



Director's Decision - AD2025-0020
Administrative Land Division &
Easement Reduction –
Canyon County Code of Ordinances
§07-18-05, §07-18-07 & §07-10-03(1)D

Canyon County Development Services Department

Recorder's Tag:

CASE NUMBER: AD2025-0020
PARCEL NUMBER: R37724
PROPERTY OWNER: Ted & Tammy Arnzen
APPLICANT/REPRESENTATIVE: T.J. Willard
ANALYST: Arbay Mberwa, Associate Planner

EXHIBITS:

- A. Letter of Intent
- B. Record of Survey
- C. Site Plan
- D. Contour map
- E. PI2024-0078
- F. Email Correspondence
- G. Slope Map
- H. Notus-Parma Highway District No. 2
- I. Unidentified Parcel

DECISION: **DENIED – see page 6.**

REQUEST:

The applicant, T.J. Wellard, representing property owners, Ted and Tammy Arnzen requests an administrative land division of parcel R37724 (the subject parcel) (zoned "A" (Agricultural), approximately 79.36 acres). The division would create two (2) residential parcels, one (1) agricultural-only parcel, and the balance, which is unidentified (**Exhibit B & I**). The request includes an easement width reduction from 60' to 28' on proposed parcel one (1). The applicant also requests a private road name. *See case file RD2025-0003 for the application and supporting information related to the private road.*

Parcel 1: Approx. 8.87 acres (with residential building permit available)
Parcel 2: Approx. 1.16 acres (with residential building permit available)
Parcel 3: Approx. 30.12 acres (agricultural-only)
Parcel 4: Approx. 35.19 acres (unidentified; balance parcel does not meet §07-18-17(2))

PROPERTY HISTORY:

According to PI2024-0078, parcel R37724 (the subject parcel) consists of two (2) separate original parcels due to Government Lot 2 (crosshatched in the diagram below) being located within the subject parcel (striped in the diagram below) (**Exhibit E**). The land division application was submitted on February 18, 2025 and a revised letter of intent and record of survey was submitted on February 5, 2026 to divide the parcel.



Legend:

Crosshatched = Government Lot 2 -original parcel (approx. 3.96 acres)

Striped = Subject property -original parcel (approx. 75.4 acres).

FINDINGS:

Table 1. Administrative Land Divisions – Application and Process: CCCO §07-18-05

Compliant			County Ordinance and Review	
Yes	No	N/A	Code Section	Criteria
☒	☐	☐	07-18-05(1)	The following shall be provided with all applications for land divisions pursuant to this Article: A. Application; B. Fees; C. Site plan showing all lots and access locations; D. An irrigation plan (if applicable); E. Proof that any required conditions of county approvals are met (if applicable)
			Analysis	A complete application was accepted on February 18, 2025, and revised on February 5, 2026 (Exhibit A & B).
☒	☐	☐	07-18-05(2)	Parcels divided pursuant to this Chapter with slopes greater than fifteen percent (15%) shall not be disturbed without an engineered grading and drainage plan consistent with section 07-17-33(1)C.
			Analysis	The subject property contains slopes over 15% according to the USGS slope map (Exhibit G). Hillside development requirements apply in areas with slopes greater than 15%.
☐	☒	☐	07-18-05(3)	The subject property shall be in compliance with the public nuisance ordinance (chapter 2, article 1 of this code), the building code (chapter 6 of this code), and this chapter before the director can approve the application.
			Analysis	The subject property complies with the public nuisance ordinance (Chapter 2, Article 1 of the Canyon County Code) and the building code (Chapter 6). The subject property complies with the zoning code. However, the applicant's request does not align with the zoning code (Chapter 7). The applicant is requesting additional building permits/land divisions that the subject property is not entitled to via the administrative land division process. <i>See table 2 code section 07-18-</i>

				07(2) for details. There are no known code violations or previous conditions on the property.
☒	☐	☐	07-18-05(4)	Notification of the application shall be provided to the applicable fire and highway districts and shall provide such districts a period of fifteen (15) calendar days from the date of notice to submit comments concerning the application.
			Analysis	Notus-Parma Highway District No. 2 and Middleton Fire District were noticed on April 10, 2025. - Notus-Parma Highway District No. 2 submitted a comment stating that any new approaches to the public roadway shall meet highway district standards and conditions. Additionally, the current approach shall be improved to a commercial approach with a paved apron (Exhibit H). - Middleton Fire District did not submit a comment within the 15-day time period.
☐	☐	☒	07-18-05(5)	Pre-approval Decision: the following shall be provided after receiving pre-approval of the site plan from director. A. Record of Survey with metes and bounds descriptions of all lots that shows access from each parcel complies with the requirements of section 07-10-03: of this chapter, and that includes all existing and necessary easements;
			Analysis	A draft survey, along with metes and bounds descriptions of all lots showing access in compliance with §07-10-03 was included in the application (Exhibit B). A pre-approval decision was not granted due to the request being inconsistent with CCCO §07-18-07(2).
☐	☒	☐	07-18-05(6)	Decision: A. If the application meets the requirements of this section, the director may approve the division. The director may attach conditions to the approval if applicable. B. If the request is approved, the director shall issue a letter of approval setting forth the details and requirements of the division.
			Analysis	The application does not meet the requirements of section 07-18-05(3) & (5) per the above analysis. This document is the letter of denial and includes actions the applicant may take to gain approval. <i>See the Decision Section.</i>

Table 2. Administrative Division in Agricultural Zones: CCCO §07-18-07

Compliant			County Ordinance and Review	
Yes	No	N/A	Code Section	Criteria
☒	☐	☐	07-18-07(1)	Purpose: The regulations of this section allow for a division of a parcel in an agricultural zone without being subject to the subdivision regulations as set forth in article 17 of this chapter.
			Analysis	The subject parcel is zoned “A” (Agricultural). It falls under 07-17-03(3)E as “land that is divided into no more than four (4) from the original parcel in accordance with Article 18 of this chapter” per the Property History section of this document and is therefore not subject to the subdivision regulations (Chapter 7, Article 17).
☐	☒	☐	07-18-07(2)	Standards: The proposed division of original parcels created prior to September 6, 1979, shall be allowed in accordance with the following:
				Less than 80 acres
				1 division (2 residential parcels)
				80 to 119 acres 2 divisions
				2 divisions (3 residential parcels)
				More than 120 acres
				3 divisions (4 residential parcels)

			A. The proposed parcels created and its remnant shall be at least one (1) acre in size. B. An additional parcel designated as agricultural only and at least five (5) acres in size may be created in accordance with this article and subject regulations in accordance with article 10 of this chapter.
		Analysis	A. The request creates two (2) residential parcels greater than the minimum one (1) acre lot size requirement for each parcel in the “A” (Agricultural) zone (Exhibit B). B. The request additionally creates a 30.12 acre agricultural-only parcel in accordance with 07-18-07(2)B by meeting the minimum lot size requirement. The agricultural only parcel does not provide for a building permit or entitlements. • Per 07-18-07(2) the subject property is less than 80 acres therefore, has one (1) division available creating two (2) residential parcels and the opportunity to create an agricultural only parcel at least five (5) acres in size. • The requested land division creates four (4) parcels (Exhibit J): - o Two (2) residential parcels. - o One (1) agricultural-only parcel. - o One (1) parcel that is unidentified (neither as a residential or agricultural-only parcel) as the balance. The balance of the subject parcel is approximately 35.19 acres (Exhibit I). The map is a 'RECORD OF SURVEY' for a portion of the SE 1/4 NW 1/4 of Section 2, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho. It shows a large parcel labeled 'Govt Lot 2' and a smaller parcel labeled 'Parcel 4' with an area of approximately 35.19 acres. Handwritten notes in blue and red ink are present: 'Can't be its own separate parcel as it doesn't meet Canyon County Code (07-18-07(2)) * It can be adjusted to 40 ac and be designated as Ag only', 'Separate original Parcel (1 division and 2 building permits).', 'Agricultural only Parcel', and 'Residential parcels'. The map includes a legend, a north arrow, and a scale of 1" = 200'. A surveyor's seal for CASH IRISH is visible in the bottom right corner.
			The subject property is not entitled to the number of land divisions the applicant is requesting via the administrative land division process (Exhibit F & E). • According to PI2024-0078, Staff concluded parcel R37724 consists of two (2) original parcels based on deeds and available information at the time. See <i>Property History</i> section for details. • The applicant disagrees with staff's findings on the number of original parcels the subject property consists of stating “parcel R37724 consists of three (3) original parcels” due to the aliquot parts (Exhibit F).

