

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Tyson Garten, Commissioner  
Ginny Greger, Commissioner  
Jim Main, Commissioner



**CITY OF KUNA**  
Kuna City Hall Council Chambers, 751 W 4<sup>th</sup> Street, Kuna, Idaho 83634

**Planning & Zoning Commission Meeting**  
**AGENDA**

**Tuesday October 25, 2022**

**6:00 PM REGULAR MEETING**

*For questions, please call the Kuna Planning and Zoning Department at (208) 922-5274.*

**1. CALL TO ORDER & ROLL CALL:**

**2. CONSENT AGENDA: ALL OF THE ITEMS LISTED ARE ACTION ITEMS**

*All items listed under the Consent Agenda are considered to be routine and are acted on with one (1) Motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.*

- 1. Regular Planning and Zoning Commission Meeting Minutes Dated October 11, 2022
- 2. Findings of Fact & Conclusions of Law
  - A. Case No. 22-09-SUP (Special Use Permit) Hawk Substation
  - B. Case No. 22-11-SUP (Special Use Permit) Cole Substation
  - C. Case Nos. 22-06-S (Preliminary Plat) & 22-26-DR (Design Review) for Beltzarock Subdivision
  - D. Case Nos. 22-01-CPM (Comprehensive Plan Map Amendment), 22-02-ZC (Rezone), 22-02-S (Preliminary Plat) & 22-28-DR (Design Review) for Kuna Apartments
  - E. Case No. 22-33-DR (Design Review) for E Stagecoach Industrial Flexspace

**3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS**

- A. Case No. 22-13- SUP (Special Use Permit) for Idaho Power Bowmont to Hubbard Transmission Line Upgrade – Doug Hanson, Director

Idaho Power Company requests Special Use Permit approval for portions of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in City of Kuna which will run adjacent to Barker Road and Cloverdale Road.

**5. BUSINESS ITEMS:**

- A. Case No. 22-35-DR (Design Review) for the Kuna Police Station – Doug Hanson, Director

The City of Kuna requests Design Review approval for a new police station, shop, parking lot and landscaping. The subject site is located at 793 W 4<sup>th</sup> Street (APN: R5070001633); Section 23, Township 2 North, Range 1 West.

**6. ADJOURNMENT:**

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Tyson Garten, Commissioner  
Ginny Greger, Commissioner  
Jim Main, Commissioner



**CITY OF KUNA**  
Kuna City Hall Council Chambers, 751 W 4<sup>th</sup> Street, Kuna, Idaho 83634

**Planning & Zoning Commission Meeting  
MINUTES**

**Tuesday October 11, 2022**

**6:00 PM REGULAR MEETING**

*For questions, please call the Kuna Planning and Zoning Department at (208) 922-5274.*

**1. CALL TO ORDER & ROLL CALL:**

*(Timestamp 00:00:15)*

**COMMISSION MEMBERS PRESENT:**

Chairman Lee Young  
Vice Chairman Dana Hennis  
Commissioner Tyson Garten – Absent  
Commissioner Ginny Greger  
Commissioner Jim Main – Absent

**CITY STAFF PRESENT:**

Andrea Nielsen, City Attorney  
Morgan Treasure, Economic Development Director  
Troy Behunin, Planner III  
Jessica Reid, Planner II

**2. CONSENT AGENDA: ALL OF THE ITEMS LISTED ARE ACTION ITEMS**

*(Timestamp 00:00:45)*

1. Regular Planning and Zoning Commission Meeting Minutes Dated September 27, 2022
2. Findings of Fact & Conclusions of Law
  - A. Comprehensive Plan Map Amendment
  - B. Case No. 22-03-ZC (Rezone) 3003 N Ten Mile Road (Bodahl)
  - C. Case Nos. 22-07-S (Preliminary Plat) & 22-16-DR (Design Review) for Newberry Place Subdivision

*(Timestamp 00:00:48)*

**Motion To:** Approve the Consent Agenda.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

**3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS**

*(Timestamp 00:01:03)*

- A. Case Nos. 22-02-CPF (Combo Plat), 22-05-ZC (Rezone), 22-06-SUP (Special Use Permit) & 22-27-DR (Design Review) for Recreation Subdivision & Robinson Ranch RV Storage – Jessica Reid, Planner II

(Timestamp 00:01:44)

Planner II Jessica Reid informed the Commission the Applicants were working with their architect to address Ada County Highway District right-of-way; once resolved, the case would be re-noticed via the Kuna Melba News, subject site, city website and 300-ft property owners mailer.

(Timestamp 00:02:11)

**Motion To:** Table Case Nos. 22-02-CPF (Combo Plat), 22-05-ZC (Rezone), 22-06-SUP (Special Use Permit) & 22-27-DR (Design Review) for Recreation Subdivision & Robinson Ranch RV Storage, to a date uncertain.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

(Timestamp 00:02:48)

Planner II Jessica Reid asked the Chairman for a brief break so she could address a technical issue; the meeting then proceeded.

(Timestamp 00:03:04)

**B.** Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review) for Sadie Creek South Subdivision – Jessica Reid, Planner II

(Timestamp 00:03:38)

Planner II Jessica Reid informed the Commission that the Applicant had requested the item be tabled so they may coordinate a solution with the Public Works Department for water and sewer services.

(Timestamp 00:03:56)

**Motion To:** Table Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review) for Sadie Creek South Subdivision, to a date certain of January 10, 2023.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

(Timestamp 00:04:22)

**C.** Case No. 22-09-SUP (Special Use Permit) Hawk Substation – Doug Hanson, Director

(Timestamp 00:04:38)

Planner II Jessica Reid, standing in for Director Doug Hanson, presented an overview of the project then stood for questions.

(Timestamp 00:05:55)

Jeff Maffuccio of Idaho Power presented an information slideshow (Pages 90 – 103 of meeting packet) regarding the project, then stood for questions.

*(Timestamp 00:17:36)*

Chairman Young opened the Public Hearing and stated there were no individuals signed in to testify on the project; he then offered another chance for attendees to sign in to provide testimony.

Support:

None

Neutral:

None

Against:

Shawna Moyer, 12160 W Dynamite Lane, Kuna, ID 83634

Todd Moyer, 12160 W Dynamite Lane, Kuna, ID 83634

*(Timestamp 00:18:00)*

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

*(Timestamp 00:19:30)*

**Motion To:** Approve Case No. 22-09-SUP (Special Use Permit) for Hawk Substation, with the Conditions as outlined in staffs report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

*(Timestamp 00:19:58)*

**D.** Case No. 22-11- SUP (Special Use Permit) Cole Substation – Doug Hanson, Director

*(Timestamp 00:20:10)*

Planner II Jessica Reid standing in for Director Doug Hanson, presented a brief overview of the proposed project, then stood for questions.

*(Timestamp 00:21:26)*

Jeff Maffuccio of Idaho Power presented a PowerPoint presentation (Pages 152 – 162 of meeting packet) with details on the project; he then stood for questions.

*(Timestamp 00:26:25)*

Chairman Young opened the Public Hearing. As there were none signed in to testify, he gave attendees an additional opportunity to do so; no attendees came forward.

Support:

None

Neutral:

None

Against:

None

*(Timestamp 00:26:47)*

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

*(Timestamp 00:27:49)*

Planner II Jessica Reid identified an attendee who raised their hand and asked if they wished to testify; they confirmed they did; Ms. Reid deferred to City Attorney Andrea Nielsen for procedure.

*(Timestamp 00:28:08)*

Chairman Young re-opened the Public Hearing and had the individual sign in.

Support:

None

Neutral:

Heidi Peterson, 1142 E Whitetail Court, Kuna, ID 83634 – Testify

Against:

None

*(Timestamp 00:28:55)*

Heidi Peterson asked Mr. Maffuccio if it was possible for more solar options to be included or investigated.

*(Timestamp 00:29:20)*

Chairman Young was not confident that solar would provide the amount of power required but deferred to Mr. Maffuccio.

*(Timestamp 00:29:49)*

Mr. Maffuccio provided a brief explanation that solar is factored into this project, just not necessarily on site; it came from the overall power grid which included various sources of clean energy. Mr. Maffuccio also offered to discuss Idaho Power's overall solar use and requested Mrs. Petersen's contact information to do so.

*(Timestamp 00:31:31)*

Chairman Young officially closed the Public Hearing and the Commission proceeded back into deliberation.

*(Timestamp 00:31:45)*

The Commissioners expressed no concerns and Chairman Young asked for a Motion.

*(Timestamp 00:32:37)*

**Motion To:** Approve Case No. 22-11-SUP (Special Use Permit) for Cole Substation, with the Conditions as outlined in staffs report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

*(Timestamp 00:33:16)*

**E.** Case Nos. 22-06-S (Preliminary Plat) & 22-26-DR (Design Review) for Beltzarock Subdivision – Troy Behunin, Planner III

*(Timestamp 00:33:35)*

Planner III Troy Behunin provided an overview of the project. Mr. Behunin also pointed out City Engineer comments (Page 251 of meeting packet) that if approved, sewer connections for Phase 1 of the application, would be contingent upon completion of the city's Ten Mile Force Main project. Mr. Behunin then stood for questions.

*(Timestamp 00:35:28)*

Commissioner Greger asked Mr. Behunin a clarifying question about the proposed Private Street within the project. Mr. Behunin believed the Commissioners question would be answered during the Applicants presentation, but offered to provide additional information if necessary. Commissioner Greger then asked if there was an estimate on when the Ten Mile Force Main project would be complete; Mr. Behunin stated construction is scheduled to begin late February or early March of 2023, and should be complete within 45 – 60 days.

*(Timestamp 00:36:58)*

Applicant TJ Angstman began by immediately addressing Commissioner Greger's question regarding Private Streets> Mr. Angstman then commented that the pathway along the canal would be built on the property south of the canal. He also explained that they were projecting the Commercial aspect of the project would encompass a storage facility, office users, restaurants and a potential filling station on the corner (of N Meridian Road and E Ardell Road), if there was demand. Mr. Angstman explained the estimated timeline to construction would be May 2023 at the earliest and the Ten Mile Force Main project would be complete by that time. He then stood for questions.

*(Timestamp 00:42:46)*

Chairman Young asked if the proposed storage facility would be single level; Mr. Angstman confirmed that was correct.

*(Timestamp 00:43:09)*

Vice Chairman Hennis asked of future townhomes would be single or two-story; Mr. Angstman said many would be two-story, then expounded on the differing grades between the project and the neighboring subdivision.

*(Timestamp 00:44:10)*

Chairman Young opened the Public Hearing.

Support:

David Gronbeck (Applicant), 1400 E Kokanee Lane, Kuna, ID 83634

Laurie Nowland, 2233 N Mavern Ave, Kuna, ID 83634

Mike Nowland, 2233 N Mavern Ave, Kuna, ID 83634

Neutral:

Glenn Stracner, 876 E Whitetail Street, Kuna, ID 83634 – Testify  
Thomas Rivera, 1212 W Wheat Street, Kuna, ID 83634  
Heidi Peterson, 1142 E Whitetail Court, Kuna, ID 83634  
Jack Culver, 2088 N Thorndale Ave, Kuna, ID 83634  
Lynn Mckeen, 1230 E Fort Erie Street, Kuna, ID 8634 – Testify  
Cheryl Correa, 1230 E Fort Erie Street, Kuna, ID 83634  
Lauren Veal, 1329 E Timber Trail Drive, Kuna, ID 83634 – Testify  
Toby Robson, 1795 N Firebrick Drive, Kuna, ID 83634 – Testify

Against:

Susan Peterson, 1320 E Sweet Pearl Street, Kuna, ID 83634  
Lewis Veal, 1329 E Timber Trail Drive, Kuna, ID 83634 – Testify

*(Timestamp 00:45:00)*

Lynn Mckeen asked a few questions regarding streets connecting to the Sterling Ranch subdivision and stated she was not sure why connecting was required; she also expressed safety concerns for neighborhood kids. Chairman Young asked Mrs. Mckeen if the streets she was asking about had signage indicating the road would be extended in the future; it was confirmed that was correct. Mrs. Mckeen further expounded she was concerned with traffic moving too quickly through the subdivision.

*(Timestamp 00:47:15)*

Chairman Young explained why there is interconnectivity between developments and that it was required; Vice Chairman supported this comment. Chairman Young then called the next individual to testify.

*(Timestamp 00:48:20)*

Glenn Stracner testified that he understood there would be development but he wanted to make sure that new developments were done in a way which did not cause negative effects on the existing development. Mr. Stracner also testified to his concern there was not enough play space within the residential portion of the project; he expressed concerns that children from this development would come into Sterling Ranch & use the spaces which their HOA paid to maintain. He also expressed concerns with turn lanes and how it could affect traffic in and out, as well as traffic for the general region.

*(Timestamp 00:54:55)*

Chairman Young then confirmed that all individuals wishing to testify had the opportunity to sign in; there were a few.

*(Timestamp 00:53:29)*

Susan Peterson testified to her concerns with what appeared to be a lack of play area for children within the proposed development and they would end up using the amenities within Sterlin Ranch without being invited; the HOA was already struggling with kids jumping the fence at the pool.

*(Timestamp 00:55:48)*

Toby Robson testified that he was unclear if the residential units would be single family homes and asked the Applicant if he could clarify that, as well as a little more explanation of the overall project, during his rebuttal. Mr. Robson also expressed his concerns with those who were not

residents of Sterling Ranch using the pool as he had previous experience when serving on the HOA Board for Crimson Point Subdivision.

*(Timestamp 00:57:25)*

Lewis Veal asked questions specific to the proposed storage facility as his property backed up to it; he expressed concerns with lighting, if there would be a sound barrier wall, and if there would be 24-hour access.

*(Timestamp 00:58:37)*

Chairman Young double checked all present who wished to testify had done so; seeing none, invited Mr. Angstman to provide his rebuttal.

*(Timestamp 00:58:49)*

Mr. Angstman began by addressing the connections to Sterling Ranch and explained the Developer had in fact attempted to negotiate a reduction in the number of connections with Ada County Highway District (ACHD), however, were unable to sway them. He then explained the proposed project did meet open space requirements for the residential portion as each townhome would have its own backyard; he also spoke to the concerns with kids crossing over to the amenities within Sterling Ranch and suggested additional policing if other mitigations have not worked previously. Mr. Angstman commented the residential aspect of their development would have an HOA and suggested the two HOA's work together to brainstorm some solutions. Mr. Angstman explained that once the development was complete, left turn lanes would not be allowed per ACHD. Mr. Angstman continued by explaining the layout of the project; sets of 2 – 4 attached townhomes, green areas besides the townhome backyards, location of proposed storage units, and Commercial area. He did not believe the storage units were intended to be 24-hour, they were a low intensity use so not as much noise, units would be single story, and lighting would be dark sky compliant so light would not flood onto neighboring properties.

*(Timestamp 01:07:44)*

Commissioner Greger asked if there would be enough space in the northern end of the residential portion; Mr. Angstman offered to install a tot lot into the area.

*(Timestamp 01:08:42)*

Vice Chairman Hennis asked about a specific lot as it did not appear to be identified; Mr. Angstman answered that it was a common lot and would be a grass area.

*(Timestamp 01:09:36)*

Chairman Young asked if the other common lots would have grass as well; Mr. Angstman confirmed that was correct. Chairman Young also asked Mr. Angstman to confirm if the townhomes were intended to be single family; Mr. Angstman explained the townhomes, though attached, would each have their own parcel and were intended to be for sale single family units.

*(Timestamp 01:10:20)*

Chairman Young began to move forward and an individual asked if they could then testify. City Attorney Andrea Nielsen explained that the Chairman had gone above and beyond by offering two chances to sign in to testify and the individual did not come forward at that time; she also reminded the individual there would be additional opportunity to testify when the Case went before City Council.

*(Timestamp 01:10:53)*

Chairman Young officially closed the Public Hearing and the Commission proceeded into deliberation.

*(Timestamp 01:11:10)*

Vice Chairman Hennis commented the project fit the Mixed-Use designation and the overall plan provided a good transition from Commercial to the neighboring subdivision; his main concern was having amenities for potential children within the residential portion. Vice Chairman stated that having a tot lot installed would assist in keeping children where they should be and limit crossover into the neighboring subdivision.

*(Timestamp 01:12:44)*

Chairman Young also believed the overall project met the intent for a Mixed-Use development and offered good transition; he pointed out he liked the residential portion did not take full advantage of the R-20 (High Density Residential) designation that they could have, and chose to greatly reduce the residential portion to townhomes. He also pointed out the height difference between the neighboring subdivisions and felt that would also offer some mitigation to the proposed two-story townhomes. Chairman Young also agreed a tot lot would be an appropriate addition.

*(Timestamp 01:14:23)*

Commissioner Greger expressed her appreciation to the Developer for being willing to add a tot lot. She went on to explain she understood the concerns of the neighboring subdivision. Commissioner Greger also stated she appreciated the Private Street and each townhome having their own driveway so people were not having to drive through parking lots to get where they needed to go.

