Proposals**: All proposed amendments to the text and/or map of the Canyon County zoning ordinance or subdivision regulations, which may relate to the Star area of city impact, shall be referred by the county to the City of Star in the same manner as provided for in subsection 09-01-08(3) of this chapter. Any recommendation of the City of Star shall be considered in the same manner as provided for in subsection 09-01-08(3) of this chapter. (Ord. 22-003, 3-15-2022)
Analysis	**Area of City Impact:** Notification of the proposal was sent to the City of Star on June 13, 2025, and no comments were received. A representative from the City of Star did sign the agency acknowledgement form with the application (**Staff Report Exhibit A.6**). The City of Star Future Land Use Map designates the property for Estate Urban Residential use in the future (**Staff Report Exhibit B2.5**). Estate Urban Residential is defined in the City of Star Comprehensive Plan as being an area suitable primarily for single-family residential use. Densities in this land use area are a maximum of 3 dwelling units per acre. While the City of Star did not provide a comment, the proposed conditional rezone aligns with the use anticipated in the area.	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case # RZ2025-0004, a zoning map amendment of Parcel R33822102 (+/-7.83 acres).

DATED this _____ day of _____, 2026.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

_____
Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

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

Notary: _____

My Commission Expires: _____

ATTACHMENT A

CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use. Compliance with the following, but not limited to, affected agencies shall be met before the commencement of any use:
    a. Southwest District Health (**Staff Report Exhibit D.1 and D1.1**)
    b. Lemp Lateral and Middleton Mill Ditch Company and Middleton Irrigation Association (**Staff Report Exhibit D.3**)
    c. Highway District No. 4 (**Staff Report Exhibit D.5**)
    d. Idaho Power (**Staff Report Exhibit D**7)
2. The subject parcel, R33822102, shall be subdivided in compliance with Chapter 7, Article 17 of the Canyon County Code of Ordinances (CCCO), subject to the following restrictions:
    a. The parcel shall be divided into a maximum of three lots.
3. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited on future development on the two new lots proposed to be approximately 1.25 acres in size.
4. The request shall comply with CCCO §07-06-07(4) Time Requirements: “All conditional rezones for a land use shall commence within two (2) years of the approval of the board.”