				- Staff directed the applicant to submit an Entitlement Verification application to have the property history re-evaluated to determine the number of land divisions/building permits Parcel R37724 is entitled to, however the applicant refused (Exhibit F). Aliquot sections are not considered separate original parcels. - Aliquot is defined as “the length of one side of a quarter-quarter section ($\frac{1}{16}$). The one-sixteenth ($\frac{1}{16}$) section contains forty (40) acres, more or less” in CCCO 07-02-03. - Staff gave the applicant the opportunity to modify the application to meet the code requirement by designating the unidentified parcel as an agricultural only parcel if it can meet the minimum 40 acre size requirement (in accordance with CCCO §07-17-03(3)A). Alternative options the applicant may take to comply with code requirements were offered, but the applicant disputed staff findings resulting in the denial of this case. - If the applicant wishes to create additional parcels, it may be achieved by dividing Government Lot 2 as it is an original parcel with two (2) building permits available, if divided in accordance with Canyon County Code of Ordinance. Alternatively, the applicant may pursue a different land division process to obtain additional land divisions such as a nonviable land division or a building permit transfer.
☒	☐	☐	07-18-07(3)	Once an administrative land division has been approved in the agricultural zoning district, there shall be no other administrative land divisions from that land regardless of ownership of any of the land involved except as permitted by this Article. Previously approved divisions in the agricultural zoning district may be amended to provide for divisions of the original parcel that were entitled pursuant to Chapter 7 Article 18 but not taken when the first division was approved.
			<i>Analysis</i>	This is the first administrative land division request from the land since the date of originality, September 6, 1979. Parcel R37724 consisting of two (2) separate original parcels (one (1) parcel under approx. 3.96-acres as Government Lot 2 and the subject parcel approx. 75.36-acre) is eligible for divisions in accordance with CCCO §07-18-07 according to Exhibit E.

Table 3. Easement Reduction

Private Road and Driveway Requirements (07-10-03(1)D) Width Reduction: The width of a parcel's road frontage, easement, or private road may be reduced by the Director if the reduction demonstrates all of the following:				
Compliant			County Ordinance and Review	
Yes	No	N/A	Code Section	Criteria
☒	☐	☐	D.1	Will the proposed reduction provide adequate access?
			<i>Analysis</i>	The applicant is requesting an easement reduction from 60' to 28' along the east boundary line of proposed parcel 1 (Exhibit A & B). The requested 28' wide easement will provide adequate access to serve proposed parcel 2. The driveway will need to be built in accordance with CCCO 07-10-03 which is 12 feet; therefore, the easement width can provide adequate access to meet County requirements.
			D.2	Do physical characteristics of the site require a width reduction?

☐	☒	☐	Analysis	There does not appear to be evidence of a physical characteristic of the property requiring an easement reduction from 60 feet. According to the applicant the proposed 28' easement reduction is required to place structures in the best location near the access point of the driveway to reduce building costs (Exhibit F). However, there is adequate space to locate a structure on the property without encroaching into a 60' wide easement. Parcel one (1) is proposed to be 8.8-acres. There are no physical characteristics such as slopes or landscaping that warrant an easement reduction down to 28' (Exhibit B & G).
☒	☐	☐	D.3	Would approval of the request cause injury, damage, or a safety hazard?
			Analysis	Approval of the request is not anticipated to create injury, damage, or safety hazards as the 28' easement will provide ample space for access to proposed parcel 2 (Exhibit F). The driveway would need to meet construction requirements per CCCO 07-10-03.

DECISION:

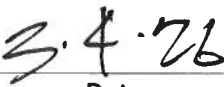
The application for the described administrative land division and easement reduction in accordance with CCCO §07-18-05, §07-18-07 and §07-10-03(1)D is **DENIED**.

To gain approval the applicant shall comply with §07-18-07(2) by resubmitting an administrative land division requesting the number of land division(s)/building permits the subject property is entitled to via the appropriate application. See **Exhibit F** for details.

- The applicant may submit an Entitlement Verification application to determine the number of land divisions/building permits Parcel R37724 is entitled to.

Per CCCO §07-18-05(7): Appeal by Affected Person: Any affected person who is aggrieved by the decision may file a written notice of appeal in accordance with section 07-05-07 of this chapter.

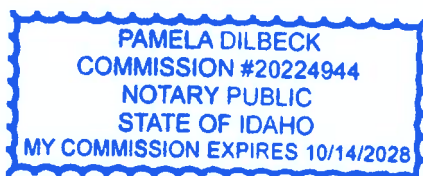

Dan Lister, Planning Supervisor


Date

State of Idaho) SS

County of Canyon County)

On this 4th day of March, in the year of 2026, before me Pamela Dilbeck, a notary public, personally appeared Dan Lister, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.



Notary: Pamela Dilbeck

My Commission Expires: 10/14/2028



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

Exhibit A

February 10, 2025

Ted Arnzen
Job No. OC0424
Letter of Intent

Canyon County Development Services,

We are requesting an administrative land division of parcel R3772400000 described in Warranty Deed instrument number 2023018139. Since this parcel is more than one original parcel per Canyon County code, we are more specifically dividing the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho. We are requesting to create two new parcels with residential building permits shown as Parcel 1 and 2. Access to the new parcels is an existing driveway under a 60 foot easement described in Inst. No. 2020032215 from public road Hollow Road. Part of this request is to name this easement a private road according to County Code with the preference being Irish Lane. The only owners who have access to this private road are Antonio B. Silva and Cash L. Irish.

Once this easement ends we are creating a new easement along the East boundary of Parcel 1 to give access to Parcel 2. We are requesting this easement shown as Easement #1 on the survey to be reduced to 28 feet wide as it is only accessing one residential parcel and it will not continue through Parcel 2 to access any other land.

The remainder of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ shown as Parcel 3 is going to be accessed across the owners adjacent parcels R3773100000 and R3773101000. This easement is along the north boundary of those parcels and is called Easement #2. Parcel 3 will be an agricultural only parcel under Canyon County code 7-18-07 2(A).

Parcel 1 and 2 do not have any surface irrigation water rights. Parcel 3 is currently irrigated via pivot. The irrigation system for Parcel 3 will remain unchanged. There are no slopes greater than 15% on either new parcel.