*(Timestamp 01:15:23)*

**Motion To:** Recommend Approval to City Council for Case No. 22-06-S (Preliminary Plat) for Beltzarock Subdivision, with the Conditions as outlined in staff's report and the additional Condition that a tot lot be installed on the north in the residential portion, and the Landscape Plan be updated to reflect the common lots which would have grass.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

*(Timestamp 01:16:12)*

**Motion To:** Approved Case No. 22-26-DR (Design Review) for Beltzarock Subdivision, with the Conditions as outlined in staff's report and the additional Condition that a tot lot be installed on the north in the residential portion, and the Landscape Plan be updated to reflect the common lots which would have grass.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

*(Timestamp 01:17:14)*

Chairman Young provided attendees time to vacate if they wished to do so, before moving on the next Case.

*(Timestamp 01:17:45)*

**F.** Case Nos. 22-01-CPM (Comprehensive Plan Map Amendment), 22-03-ZC (Rezone), 22-02-S (Preliminary Plat) & 22-28-DR (Design Review) for Kuna Apartments – Troy Behunin, Planner III

*(Timestamp 01:18:10)*

Planner III Troy Behunin provided an overview of the proposed project, pointing out Exhibit 2.20 (Page 396 – 399 of meeting packet) in which it indicated the Applicant was already in possession of 186 EDUs (sewer connections), with the project requiring 193; he then stood for questions.

*(Timestamp 01:20:12)*

Chairman Young asked how the additional connections would be serviced as they depended on completion of the Ten Mile Force Main project. Mr. Behunin explained the project was only short 7 EDUs however, it did not appear a significant concern per the City Engineers Memo.

*(Timestamp 01:21:45)*

Chairman Young stated there was a late Exhibit to be included and asked for it to be read into the record.

*(Timestamp 01:21:55)*

Economic Development Director Morgan Treasure explained she had been out of town for work and due to technical issues, the Memo was not received in time to be included in the meeting packet. Ms. Treasure then notified attendees that she had copies of said Memo if they would like one; Memo's were passed out and Ms. Treasure read it into the record (Memo attached to these Meeting Minutes). Ms. Treasure explained that trends had shifted from large, high square footage retail centers to a Mixed-Use model that integrated shopping, services and residences in a single location. She further explained Kuna was in need of workforce housing as the current market reflected a 1.6% vacancy rate where 5 – 6 % was considered healthy. Ms. Treasure stated the Economic Development Department sought to preserve as much Commercially zoned property as possible, but explained the size and location of the proposed project was appropriate and was more compatible with current market demands; she then stood for questions.

*(Timestamp 01:24:05)*

Applicant Representative Mark Hampton provided reasons behind their request and general information regarding the project. He also addressed City Engineer comments that up 1,800-ft of sewer line would require upgrade; Mr. Hampton said they were willing to make the upgrades and had already acquired a bid. He said they were in agreement with the staff report and Conditions of Approval; Mr. Hampton also explained their struggle in finding Commercial users, then stood for questions.

*(Timestamp 01:27:19)*

There were no individuals signed in to testify so the Chairman provided an additional option to do so; two came forward. Chairman Young opened the Public Hearing.

Support:

None

Neutral:

Heidi Peterson, 1142 E Whitetail Court, Kuna, ID 83634 – *Marked to Testify but was not present when it came time to do so.*

Danielle Horras, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID 83634 – Testify

Against:

None

*(Timestamp 01:27:55)*

Danielle Horras, Kuna Joint School District No. 3 Director of Strategic Partnerships, encouraged urgency and caution regarding schools at or over capacity. She explained she understood and appreciated the need for this type of housing but testified to the Districts estimated 2% growth rate was not enough. She was concerned as this type of development usually brought in a large number of children.

*(Timestamp 01:29:54)*

Mr. Hampton provided rebuttal by commenting they understood this would definitely bring in a high number of children, however as the children were centralized, it tended to be easier when it came to transportation for schools.

*(Timestamp 01:30:38)*

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

*(Timestamp 01:30:46)*

Vice Chairman Hennis commented on the School Districts letter (Exhibit 2.25 or page 418 of meeting packet) in which it is stated they cannot support the development. He commented that though it may be good for transportation, it was still more kids entering crowded classrooms; he was unsure how much more crowded specific schools would be as that information was not provided within the letter. Vice Chairman agreed the housing type was needed, then asked what the intent was for the remaining Commercial parcel. Mr. Hampton answered it would be developed in the future; their request to amend the map and Rezone was to better organize the previously platted area.

*(Timestamp 01:33:20)*

Chairman Young felt there were adequate amenities for residents with the open space, pool and clubhouse. He believed the proposed location was very appropriate and held no concerns with the proposed layout.

*(Timestamp 01:34:30)*

Commission Greger commented the last ‘numbers’ she had heard from the School District was 0.6 children per single family home, but was unaware if the number was different for apartments. Ms. Horras commented from the audience apartments were considered 0.7 children per unit. Vice Chairman Hennis did the math which resulted in approximately 140 children. Commissioner Greger agreed the layout, parking, location and amenities were appropriate but her concern remained.

*(Timestamp 01:35:43)*

Vice Chairman clarified if the Design Review that was under consideration was just for landscaping and they would see a separate Design Review for the structures themselves; the Chairman confirmed they would.

*(Timestamp 01:36:00)*

Chairman Young stated that the schools have always been a concern and continue to be however, work force must be considered as well; Commercial development generates the need for employees and it is difficult for those employees to find housing. He explained it all required a balance.

*(Timestamp 01:37:12)*

Vice Chairman Hennis brought up past applications where larger developments had allotted property to the District for future schools and now the District was seeking financial assistance; he asked if that was something the Applicants would be willing to do and have a meeting with the District. Chairman Young did not believe that was something the Commission could require.

*(Timestamp 01:37:40)*

City Attorney Adrea Nielsen interjected as the discussion had entered distinctly legal ground. She explained the Idaho Legislature had provided additional ways for School Districts to gain additional funds (i.e., Bonds and Levy's) but IDIFA had explicitly excluded schools from receiving Impact Fees which are calculated into zoning, special use or building permits such as this. Ms. Nielsen summarized by reiterating the Idaho Legislature had provided ways for schools to acquire additional funds in certain ways but had not provided ways for cities such as Kuna, to use the permit system to raise monetary donations for schools; that was an impermissible and inadvisable use of the permits system and potentially something which could be raised on appeal.

*(Timestamp 01:39:04)*

Vice Chairman Hennis stated he had not realized that and that when the public thought Impact Fees being paid went towards schools, they were not. He commented that Levy's and Bonds are the only way these funds can be garnered and it did not appear that information was communicated to the public as much as it may need to be; Chairman Young agreed. As a result, Vice Chairman Hennis retracted his previous comments then continued that it was a prime location for the proposed development and would meet a current demand.

*(Timestamp 01:40:21)*

**Motion To:** Recommend Approval to City Council of Case Nos. 22-01-CPM (Comprehensive Plan Map Amendment), 22-03-ZC (Rezone) & 22-02-S (Preliminary Plat) for Kuna Apartments, with the Conditions as outlined in staffs report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

*(Timestamp 01:40:48)*

**Motion To:** Approve Case No. 22-28-DR (Design Review) for Kuna Apartments, with the Conditions as outlined in staffs report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

## **5. BUSINESS ITEMS:**

*(Timestamp 01:41:18)*

A. Case No. 22-33-DR (Design Review) for E Stagecoach Industrial Flexspace – Jessica Reid, Planner II

*(Timestamp 01:41:40)*

Planner II Jessica Reid provided an overview of the proposed project then stood for questions.

*(Timestamp 01:44:10)*

Brett Gulash, representing the Applicant, stated they were in agreement with staffs report and had no additional information to provide; he then stood for questions.

*(Timestamp 01:44:50)*

Commissioner Greger believed the proposed project would be a positive addition as well as remedy the current weed-filled lots. Chairman Young agreed and stated that it was an appropriate addition and design to the Industrial area. Vice Chairman Hennis echoed his fellow Commissioners comments.

*(Timestamp 01:45:56)*

**Motion To:** Approve Case No. 22-33-DR (Design Review) for E Stagecoach Industrial Flexspace, with the Conditions as outlined in staffs report.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Greger

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

## **6. ADJOURNMENT:**

*(Timestamp 01:46:34)*

**Motion To:** Adjourn.

**Motion By:** Commissioner Greger

**Motion Seconded:** Vice Chairman Hennis

**Further Discussion:** None

**Voting No:** None

**Absent:** 2

**Motion Passed:** 3-2-0

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Lee Young, Chairman  
Kuna Planning & Zoning Commission

ATTEST:

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Doug Hanson, Director  
Kuna Planning & Zoning



# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274

Fax: (208) 922-5989 • www.Kunacity.Id.gov

## SIGN-UP SHEET

**October 11, 2022 – Planning and Zoning Commission Public Hearing**

**Case Name: 22-09-SUP (Special Use Permit) Idaho Power Hawk Substation**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR		NEUTRAL	IN OPPOSITION		
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>
Incorrect case, see sign-in sheet for case No. 22-11-SUP		<del>Heidi Peterson</del>		Shawna Moyer	
Print Name		Print Name		Print Name	
Print Address		Print Address		Print Address	
City State, Zip		City State, Zip		City State, Zip	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input checked="" type="checkbox"/> <u>Not Testify</u>
Print Name		Print Name		Todd Moyer	
Print Address		Print Address		Print Address	
City State, Zip		City State, Zip		City State, Zip	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
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# CITY OF KUNA

751 W. 4<sup>th</sup> Street • Kuna, Idaho • 83634 • Phone (208) 922-5274

Fax: (208) 922-5989 • www.Kunacity.Id.gov

## SIGN-UP SHEET

**October 11, 2022 – Planning and Zoning Commission Public Hearing**

### Case Name: 22-11-SUP (Special Use Permit) Idaho Power Cole Substation

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR		NEUTRAL	IN OPPOSITION		
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input checked="" type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____		Heidi Peterson		_____	
Print Name		Print Name		Print Name	
_____		1142 E Whitetail Ct		_____	
Print Address		Print Address		Print Address	
_____		Kuna 83634		_____	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
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City	State, Zip	City	State, Zip	City	State, Zip
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City	State, Zip	City	State, Zip	City	State, Zip



CITY OF KUNA

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SIGN-UP SHEET

October 11, 2022 – P & Z Commission, Public Hearing

Case Name: Beltzarock Subdivision:

- 1. Case Type: Preliminary Plat & Design Review Request
2. Case No's.: 22-06-S (Preliminary Plat), & 22-26-DR (Design Review)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council/Commission.

IN FAVOR NEUTRAL IN OPPOSITION

DAVID GRONBECK
Print Name
1400 E KOKOUIE
Print Address
KUNA ID 83634
City State, Zip

GLENN STRACNER
Print Name
876 E. WHITETAIL ST
Print Address
KUNA ID 83634
City State, Zip

Print Name
Print Address
City State, Zip

Laurie Nowland
Print Name
2233 N MALVERN AVE
Print Address
Kuna
City State, Zip

Thomas Rivera
Print Name
1212 N WHEAT ST
Print Address
KUNA ID 83634
City State, Zip

Susan Peterson
Print Name
1320 SWIFT HILL
Print Address
KUNA ID 83634
City State, Zip

Mike Nowland
Print Name
2233 N MALVERN
Print Address
Kuna
City State, Zip

Hildi Peterson
Print Name
1142 E WHITE TAIL CT
Print Address
KUNA ID 83634
City State, Zip

Leah Deal
Print Name
1324 E Timber Trail
Print Address
Kuna Id 83634
City State, Zip

Print Name
Print Address
City State, Zip

JACK CULVER
Print Name
2080 THORNDALE
Print Address
KUNA ID 83634
City State, Zip

Print Name
Print Address
City State, Zip

**IN FAVOR**

**NEUTRAL**

**IN OPPOSITION**

Testify       Not Testify

\_\_\_\_\_  
Print Name

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City                      State, Zip

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City                      State, Zip

Testify       Not Testify

\_\_\_\_\_  
Print Name  
*Lynn Mckeew*

\_\_\_\_\_  
Print Address  
*1230 E Fort Erie*

\_\_\_\_\_  
City                      State, Zip  
*Kona*

Testify       Not Testify

\_\_\_\_\_  
Print Name  
*Cheryl Correa*

\_\_\_\_\_  
Print Address  
*1230 E Fort Erie St.*

\_\_\_\_\_  
City                      State, Zip  
*Kona ID 83634*

Testify       Not Testify

\_\_\_\_\_  
Print Name  
*Lauren B Lewis Veal*

\_\_\_\_\_  
Print Address  
*1329 E. Timber Trail*

\_\_\_\_\_  
City                      State, Zip  
*Kona ID 83634*

Testify       Not Testify

\_\_\_\_\_  
Print Name  
*Toby Robson*

\_\_\_\_\_  
Print Address  
*1795 N. Fireback*

\_\_\_\_\_  
City                      State, Zip  
*Kona ID 83634*

Testify       Not Testify

\_\_\_\_\_  
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City                      State, Zip



CITY OF KUNA

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SIGN-UP SHEET

October 11, 2022 – P & Z Commission, Public Hearing

Case Name: Kuna Apartments Subdivision:

- 1. Case Type: Comp Plan Map Amendment, Rezone, Preliminary Plat & Design Review Request
2. Case No's.: 22-01-CPMA (Comp Plan Map Amendment), 22-03-ZC (Rezone), 22-02-S (Preliminary Plat), & 22-28-DR (Design Review)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council/Commission.

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column has rows for Testify/Not Testify checkboxes and fields for Print Name, Print Address, City, State, Zip. Includes handwritten entries for Hadi Roberon and Danielle Hobbs.



CITY OF KUNA  
P.O. BOX 13  
KUNA, ID 83634  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

## MEMO

**Date:** October 11, 2022  
**From:** Morgan Treasure, Economic Development Director  
**To:** Kuna Planning and Zoning Commission  
**RE:** Kuna Apartments Re-zone

---

Planning and Zoning Commissioners,

Before you is a proposed change to the City of Kuna Comprehensive Plan Map, a Rezone and Preliminary Plat for the Kuna Apartments Subdivision.

This parcel sits off of State Highway 69, behind existing commercial development. Based on the surrounding retail users, the lack of visibility and the proximity to a traffic corridor that can handle larger demand, a high-density residential use would be appropriate in this area. Since the initial development of this land, the trend in retail development has shifted from large, high-square footage retail shopping centers to a mixed-use model that integrates shopping, services and residential in a single location. This rezone would bring the western side of Highway 69 more in-line with that model of development.

Area businesses are struggling to find employees and are looking to the City for solutions. Providing more workforce housing options, especially in our current market with a 1.6% percent vacancy rate (5-6% is considered healthy), could be part of the solution to keeping Kuna a great place to do business and growing our commercial and industrial base.

As a general rule, the Economic Development Department seeks to preserve as much commercially zoned property as possible, but in the case of this parcel, would agree with a FLUM amendment and Rezone. The size and location of the parcel make it an appropriate place for high-density residential and create an area on the western side of the highway that is more compatible with the current market demand for mixed-use residential/retail development.

Thank you for your consideration,

Morgan Treasure  
Economic Development Director  
[mtreasure@kunaid.gov](mailto:mtreasure@kunaid.gov)  
208-559-5926



<b>2.12</b>	Central District Health Department			X
<b>2.13</b>	Nampa & Meridian Irrigation District			X
<b>2.14</b>	Ada County Highway District			X
<b>2.17</b>	Public Works			X
<b>2.15</b>	P&Z Commission KMN			X
<b>2.16</b>	P&Z Commission Mailer			X
<b>2.18</b>	P&Z Proof of Property Posting			X

**1.2 Public Hearing**

**1.2.1** The Planning and Zoning Commission heard this on October 11, 2022. The FCO’s have been requested to go to the Commission in October 25, 2022.

**1.3 Witness Testimony**

**1.3.1** Those who testified at the Commission’s October 11, 2022, hearing are as follows, to-wit:

**1.3.1.1** City Staff:  
Jessica Reid, Planner II

**1.3.1.2** Appearing for the Applicant:  
Jeff Maffucio, Kuna, ID 83634

**1.3.1.3** Appearing in Favor:  
None

**1.3.1.4** Appearing Neutral:  
None

**1.3.1.5** Appearing in Opposition:  
Shawna Moyer, 12160 W Dynamite Lane, Kuna, ID 83634 – Did not testify  
Todd Moyer, 12160 W Dynamite Lane, Kuna, ID 83634 – Did not testify

**II  
DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III  
FINDINGS OF FACT**

**3.1 Findings Regarding Notice**

**3.1.1 Notice Required:** Notice has been given in accordance with City Code and Idaho Statutes.

**3.1.2 Notice Provided**

**3.1.2.1** Notice was published for the October 11, 2022, hearing in the Kuna Melba News, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
Kuna Melba News	September 21, 2022

**3.1.2.2** Notice for the October 11, 2022, hearing containing the legal description of the property proposed to be used, was mailed on September 21, 2022, to all know and affected property owners within 300-ft of the property boundaries.

**3.1.2.3** Notice for the October 11, 2022, hearing was posted on a sign in accordance with Kuna City Code 5-1A-8, on October 1, 2022. A Proof of Property Posting was provided to staff October 3, 2022.

**3.2 Findings Regarding Special Use Permit**

**3.2.1** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Kuna City Code Title 5.

**3.2.2** The current zone for the subject site is A (Agriculture), the Comprehensive Plan Future Land Use Map designates the subject site as Mixed-Use. The Hawk Substation would connect to the existing electrical grid and provide increased capacity and reliability to existing and new customers in east Kuna increasing the viability for new land uses.

**3.2.3** The Applicant held a Neighborhood Meeting on June 28, 2022; there were three attendees. Legal Notices were mailed out to landowners within 300-feet of the subject site on September 21, 2022, and a legal notice was published in the Kuna Melba Newspaper on September 21, 2022. The Applicant posted a sign on the property on October 1, 2022. Upon staff review, this meets all noticing requirements to hold a Public Hearing.

**3.3 Testimony of the City Planner**

**3.3.1 Conclusions:** Planning and Zoning Director Doug Hanson, in a staff report to the Planning and Zoning Commission dated October 11, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

**3.3.1.1** Idaho Power Company requests Special Use Permit approval to operate a substation. The subject site is located at 15450 S Cloverdale Road. The 3.11-acre site was created via lot split approved by the Kuna City Council on June 21, 2022.

- 3.3.1.2 The Applicant has submitted a complete application in accordance with KCC 5-6-2. The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on June 28, 2022, there were no attendees; the meeting minutes have been included as a part of this application.
- 3.3.1.3 Per City Engineer’s comments (Exhibit 2.17), Public Works can support this Special Use Permit request.
- 3.3.1.4 The Applicant will be required to return for Design Review approval for site design and landscaping.
- 3.3.1.5 Staff has determined the Applicant’s Special Use Permit request is in compliance with Kuna City Code Title 5, Comprehensive Plan and Idaho Code. Staff recommends the Commission approve the Special Use Permit, with the Applicant be subject to the Conditions of Approval listed in section “3.4” of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

**3.4 Conditions of Approval:** As a result of the review, the Planning & Zoning Commission Approved the application with the following Conditions:

- 3.4.1 No building permits will be issued until the Applicant and/or property owner can demonstrate compliance with all Kuna City Codes.
- 3.4.2 Applicant shall follow all procedures, staff recommendations, Kuna Rural Fire District and all ACHD standards.
- 3.4.3 When required, connection to City Services (Sewer, Water, Pressurized Irrigation) shall conform to all corresponding Master Plans.
- 3.4.4 Applicant shall follow staff, City Engineer’s and other agency recommended requirements as applicable.
- 3.4.5 Applicant shall adhere to all agencies and staff requirements and recommendations.
- 3.4.6 Applicant shall comply with all federal, state and local laws.

**3.5 Other Testimony**

- 3.5.1 10/11/2022 Public Hearing – Jeff Maffucio, Idaho Power presented an information slideshow (Pages 90 – 103 of the meeting packet) regarding the project, then stood for questions.

**IV**

**CONCLUSIONS OF LAW**

**RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION**

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.

4.2 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Special Use Permit applications as provided in Kuna City Code 1-14-3.

4.3 Kuna City Code 5-6 provides that:

It is recognized that an increasing number of new kinds of uses appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually.

The Planning and Zoning Commission shall hold a Public Hearing on each Special Use Permit application as specified in the Official Schedule of District Regulations. The Commission may Approve, Conditionally Approve or Deny a Special Use Permit under the Conditions as herein specified and considering such additional safeguards as will uphold the intent of this Title.

## V

### **ORDER OF APPROVAL FOR SPECIAL USE PERMIT**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY APPROVE:

5.1 Case No. 22-09-SUP (Special Use Permit) for the Idaho Power Hawk Substation.

**BY ACTION OF THE PLANNING AND ZONING COMMISSION** of the City of Kuna, at its regular meeting held on the 25<sup>th</sup> day of October, 2022.

---

Lee Young, Chairman  
Kuna Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATION OF ) **Case No. 22-11-SUP (Special Use Permit)**  
 )  
 )  
**BRISBIE, LLC** ) **FINDINGS OF FACT,**  
 ) **CONCLUSIONS OF LAW AND**  
 ) **ORDER OF APPROVAL OF COLE**  
 ) **SUBSTATION SPECIAL USE**  
*For a Special Use Permit for S Cole Road.* ) **PERMIT.**

---

THESE MATTERS came before the Planning and Zoning Commission for review and Approval or Denial on October 11, 2022, for receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced application. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decision.

**I  
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

**1.1 Exhibits:**

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
<b>1.1</b>	Staff Report			X
<b>2.1</b>	P&Z Application Coversheet			X
<b>2.2</b>	Special Use Permit Application			X
<b>2.3</b>	Narrative			X
<b>2.4</b>	Vicinity Map			X
<b>2.5</b>	Aerial Map			X
<b>2.6</b>	Legal Description			X
<b>2.7</b>	Affidavit of Legal Interest			X
<b>2.8</b>	Neighborhood Meeting Certification			X
<b>2.9</b>	Commitment to Property Posting			X
<b>2.10</b>	Agency Transmittal			X
<b>2.11</b>	Idaho Transportation Department			X

<b>2.12</b>	Central District Health Department			X
<b>2.13</b>	Department of Environmental Quality			X
<b>2.14</b>	Nampa & Meridian Irrigation District			X
<b>2.15</b>	Ada County Highway District			X
<b>2.18</b>	Public Works			X
<b>2.16</b>	P&Z Commission KMN			X
<b>2.17</b>	P&Z Commission Mailer			X
<b>2.19</b>	P&Z Proof of Property Posting			X

**1.2 Public Hearing**

**1.2.1** The Planning and Zoning Commission heard this on October 11, 2022. The FCO’s have been requested to go to the Commission in October 25, 2022.

**1.3 Witness Testimony**

**1.3.1** Those who testified at the Commission’s October 11, 2022, hearing are as follows, to-wit:

**1.3.1.1** City Staff:  
Jessica Reid, Planner II

**1.3.1.2** Appearing for the Applicant:  
Jeff Maffucio, Kuna, ID 83634

**1.3.1.3** Appearing in Favor:  
None

**1.3.1.4** Appearing Neutral:  
Heidi Peterson, 1142 E Whitetail Court, Kuna, ID 83634 - Testified

**1.3.1.5** Appearing in Opposition:  
None

**II  
DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III  
FINDINGS OF FACT**

**3.1 Findings Regarding Notice**

**3.1.1 Notice Required:** Notice has been given in accordance with City Code and Idaho Statutes.

**3.1.2 Notice Provided**

**3.1.2.1** Notice was published for the October 11, 2022, hearing in the Kuna Melba News, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
Kuna Melba News	September 21, 2022

**3.1.2.2** Notice for the October 11, 2022, hearing containing the legal description of the property proposed to be used, was mailed on September 21, 2022, to all know and affected property owners within 300-ft of the property boundaries.

**3.1.2.3** Notice for the October 11, 2022, hearing was posted on a sign in accordance with Kuna City Code 5-1A-8, on October 1, 2022. A Proof of Property Posting was provided to staff October 3, 2022.

**3.2 Findings Regarding Special Use Permit**

**3.2.1** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Kuna City Code Title 5.

**3.2.2** The current zone for the subject site is M-1 (Light Industrial), the Comprehensive Plan Future Land Use Map designates the subject site as Agriculture. The Comprehensive Plan Future Land Use Map approved in July of 2019, is currently going through the Public Hearing process; should it be approved, the future land use designation of the site will be Industrial.

**3.2.3** The Applicant held a Neighborhood Meeting on June 28, 2022, there were two attendees. Legal Notices were mailed out to landowners within 300-feet of the subject site on September 21, 2022, and a legal notice was published in the Kuna Melba Newspaper on September 21, 2022. The Applicant posted a sign on the property on October 1, 2022. Upon staff review, this meets all noticing requirements to hold a Public Hearing.

**3.3 Testimony of the City Planner**

**3.3.1 Conclusions:** Planning and Zoning Director Doug Hanson, in a staff report to the Planning and Zoning Commission dated October 11, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

**3.3.1.1** Idaho Power Company requests Special Use Permit approval to operate a substation. The subject site is located at 14550 S Cole Road. The 10.29-acre

site was created via lot line adjustment approved by the Kuna City Council on September 20, 2022.

- 3.3.1.2 The Applicant has submitted a complete application in accordance with KCC 5-6-2. The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on June 28, 2022, there were two (2) attendees; the meeting minutes have been included as a part of this application.
- 3.3.1.3 Per City Engineer's comments (Exhibit 2.18), Public Works can support this Special Use Permit request.
- 3.3.1.4 Landscaping and site improvements were approved by the Planning and Zoning Commission as a part of Case No. 22-05-DR (Design Review) Project Peregrine.
- 3.3.1.5 Staff has determined the Applicant's Special Use Permit request is in compliance with Kuna City Code Title 5, Comprehensive Plan and Idaho Code. Staff recommends the Commission approve the Special Use Permit, with the Applicant be subject to the Conditions of Approval listed in section "3.4" of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

**3.4 Conditions of Approval:** As a result of the review, the Planning & Zoning Commission Approved the application with the following Conditions:

- 3.4.1 No building permits will be issued until the Applicant and/or property owner can demonstrate compliance with all Kuna City Codes.
- 3.4.2 Applicant shall follow all procedures, staff recommendations, Kuna Rural Fire District and all ACHD standards.
- 3.4.3 When required, connection to City Services (Sewer, Water, Pressurized Irrigation) shall conform to all corresponding Master Plans.
- 3.4.4 Applicant shall follow staff, City Engineer's and other agency recommended requirements as applicable.
- 3.4.5 Applicant shall adhere to all agencies and staff requirements and recommendations.
- 3.4.6 Applicant shall comply with all federal, state and local laws.

**3.5 Other Testimony**

- 3.5.1 10/11/2022 Public Hearing – Jeff Maffuccio, Idaho Power presented a PowerPoint presentation (Pages 152 – 162 of meeting packet) with details on the project; he then stood for questions.
- 3.5.2 10/11/2022 Public Hearing – Heidi Peterson, 1142 E Whitetail Court, Kuna, ID 83634 asked Mr. Maffuccio if it was possible for more solar options to be included or investigated.

**IV**  
**CONCLUSIONS OF LAW**  
**RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION**

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Special Use Permit applications as provided in Kuna City Code 1-14-3.
- 4.3** Kuna City Code 5-6 provides that:

It is recognized that an increasing number of new kinds of uses appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually.

The Planning and Zoning Commission shall hold a Public Hearing on each Special Use Permit application as specified in the Official Schedule of District Regulations. The Commission may Approve, Conditionally Approve or Deny a Special Use Permit under the Conditions as herein specified and considering such additional safeguards as will uphold the intent of this Title.

**V**  
**ORDER OF APPROVAL FOR SPECIAL USE PERMIT**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY APPROVE:

- 5.1** Case No. 22-11-SUP (Special Use Permit) for the Idaho Power Cole Substation.

**BY ACTION OF THE PLANNING AND ZONING COMMISSION** of the City of Kuna, at its regular meeting held on the 25<sup>th</sup> day of October, 2022.

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Lee Young, Chairman  
Kuna Planning and Zoning Commission



<b>2.13</b>	Landscape Plan COLOR RENDERING			X
<b>2.14</b>	Landscape Plan			X
<b>2.15</b>	Common Lots Maintenance Agreement (CC&R's)			X
<b>2.16</b>	TIS Executive Summary			X
<b>2.17</b>	Agency Transmittal Letter			X
<b>2.18</b>	City Engineer			X
<b>2.19</b>	ACHD (Ada County Highway District)			X
<b>2.20</b>	Boise Project Board of Control			X
<b>2.21</b>	CDHD (Central District Health Department)			X
<b>2.22</b>	COMPASS			X
<b>2.23</b>	KPD (Kuna Police Dept.)			X
<b>2.24</b>	KRFD (Kuna Rural Fire District)			X
<b>2.25</b>	Nampa Meridian Irr. Dist.			X
<b>2.26</b>	PnZ Kuna Melba News			X
<b>2.27</b>	PnZ 300 Ft. Legal Mailer			X
<b>2.28</b>	PnZ Website Notice			X
<b>2.29</b>	PnZ Proof of Property Posting			X

## 1.2 Hearings

**1.2.1** The Planning and Zoning Commission heard this application October 11, 2022, at their regularly scheduled meeting. The FCO's have been requested to go to the Planning and Zoning Commission on October 25, 2022. A Neighborhood Meeting was held March 24, 2022, 13 residents attended. A legal notice was published in the Kuna Melba Newspaper on September 14, 2022. The Applicant posted a sign on the property September 30, 2022. Neighborhood Notices were mailed to land owners within 300-FT of the proposed project site on September 21, 2022.

## 1.3 Witness Testimony

**1.3.1** Those who testified at the Commissions' October 11, 2022, hearing are as follows, to-wit:

**1.3.1.1** City Staff:  
Troy Behunin, Planner III

**1.3.1.2** Appearing for the Applicant:  
Mark Hampton, 11716 S 700 E, Draper, UT 84020 - Testified

**1.3.1.3** Appearing in Favor:  
None

**1.3.1.4** Appearing Neutral:  
None

- 1.3.1.5** Appearing in Opposition:
  - Lynn McKeen, 1230 E Fort Erie Kuna, ID, 83634 – Testified
  - Glenn Stracner, 876 E Whitetail St. Kuna, ID. 83634 – Testified
  - Sue Peterson, 1320 E Sweet Pearl St., Kuna, ID. 83634 – Testified
  - Toby Robson, 1795 N Firebrick, Kuna, ID. 83634 – Testified
  - Lewis Veal, 1329 E Timber Trail, Kuna, ID. 83634 – Testified

**II  
DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECCOMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III  
FINDINGS OF FACT**

**3.1 Findings Regarding Notice**

**3.1.1 Notice Required:** Notice has been given in accordance with the City Code and Idaho Statutes.

**3.1.2 Notice Provided**

**3.1.2.1** Notice was published for the October 11, 2022, hearing for the Beltzarock Subdivision in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada County and Canyon County.

<i>Newspaper</i>	<i>Dates Published</i>
<i>Kuna Melba News</i>	September 14, 2022

**3.1.2.2** Notice for the October 11, 2022, hearing containing the description of the proposed applications, was mailed on September 21, 2022, to all known and affected property owners within 300 feet of the boundaries of the area described in the application.

**3.1.2.3** Notice for the October 11, 2022, hearing was posted on signs in accordance with Kuna City Code (KCC) 5-1A-8, on September 30, 2022. A Proof of Property Posting was provided to staff on September 30, 2022.

3.1.2.4 Notice for the October 11, 2022, hearing was posted on the City Website.

**3.2 Findings Regarding Preliminary Plat, and Design Review:**

3.2.1 The land proposed for Subdivision, and Design Review is on one (1) parcel approximately (approx.) 24.67 acres. The parcel information is listed below:

APN	Owner	Size	Zone
S1313449905	SH69 North, LLC	24.67 ac.	R-20 (High Density Residential) C-2 (Area Commercial)

3.2.2 The existing land uses and zoning district classifications for lands surrounding the subject parcels are as follows:

<b>North</b>	RR	Rural Residential – Ada County
<b>South</b>	C-1	Neighborhood Commercial - Kuna City
<b>East</b>	C-1	Neighborhood Commercial - Kuna City
	RUT	Rural Urban Transition – Ada County
<b>West</b>	R-6	Medium Density Residential – Kuna City

3.2.3 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6. According to Exhibit 2.18, Public Works state, Sewer service for Beltzarock Subdivision Phase 1 will be contingent on the successful completion of the 18” Danskin sewer force main project. Sewer capacity EDU’s that become available upon completion of the 18” Danskin force main will be distributed on a first come first serve basis. Public Works staff cannot support approval of this application until the 18” Danskin force main project is complete.

3.2.4 Applicant held a Neighborhood Meeting March 24, 2022; 13 residents attended. Neighborhood Notices were mailed out to residents within 300-feet of the proposed project site on September 21, 2022, and a legal notice was published in the Kuna Melba Newspaper on September 14, 2022. The Applicant posted a sign on the property on September 30, 2022.

3.2.5 The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups in Kuna, as well as the installation of pathways and open space. The existing zone district is R-20, and the Comp Plan Map designates the property as Mixed-Uses.

3.2.6 Review by Staff of the proposed Preliminary Plat and Design Review confirms all applicable technical requirements listed in KCC and Development Agreement were provided.

3.2.7 According to Exhibit 2.18 Public Works state, Sewer service for Beltzarock Subdivision Phase 1 will be contingent on the successful completion of the 18” Danskin sewer force main project. Sewer capacity EDU’s that become available upon completion of the 18” Danskin force main will be distributed on a first come first serve basis. Public Works staff

cannot support approval of this application until the 18” Danskin force main project is complete.