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

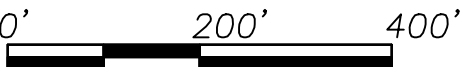
Respectfully submitted,

T.J. Wellard, PLS
Skinner Land Survey

RECORD OF SURVEY

A PORTION OF THE SE 1/4 NW 1/4 OF SECTION 7,
TOWNSHIP 5 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

Exhibit B



Scale: 1" = 200'

LEGEND

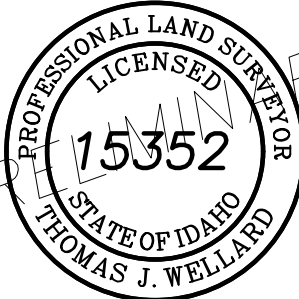
- BRASS CAP MONUMENT - FOUND
- ALUMINUM CAP MONUMENT - FOUND
- 5/8" REBAR - FOUND
- 5/8" x 24" REBAR - SET
- 1/2" x 24" REBAR - SET

- PROPERTY BOUNDARY LINE
- SECTION/ALIQUOT PART LINE
- FENCE LINE

Surveyor's Narrative:
This survey was performed at the request of Cash Irish to divide the parcel as shown. Section control was located, verified with record data and held as shown. The W 1/4 corner and the N1/16W corner were reestablished by single proportion. At the W 1/4 corner the G.L.O. monument was found lying on the ground within one foot of the proportioned point. It appears it was torn out and set back down where it was torn out. A limited topographic survey was performed on Parcel 1 and 2 and no slopes greater than 15% were found. The basis of bearing for this survey was established by GNSS observations, projected to the Idaho State Plane Coordinate system, West Zone, NAD83 datum. All bearings shown are on grid azimuth and all distances are ground at project elevation.

CERTIFICATION

I, Thomas J. Wellard, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.



INDEX No. 534-7-3-0-0-00-00
INDEX No. 534-7-4-0-0-00-00

SURVEY FOR:
CASH IRISH

Drawn By: TJW
Date: Nov. 12, 2024
Surveyed By: TJW
Job No. OC0424

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

Govt Lot 2

SE1/4NW1/4

Parcel 3
1,312,011 SqFt
30.120 Acres
*THIS PARCEL IS AGRICULTURAL ONLY.
NO BUILDING PERMITS ARE AVAILABLE
WITHOUT JURISDICTIONAL APPROVAL.*

Parcel 1
386784 SqFt
8.879 Acres

Parcel 2
50862 SqFt
1.168 Acres

LINE TABLE

NO	BEARING	LENGTH
L1	N88°58'36"W	77.00'
L2	N25°42'20"W	109.91'
L3	N6°25'22"W	71.60'
L4	N18°37'13"W	64.77'



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

AFFIDAVIT OF LEGAL INTEREST

I, Ted G. Arnzen (name) [REDACTED] (address)
[REDACTED] (city) [REDACTED] (state) [REDACTED] (zip code)

being first duly sworn upon oath, depose and say:

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

T.J. Wellard (name) [REDACTED] (address)

to submit the accompanying application pertaining to the subject property.

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

Dated this 2 day of December, 20 24.

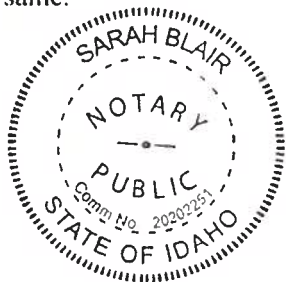
Ted G. Arnzen
(signature)

STATE OF IDAHO)

ss

COUNTY OF CANYON)

On this 2 day of December, in the year 20 24, before me Sarah Blair ss
a notary public, personally appeared Ted G. Arnzen, 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: Sarah Blair

My Commission Expires: 06/15/2026

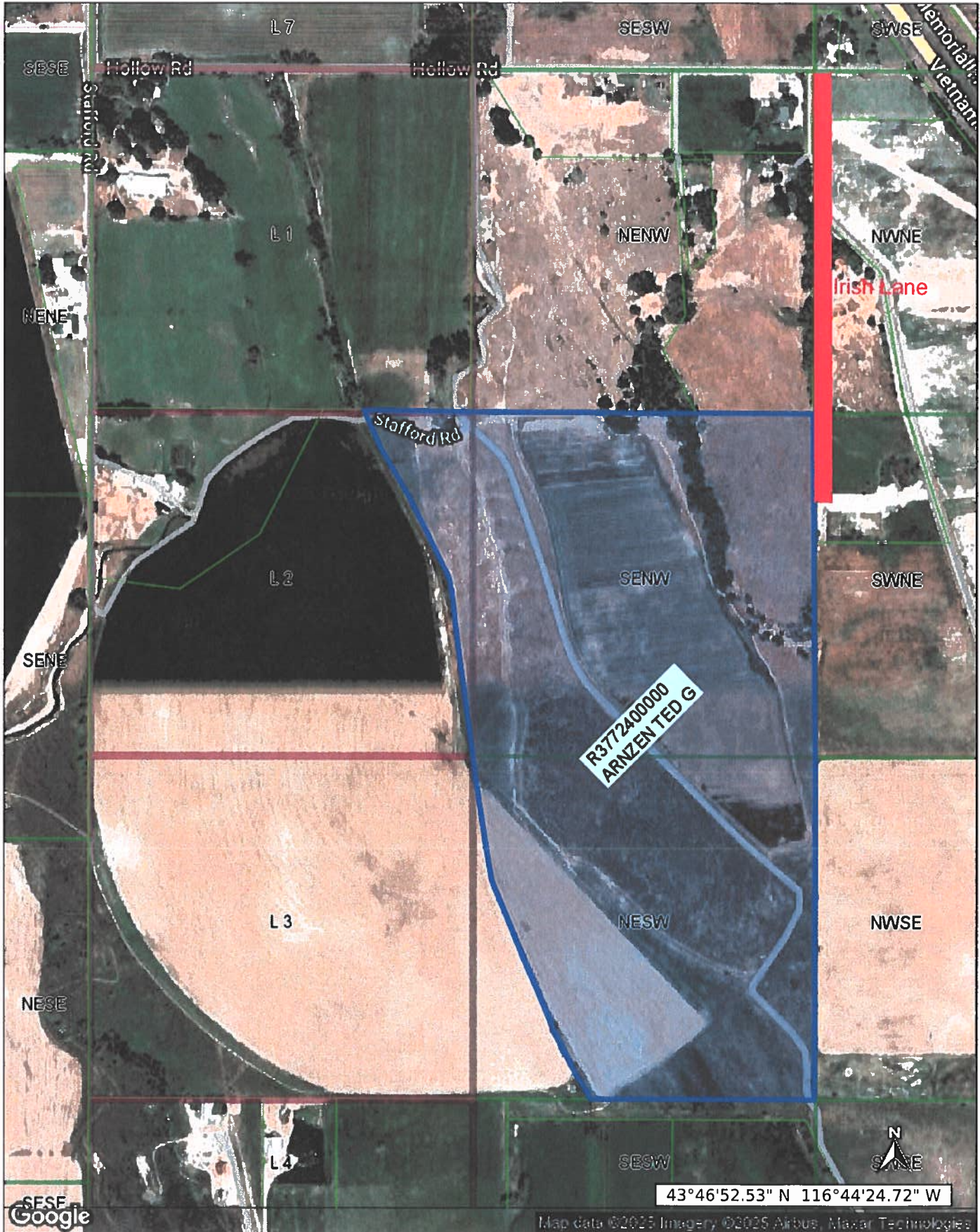


Exhibit D





Development Services Department



Canyon County, 111 North 11th Avenue, Caldwell, ID 83605

(208) 454 7458 ▪ ZoningInfo@canyoncounty.id.gov ▪ www.canyoncounty.id.gov/dsd

June 12, 2024

Exhibit E

RE: Parcel Inquiry for R38293010, R37731, R37731010, & R37724 – PI2024-0078

Question: Would like to sell 6 acres off of parcel R37724 to neighbors (Irish) parcel R37715011 with building permit. Is building permit relocation an option?

Parcel R37724 can be divided via Administrative Land Division to create a separate buildable parcel. Alternatively, a Property Boundary Adjustment could be done between parcels R37724 and R37715011 to incorporate the acreage into parcel R37715011 if a separate buildable parcel is not the end goal. Both of these applications require a \$330 application through Development Services and a record of survey.

Building permit statuses:

R38293010

Original parcel was 80 acres. It has been split twice by land division (LS2004-774, AD2021-0085) into a total of 3 buildable parcels (R38293, R38293010, and R38293010A). Each parcel has a building permit but there are no extra building permits to transfer unless R38293010 is made agricultural-only.