- 3.2.8 Correspondence from Kuna Public Works recommends the Applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.
- 3.2.9 Throughout the development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.
- 3.2.10 Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.
- 3.2.11 A six-foot vinyl fence is proposed around the perimeter of the subdivision where permitted, unless otherwise approved.
- 3.2.12 Pursuant to Idaho Code 67-8003, the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

### 3.3 Testimony of the City Planner

- 3.3.1 **Conclusions:** The City Planner, in a staff report to the Planning and Zoning Commission dated October 11, 2022, confirmed a review of the application and records on file at the City of Kuna has been completed with the following conclusions:
  - 3.3.1.1 A Pre-Application Meeting was held between the Applicant and the City January 27, 2022. The Applicant held a Neighborhood Meeting with residents within 300-ft of the proposed project area on March 24 2022, there were 13 attendees. Neighborhood Meeting Minutes, as well as mailed materials have been provided as a part of this application.
  - 3.3.1.2 SH69 North, LLC, the Applicant, requests approval to subdivide approx. 24.56 acres into 74 total lots (53 single family, 11 common, and 10 Commercial Lots.
  - 3.3.1.3 The Gross Density of the project is proposed to be 10.6 Dwelling Units per Acre (DUA), with a Net Density is proposed to be 18.60 DUA.
  - 3.3.1.4 The Applicant proposes 0.45 acres, or 9.0% of the residential project as open space. Staff views the proposal to be compliant with 5-17-12-D.
  - 3.3.1.5 According to Exhibit 2.18, Public Works staff states this project is located within the Danskin Lift Station basin which currently do not have capacity to provide sewer service for Beltzarock Subdivision. Sewer service for Beltzarock Subdivision Phase 1 will be contingent on the successful completion of the 18” Danskin sewer force main project. Sewer capacity (equivalent dwelling units [EDU’s]) that become available upon completion of the 18” Danskin force main will be distributed on a first come first serve

basis. EDU's will be soft reserved once the civil construction drawings are received and issuance of the QLPE will hard reserve the EDU's needed for each phase. The location of the private lift station will be finalized during the civil construction drawing review process. Public Works staff cannot support approval of this application until the 18" Danskin force main project is complete.

- 3.3.1.6** The Applicant proposes attached townhomes within the project, and according to KCC 5-3-3\*, the director may, in the name of creativity in design, allow for the reduction of the street frontages and minimum lot size recommendations, after reviewing the overall layout of streets and lots. Staff has discussed the recommended widths for lots in an R-20 with the Planning director and it was determined the intent of KCC 5-3-3\* has been satisfied. Staff recommends the Applicant be conditioned to work with the City Engineer for proper easement widths for the project as a whole. Staff highlights if this project is approved, it is the responsibility of the Developer to ensure any anticipated buildings fit all buildable lots.
- 3.3.1.7** The installation of streetlights is a required public improvement listed under KCC 6-4-2. The Applicant shall be required to work with staff in order to comply with KCC and install street lights a maximum spacing of 250-ft.; the final location of street lights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to "Dark Sky" standards and are required to be LED streetlights.
- 3.3.1.8** A Design Review application for common areas was included with this application. Staff notes the Applicant shall comply with KCC 5-5-5-F and install "see-through" fencing along all residential buildable lot property lines abutting pathways and greenbelts unless otherwise approved. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. It is the responsibility of the Developer to ensure the landscape buffer widths follow KCC. Additionally, staff notes if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities. In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a landscape compliance inspection. Any elements that must be moved to another spot, may not simply be removed. Staff notes the landscape plan shall have a note for trees stating "Burlap, wire basket and twine to be removed at least 1/2 way down the root ball. Developer shall correct the note and re-submit the Landscape Plan for approval.
- 3.3.1.9** The Developer/Owner, Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.

**3.3.2 Conditions of Approval:** Planning & Zoning Commission approves Case No. 22-26-DR, and recommends Approval to City Council for Case No. 22-06-S, with the Applicant subject to the following Conditions of Approval:

**3.3.2.1** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:

**3.3.2.1.1** The City Engineer shall approve all sewer connections.

**3.3.2.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.

**3.3.2.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.

**3.3.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

**3.3.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

**3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).

**3.3.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

**3.3.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.

**3.3.2.3** Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

**3.3.2.4** Connection to City Services (Sewer and Domestic Water) is required; the Applicant shall conform to all corresponding City of Kuna Master Plans.

**3.3.2.5** The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or Water Booster Station.

- 3.3.2.6** The Developer/Owner/Applicant shall not submit an application for Final Plat until the City’s Public Works Director issues a Will-Serve Letter stating that the City’s appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.
- 3.3.2.7** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and may be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- 3.3.2.8** Landscape buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 3.3.2.9** Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.
- 3.3.2.10** It is the responsibility of the Developer or their engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- 3.3.2.11** Developer/Owner/Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 3.3.2.12** Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).
- 3.3.2.13** All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- 3.3.2.14** Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 3.3.2.15** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
- 3.3.2.16** If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.
- 3.3.2.17** Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.

- 3.3.2.18** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- 3.3.2.19** Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- 3.3.2.20** Applicant shall work with the City Engineer for proper easement widths for the project as a whole, and in particular the clustered home products with private driveway and private road as proposed.
- 3.3.2.21** Developer shall ensure any anticipated residential buildings fit any given buildable lot.
- 3.3.2.22** Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
- 3.3.2.23** Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- 3.3.2.24** Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.
- 3.3.2.25** The Landscape Plan (dated 9.9.21) and Preliminary Plat (dated 3.10.22) will be considered binding site plans as amended and/or approved.
- 3.3.2.26** Downstream and upstream water users' rights shall not be impeded. At their expense, Developers/Owners/Applicants, are all responsible to maintain and honor all historic flows, rights, and access.
- 3.3.2.27** Developer/Owner/Applicant shall follow staff, the City Engineer's, and other agency recommended requirements as applicable.
- 3.3.2.28** Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

#### **3.4 Other Testimony**

- 3.4.1** 10/11/2022 Public Hearing; TJ Angstman, 18 Golden Bar Ct., Donnelly, ID, stated they held two (2) neighborhood meetings, and explained they have C-2 and R-20 zoning in place, but are only a little over 10 DUA. He stated he believes this was a good compromise, rather than the three-story product they had planned. He believes this mixed-use proposal is a good fit for the area.

- 3.4.2 10/11/2022 - Public; Lynn McKeen, 1230 E Fort Erie Kuna, ID, 83634, Lynn stated she had never seen this site plan before and questioned why the new subdivision needs to connect to Sterling Ranch. Lynn stated people will shop and eat in the new subdivision and use their roads to go out, Lynn stated there are 20 young kids on their street. And that they should go directly to Meridian Road.
- 3.4.3 10/11/2022 - Public Hearing; Glenn Stracner, 876 E Whitetail St. Kuna, ID. 83634 – Glenn stated he knows development is necessary, but must be planned right. 50 houses with only a small amount of grass area is too small. He questioned what will they do for the 100 kids that live there. Glenn stated that traffic is already a concern on Ardell and Meridian Road. He asked if these people go through Sterling Ranch?
- 3.4.4 10/11/2022 - Public Hearing; Sue Peterson, 1320 E Sweet Pearl St., Kuna, ID. 83634, stated she just moved in yesterday. Sue stated her concern is for the kids and the grass areas. She stated she doesn't want them to use their pool.
- 3.4.5 10/11/2022 - Public Hearing; Toby Robson, 1795 N Firebrick, Kuna, ID. 83634. Mr. Robson stated he agrees with what has been said previously. He stated his biggest concern is how this affects the Kuna School District.
- 3.4.6 10/11/2022 - Public Hearing; Lewis Veal, 1329 E Timber Trail, Kuna, ID. 83634. Lewis, questioned where the 24 hour access for this project was, and asked about general access for general uses. He asked about the regulations for lighting.
- 3.4.7 10/11/2022 - Public Hearing – REBUTTAL; TJ Angstman, 18 Golden Bar Ct., Donnelly, ID – TJ stated he wishes he could remove the connections to Sterling Ranch, and that they tried to avoid them. He stated the open space meets KCC code. He suggested locks on the gates of the pool to keep outsiders out. TJ stated the commercial lights will not shine offsite, and how all residents in the area will be in walking distance of commercial activities.

#### IV

#### CONCLUSIONS OF LAW

#### RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222, and Kuna City Code 1-14-3.

#### V

#### CONCLUSIONS OF LAW

#### RE: APPLICATION FOR PRELIMINARY PLAT

- 5.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & 67-65

- 5.2 In Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and the City Council as the decision-making body.
- 5.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §§ 50-13 & 67-65 and Article 12, section 2.

**VI**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR DESIGN REVIEW**

- 6.1 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code 1-14-3.
- 6.2 Kuna City Code 5-4-2 provides that:

“This chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.”

**VII**  
**ORDER OF RECOMMENDED APPROVAL OF APPLICATIONS FOR**  
**PRELIMINARY PLAT**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 7.1 That the Preliminary Plat Application (Case No. 22-06-S) is recommended *Approval*.

**VIII**  
**ORDER OF APPROVAL OF APPLICATION FOR**  
**DESIGN REVIEW**

- 8.1 That the Design Review Application (22-26-DR) is hereby Approved.

**BY ACTION OF THE PLANNING AND ZONING COMMISSION** of the City of Kuna at its regular meeting held on the 25<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Chairman, Lee Young



<b>2.11</b>	Legal Description C-1			X
<b>2.12</b>	Legal Description R-20			X
<b>2.13</b>	Preliminary Plat			X
<b>2.14</b>	Landscape Plan			X
<b>2.15</b>	Site Utility & Drainage			X
<b>2.16</b>	Commitment to Property Posting			X
<b>2.17</b>	CC&R's			X
<b>2.18</b>	Landscape Plan			X
<b>2.19</b>	Letter Requesting Agency Comments			X
<b>2.20</b>	City Engineer Memo			X
<b>2.21</b>	ACHD Letter			X
<b>2.22</b>	BPBC Letter			X
<b>2.23</b>	Central Dist. Health Dept. Letter			X
<b>2.24</b>	COMPASS Letter			X
<b>2.25</b>	KSD Letter			X
<b>2.26</b>	Nampa Meridian Irr. Dist. Letter			X
<b>2.27</b>	KMN Proof of Publish			X
<b>2.28</b>	300 Legal Mailer Proof of Mailer			X
<b>2.29</b>	Proof of Site Posting			X
<b>2.30</b>	Website Publish			X

## **1.2 Hearings**

**1.2.1** The Planning and Zoning Commission heard this application October 11, 2022, at their regularly scheduled meeting. The FCO's have been requested to go to the Planning and Zoning Commission on October 25, 2022. A Neighborhood Meeting was held May 5, 2022, zero (0) residents attended. A legal notice was published in the Kuna Melba Newspaper on September 21, 2022. The Applicant posted a sign on the property September 28, 2022. Neighborhood Notices were mailed to land owners within 300-FT of the proposed project site on September 20, 2022.

## **1.3 Witness Testimony**

**1.3.1** Those who testified at the Commissions' October 11, 2022, hearing are as follows, to-wit:

**1.3.1.1** City Staff:  
Troy Behunin, Planner III

**1.3.1.2** Appearing for the Applicant:  
Mark Hampton, 11716 S 700 E, Draper, UT 84020 - Testified

**1.3.1.3** Appearing in Favor:  
None

**1.3.1.4** Appearing Neutral:  
None

**1.3.1.5** Appearing in Opposition:  
Danielle Horras, KSD No. 3, at 711 E Porter Rd., Kuna, ID, 83634 – Testified

## **II DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECCOMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

## **III FINDINGS OF FACT**

### **3.1 Findings Regarding Notice**

**3.1.1 Notice Required:** Notice has been given in accordance with the City Code and Idaho Statutes.

#### **3.1.2 Notice Provided**

**3.1.2.1** Notice was published for the October 11, 2022, hearing for the Kuna Apartments Subdivision in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada County and Canyon County.

<i>Newspaper</i>	<i>Dates Published</i>
<i>Kuna Melba News</i>	September 31, 20222

**3.1.2.2** Notice for the October 11, 2022, hearing containing the description of the proposed applications, was mailed on September 20, 2022, to all known and affected property owners within 300 feet of the boundaries of the area described in the application.

**3.1.2.3** Notice for the October 11, 2022, hearing was posted on signs in accordance with Kuna City Code (KCC) 5-1A-8, on September 28, 2022. A Proof of Property Posting was provided to staff on October 3, 2022.

**3.1.2.4** Notice for the October 11, 2022, hearing was posted on the City Website.

### **3.2 Findings Regarding Comprehensive Plan Map Amendment, Rezone, Preliminary Plat, and Design Review:**

- 3.2.1** The land proposed for Comprehensive Plan Map Amendment, Rezone, Subdivision, and Design Review is on one parcel *approximately* (approx.) 11.81 acres. The parcel information is listed below:

APN	Owner	Size	Zone
S1324110095	CJM, LLLP	11.81 ac.	R-6 (Medium Density Residential) C-1 (Neighborhood Commercial)

- 3.2.2** The existing land uses and zoning district classifications for lands surrounding the subject parcels are as follows:

<b>North</b>	C-1	Neighborhood Commercial - Kuna City
<b>South</b>	R-6	Medium Density Residential - Kuna City
<b>East</b>	C-1	Neighborhood Commercial - Kuna City
<b>West</b>	RUT	Rural Urban Transition – Ada County

- 3.2.3** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6. Exhibit 2.20-Public Works The applicant has approximately 186 prepaid EDU's for this property. The total projected EDU's is approximately 193. The City can service up to 186 EDU's. Additional EDU's may become available when the 18" Danskinn force main is complete.
- 3.2.4** Applicant held a Neighborhood Meeting May 5, 2022; Zero residents attended. Neighborhood Notices were mailed out to residents within 300-feet of the proposed project site on September 20, 2022, and a legal notice was published in the Kuna Melba Newspaper on September 21, 2022. The Applicant posted a sign on the property on September 28, 2022.
- 3.2.5** The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups in Kuna, as well as the installation of pathways and open space. The existing zone district is C-1, and the Comp Plan Map designates the property as Commercial.
- 3.2.6** Review by Staff of the proposed Comprehensive Plan Amendment, Rezone, Preliminary Plat and Design Review confirms all applicable technical requirements listed in KCC were provided.
- 3.2.7** According to Exhibit 2.20 Rezoning this parcel from R-6 and C-1 to a R-20 will increase demand on a gravity sewer line downstream of this project. The gravity sewer line can support R-6 and C-1 zones, but cannot support an R-20 zone. Public Works staff recommends a lower density zoning. If the applicant wishes to proceed with R-20 zoning, the applicant shall upsize approximately 1,800 feet of gravity sewer to a diameter supported by the sewer model.
- 3.2.8** Correspondence from Kuna Public Works recommends the Applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.

- 3.2.9 Throughout the development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.
- 3.2.10 Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.
- 3.2.11 A landscape plan was submitted and appears to conform to KCC as necessary.
- 3.2.12 Pursuant to Idaho Code 67-8003, the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

### 3.3 Testimony of the City Planner

- 3.3.1 **Conclusions:** The City Planner, in a staff report to the Planning and Zoning Commission dated October 11, 2022, confirmed a review of the application and records on file at the City of Kuna has been completed with the following conclusions:
  - 3.3.1.1 A Pre-Application Meeting was held between the Applicant and the City March 21, 2022. The Applicant held a Neighborhood Meeting with residents within 300-ft of the proposed project area on May 5 2022, there zero attendees. Neighborhood Meeting information, as well as mailed materials have been provided as a part of this application.
  - 3.3.1.2 Mark Hampton, the Applicant, requests approval to change the Future Land Use Map (FLUM), for part of the site from Neighborhood Commercial (C-1), to High Density Residential (R-20) and to rezone approximately (approx.) 8.93 acres from R-6 Medium Density Residential and C-1, to R-20. Applicant also request to subdivide the approx. 11.81 acres into 2 total lots (1 Residential, and 1 Commercial).
  - 3.3.1.3 The Gross Density of the project is proposed to be 18.25 Dwelling Units per Acre (DUA), and the Net Density is proposed to be 19.73 DUA. The Applicant proposes 3.45 acres, or 32.80% of the residential area of the project as open space.
  - 3.3.1.4 According to Exhibit 2.20, The applicant has approximately 186 prepaid equivalent dwelling units (EDU's) available for this property. The total projected EDU's is approximately 193. The City can service up to 186 EDU's. Additional EDU's may become available when the 18" Danskin force main is complete. Rezoning this parcel from R-6 and C-1 to a R-20 will increase demand on a gravity sewer line downstream of this project. The gravity sewer line can support R-6 and C-1 zones, but cannot support an R-20 zone. Public Works staff recommends a lower density zoning. If the applicant wishes to proceed with R-20 zoning, the applicant shall upsize approximately 1,800 feet of gravity sewer to a diameter supported by the sewer model.