R37731/R37731010/ R37724

There are five original parcels in this area due to Government Lots 2 and 3. The county considers all government lots to be original parcels. Please see the map below which outlines the locations of these parcels. They are Gov Lot 2 excepting R37724 (R37731 and part of R37731010), the NE corner of Gov Lot 2 (part of R37724), Gov Lot 3 (part of R37731010), the portion of R37731010 in the NE ¼ of the SW ¼ of Section 12 T5N R4W, and the NE ¼ of the SW ¼ of Section 12 T5N R4W excepting R37731010 (part of R37724).

Each of these original parcels has 2 building permits available, meaning they could each be split into two buildable parcels via Administrative Land Division (\$330), or the permits could be transferred in order to cluster the building permits and promote efficient farming with an Administrative Land Division with Building Permit Relocation (\$600).

Parcel R37731010 was split from parcel R37731 in 2007 without the required application through Development Services, but they are currently still under the same ownership. Also, it appears that the strip of land along the south of R37724 was property boundary adjusted into R37720 prior to applications being required in 2010, but records are inconclusive.

Please let me know if you have questions.

Sincerely,

Madelyn Vander Veen

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

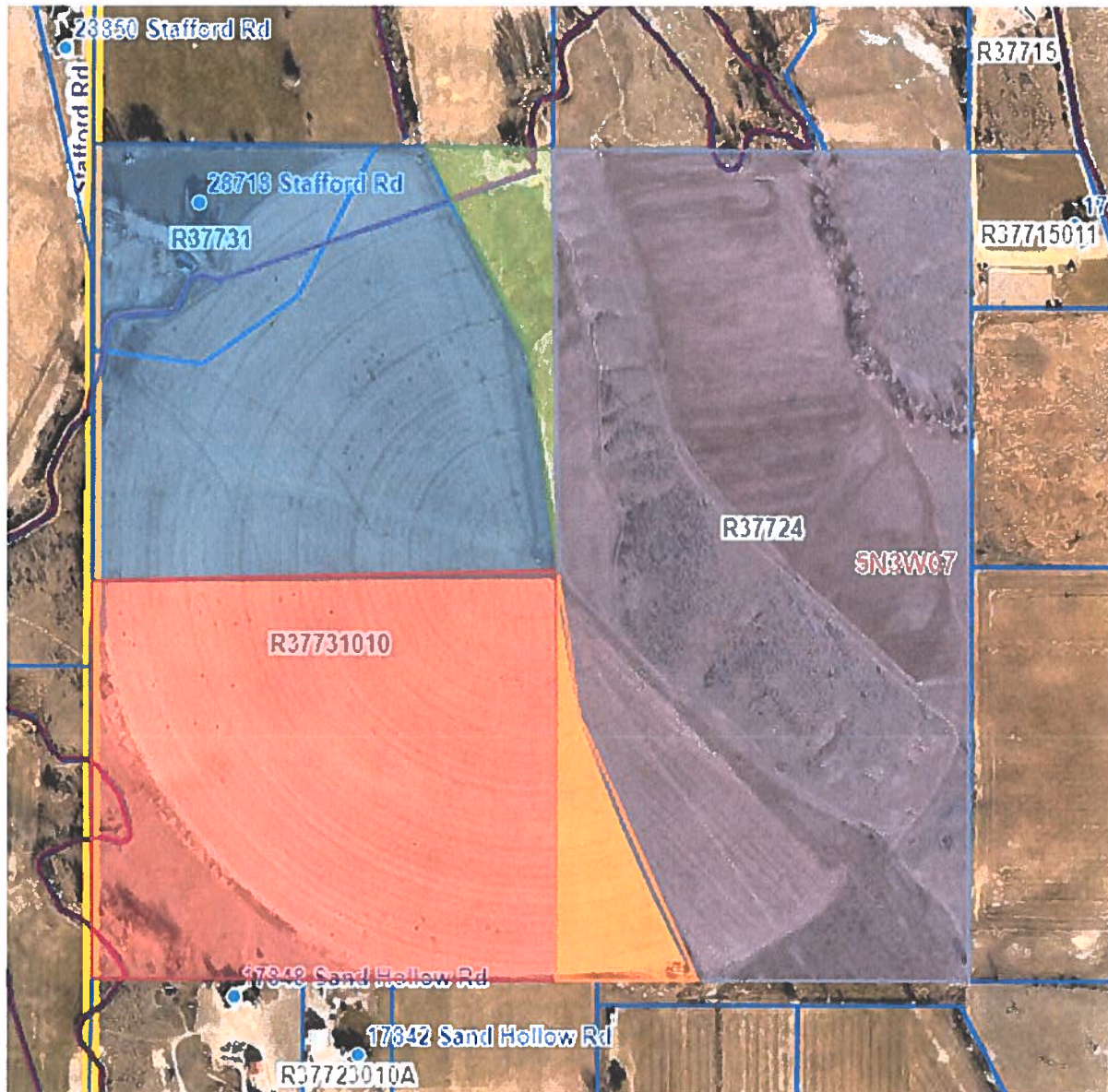
Associate Planner

madelyn.vanderveen@canyoncounty.id.gov

208-455-6035

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

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



Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

From: Arbay Mberwa
Sent: Wednesday, February 25, 2026 3:49 PM
To: TJ Wellard
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Yes, I will put the private road application on hold so the land division can go through the appeal process which may help with determining if a private road will be required.

Thanks,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: TJ Wellard <[REDACTED]>
Sent: Wednesday, February 25, 2026 3:29 PM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

I guess I don't understand the question Arbay, the only way the easement along the East boundary is used is if the land division is approved. The owner of Parcel R37724 won't use that access for the remainder of his property. That easement will only be used for Parcels 1 and 2. There is no need to do the private road application if the land division isn't approved. My suggestion would be to hold onto the private road application until the appeal decision. If the Board overturns the denial of the land division then we will need the private road application. The other option would be to approve the private road application on it's own but we won't know whether it will be used until after the appeal decision. I guess it is up to you on how you want to process this. We don't want to lose the fee's and process so far, so can't we just wait until the appeal of the ALD?

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Sent: Wednesday, February 25, 2026 2:17 PM
To: TJ Wellard <[REDACTED]>
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Hello,

Quick question about the private road. You state that currently there are two residences that take access off the shared driveway/easement therefore a private road may not be required. Parcel R37724 has a building permit available, if a building permit is pulled on that property regardless of the land division being approved or denied it can still trigger the private road if access is taken off that easement. Would you like to move forward with the private road application? Please reach out and let me know if you have questions,



Arbay Mberwa

Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6039
Email: Arbay.Mberwa@canyoncounty.id.gov
Website: www.canyoncounty.id.gov
Public office hours:
Monday, Tuesday, Thursday and Friday

From: TJ Wellard <[REDACTED]>
Sent: Friday, February 20, 2026 10:54 AM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>;
[REDACTED]
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>; Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Joshua Johnson <Joshua.Johnson@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

Arbay,

We are disputing DSD's interpretation of the number of original parcels. You are incorrectly combining separately described aliquot part original parcels as outlined in our letter of intent. If DSD is not willing listen to our arguments to accurately identify the original parcels as outlined in our letter of intent then we will move forward and appeal this denial to the Board.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Sent: Friday, February 20, 2026 9:32 AM

To: TJ Wellard <[REDACTED]>; Cash Irish <[REDACTED]>; [REDACTED]
<[REDACTED]>

Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>

Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Hello,

In my previous email I had stated that the revised changes meets code. Upon further review it does not as there is still an additional parcel being created (See attached). Would you like to modify the agricultural only parcel to encompass the remainder of the parcel to gain approval? The alternative is to have the southern balance (outlined in blue) to be 40 acres and it can be designated as an agricultural only parcel as well. If not the case will need to be denied due to not meeting [§07-18-07\(2\)](#).

Please let me know how you would like to proceed,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: TJ Wellard <[REDACTED]>
Sent: Friday, February 6, 2026 10:59 AM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>;
[REDACTED]
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

Arbay,
I am confused, can you send me the decision when you have it completed so I can review it?

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED] 3
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835
Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Sent: Friday, February 6, 2026 9:43 AM
To: TJ Wellard <[REDACTED]>; Cash Irish <[REDACTED]>; [REDACTED]
<[REDACTED]>
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Good Morning,

The updated material has been received and based on the changes made the request meets [§07-18-07\(2\)](#) therefore I can move forward with an approval decision subject to complying with all code requirements.

Please reach out and let me know if you have questions,



Arbay Mberwa

Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6039
Email: Arbay.Mberwa@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

From: TJ Wellard <[REDACTED]>
Sent: Thursday, February 5, 2026 3:17 PM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>; a [REDACTED]
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

Arbay,

Please find the attached preliminary survey and revised Letter of intent to simplify the applicaiton and request.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Sent: Friday, January 30, 2026 2:36 PM
To: TJ Wellard <[REDACTED]>; Cash Irish <[REDACTED]>; a [REDACTED]
<[REDACTED]>
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Hello All,

Due to a lack of consensus on the number of land divisions parcel R37724 is entitled to I will be moving the case forward. I will be working on the case in the following weeks to deny the case due to not meeting code [§07-18-07\(2\)](#). Once completed you may submit an appeal to the Board of County Commissioners (in accordance with [§07-05-07](#)) to hear the case and make a final decision.

Thanks,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>

Sent: Tuesday, January 6, 2026 4:47 PM

To: TJ Wellard <[REDACTED]>; Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>; [REDACTED]

Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Mr. Wellard,

The Entitlement Verification application replaces the old parcel inquiry application. This new application requires a chain of deeds from September 6, 1979, to present be provided through a title report so DSD has all deed information when completing the parcel research when determining if a permit is available or if splits are available.

You are correct that DSD's ongoing interpretations do not recognize aliquot parcels as separate original parcels (see attached). The Director of DSD and the Board have not made any new interpretations or directed DSD to change the ongoing interpretations. However, DSD has been directed to update the definitions and land divisions codes to be more transparent and to be consistent with the Comprehensive Plan. DSD hopes to have the revised code scheduled for public hearing sometime this year.

Until then, if you do not think the entitlement verification application process will provide the information necessary to demonstrate that there is an additional original parcel (based on the attached interpretation), you can amend the land division submittal to comply with DSD's parcel research. If not, DSD will deny the land division application, and then the applicant can appeal DSD's decision to the Board. Please let Arbay know how you wish to proceed.

Sincerely,

Dan Lister, Planning Supervisor

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday, and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

**We will not be closed during lunch hour **

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: TJ Wellard <[REDACTED]>
Sent: Tuesday, January 6, 2026 12:30 PM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>;
[REDACTED]
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

So, can you explain to me what that process looks like? To submit the PI Entitlement Status it cost \$150 plus possible additional County Surveyor fees, the lot book report costs \$300, we would be \$450 plus possibly additional cost to find out if you agree or disagree with the PI your office already did? Am I framing that correctly? I just don't see what the difference in the PI vs. the PI Entitlement Status form is. That doesn't seem like a good investment if DSD is still using the same "memos" that arbitrarily combine aliquot parts. If you can just tell me if that is the case then we will make our decision on whether to just appeal the denial based on the incorrect PI.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835
Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Sent: Tuesday, January 6, 2026 10:07 AM
To: TJ Wellard <[REDACTED]>; Cash Irish <[REDACTED]>; [REDACTED]
<[REDACTED]>
Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Hi,

The research was done in 2024 and the findings are within PI2024-0078. Since you believe that PI2024-0078 is incorrect, as previously stated you may submit an Entitlement Verification to verify the number of building permits (application attached). The alternative option is to leave the application as is and I would have to deny the case due to not meeting code [§07-18-07\(2\)](#). If you disagree with the decision, it can be appealed to the Board of County Commissioners (in accordance with [§07-05-07](#)) to hear the case and make a decision.

Please let me know how you would like to move forward,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: TJ Wellard <[REDACTED]>

Sent: Tuesday, January 6, 2026 10:40 AM

To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>; Cash Irish <[REDACTED]>; [REDACTED]

Cc: Dan Lister <Dan.Lister@canyoncounty.id.gov>; Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Joshua Johnson <Joshua.Johnson@canyoncounty.id.gov>

Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

Arbay,

We are disputing the findings of PI2024-0078. PI2024-0078 incorrectly combines the SE1/4NW1/4 and the NE1/4SW1/4 East of the Drain. Is there a formal process for that?

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Sent: Tuesday, January 6, 2026 7:15 AM

To: Cash Irish <[REDACTED]>

Cc: TJ Wellard <[REDACTED]>; [REDACTED] <[REDACTED]>

Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Good Morning,

Yes, that is correct per PI2024-0078. After the land division process the parcel has entitlements to four (4) building permits within the respective government lots. The record of survey currently on file is fine with the update that parcel three (3) is an agriculturally only parcel (without a building permit). If you would like parcel to obtain a building permit on parcel three (3) that will require a building permit transfer for the purpose of clustering buildings and/or preserving agriculture.

Please reach out and let me know if you have questions,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: Cash Irish <[REDACTED]>

Sent: Monday, January 5, 2026 10:15 PM

To: Arbey Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Cc: TJ Wellard <[REDACTED]>; [REDACTED]; Dan Lister <[REDACTED]>

Subject: Re: [External] Re: AD2025-0020 & RD2025-0003: R37724

Just wanted to clarify one more time with you on outlet conversation Arbey. Ted has 4 permits available in total but not a fifth?

So we just need revise the letter of intent to 4 permits and we can move forward?

On Mon, Dec 29, 2025 at 2:47 PM Arbey Mberwa <Arbay.Mberwa@canyoncounty.id.gov> wrote:

Hello Mr. Irish,

Thanks for following up this case. Per our conversation the application was on hold due to a disagreement on the number of land divisions parcel R37724 is entitled to. Per PI2024-0078, the property is made up of two (2) government lots allowing for a total of four (4) building permits in the respective government lots (see the first email below for details). The letter of intent alluded more than four (4) building permits would have been pulled with this application which is not the correct application/process to obtain the division. I recommend revising the letter of intent to not take more than what is entitled to the parcel (see the first email below for options to move building permits within the 80 acre parcel). Once the application has been updated, I can continue working on the case but as of today the case is on hold.

Please reach out and let me know if you have questions,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

From: Dan Lister

Sent: Thursday, July 17, 2025 12:59 PM

To: 'TJ Wellard' <[REDACTED]>

Cc: Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>; Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Subject: RE: [External] Re: AD2025-0020 & RD2025-0003: R37724

Mr. Wellard,

Thank you for your e-mail regarding AD2025-0020. Regarding the parcel research completed in 2024 regarding Parcel R37724 (PI2024-0078), that is the documented research completed by DSD over a year ago. The information in the inquiry is not incorrect; it's the information that was found at the time. I see no record of dispute regarding the information in the inquiry until now.

If you dispute the previous research, you have the following options:

- Submit an entitlement verification application, which must include a title report. The application fees pay for the time required for staff to review the deeds per the current DSD review process and long-standing interpretations, and to write research conclusions with evidence. Click the following link for the application, FAQs, and fees: https://www.canyoncounty.id.gov/wp-content/uploads/2025/06/PI_Entitlement-Status-form.pdf; or
- Submit the land division application. If DSD disagrees with the property history, DSD can deny the application, at which time you have the right to appeal the decision.