- 3.3.1.5** Staff recommends the Applicant be conditioned to work with the City Engineer for proper easement widths for the project as a whole. Staff highlights if this project is approved, it is the responsibility of the Developer to ensure any anticipated buildings fit buildable lot(s).
- 3.3.1.6** The installation of streetlights is a required public improvement listed under KCC 6-4-2. The Applicant shall be required to work with staff in order to comply with KCC and install street and parking lot lights a maximum spacing of 250-ft.; the final location of street lights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to “Dark Sky” standards and are required to be LED streetlights.
- 3.3.1.7** A Design Review application for common areas was included with this application. It is the responsibility of the Developer to ensure the landscape buffer widths follow KCC. Additionally, staff notes if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities. In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a landscape compliance inspection. Any elements that must be moved to another spot, may not simply be removed.
- 3.3.1.8** The Developer/Owner, Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.
- 3.3.1.9** The Applicant is required to return for Building, Landscape, Parking Lot and Street Light Design Review if this request is approved.
- 3.3.2** **Conditions of Approval:** Planning & Zoning Commission approves Case No. 22-28-DR, and recommends Approval to City Council for Case Nos. 22-01-CPM, 22-02-ZC, and 22-02-S, with the Applicant subject to the following Conditions of Approval:
- 3.3.2.1** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
- 3.3.2.1.1** The City Engineer shall approve all sewer connections.
- 3.3.2.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.
- 3.3.2.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.

- 3.3.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
- 3.3.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
- 3.3.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 3.3.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 3.3.2.3** Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required..
- 3.3.2.4** Connection to City Services (Sewer and Domestic Water) is required; the Applicant shall conform to all corresponding City of Kuna Master Plans.
- 3.3.2.5** The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating that the City's appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.
- 3.3.2.6** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and may be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- 3.3.2.7** Landscape buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 3.3.2.8** Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.

- 3.3.2.9** It is the responsibility of the Developer or their engineer to coordinate *and* design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- 3.3.2.10** Developer/Owner/Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 3.3.2.11** Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).
- 3.3.2.12** All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- 3.3.2.13** Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles
- 3.3.2.14** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10
- 3.3.2.15** If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.
- 3.3.2.16** Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.
- 3.3.2.17** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- 3.3.2.18** Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- 3.3.2.19** Applicant shall work with the City Engineer for proper easement widths for the project as a whole.
- 3.3.2.20** Developer shall ensure any anticipated residential buildings fit any given buildable lot.
- 3.3.2.21** Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

- 3.3.2.22 Developer/Owner/Applicant is hereby notified of Kuna’s weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- 3.3.2.23 Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.
- 3.3.2.24 The Landscape Plan (dated 7.15.22) and Preliminary Plat (dated 8.8.22) will be considered binding site plans as amended *and/or* approved.
- 3.3.2.25 Downstream and upstream water users’ rights shall not be impeded. Developers/Owners/Applicants, are all responsible to maintain and honor all historic flows, rights, and access.
- 3.3.2.26 Developer/Owner/Applicant shall follow staff, the City Engineer’s, and other agency recommended requirements as applicable.
- 3.3.2.27 Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

**3.4 Other Testimony**

- 3.4.1 10/11/2022 Public Hearing – Mark Hampton, 11716 S 700 E, Draper, UT 84020, stated he believes this mixed-use proposal is the highest and best use for this site, and the right fit for the area. Mark stated the number of parking lots, open space for residents and listed the pool, pool house and other amenities. He stated he agrees with installing the 1,800 feet of sewer lines stated by the Engineer, and with the Economic Development Department Letter read into the record. He testified this will be a great fit for the area and future users to the west.
- 3.4.2 10/11/2022 Public – Kuna School Dist. No. 3, 711 E Porter Rd., Kuna, ID, 83634, Danielle testified of the urgency and conveyed caution in her message. Kuna has grown a lot, and the School District has not. Danielle stated the School District is busting at the seams in school, and that schools need to be factored in while adding new subdivisions.

**IV**

**CONCLUSIONS OF LAW**

**RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION**

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-13, §67-65, and Kuna City Code 1-14-3.

**V**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR COMPREHENSIVE PLAN MAP AMENDMENT**

- 5.1 The City of Kuna has authority to approve Comprehensive Plan Map Amendments within its boundaries pursuant to I.C. §50-13 & §67-65.
- 5.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Comprehensive Plan Map Amendments are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.

**VI**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR REZONE**

- 6.1 The City of Kuna has authority to Rezone lands within its boundaries pursuant to I.C. §67-6511.
- 6.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Rezones are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.
- 6.3 The Rezone, proposed by the Rezone Application in Case No. 22-02-ZC, would comply with the Comprehensive Plan.

**VII**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR PRELIMINARY PLAT**

- 7.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & 67-65
- 7.2 In Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and the City Council as the decision-making body.
- 7.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §§ 50-13 & 67-65 and Article 12, section 2.

**VIII**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR DESIGN REVIEW**

- 8.1 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code 1-14-3.
- 8.2 Kuna City Code 5-4-2 provides that:  
  
“This chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date

of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.”

**IX**  
**ORDER OF RECOMMENDED APPROVAL OF APPLICATIONS FOR  
COMPREHENSIVE PLAN MAP AMENDMENT, REZONE AND  
PRELIMINARY PLAT**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 9.1 That the Comprehensive Plan Map Amendment Application (Case No. 22-01-CPM) is recommended *Approval*.
- 9.2 That the Rezone Application (Case No. 22-02-ZC) is recommended *Approval*.
- 9.3 That the Preliminary Plat Application (Case No. 22-02-S) is recommended *Approval*.

**X**  
**ORDER OF APPROVAL OF APPLICATION FOR  
DESIGN REVIEW**

- 10.1 That the Design Review Application (22-28-DR) is hereby Approved.

**BY ACTION OF THE PLANNING AND ZONING COMMISSION** of the City of Kuna at its regular meeting held on the 25<sup>th</sup> day of October, 2022.

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Chairman, Lee Young



<b>2.20</b>	ACHD Final Staff Report			X
<b>2.21</b>	Public Works Memo			

**1.2 Public Meeting**

The Planning and Zoning Commission heard this October 11, 2022; these Findings have been requested to go before the Commission on October 25, 2022.

**1.3 Testimony**

**1.3.1** Those who testified at the Commissions October 11, 2022, meeting area as follows, to-wit:

**1.3.1.1** City Staff:  
Jessica Reid, Planner II

**1.3.1.2** Appearing for the Applicant:  
Brett Gulash, Hillside Architecture

**II  
DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III  
FINDINGS OF FACT**

**3.1 Findings Regarding Design Review**

**3.1.1** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.

**3.1.2** Review by Staff and the Commission of the proposed Design Review confirms the proposed structures and their design appear appropriate for the subject site.

**3.1.3** The Comprehensive Plan designates the future land use designation of the subject sites as Light Industrial/ Manufacturing; the subject sites are currently zoned M-1 (Light Industrial/Manufacturing), thus meeting this requirement.

**3.1.4** Upon review, staff finds the proposed project is an appropriate fit for the proposed location as the parcels lie within the city’s Industrial/manufacturing area.

**3.1.5** The placement and orientation of the structures, including building façade and colors, proposed landscaping and fencing, appear to offer a cohesive design and provides adequate screening between the subject sites and neighboring properties.

**3.1.6** Sidewalks immediately adjacent to the structures and the proposed sidewalk on E Stagecoach Way, provides safe pedestrian access.

- 3.1.7** Based on comments provided by ACHD in Exhibits 2.18 – 2.20, the existing infrastructure can support the proposed development once roadway improvements are made; the Public Works Department in Exhibit 2.21 also states the existing infrastructure can support the proposed development.

## **3.2 Testimony of City Staff**

- 3.2.1 Conclusions:** Planner II Jessica Reid, in a staff report to the Planning and Zoning Commission dated October 11, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.2.1.1** The subject sites currently have no curb, gutter, sidewalk or curb cuts; these items will be installed at time of development. Per the project site plan, Exhibit 2.6, two (2) curb cuts will be provided for ingress/egress from E Stagecoach; the first 30-ft curb cut will be on the lot line shared with Parcel A and Parcel B, while the second 40-ft curb cut will be parallel with Parcel D's west lot line and will provide through access to the J&M Sanitation yard immediately to the south.
- 3.2.1.2** On page five (5) of Ada County Highway Districts (ACHD) Draft Staff Report (Exhibit 2.18), site specific Conditions of Approval are listed. These include constructing E stagecoach Way as half of a 40-foot local Industrial street section with pavement widening, vertical curb, gutter & 5-foot sidewalk; dedicating existing prescriptive right-of-way from centerline of E Stagecoach Way to extend to 2-feet behind back of sidewalk; construct a 30-foot wide paved curb return for shared driveway access 507-feet east of S Swan Falls Road; construct a 40-foot wide paved curb return for shared driveway access 835-feet east of S Swan Falls Road; as well as general Conditions applied to all projects. The Applicant had questions regarding these Conditions and reached out to ACHD staff; answers were provided and can be reviewed in Exhibit 2.19.
- 3.2.1.3** Planning and Zoning staff reached out to ACHD regarding a final staff report on September 19, 2022; the final report (Exhibit 2.20) was received same day and the Conditions of Approval were unchanged.
- 3.2.1.4** The subject sites were created by a Lot Line Adjustment approved by City Council February 16, 2021 (Case No. 21-01-LLA), and kept their existing M-1 (Light Industrial/Manufacturing) zone. The Parcels are identified in this staff report begin with Parcel/Building A on the west, with Parcels/Buildings B – D following as you move east.
- 3.2.1.5** Parcel A is proposed to contain an 80-feet by 130-feet steel building totaling 10,400 SF, with the possibility to have three suites. Building A is proposed to be approximately 20-feet 8-inches tall, have three (3) anodized aluminum storefronts with a man-door and widows, a stone veneer accent under the windows, and canopy. The rear of the building is proposed to provide three (3) man-doors and three (3) roll-up doors. Bollards are proposed around the building to provide protection. Northwest of Building A, an at grade loading dock is proposed, with truck traffic circulation moving counterclockwise around the building. 10 standard parking stalls and two (2) ADA stalls are immediately adjacent to the storefronts, and 12 additional standard parking

stalls are provided north of the building. A sidewalk runs the length of the building frontage, thus providing safe pedestrian access.

- 3.2.1.6** Parcel B is proposed to contain the largest steel building standing at 20-feet 18-inches in height, is 80-feet by 145-feet or 11,600 SF, and also provides the potential for two (2) large suites. The two (2) proposed anodized aluminum storefronts face west towards Parcel/Building A; these storefronts mimic the same design, materials and colors as Building A. The rear of the building proposes two (2) man-doors and two (2) roll-up doors. Bollards are placed at intervals around the building to provide protection. 11 standard parking stalls and two (2) ADA stalls are immediately adjacent to the storefronts, with 12 additional standard stalls to the north. A sidewalk runs the length of the building frontage, thus providing safe pedestrian access.
- 3.2.1.7** Parcel C is proposed to contain a 20-feet 18-inch-tall, 70-feet by 145-feet steel building, totaling 10,150 SF and has the potential to have five (5) suites. Five (5) anodized aluminum storefronts face east while five (5) man-doors and roll-up doors are proposed for the rear, or west, of the building; these storefronts mimic the design, materials and colors of Building A. Bollards are placed at intervals around the building to provide protection. 11 standard parking stalls and two (2) ADA stalls are immediately adjacent with the storefronts, with 13 additional standard stalls to the north. A sidewalk runs the length of the frontage, thus providing safe pedestrian access. A landscaped area is proposed to separate the parking stalls in front of the building and the through access drive from E Stagecoach to the J&M Sanitation yard.
- 3.2.1.8** Parcel D is proposed to contain a 20-feet 18-inch-tall, 60-feet by 100-feet steel building, totaling 6,000 SF, and has the potential for three (3) suites. The three (3) anodized aluminum storefronts face north towards E Stagecoach and mimic the design, materials and colors of Building A. 7 standard parking stalls and two (2) ADA stalls are immediately adjacent to the building, while 14 additional standard stalls are immediately north. A sidewalk runs the length of the building frontage, thus providing safe pedestrian access.
- 3.2.1.9** The overall colors and materials are the same on all four (4) buildings, offering a cohesive look. The buildings themselves will have vertical metal in Beige, and a painted wainscot in Antique Bronze while standing seam metal roof is proposed to be in Patrician Bronze. The anodized aluminum storefronts and associated canopies are proposed to be Dark Bronze, along with a stone veneer under the storefront windows. The man-doors and roll-up doors found on the rear of each building are proposed to be Dark Bronze.
- 3.2.1.10** Proposed landscaping for the subject sites includes an approximately 5-foot sidewalk along E stagecoach, running the entire length of the four (4) parcels frontage. A 10-foot landscape buffer is also proposed along E Stagecoach, which contains location for a monument sign, ample deciduous trees, evergreen shrubs, grasses and groundcover roses; the multiple landscaped parking islands contain various plantings as well. As staff supports drought-tolerant plantings, the subject sites are located within an Industrial/Manufacturing area, and they will not be connected to city

pressurized irrigation, the remaining “landscape” buffers on the east, west & south, as well as the remaining southern portion of the strip separating parking stalls from the through drive, is proposed to be gravel. Two (2) trash enclosures are also proposed for the sites, with one near the southwest corner of Building A, and the other on the southeast corner of Building D. Measurements and materials for the trash enclosures were not provided, however, the enclosures shall be built to J&M Sanitation standards and should be constructed of CMU block. In an effort to provide site-obstruction to the neighboring properties, one of which is a residential home, the Applicant proposes 6-foot vinyl fencing on both the east and west property lines. In the southwest of Parcel A, a small dogleg creates almost a void space, therefore, the Applicant proposes the north portion of the dogleg to have a 6-foot chainlink fence with privacy screening. On the southeast corner of Parcel D, the Applicant also proposes a 6-foot chainlink fence with privacy screening.

- 3.2.1.11** Proposed lighting for the subject sites proposes two (2) LED streetlights facing E Stagecoach, and four (4) facing the parking lot. Additionally, wall mounted LED lighting is proposed around each building.
- 3.2.1.12** In Exhibit 2.22, Public Works provides their support of this application. All four (4) of the parcels will be connected to city water & sewer, but will not be connected to pressurized irrigation.
- 3.2.1.13** Upon complete review, staff finds the application generally complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map (FLUM); and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-33-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report.

**3.3 Conditions of Approval:** As a result of the review, the Planning and Zoning Commission Approved the application with the following Conditions:

- 3.3.1** The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation connections, and all other requirements of the Kuna Public Works Department. Potable/drinking water shall not be used for irrigation purposes per Kuna City Code 6-4-2(B)(9).
- 3.3.2** The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the approved use, or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
  - 3.3.2.1** No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.
  - 3.3.2.2** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Kuna Rural Fire District is required.

- 3.3.2.3** The city shall approve any modifications to the existing water, sewer or irrigation system.
- 3.3.2.4** Approval from Ada County Highway District (impact fees), if any, shall be paid prior to issuance of building permits.
- 3.3.3** Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.
- 3.3.4** Developer/Owner/Applicant shall submit civil plans to [pwoffice@kunaid.gov](mailto:pwoffice@kunaid.gov) for review, and receive formal Civil plan approvals, prior to construction or Building Permit application.
- 3.3.5** On-site stormwater retention shall be reviewed in conjunction with this Design Review and Applicant/Developer shall be required to provide a stormwater disposal and treatment plan which accounts for increased on-site storm water runoff volumes; detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.
- 3.3.6** If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).
- 3.3.7** The Kuna Rural Fire District (KRFD), or KRFD representative, must approve fire access to the project before, during, and after construction.
- 3.3.8** Developer/Owner/Applicant shall verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties; slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot, and no steeper than 4:1 for lots with common rear lot lines.
- 3.3.9** This development is subject to Architectural and Landscape compliance Design Review inspections prior to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid prior to requesting staff inspection.
- 3.3.10** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.
- 3.3.11** All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (3) days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 3.3.12** Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles. All rope, twine, burlap and wire cages shall be removed half way down the rootball.
- 3.3.13** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.

- 3.3.14 Developer/Owner/Applicant is hereby notified of Kuna’s weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over 12-inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout the seasons.
- 3.3.15 Developer/Owner/Applicant is hereby notified of Kuna’s working hours. Construction of any kind shall only be conducted between 7:00 AM to 11:00 PM; noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
- 3.3.16 Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 3.3.17 Developer/Owner/Applicant shall comply with all local, state and federal laws.

**IV**

**CONCLUSIONS OF LAW**

**RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION**

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50 Idaho Code.
- 4.2 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code Title 1, Section 12, Section 3.
- 4.3 Kuna City Code Title 5, Chapter 4, Section 2 provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new Commercial, Industrial, Institutional, Office, Multi-Family Residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, sign or sites, requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.

**V**

**ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the public meeting, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 5.1 Case No. 22-33-DR (Design Review) for E Stagecoach Industrial Flexspace is Approved.

**BY ACTION OF THE PLANNING AND ZONING COMMISSION** of the City of Kuna at its regular meeting held on October 25<sup>th</sup>, 2022.