Sincerely,

Dan Lister, Planning Supervisor

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday, and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

**We will not be closed during lunch hour **

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: TJ Wellard <[REDACTED]>

Sent: Monday, July 7, 2025 11:44 AM

To: Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>

Subject: Fw: [External] Re: AD2025-0020 & RD2025-0003 R37724

Hey Jay,

See the forwarded message. Your staff if trying to make my client pay for another PI even though we already had one and it was incorrect. This is the same type of scenario as the Penner case that was appealed to the Commissioners. We shouldn't have to pay for another PI for your office to correct the previous incorrect one. They have all the research they need, they can either simply revise the existing PI or explain the issue in the application we already paid for and is now being held up.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Sent: Thursday, July 3, 2025 3:10 PM

To: TJ Wellard <[REDACTED]>

Subject: RE: [External] Re: AD2025-0020 & RD2025-0003 R37724

Hello,

PI2024-0078 was paid for and completed. Based on information at the time staff found the parcel consists of two (2) original parcels. If you would like it to be re-evaluated a new Entitlement Verification is required submitted with a title report (fees will account for staff time to complete the Entitlement Verification) otherwise I'll have to move forward with this PI and you may select one of the options in the first email under Administrative Land Division to comply with Canyon County Code.

Please let me know how you would like to proceed,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday: 1pm – 5pm

**We will not be closed during lunch hour **

From: TJ Wellard <[REDACTED]>
Sent: Thursday, July 3, 2025 3:32 PM
To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Subject: Re: [External] Re: AD2025-0020 & RD2025-0003 R37724

They already paid for the PI and it was incorrect, why would they have to pay for another?

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>
Sent: Thursday, July 3, 2025 1:29:01 PM
To: TJ Wellard <[REDACTED]>
Subject: RE: [External] Re: AD2025-0020 & RD2025-0003 R37724

Hi,

According to PI2024-0078 (attached), parcel R37724 consists of two (2) original parcels. If you believe there is three (3) original parcels, you may submit an Entitlement Verification application to verify the deeds from September 6, 1979 (application attached). If you wish to pursue this route please let me know, I'll put this application on hold until there's a consensus.

Based on the information the County has, there appears to be slopes 15% or greater. If you believe the USGS contour maps are not accurate you may survey the land for contours and provide evidence there are no slopes at or above 15%. According to County information there are slopes and there's two ways to address them. If you don't want to move forward with the preliminary grading and drainage plan you may designate the slope area(s) as a no build zone. In the future when the end user knows where structures will be placed they can amend this decision and provide the plans at that stage to build.

Thank you for the additional information.



Arbay Mberwa
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-6039
Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday: 1pm – 5pm

****We will not be closed during lunch hour ****

From: TJ Wellard <[REDACTED]>

Sent: Thursday, July 3, 2025 1:17 PM

To: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Subject: [External] Re: AD2025-0020 & RD2025-0003 R37724

Tax Parcel R37724 consists of 3 original Parcels(SE1/4NW1/4, NE1/4SW1/4 East of the Natural Drain and Government Lot 2 East of the Natural Drain). We are only dividing the SE1/4NW1/4 to create Parcels 1 and 2. Parcel 3 is the remainder of Tax Parcel R37742 after Parcel 1 and 2 are split. That means Parcel 3 still includes two original parcels(NE1/4SW1/4 and Government Lot 2 East of the natural drain). This is how Dan asked that I show this "remainder" of Tax Parcel R37742 rather than show the original parcels as independent surveyed parcels and the remainder of the SE1/4NW1/4 as an "ag only" parcel.

I don't believe the USGS contour maps are very accurate. How do we dispute this? Do we have to provide our own topographic map? How does the land owner who is selling this provide a grading and drainage plan when they are not the end user? How do you design for something that you don't even know what is being built or where? Couldn't the grading and drainage plan be required at building permit phase when the end user has a design or plan?

1. Easement Reduction: The letter of intent states the easement will only be access for proposed parcel 2, can you please provide details/evidence for the following questions:

1. Will the proposed reduction provide adequate access? **Yes, the easement reduction to 28 feet is plenty adequate for a 12' driveway to one single family residence.**
2. Do physical characteristics of the site require a width reduction? **Yes, having a 60' wide easement increases setbacks far away from a 12' driveway not allowing a house/structure near best building spots or close to the private road or driveway access. This increase building costs and additional road/driveway.**
3. Would approval of the request cause injury, damage, or a safety hazard? **No, reducing the easement width does not cause injury, damage or a safety hazard. It provides ample space for access.**

2. Private Road

1. How many parcels/residences take access off the 60' easement/private road? **Currently, only two residences take access from the Existing 60' Easement. Four Tax Parcels have access to the easement. This application adds 2 more.**
2. Is there a Road User's Maintenance Agreement? **No RUMA exists for the current easement. We will be recording one with or without participation from the existing users.**
3. I know that one of the property owners taking access off the 60' easement/private road is unwilling to participate with this application, what about the other owner (Ramirez Adolfo A Portillo or Silva Antonio B and Maria C.) **We have reached out to the other owners and none have committed to participating in a RUMA.**

Thanks,
T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Arbay Mberwa <Arbay.Mberwa@canyoncounty.id.gov>

Sent: Thursday, July 3, 2025 11:30 AM

To: TJ Wellard <[REDACTED]>

Subject: AD2025-0020 & RD2025-0003 R37724

Hello,

I'm working on your application for an administrative land division, easement reduction and private road. I have a few questions/comments regarding the case (AD2025-0020 & RD2025-0003 on parcel R37724).

1. Administrative land Division

- a. Based on the letter of intent and record of survey it seems that three parcels will be created, is that accurate? Parcel R37742 consists of two separate original parcels (a total of four residential parcels *two on each original parcel can be created in accordance with CCCO §07-18). The record of survey shows three parcels and the letter of intent states "Parcel 3 will retain its additional original parcel being those portions of the NE ¼ SW ½ and Government Lot 2 East of the natural drain." This is causing some confusion for me. What's the intent of the third parcel?
 - i. You may divide the parcel into three parcels but that will mean that one building permit from the second original parcel (highlighted green, see image below) will need to be relocated via the building permit relocation application.
 - ii. Designate parcel 3 as an agricultural only parcel without a building permit while maintaining the originality of the second original parcel.
 - iii. Property boundary adjustment the second original parcel.
- b. The parcel contains slopes over 15% according to the USGS slope map (see attached). Per CCCO §07-18-05(2): Parcels divided pursuant to this Chapter with slopes greater than fifteen percent (15%) shall not be disturbed without an engineered grading and drainage plan consistent with section 07-17-33(1)C. Please address this by choosing one of the following options:
 - i. Prohibit development in areas with slope greater than 15% by designating said areas with 15% slope or greater as a no build zone on the record of survey.
 - ii. Submit a preliminary engineered grading and drainage plan for any development (grading, road construction, and structures) on slopes greater than

15% in accordance with CCCO §07-17-33(1)C shall be submitted prior to approval of this decision

2. Easement Reduction: The letter of intent states the easement will only be access for proposed parcel 2, can you please provide details/evidence for the following questions:
 - a. Will the proposed reduction provide adequate access?
 - b. Do physical characteristics of the site require a width reduction?
 - c. Would approval of the request cause injury, damage, or a safety hazard?
3. Private Road
 - a. How many parcels/residences take access off the 60' easement/private road?
 - b. Is there a Road User's Maintenance Agreement?
 - c. I know that one of the property owners taking access off the 60' easement/private road is unwilling to participate with this application, what about the other owner (Ramirez Adolfo A Portillo or Silva Antonio B and Maria C.)



PI2024-0078

Please reach out and let me know if you have questions,



Arbay Mberwa

Associate Planner

Canyon County Development Services Department

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

Direct Line: 208-455-6039

Email: Arbay.Mberwa@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Public office hours:

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday: 1pm – 5pm

***We will not be closed during lunch hour **

Madelyn Vander Veen

From: Madelyn Vander Veen
Sent: Monday, February 10, 2025 4:40 PM
To: 'TJ Wellard'
Subject: RE: [External] ALD, private road and easement reduction applicaiton
Attachments: Credit Card Authorization.pdf

Thanks! The fee is \$490 (\$330+\$80+\$80). I will put the application up front so the permit techs can grab it if the property owner comes in to pay.

Thanks,

Madelyn Vander Veen
Associate Planner, [Canyon County Development Services](#)
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

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: TJ Wellard <[REDACTED]>
Sent: Monday, February 10, 2025 4:20 PM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] ALD, private road and easement reduction applicaiton

No problem, here you are.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]
www.skinnerlandsurvey.com
ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Monday, February 10, 2025 1:32 PM
To: TJ Wellard <[REDACTED]>
Subject: RE: [External] ALD, private road and easement reduction applicaiton

T.J.,

Correct, you do not need to submit multiple master applications which is why I didn't list it. Thank you for forwarding Tony's email. Please at least sign/initial under the two statements on page 4 of the private road name application.

Thanks,

Madelyn Vander Veen
Associate Planner, [Canyon County Development Services](https://www.canyoncounty.id.gov/development-services)
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

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: TJ Wellard <[REDACTED]>
Sent: Monday, February 10, 2025 2:23 PM
To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Subject: Re: [External] ALD, private road and easement reduction applicaiton

Madelyn,

Shouldn't the master application cover all 3 requests? I have included any additional information required for the reduction and private road in the Letter of intent all as one application. The aerial attachment shows the private road location in a bright red line and it is also shown and labeled on the Record of Survey. The only other user of the road lives across the country and has refused to participate in a RUMA or sign anything for the application. Besides that all that information is in the letter of intent. I have checked with Tony and "Irish Lane" is available and he will reserve it upon this application being accepted. Everything else is in the Letter of Intent.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

[REDACTED]
[REDACTED]
[REDACTED]

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.

From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Monday, February 10, 2025 1:06 PM
To: TJ Wellard <[REDACTED]>
Subject: RE: [External] ALD, private road and easement reduction applicaiton

Hello T.J.,

The master application and letter of intent state you are also applying for an easement reduction and a private road name. Please see the attached applications; there are some additional requirements.

Easement reduction: Justifications for the request such as how it will provide adequate access, do physical characteristics of the site require the reduction, does the request cause injury, damage, or a safety hazard?

Private Road Name: Site plan with easement highlighted, Private Road Name Application with signatures from all road users (see pages 3-4 of the packet), and an email from GISAddressing@canyoncounty.id.gov confirming that your road name pick is available.

Best,

Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

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: TJ Wellard <[REDACTED]>
Sent: Monday, February 10, 2025 10:24 AM
To: Canyon County Zoning Info <CanyonCounty.ZoningInfo@canyoncounty.id.gov>
Subject: [External] ALD, private road and easement reduction applicaiton

Please find the attached application. The owner will submit a credit card authorization or drop off a check once given the total amount due. Let me know if you have any questions.

Thanks,

T.J. Wellard, PLS

Skinner Land Survey

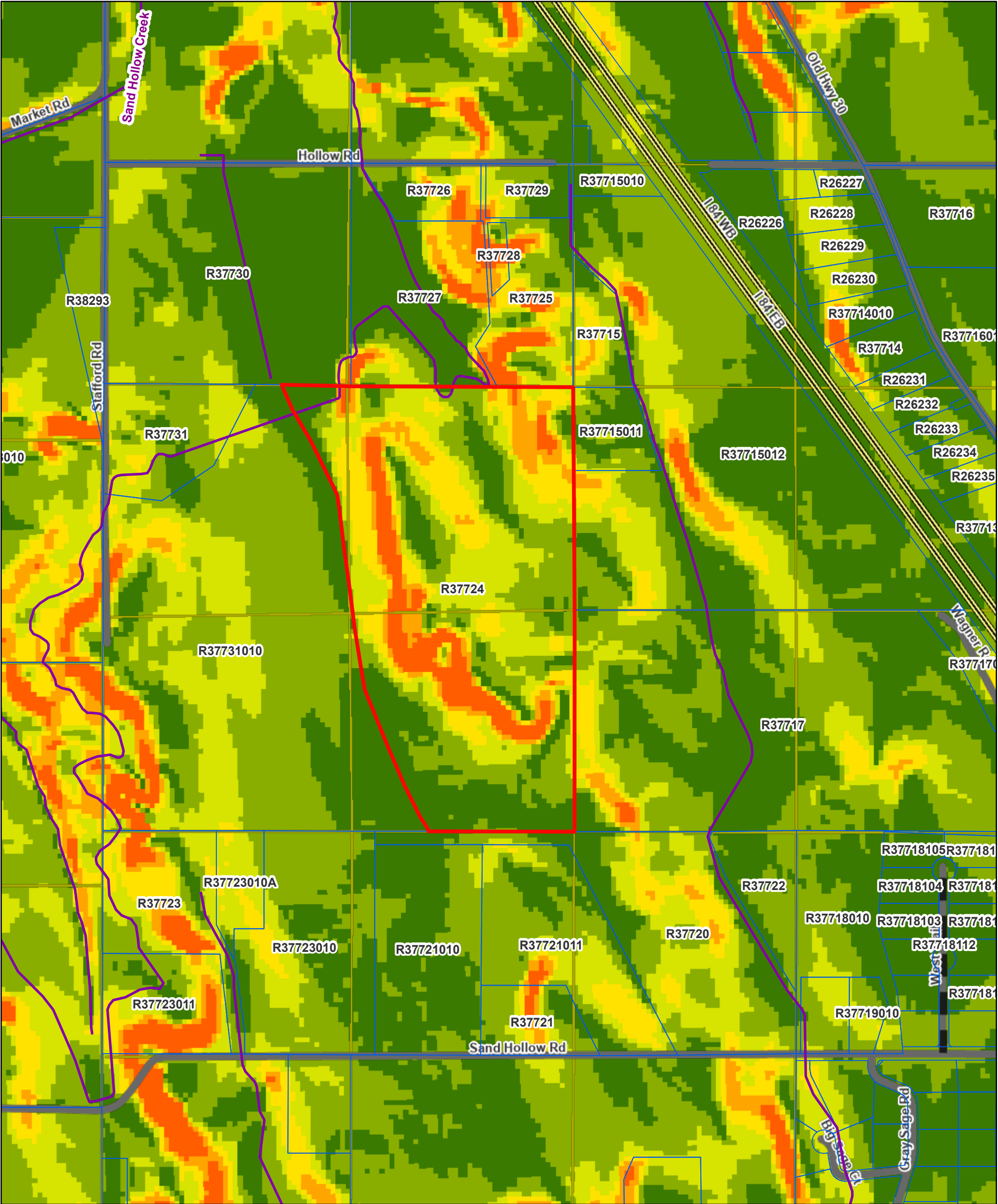
[REDACTED]
[REDACTED]
[REDACTED]

www.skinnerlandsurvey.com

ID PLS #15352, OR PLS #88835

Privileged and Confidential Communication.

This electronic transmission, and any documents attached hereto, (a) are protected by the Electronic Communications Privacy Act (18 USC 2510-2521), (b) may contain confidential and/or legally privileged information, and (c) are for the sole use of the intended recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of the information received in error is strictly prohibited.