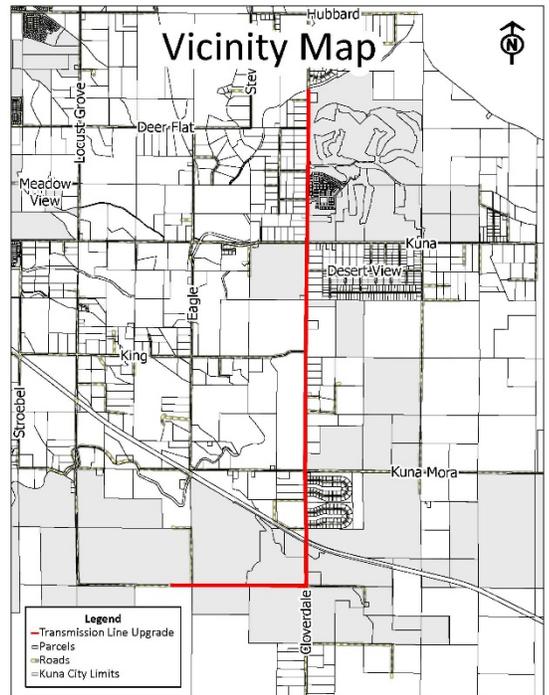
\_\_\_\_\_  
Lee Young  
Kuna Planning and Zoning Commission

**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATION OF ) **Case Nos. 22-13-SUP (Special Use Permit)**  
 )  
**IDAHO POWER COMPANY** )  
 )  
 ) **STAFF REPORT FOR THE**  
*For a Special Use Permit for Barker and* ) **TRANSMISSION LINE SPECIAL**  
*Cloverdale Road.* ) **USE PERMIT APPLICATION.**

**TABLE OF CONTENTS**

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Comprehensive Plan Analysis
8. Proposed Findings of Fact and Conclusions of Law
9. Commission’s Recommendation



**I  
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

**1.1 Exhibits:**

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
<b>1.1</b>	Staff Report			X
<b>2.1</b>	P&Z Application Coversheet			X
<b>2.2</b>	Special Use Permit Application			X

<b>2.3</b>	Narrative			X
<b>2.4</b>	Legal Description, Easements & Deeds			X
<b>2.5</b>	Site Plans			X
<b>2.6</b>	Commitment to Property Posting			X
<b>2.7</b>	Neighborhood Meeting Certification			X
<b>2.8</b>	Agency Transmittal			X
<b>2.9</b>	Nampa & Meridian Irrigation District			X
<b>2.13</b>	Public Works			X
<b>2.10</b>	P&Z Commission KMN			X
<b>2.11</b>	P&Z Commission Mailer			X
<b>2.14</b>	P&Z Commission Proof of Property Posting			X
<b>2.12</b>	Jim Tucker Public Comment			X

## II PROCESS AND NOTICING

**2.1** In accordance with Kuna City Code (KCC) 1-14-3: Decision Making Authority, Special Use Permits are designated as Public Hearings, with the Planning and Zoning Commission as the decision-making body. The land use application was given proper public notice and followed the requirements set forth in Idaho Code Chapter 65, Local Land Use Planning Act.

### 2.1.1 Notifications

<b>2.1.1.1</b>	Neighborhood Meeting:	June 28, 2022 (Two Attendees)
<b>2.1.1.2</b>	Agency Comments Request:	September 15, 2022
<b>2.1.1.3</b>	300 FT Property Owners Notice:	September 21, 2022
<b>2.1.1.4</b>	Kuna Melba News Newspaper:	September 28 and October 25, 2022
<b>2.1.1.5</b>	Site Posted:	October 15, 2022

## III APPLICANTS REQUEST

**3.1** Idaho Power Company requests Special Use Permit approval for portions of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in City of Kuna which will run adjacent to Barker Road and Cloverdale Road.

## IV GENERAL PROJECT FACTS

### 4.1 Site History

**4.1.1** This area of Kuna has historically been utilized for agricultural purposes.

### 4.2 Environmental Issues

**4.2.1** Staff is not aware of any other environmental issues, health or safety conflicts.

**V**  
**TRANSPORTATION AND CONNECTIVITY**

- 5.1** No right-of-way improvements are proposed with the application. The majority of the transmission line located within Kuna City Limits will run adjacent to Barker Road and Cloverdale Road. Idaho Power is purchasing easements so the transmission line can be setback to accommodate Ada County Highway District's future right-of-way needs.

**VI**  
**STAFF ANALYSIS**

- 6.1** Idaho Power Company requests Special Use Permit approval for portions of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in City of Kuna which will run adjacent to Barker Road and Cloverdale Road.

The Applicant has submitted a complete application in accordance with KCC 5-6-2. The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on June 28, 2022, there were two (2) attendees; the meeting minutes have been included as a part of this application.

Per City Engineer's comments (Exhibit 2.13), Public Works can support this Special Use Permit request as the Applicant does not propose construction or connection of any public works infrastructure.

Staff has determined the Applicant's Special Use Permit request is in compliance with Kuna City Code Title 5, Comprehensive Plan and Idaho Code. Staff recommends the Commission approve the Special Use Permit, with the Applicant be subject to the Conditions of Approval listed in section "VIII" (8) of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

**6.2** **Applicable Standards**

- 6.2.1** City of Kuna Zoning Ordinance Title 5.
- 6.2.2** City of Kuna Comprehensive Plan.
- 6.2.3** Idaho Code §65-65 Local Land Use Planning Act.

**VII**  
**COMPREHENSIVE PLAN ANALYSIS**

- 7.1** The Kuna Planning and Zoning Commission may *Accept/Reject* the Comprehensive Plan components, and has determined the requested Special Use Permit for the site *is/is not* consistent with the following Comprehensive Plan components as described below:

- 7.1.1** Goal Area 3: Kuna's Land Uses will support Desirable, Distinctive and Well-Designed Community.
- Objective 3.G: Respect and protect private property rights.
    - Policy 3.G.1: Ensure Land Use policies, restrictions, and fees do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**7.1.2** Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

- Goal 4.H: Ensure National Interest Electric Transmission Corridors (NIETC), as well as power and gas transmission corridors, are considered in land use planning decisions, and minimize the adverse impacts of transmission corridors in the community.
  - Objective 4.H.1: Consider location of current and future electric transmission corridors as part of land use planning decisions.
    - Objective 4.H.1.a.: Promote the development of energy services and public utility facilities to meet public needs.
    - Objective 4.H.1.b.: Encourage electrical transmission corridors to be located away from urban development.

## **VIII PROPOSED FINDINGS OF FACT**

Based upon the record contained in Case No. 22-13-SUP (Special Use Permit) including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, and including the exhibits, and testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby (*Approves/Conditionally Approves/Denies*) Case No. 22-13-SUP, a request from Idaho Power for portions of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade.

*If the Planning and Zoning Commission wishes to Approve, Deny or Modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.*

**8.1** Based on the evidence contained in Case No. 22-13-SUP, this proposal *does/does not* generally comply with the City Code.

**Staff Finding:** *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Kuna City Code Title 5.*

**8.2** The public notice requirements *have/have not* been met and the Neighborhood Meeting *was/was not* conducted within the guidelines of applicable Idaho Code and City Ordinances.

**Staff Finding:** *The Applicant held a Neighborhood Meeting on June 28, 2022; there were two attendees. Legal Notices were mailed out to landowners within 300-feet of the subject site on September 28, 2022, and a legal notice was published in the Kuna Melba Newspaper on September 28 and October 5, 2022. The Applicant posted a sign on the property on October 15, 2022.*

## **VIII COMMISSION'S RECCOMENDATION**

*Note: This Motion is for Approval, Conditional Approval or Denial of the Special Use Permit application. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby (*Approves/Conditionally Approves/Denies*) Case No. 22-13-SUP, a request from Idaho power to construct and operate a substation, subject to the following Conditions of Approval:

- 9.1 No building permits will be issued until the Applicant and/or property owner can demonstrate compliance with all Kuna City Codes.
- 9.2 Applicant shall follow all procedures, staff recommendations, Kuna Rural Fire District and all ACHD standards.
- 9.3 When required, connection to City Services (Sewer, Water, Pressurized Irrigation) shall conform to all corresponding Master Plans.
- 9.4 Applicant shall follow staff, City Engineer's, Ada County Highway District and other agency recommended requirements as applicable.
- 9.5 Applicant shall adhere to all agencies and staff requirements and recommendations.
- 9.6 Applicant shall comply with all federal, state and local laws.

**DATED** this 25<sup>th</sup> day of October, 2022.



# Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)



**\*\*Office Use Only\*\***

**File No.(s):** 22-13-SUP

**Project Name:** Bowmont to Hubbard Transmission Line Upgrade

**Date Received:** 08.31.2022

**Date Accepted as Complete:** 09.14.2022

Type of review requested (check all that apply):

<input type="checkbox"/>	Annexation & Zoning	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Comp. Plan Map Amendment	<input type="checkbox"/>	Combination Pre & Final Plat
<input type="checkbox"/>	Design Review	<input type="checkbox"/>	Development Agreement
<input type="checkbox"/>	Final Planned Unit Development	<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Lot Split
<input type="checkbox"/>	Ordinance Amendment	<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Preliminary Plat	<input type="checkbox"/>	Rezone
<input checked="" type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Temporary Business
<input type="checkbox"/>	Vacation	<input type="checkbox"/>	Variance

### Owner of Record

Name: Idaho Power Company

Address: PO BOX 70, Boise, ID 83707

Phone: 208-388-2402

Email: jmaffuccio@idahopower.com

### Applicant (Developer) Information

Name: Idaho Power Company, attn: Jeff Maffuccio

Address: PO BOX 70, Boise, Idaho 83707

Phone: 208-388-2402

Email: jmaffuccio@idahopower.com

### Engineer/Representative Information

Name: HDR, Attn: Makary Hutson

Address: 412 E. Parkcenter Blvd, Suite 100, Boise, ID 83706

Phone: 208-387-7000, m. 509-981-7542 Email: makary.hutson@hdrinc.com

### Subject Property Information

Site Address: 1055 South Cloverdale Road (Hubbard Substation only)

Nearest Major Cross Streets: South Cloverdale Road and East Kuna Road

Parcel No.(s): S1416414601, Hubbard Substation (overall project has multiple parcels)

Section, Township, Range: Section 16, Township 2 North, Range 1 East

Property Size: Linear transmission line project with multiple properties. Maps and figures attached

Current Land use: Varies, Agricultural & residential Proposed land use: No Change

Current Zoning: Varies, Agricultural & residential Proposed Zoning: No Change

### **Project Description**

Project Name: Idaho Power Bowmont to Hubbard Line Upgrade

General Description of Project: Idaho Power is requesting a special use permit for a portion of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in city of Kuna. The 16-mile long line upgrade project will increase the amount of available power, reduce the risk of service interruptions, and provide an additional connection for customers in the area.

Type of proposed use (check all that apply and provide specific density/zoning):

Residential: R-2 R-4 R-6 R-8 R-12 R-20  Commercial: C-1 C-2 C-3  CBD

Office  Industrial: M-1 M-2  Other: h o 7

Type(s) of amenities provided with development: The project corridor is an existing overhead power transmission line.

### **Residential Project Summary (If Applicable) (Not applicable)**

Are there existing buildings? YES NO **X**

If YES, please describe: \_\_\_\_\_

Will any existing buildings remain? YES NO **N/A**

No. of Residential Units: \_\_\_\_\_ No. of Building Lots: \_\_\_\_\_

\_\_\_\_\_ No. of Common Lots: \_\_\_\_\_ No. of Other Lots: \_\_\_\_\_

\_\_\_\_\_ Type of dwelling(s) proposed (check all that apply):

Single-Family  Townhomes  Duplexes  Multi-Family

Other: \_\_\_\_\_

Minimum square footage of structure(s): \_\_\_\_\_

Gross Density (Dwelling Units ÷ Total Acreage): \_\_\_\_\_

Net Density (Dwelling Units ÷ Total Acreage not including Roads): \_\_\_\_\_

Percentage of Open Space provided: \_\_\_\_\_ Acreage of Open Space: \_\_\_\_\_

Type of Open Space provided (i.e. public, common, landscaping): \_\_\_\_\_

**Non-Residential Project Summary (If Applicable)**

Number of building lots: Not Applicable Other lots: Various, not applicable. Existing overhead line

Gross floor area square footage: \_\_\_\_\_ Existing (if applicable): \_\_\_\_\_

Building height: \_\_\_\_\_ Hours of Operation: \_\_\_\_\_

Total No. of Employees: \_\_\_\_\_ Max No. of Employees at one time: \_\_\_\_\_

No. of and ages of students: \_\_\_\_\_ Seating capacity: \_\_\_\_\_

**Proposed Parking** - None. Not-Applicable

ADA accessible spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

Regular parking spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

Width of driveway aisle: \_\_\_\_\_

Proposed lighting: None. Existing lights at two existing Substations. Is lighting "Dark Sky" compliant? YES NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.): None / Not applicable

Applicant Signature: \_\_\_\_\_ Date: 8/26/2022

*By signing, you are confirming you have provided all required items listed on this application.*

**Upon completion of this form, please email to [pzapplications@kunaid.gov](mailto:pzapplications@kunaid.gov). A link will be provided to you for application attachments to be uploaded to the cloud.**



**A Special Use requires a Public Hearing with the Planning & Zoning Commission. A Public Hearing sign will be required to be posted by the applicant for the meeting. Sign posting regulations are available online in Kuna City Code 5-1A-8.**

**\*\*Office Use Only\*\***

Case No(s): 22-113-SUP  
Project Name: Bowmont to Hubbard Transmission Line Upgrade  
Date Received: 08.31.2022  
Date Accepted as Complete: \_\_\_\_\_

**Application shall contain one (1) copy of the following (digital documents preferred):**

- X • Complete Planning & Zoning Application Coversheet.
- X • Complete Special Use Permit Application.
- 1 • Detailed narrative or justification of the application, describing how the project enhances and beautifies the community; types of services the project will provide; and any other applicable information.
- 2 • Legal Description of Property: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- 3 • Vicinity Map 8.5" x 11": Drawn to scale of 1" = 300' (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- 4 • Aerial Photo: 8.5" x 11" depicting proposed site, street names, and surrounding parcels within five-hundred (500) feet. *(The purpose of the aerial map is to view the site for existing features and existing features of adjacent sites.)*
- 5 • Recorded Warranty Deed for property.
- 5 • Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. *(One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- 6 • Neighborhood Meeting Certification.
- 7 • Commitment of Property Posting form signed by the applicant/agent.

*This application shall not be considered complete (nor will a Public Hearing be scheduled) until Staff has received all required information. Once the application is deemed complete, Staff will notify the Applicant of the scheduled hearing date, fees due, and any additional items via a Letter of Completeness.*

**Information to Note:**

The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee (KCC 5-1A-2C).

Complete applications shall be reviewed within sixty (60) days of date of acceptance (KCC 5-1A-5A).

Applicant Signature: Jeffrey Maffuccio Digitally signed by Jeffrey Maffuccio  
Date: 2022.08.26 12:07:33 -06'00' Date: 08/26/2022

*By signing, you are confirming you have provided all required items listed on this application.*

# Special Use Application, Kuna Planning & Zoning Idaho Power Bowmont to Hubbard 230-kilovolt (kV) Transmission Line Upgrade Project

Idaho Power Company (Idaho Power) is filing this application to upgrade the existing Bowmont to Hubbard 138- kV transmission line corridor by adding a 230-kV transmission line circuit. The transmission line connects Idaho Power's Bowmont Substation, south of Nampa, and its Hubbard Substation, south of Boise.

For administrative purposes, this application identifies the entire proposed project by the existing Hubbard Substation at 10555 South Cloverdale Road (Parcel#: S1416414601) (SEC 16, 2N, 1E).

## **1. Detailed Narrative**

### *Purpose and Need*

Today, the major electricity corridors in the Treasure Valley cross the north and central parts of the valley. Upgrading the capacity on the existing Bowmont to Hubbard line corridor would increase available electricity in the southern part of the Treasure Valley, without increasing the number of additional transmission routes through Kuna. The project would increase the amount of available power, reduce the risk of outages, and provide an additional connection for customers.

The addition of a new 230-kv line with the existing 138-kV line on double circuit towers would support delivery of additional reliable, affordable, clean energy to customers across the region. The proposed upgrades would also bring more energy into the region from the Boardman to Hemingway (B2H) 500-kV transmission line project, scheduled for completion in 2026 or later.

### *Project Location and Existing Conditions*

The Bowmont to Hubbard transmission line project (Project) location is an existing Idaho Power 138-kV line corridor across the southern Treasure Valley. Idaho Power's Bowmont substation is located on Southside Boulevard about 5 miles south of Nampa in Canyon County. The 16-mile transmission line project includes work in two separate, existing corridors for the first two miles heading south and east, in Canyon County. The line then proceeds east into Ada County and along Kuna Cave Road for seven (7) miles. The line corridor angles towards Kuna Mora Road before proceeding north on Cloverdale Road for the last 3.25 miles. Portions of the transmission line corridor on south Cloverdale Road are in Kuna City limits.

The Project ends at Idaho Power's Hubbard substation, located on Cloverdale Road, south of Boise and east of Kuna. Along South Cloverdale Road, there are large-lot rural residences and on-going developments that have been recently annexed into Kuna city limits.

The terrain generally consists of either cultivated agricultural land or rangeland. The rangeland terrain varies and includes lava rock outcroppings and sand deposits at various locations. Along Cloverdale Road, the line will be located along the road frontage of large lot rural-residences and a few platted subdivisions just beyond Kuna city limits.

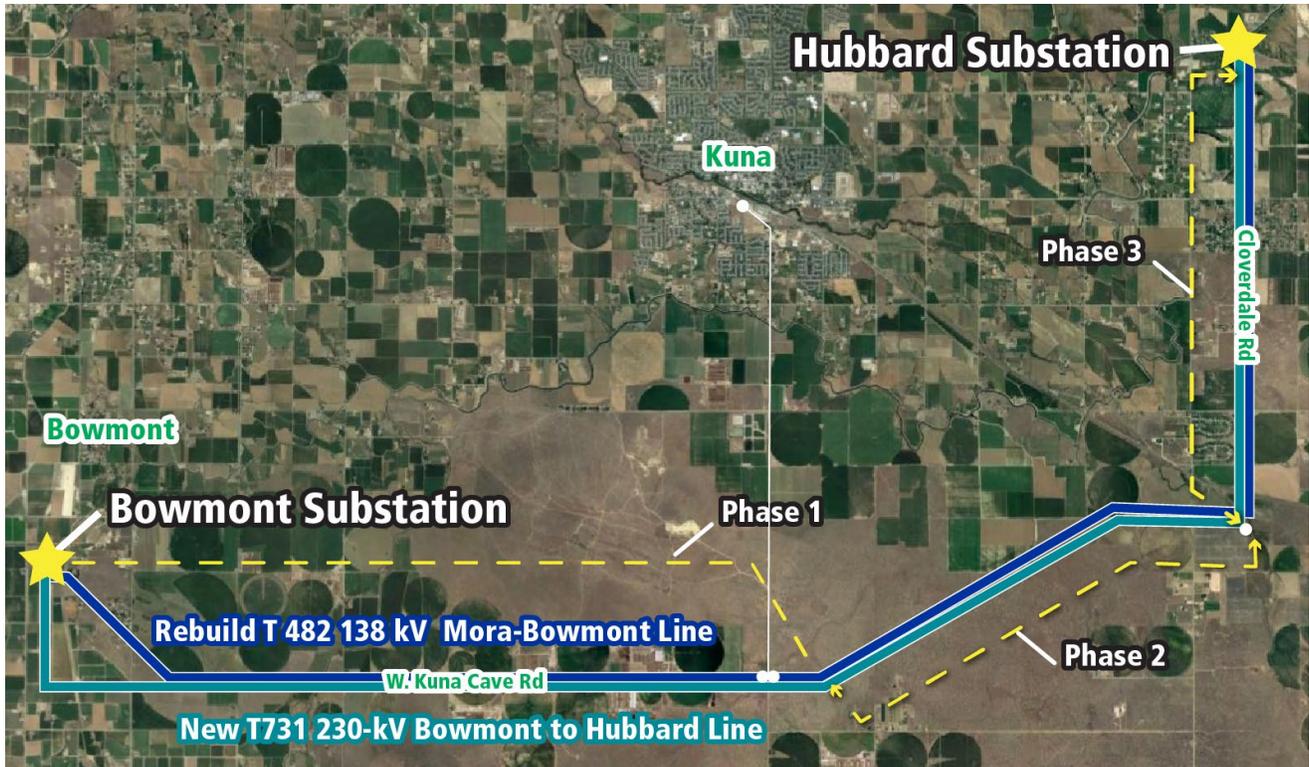


Figure 1- Overview Map of proposed transmission line upgrade extent and construction phases.

### Project Scope

Idaho Power proposes to upgrade the existing 16-mile long, single-circuit 138-kV transmission line corridor by adding a 230-kV transmission line resulting in a 138-kV/230-kV transmission line from Bowmont Substation to Hubbard Substation (Figure 1). To accommodate the additional line, Idaho Power would install approximately 200 new, taller single-pole steel structures to support both lines.

The addition of the Bowmont to Hubbard 230-kV transmission line (new T731) to the existing 138-kV transmission line (T708, not shown on overview map) requires single-pole double-circuit structures measuring 4 to 5 feet in diameter. Typical new pole heights would be 125 feet, based on terrain, except for canal crossings and existing line transitions where pole heights would range up to 145 feet. Typical pole spacing would be 600 feet apart, except for the first mile along Southside Boulevard in Canyon County, where spans would be 300 feet.

The first portion of the project from Bowmont Substation would include line upgrades on two separate corridors. Both segments require new double-circuit pole upgrades. The upgrade line would run parallel to Southside Blvd for about 1 mile (T708), then head east 1.2 miles to the intersection with the second line segment. The second line segment heads southeast from Bowmont Substation at a diagonal for 1.7 miles on the existing 138-kV line corridor (no. 920) that would be upgraded to a double circuit with both 138-kV lines (T708 and T920). Most of the Project 230-kV line would be in the same alignment as the existing line (T482), except for the first 2.2 miles segment.

The project would upgrade the 138-kV line (T708) corridor that terminates at Idaho Power's Mora Substation on the east side of Cloverdale Road across from Hubbard Substation. After the upgrade, the line would be renamed the 138-kV Mora-Bowmont Line (T482) (Figure 1).

### *Project Scope Summary*

- Line length: 16 miles
- Number of Structures: 200 tubular steel poles (approximately)
- Typical pole foundation diameter: 6 to 8 feet
- Typical steel pole diameter: 4 to 5 feet
- Typical Pole height: 120-125 feet, depending on terrain
- Maximum pole height: 145 feet, based on terrain
- Pole spacing: 600 feet (varies)
- A combination of existing easements, public right-of-way, and new easements may be required
- Construction time: 2023 – 2026, completed in three phases

### *Project Phases*

This Idaho Power project will be constructed in a phased approach. Construction is anticipated to begin in 2023 and finished in 2026, split into three phases. Phase one of construction would begin in summer 2023 from Bowmont Substation to the Kuna Tap. Phase two of construction would begin in 2024 at the Kuna Tap to the Boise City Solar. The final phase would occur in 2025-2026 from Boise City Solar to the Hubbard Substation. Refer to Figure 1 which also shows the project phasing.

## **2. Legal Description of Property**

The proposed line upgrade project is planned to be constructed within Idaho Power's existing private easements, BLM, or public/road right-of-way (ROW), although new easements may be required. Existing easement agreements and deeds with legal descriptions along the 16-mile project corridor are attached.

## **3 & 4. Vicinity Maps & Aerial Photos**

The attached, scaled project maps show the entire 16-miles of the existing Idaho Power upgrade project corridor. The scaled maps show the existing easements, tower locations and numbers, major roads, crossings, and boundaries. Note: The overview map is labeled Figure 6.1, with indexed plot plan maps labeled Figure 6.2 through Figure 6.45.

## **5. Recorded Warranty Deed(s), Affidavit of Legal Interest**

Easements, warranty deeds, and legal descriptions are attached in a single PDF with the legal descriptions of properties along the line corridor.

## **6. Neighborhood Meeting Certification (Attached)**

Outreach summary: In late 2021, Idaho Power communicated with affected property owners and Ada County elected officials to provide early information about the potential impacts and benefits of the project. Idaho Power also met with the City of Kuna in December 2021 and contacted Canyon County planning officials.

The first open house, for the purpose of permitting the line within Ada County's jurisdiction, was held on February 15, 2022, from 5 p.m. to 7 p.m. at Kuna Public Library. Postcards were sent to all property owners within 1,000 feet of the project line corridor. Nine (9) attendees signed in at the meeting. Each attendee was offered a comment form, project fact sheet, and a frequently asked questions (FAQ) sheet. No comments were submitted regarding this Idaho Power project.

A second open house to meet City of Kuna notification requirements was held on June 28, 2022. Letters were sent to all property owners within Kuna city limits and the open house was from 7 p.m. to 7:30 p.m. at the Kuna Public Library. Each attendee was offered a comment form, project fact sheet, and a frequently asked

IPC Bowmont to Hubbard Transmission line Upgrade  
Kuna Planning & Zoning SUP

questions (FAQ) sheet. Two (2) attendees signed into an earlier meeting for another Idaho Power Project (Cole Station) but primarily discussed the Bowmont to Hubbard project. No comments were submitted regarding this project.

**7. Commitment of Property Posting form (Attached)**



**PLEASE RETURN TO:**

Easement Specialist – Plaza 2  
1221 W. Idaho St. (83702)  
P.O. Box 70  
Boise, ID 83707

ADA COUNTY RECORDER Phil McGrane  
BOISE IDAHO Pgs=5 BONNIE OBERBILLIG  
IDAHO POWER

**2021-097098**  
**06/25/2021 08:15 AM**  
\$22.00

IN 1W 18

**Easement—Organization**

HWHL LLC

“Grantor(s)”,do hereby grant and convey to IDAHO POWER COMPANY, a Corporation, with its principal office located at 1221 W. Idaho Street, Boise, Idaho, 83702 (P.O. Box 70, Boise, ID 83707), its licensees, successors, and assigns, (collectively, “Grantee”), for One Dollar and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, a permanent and perpetual easement and right of way, at all times sufficient in width for the installation, erection, continued operation, maintenance, repair, alteration, inspection, and/or replacement of the following:

**Electrical Facilities:**

- (i) Overhead electrical transmission, distribution and communication lines, including fiber optics, and circuits of Grantee, attached to poles or other supports, together with guys, cross-arms, supports, stabilizers, and/or
- (ii) underground electrical power line or lines generally including, but not limited to, buried power lines and wires, above-ground pad-mounted transformers, junction boxes, cables, conduits, communication lines, including fiber optics, other equipment, and all related appurtenances, any of which may extend above ground, in certain locations to be determined by Grantee at Grantee’s sole and absolute discretion, and
- (iii) any other attachments, appurtenances and incidental equipment relating to the items described in subclause (i) or (ii) above.

All of the foregoing items described in subclause (i), (ii) and (iii) are collectively referred to herein as the “Facilities”. Grantee shall also have the right to permit the attachment and/or use or placement of the wires, fixtures, cables and conduits of other companies or parties (all of the same being included within the definition of “Facilities”).

The easement and right of way granted herein shall be over, on, and across the premises belonging to Grantor(s) in Ada County, State of Idaho, in the location described below:

Grantee is hereby also granted the perpetual right of ingress and egress over Grantor’s other property necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and together with all rights and privileges incident thereto, including, but not limited to, (i) the right, at Grantee’s expense, to cut, trim, and remove trees, brush, bushes, sod, flowers, shrubbery, overhanging branches and other obstructions and improvements which may injure or interfere with Grantee’s use, occupation, or enjoyment of this easement, (ii) the right, at Grantee’s expense, to excavate and refill ditches and trenches for the location of the Facilities, and (iii) the right, at Grantee’s expense, to install, construct, operate, inspect, alter, maintain, replace, improve and repair any and all aspects of Grantee’s Facilities on, over, under and across the lands subject to this easement.

The location of the easement and right of way granted herein is described as follows:

In Exhibit ‘A’ Legal Description and shown on Exhibit ‘B’ Survey Map attached hereto and made a part hereof.

Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms, or other activities without the prior written approval of Grantee. Grantor shall not place or build any structure(s) within the easement area except fences and except as otherwise approved by Grantee in writing.

This Easement shall run with the land and be binding upon the parties’ successors and assigns.

*(Signature page immediately follows)*

Checked by: AMF  
Work Order #: 27555427

Executed and delivered this 3 day of June, 2021.

Signature(s) of Grantor(s) (Include title where applicable):

John B. Peterson, Manager, HWHL

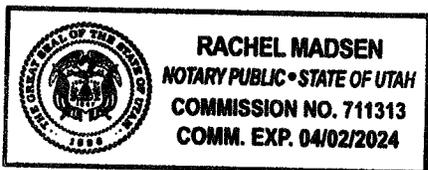
**Corporate Verification**

STATE OF Utah  
COUNTY OF Utah } ss.

I, Rachel Madsen (Notary's Name), a notary public, do hereby certify that on this 3 day of June, 20 21, personally appeared before me John Peterson, manager (Individual's Name Including Title) and \_\_\_\_\_ (Individual's

Name Including Title), who, being by me first duly sworn, declared that he/she/they are respectively the duly authorized person(s) of HWHL LLC (Organization Name), that he/she/they signed the foregoing document, and acknowledged to me that he/she/they executed the same as the free act and deed on behalf of said organization.

(NOTARY SEAL)



Rachel Madsen  
Notary Public  
My Commission Expires on 04/02/2024

**EXHIBIT A Parcel S2218314800**

Date: March 10, 2021

**Project: Bowmont to Hubbard Transmission Line Easement  
Permanent Easement**

A 10 foot wide strip of land being a portion of parcel A described in Quit Claim Deed Instrument No. 110030807, Ada County Records, located in the NE1/4 of the SW 1/4 and Government lot 3 of Section 18, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the West quarter corner of said Section 18, monumented by a by a found 5/8 inch rebar marked with an illegible yellow plastic cap (Corner Record No. 97058497), from which the Northwest section corner of said Section 18, monumented by a found 2.5 inch aluminum cap stamped "PLS 11779" (Corner Record No. 2018-056983), bears North 00°39'36" East, a distance of 2646.25 feet;

Thence South 00°35'11" West, coincident with West line of said Section 18, a distance of 48.00 feet, to the southerly sideline of that Easement recorded under Instrument No. 730844 in the records of Ada County, also being the **POINT OF BEGINNING**;

Thence South 89°28'11" East, coincident with said southerly sideline, a distance of 2593.27 feet to a point on the North-South Center Section line of said Section 18;

Thence South 00°25'04" West, coincident with said North-South Center Section line, a distance of 10.00 feet;

Thence North 89°28'11" West, on a line that is parallel with and ten (10) feet southerly of the southerly sideline of said Easement, a distance of 2593.30 feet, to a point on the West line of said Section 18;

Thence North 00°35'11" East, coincident with said West line, a distance of 10.00 feet, to the **POINT OF BEGINNING**.

The above described parcel contains 25,933 square feet, or 0.60 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The intent of this description is to describe a parcel of land 10 feet in width along the southerly sideline of Easement Instrument No. 730844, Ada County Records. The centerline of said Easement as shown and described in this document is based on the centerline of the existing powerline as measured in the field.

This legal description is based on last deed of record research only. No title report was obtained to verify all property boundary lines referenced in the legal description.

The basis of bearing for this parcel is Grid North, Idaho State Plane Coordinate System, West Zone, North 00°39'36" East between the West 1/4 corner and the Northwest Section corner of said Section 18.

Robert Gromatzky, P.L.S

License No. 17216

End of Description

**EXHIBIT B Parcel S2218314800**

Date: March 10, 2021

**Project: Bowmont to Hubbard Transmission Line Easement  
Permanent Easement**

A parcel of land being a portion of parcel A described in Quit Claim Deed Instrument No. 110030807, Ada County Records, located in the NE1/4 of the SW 1/4 and Government lot 3 of Section 18, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the West quarter corner of said Section 18, monumented by a by a found 5/8 inch rebar marked with an illegible yellow plastic cap (Corner Record No. 97058497), from which the Northwest section corner of said Section 18, monumented by a found 2.5 inch aluminum cap stamped "PLS 11779" (Corner Record No. 2018-056983), bears North 00°39'36" East, a distance of 2646.25 feet;

Thence South 89°45'27" East, coincident with the East-West Center Section line of said Section 18, a distance of 390.52 feet, to a point that is 25 feet northerly of and perpendicular to the centerline of that Easement recorded under Instrument No. 730844 in the records of Ada County, also being the **POINT OF BEGINNING**;

Thence continuing coincident with said East-West Center Section line, South 89°45'47" East, a distance of 220.62 feet, to the Center 1/4 corner of said Section 18, monumented by a found 5/8" rebar with a yellow plastic cap stamped "Marks LS 7045" (Corner Record No. 97058499);

Thence South 00°25'04" West, coincident with the North-South Center Section line of said Section 18, a distance of 10.00 feet, the northerly sideline of said Easement Inst. No. 730844;

Thence North 89°28'11" East, coincident with said northerly sideline, a distance of 2202.61 feet, to the **POINT OF BEGINNING**.

The above described parcel contains 12,423.382 square feet, or 0.285 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The intent of this description is to describe a parcel of land between the East-West Center Section line of said Section 18 and the northerly sideline of Easement Instrument No. 730844, Ada County Records. The centerline of said Easement as shown and described in this document is based on the centerline of the existing powerline as measured in the field.

This legal description is based on last deed of record research only. No title report was obtained to verify all property boundary lines referenced in the legal description.

The basis of bearing for this parcel is Grid North, Idaho State Plane Coordinate System, West Zone, North 00°39'36" East between the West 1/4 corner and the Northwest Section corner of said Section 18.

Robert Gromatzky, P.L.S

License No. 17216

End of Description



INSTRUMENT NO 730844

Idaho Power Company  
POWER LINE EASEMENT

33-708-001 50

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

Clayter F Forsgren and Diane B Forsgren

his wife, Grantor(s), of Madison 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:

A parcel of land lying in the NE<sup>4</sup>SW<sup>4</sup>, and Lot 3, Section 18, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line:

Beginning at a point on the West boundary line of Section 18, T. 1 N., R. 1 W., B.M., Idaho, which bears South 23.0 feet from the West Quarter corner of said Section 18; Thence, S. 89°46'40" E., a distance of 2600.0 feet more or less to the East boundary line of the NE<sup>4</sup>SW<sup>4</sup>, Section 18, T. 1 N., R. 1 W., B.M., Idaho.

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.