7/3/2025, 9:26:37 AM

Parcel Number Search _Query result

Hydro_NHDFlowline

CanyonCountyRoads

Interstate

Roads

CC_PrivateRoads

SectionQRTSixteenthLines

County Boundary

SlopePercent_USGS

0 to 3

3 to 6

6 to 9

9 to 12

12 to 14.99

15 to 202.717

Current Impact Area

City Limits

Sections

Imagery_2025_3in

Red: Band_1

Green: Band_2

Blue: Band_3

1:9,028

A scale bar for the map. It shows distances in miles (0, 0.07, 0.15, 0.3 mi) and kilometers (0, 0.1, 0.2, 0.4 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 |

From: Lynn Troxel <lynntroxel@nphd.net>
Sent: Thursday, April 10, 2025 10:28 AM
To: Madelyn Vander Veen
Cc: Genia Watkins
Subject: [External] Re: Notice: Administrative Land Division AD2025-0020

Madelyn,

Please include the following comments from Notus-Parma Highway District #2

- Any new approaches to the public roadway must meet current Highway District standards and conditions
- The current approach will need to be improved to a commercial approach with a paved apron as it will be serving three buildable lots.

Best regards,

Lynn Troxel
Director of Highways
Notus-Parma Highway District #2

From: Genia Watkins
Sent: Thursday, April 10, 2025 8:46 AM
To: Lynn Troxel
Subject: FW: Notice: Administrative Land Division AD2025-0020

Genia Watkins
District Secretary/Treasurer
Notus Parma Highway District No. 2
208-722-5343

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited

From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
Sent: Thursday, April 10, 2025 8:39 AM
To: 'permits@starfirerescue.org' <permits@starfirerescue.org>; Genia Watkins <gwatkins@nphd.net>
Subject: Notice: Administrative Land Division AD2025-0020

Good afternoon,

Please see the attached notice of an Administrative Land Division of parcel R37724, located west of 17495 Hollow Rd.

Thanks,

Madelyn Vander Veen

Associate Planner, [Canyon County Development Services](#)

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am – 5pm

Wednesday: 1pm – 5pm

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.

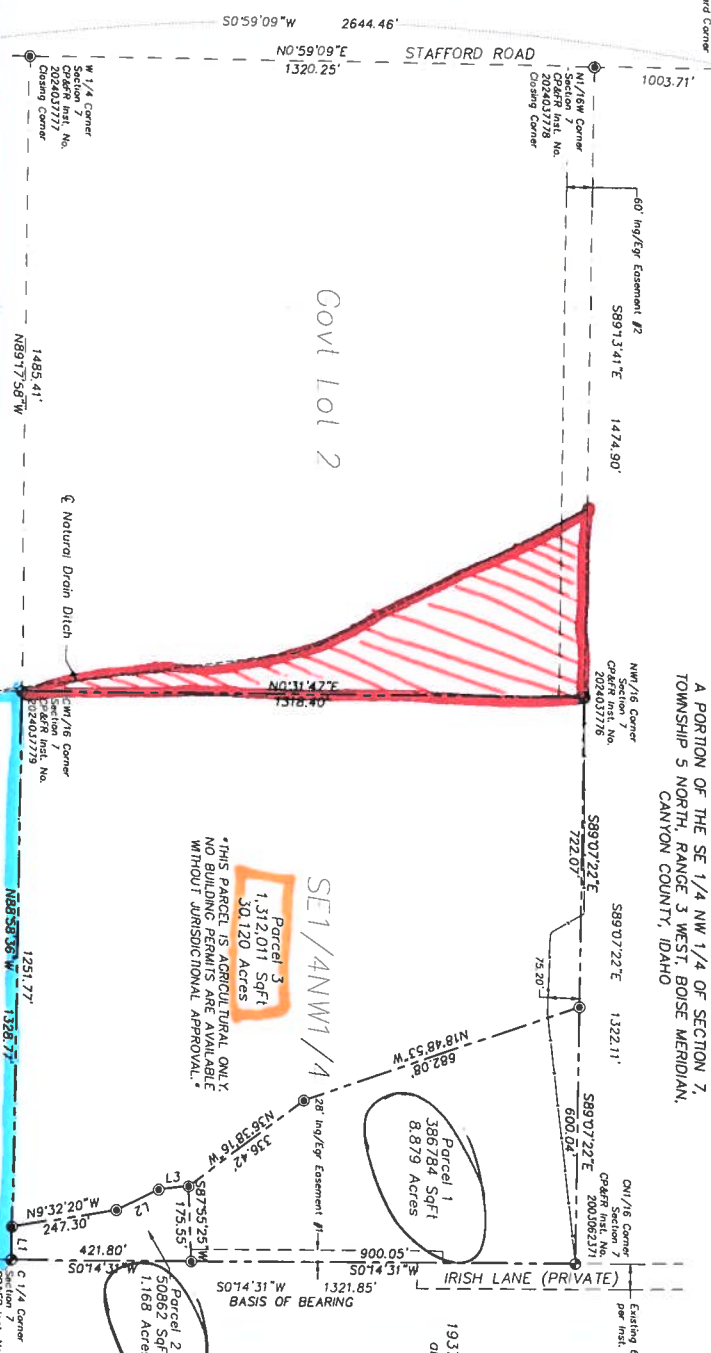
NE Section Corner
Section 12
CP&R Inst. No.
2003017019
Standard Corner

Exhibit I

RECORD OF SURVEY

A PORTION OF THE SE 1/4 NW 1/4 OF SECTION 7,
TOWNSHIP 5 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

Received
Feb 5, 2024



★ Can't be its own separate Parcel as it doesn't meet Canyon County Code (07-18-0712) * It can be adjusted to 40 ac and be designated as Ag-only.

— Separate original Parcel (2 division and 2 building permits).

○ Agricultural only Parcel

○ Residential parcels

CP&R Inst. No.
2003068824
Closing Corner

SW 1/6 Corner
Section 7
CP&R Inst. No.
2003068826

CS1/16 Corner
Section 7
CP&R Inst. No.
2003028854

Parcel 3
1,312,011 SqFt
30.120 Acres
THIS PARCEL IS AGRICULTURAL ONLY.
NO BUILDING PERMITS ARE AVAILABLE
WITHOUT JURISDICTIONAL APPROVAL.

Parcel 1
386,784 SqFt
8.879 Acres

Parcel 2
506,622 SqFt
11.668 Acres

★ "Parcel 4"
NET 1/4 SW 1/4
≈ 35.193

Existing 60' Ingress/Egress Easement
per Inst. No. 2020032215

Reference Surveys:
1937 C.L.O. Dependent Resurvey
and Subdivision of Sections

Inst. No. 2016043494
Inst. No. 2016021834
Inst. No. 2016078271
Inst. No. 2020073268
Inst. No. 2019059187
Inst. No. 2018025905
Inst. No. 2007032085

Reference Deed:
Inst. No. 2023018139

- 0' 200' 400'
- Scale: 1" = 200'
- LEGEND
- BRASS CAP MONUMENT - FOUND
 - ⊕ ALUMINUM CAP MONUMENT - FOUND
 - ⊙ 5/8" REBAR - FOUND
 - ⊙ 5/8" x 24" REBAR - SET
 - 1/2" x 24" REBAR - SET
 - PROPERTY BOUNDARY LINE
 - - - SECTION/ALLOT PART LINE
 - FENCE LINE

SURVEYOR'S NARRATIVE:
This survey was performed at the request of Cash Irish to divide the land shown on the attached plat into four parcels. The survey was conducted on the ground and the results were verified by a second date and held as shown. The W 1/4 corner of the NW 1/6W corner of the monument was found lying on the ground within one foot of the proportioned point. It appears it was torn out and set back down where it was torn out. A limited topographic survey was performed on Parcel 1 and 2 and no slopes greater than 15% were found. The basis of bearing for this survey was established by GNSS observations, projected to the Idaho State Plane Coordinate system, West Zone, NAD83 datum. All bearings shown are on grid azimuth and all distances are ground or project elevation.

CERTIFICATION
I, Thomas J. Wellard, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.



INDEX No. 534-7-3-0-0-00-00
INDEX No. 534-7-4-0-0-00-00
SURVEY FOR:
CASH IRISH

Drawn By: T.J.W.
Date: Nov. 12, 2024
Surveyed By: T.J.W.
Job No. 000424

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