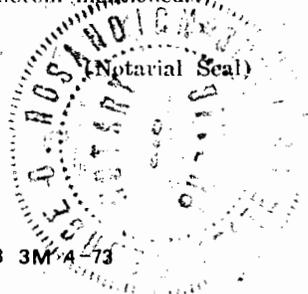
Executed and delivered this 21 day of May, 19 74

*Clayter F Forsgren*  
*Diane B Forsgren*

STATE OF Idaho }  
County of Ada } ss.

On this 21 day of May, 19 74, before me, George D Rosandick a Notary Public, personally appeared Clayter F Forsgren and Diane B Forsgren, his wife, 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 19 77



OVER

STATE OF \_\_\_\_\_ ss.  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, \_\_\_\_\_ and  
a Notary Public, personally appeared \_\_\_\_\_

\_\_\_\_\_ 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 \_\_\_\_\_  
Commission expires \_\_\_\_\_, 19\_\_\_\_

(Notarial Seal)

730844

FILED

JUN 7 10 45 AM '74

WALTER FRY  
CANYON COUNTY RECORDER  
BY Dick Epley

RECORDED  
AT THE REQUEST OF

Hub Tower

Hub Tower

1.00

21 Clayton E. Forsgren  
et ux

Hub Tower Co.  
45

Case

Recorded	
Com	
Ind. J	KG
Ind. J	KG
Bk. & C	
ck. & P	
Assign	
Released	

SUBORDINATION AGREEMENT

WHEREAS, Clayter F Forsgren and Diane B Forsgren  
are the owners of certain lands in Ada County, Idaho,  
which lands are subject to that certain mortgage to Equitable  
Life Assurance Society as mortgagee, recorded  
as Instrument No 627868 of Mortgages, in the records of the  
County Recorder of Ada County, Idaho; and

Sec 16, T1N, R1W

WHEREAS, the owners, for a good and valuable considera-  
tion, have heretofore executed and delivered to Idaho Power Company  
an easement for the construction and operation of a power line over  
and across a portion of said mortgaged premises, a copy of which is  
attached hereto and made a part hereof; and

WHEREAS, this easement and the construction of the power  
line will not materially affect the mortgage or the value of the  
mortgaged premises.

NOW, THEREFORE, the mortgagee does hereby agree that the  
easement of the Idaho Power Company shall be and at all times  
remain paramount and superior to the mortgage hereinabove described.

Dated this 21st day of October, 19 74.

THE EQUITABLE LIFE ASSURANCE  
SOCIETY OF THE UNITED STATES

By: [Signature]  
K. J. Binkley Assistant Vice President

STATE OF New York )  
County of New York ) ss

On this 21st day of October, 1974, before  
me, Vivian LaTempa, a Notary Public, personally  
appeared K. J. Binkley ~~and~~

~~and~~ he is to me personally known, who being  
duly sworn, did say that ~~they are respectively~~ the Assistant Vice  
President ~~and~~ 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.

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

[Signature]  
Notary Public

(NOTARIAL SEAL)

Residing at: VIVIAN LATEMPA  
My Commission expires: Notary Public, State of New York No. 03-7433120  
Qualified in Bronx County  
Certificate Filed New York County Clerk  
Commission Expires March 30, 1976



**PLEASE RETURN TO:**

Idaho Power Company  
Corporate Real Estate  
1221 W. Idaho St. (83702)  
P.O. Box 70  
Boise, ID 83707

ADA COUNTY RECORDER Phil McGrane  
BOISE IDAHO Pgs=5 BONNIE OBERBILLIG  
IDAHO POWER

**2021-072770**  
05/07/2021 08:06 AM  
\$22.00

IN 1W 18

**Easement—Individual**

The Ellen Kaye Svedin Trust

“Grantor(s)”, do hereby grant and convey to IDAHO POWER COMPANY, a Corporation, with its principal office located at 1221 W. Idaho Street, Boise, Idaho, 83702 (P.O. Box 70, Boise, ID 83707), its licensees, successors, and assigns, (collectively, “Grantee”), for One Dollar and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, a permanent and perpetual easement and right of way, at all times sufficient in width for the installation, erection, continued operation, maintenance, repair, alteration, inspection, and/or replacement of the following:

**Electrical Facilities:**

- (i) Overhead electrical transmission, distribution and communication lines, including fiber optics, and circuits of Grantee, attached to poles or other supports, together with guys, cross-arms, supports, stabilizers, and/or
- (ii) underground electrical power line or lines generally including, but not limited to, buried power lines and wires, above-ground pad-mounted transformers, junction boxes, cables, conduits, communication lines, including fiber optics, other equipment, and all related appurtenances, any of which may extend above ground, in certain locations to be determined by Grantee at Grantee’s sole and absolute discretion, and
- (iii) any other attachments, appurtenances and incidental equipment relating to the items described in subclause (i) or (ii) above.

All of the foregoing items described in subclause (i), (ii) and (iii) are collectively referred to herein as the “Facilities”. Grantee shall also have the right to permit the attachment and/or use or placement of the wires, fixtures, cables and conduits of other companies or parties (all of the same being included within the definition of “Facilities”).

The easement and right of way granted herein shall be over, on, and across the premises belonging to Grantor(s) in Ada \_\_\_\_\_ County, State of \_\_\_\_\_ Idaho, in the location described below:

Grantee is hereby also granted the perpetual right of ingress and egress over Grantor’s other property necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and together with all rights and privileges incident thereto, including, but not limited to, (i) the right, at Grantee’s expense, to cut, trim, and remove trees, brush, bushes, sod, flowers, shrubbery, overhanging branches and other obstructions and improvements which may injure or interfere with Grantee’s use, occupation, or enjoyment of this easement, (ii) the right, at Grantee’s expense, to excavate and refill ditches and trenches for the location of the Facilities, and (iii) the right, at Grantee’s expense, to install, construct, operate, inspect, alter, maintain, replace, improve and repair any and all aspects of Grantee’s Facilities on, over, through, under and across the lands subject to this easement.

The location of the easement and right of way granted herein is described as follows in Exhibit ‘A’ Legal Description and shown on Exhibit ‘B’ Survey Map attached hereto and made a part hereof.

Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms, or other activities without the prior written approval of Grantee. Grantor shall not place or build any structure(s) within the easement area except fences and except as otherwise approved by Grantee in writing.

This Easement shall run with the land and be binding upon the parties’ successors and assigns.

*(Signature page immediately follows)*

Checked by : AMF  
Work Order #: 27555427

Executed and delivered this ~~mon~~ 4 day of may, 2021.

Signature(s) of Grantor(s) (Include title where applicable):

A Ellen Kaye Svedin trustee

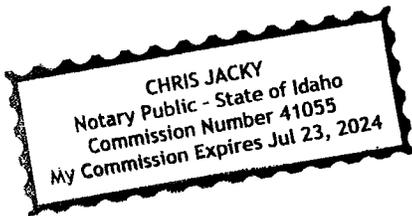
**Person Acknowledging Instrument  
Proven to be the Signer by Satisfactory Identification**

STATE OF Idaho )  
 ) ss  
COUNTY OF Ada )

On this 4 day of May, 2021, before me, Chris Jacky, a Notary Public, personally appeared Ellen Kaye Svedin, Trustee, and N/A, Trustee, known to me to be the person(s) whose name is subscribed to the within instrument as the Trustee of The Ellen Kaye Svedin Trust and acknowledged to me that he/she they subscribed the above named Trust to the foregoing instrument thereto and executed the same as the free act and deed on behalf of said Trust.

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 SEAL)



Chris Jacky  
Notary Public, residing at Boise ID  
Commission Expires 7-23-24

**EXHIBIT A Parcel S2218417200**

Date: March 10, 2021

**Project: Bowmont to Hubbard Transmission Line Easement**

**Permanent Easement**

A 10 foot wide strip of land being a portion of those lands described in Quit Claim Deed to Trust Instrument No. 110009456, Ada County Records, located in the SE1/4 of Section 18, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the Center 1/4 corner of said Section 18, monumented with a found 5/8" rebar with a yellow plastic cap stamped "Marks LS 7045" (Corner Record No. 97058499), from which the East 1/4 corner of said Section 18, monument by a found 5/8" rebar with no cap (Corner Record No. 97058496) bears South 89°45'57" East, a distance of 2655.03;

Thence South 00°25'04" West, coincident with the North-South Center Section line of said Section 18, a distance of 61.28 feet, to the southerly sideline of that Easement Inst. No. 885759, Ada County Records, the **POINT OF BEGINNING**;

Thence South 89°28'11" East, coincident with said southerly sideline, a distance of 2654.90 feet to a point on the East line of said Section 18;

Thence South 00°30'48" West, coincident with said East line, a distance of 10.00 feet;

Thence North 89°28'11" West, on a line 10 feet southerly of and parallel with said southerly sideline, a distance of 2654.88 feet, to a point on said North-South Center Section line;

Thence North 00°25'04" East, coincident with said North-South Center Section line, a distance of 10.00 feet, to the **POINT OF BEGINNING**.

The above described parcel contains 26,548.906 square feet, or 0.609 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The intent of this description is to describe a parcel of land 10 feet in width along the southerly sideline of Easement Inst. No. 885759, Ada County Records. The centerline of said Easement as shown and described in the document is based on the centerline of the existing powerline as measured in the field.

This legal description is based on last deed of record research only. No title report was obtained to verify all property boundary lines referenced in the legal description.

The basis of bearing for this parcel is Grid North, Idaho State Plane Coordinate System, West Zone, South 89°45'57" East between the Center 1/4 corner and the East 1/4 corner of said Section 18.

Robert Gromatzky, P.L.S

License No. 17216

End of Description

**EXHIBIT B Parcel S2218417200**

Date: March 10, 2021

**Project: Bowmont to Hubbard Transmission Line Easement**

**Permanent Easement**

A parcel of land being a portion of those lands described in Quit Claim Deed to Trust Instrument No. 110009456, Ada County Records, located in the SE1/4 of Section 18, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the Center 1/4 corner of said Section 18, monumented with a found 5/8" rebar with a yellow plastic cap stamped "Marks LS 7045" (Corner Record No. 97058499), from which the East 1/4 corner of said Section 18, monument by a found 5/8" rebar with no cap (Corner Record No. 97058496) bears South 89°45'57" East, a distance of 2655.03, also being the **POINT OF BEGINNING**;

Thence South 89°45'57" East, coincident with the East-West Center Section line of said Section 18, a distance of 2655.03 feet, to said East 1/4 Corner of said Section 18,

Thence South 00°30'48" West, coincident with the East line of said Section 18, a distance of 25.00 feet, to the northerly sideline of that Easement Inst. No. 885759, Ada County Records;

Thence North 89°28'11" West, coincident with said northerly sideline, a distance of 2654.98 feet, to a point on said North-South Center Section line;

Thence North 00°25'04" East, coincident with said North-South Center Section line, a distance of 11.28 to the **POINT OF BEGINNING**.

The above described parcel contains 26,550.277 square feet, or 0.610 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The intent of this description is to describe a parcel of land laying between the East-West Center Section line of said Section 18 and the northerly sideline of Easement Inst. No. 885759, Ada County Records. The centerline of said Easement as shown and described in the document is based on the centerline of the existing powerline as measured in the field.

This legal description is based on last deed of record research only. No title report was obtained to verify all property boundary lines referenced in the legal description.

The basis of bearing for this parcel is Grid North, Idaho State Plane Coordinate System, West Zone, South 89°45'57" East between the Center 1/4 corner and the East 1/4 corner of said Section 18.

Robert Gromatzky, P.L.S

License No. 17216

End of Description

**POINT OF COMMENCEMENT**  
 CENTER 1/4 COR. SEC. 18  
 FOUND 5/8" REBAR WITH  
 YELLOW PLASTIC CAP STAMPED  
 "MARKS LS 7045"  
 CPF INST. NO. 97058499

**EXHIBIT "B"**  
 AREA = 26,550.277  
 SQ. FT. = 0.610  
 ACRES

**EXHIBIT "A"**  
 AREA = 26,548.906  
 SQ. FT. = 0.609  
 ACRES

NE COR. SEC. 18  
 FOUND 1/2" REBAR WITH  
 NO CAP  
 CPF INST. NO. 95094008

EAST 1/4 COR. SEC. 18  
 FOUND 5/8" REBAR WITH  
 NO CAP  
 CPF INST. NO. 97058496

SWEDIN ELLEN KAYE TRUST  
 PARCEL #  
 S2218417200  
 WARRANTY DEED  
 INST. NO.  
 110009456

LINE #	BEARING	DIST.
L1	S0°25'04"W	61.28
L2	S89°28'11"E	2654.90
L3	N89°28'11"W	2654.98

**LEGEND**

- FOUND PLSS CORNER AS NOTED
- FOUND PROPERTY CORNER AS NOTED
- SECTION LINE
- EXISTING EASEMENT CENTERLINE
- EXISTING EASEMENT SIDELING
- - - PROPOSED EASEMENT



SOUTH 1/4 COR. SEC. 18  
 FOUND 5/8" REBAR WITH  
 YELLOW PLASTIC CAP  
 STAMPED "MARKS LS  
 7045"  
 CPF INST. NO. 98039785

SE COR. SEC. 18  
 FOUND 5/8" REBAR WITH  
 NO CAP  
 CPF INST. NO. 8725178



S0°25'04"W 2653.36'

S0°33'33"W

36.28'

N0°25'04"E  
 11.28'

**POINT OF BEGINNING EXHIBIT "B"**

**POINT OF BEGINNING EXHIBIT "A"**  
 CENTERLINE EASEMENT INST. NO. 885759

25'  
 10'  
 25'

L1  
 L2  
 L3

S89°45'57"E 2655.03'  
 N89°28'11"W 2654.88'

S0°30'48"W  
 25.00'

50.00'

N0°30'48"E 2668.65'

DRAWING INFO
B000183.03
LEGALS
1"=300'

SHEET INFO
DRAWN WC
CHECKED RG
LAST EDIT 3/10/2021
PLOT DATE

**NVI5**  
 690 Industry Way, Suite 10  
 Meridan, ID 83642  
 208-342-5400 www.nv5.com

SHEET NUMBER  
 3 OF 3

**EXHIBIT FOR**  
**PARCEL #S2218417200**  
 IDAHO POWER  
 IPC - BOWMONT TO HUBBARD

Idaho Power Company  
POWER LINE EASEMENT

Robert A Svedin & Ellen Kaye Svedin, his wife and Alfred Belt & Tillie Belt  
his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the N<sup>2</sup>SE<sup>4</sup>, Section 18, T 1 N, R 1 W, B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line:

Beginning at a point in the East line of Section 18, T 1 N, R 1 W, B.M., Idaho, which bears South 50.0 feet from the East Quarter corner of said Section 18; Thence, N 89°46'40" W, a distance of 2640.0 feet more or less to a point in the West line of the SE<sup>4</sup> of Section 18, T 1 N, R 1 W, B.M., Idaho.

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 3 day of May, 19 74

x Robert A Svedin  
x Ellen Kaye Svedin  
x Alfred Belt  
x Tillie Belt

STATE OF Idaho }  
County of Ada } ss.

On this 3 day of May, 19 74, before me, George D Rosandick a Notary Public, personally appeared Robert A Svedin & Ellen Kaye Svedin, his wife and Alfred Belt & Tillie Belt, his wife, 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.

George D. Rosandick  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977

(Notarial Seal)

OVER

STATE OF IDAHO, COUNTY OF ADA, SS.  
Request of IDAHO POWER CO.  
45 M. this 11 day of May 19 74

CLARENCE A. PLANTING, Recorder  
By O. Martin Deputy

8

A complete Source of Supply with Standard Forms for all Internal and External Processing necessary to be used with the Uniform Code System.

**STATE OF IDAHO**

**UNIFORM COMMERCIAL CODE—STATEMENTS OF CONTINUATION, RELEASE, ASSIGNMENT, TERMINATION, ETC.—FORM UCC-3**

INSTRUCTIONS:

- PLEASE TYPE THIS FORM IN BLACK. FOLD ONLY ON PERFORATION FOR MAILING.
- Remove secured party and debtor copies and send the other three pages with interleaved carbon paper intact to the filing officer.

- Use the following fee schedule and enclose the correct fee:

CONTINUATION FEE	\$1.00
TERMINATION FEE	\$1.00
ASSIGNMENT FEE	\$1.00

AMENDMENT FEE	\$1.00
RELEASE FEE	\$ .75

- If the space provided for any item(s) on the form is inadequate, the item(s) should be continued on additional sheets, preferably 8" x 5". Only one copy of such additional sheets need be presented to the filing officer with a set of three copies of this statement. Indicate the number of sheets attached in the space provided.
- At the time of the original filing, if the filing is on standard form UCC-3, the filing officer will automatically return the third copy as an acknowledgment.
- One or more transactions may be accomplished by a single filing of UCC-3. If multiple filings are intended, check the appropriate boxes, and enclose the proper fee for each transaction.
- DO NOT WRITE IN BOX 4.

This STATEMENT is presented to filing officer for filing pursuant to the Uniform Commercial Code.	No. of additional sheets presented:	3. Maturity date (if any)
1. Debtor(s): (last name first, and mailing address(es))  SVEDIN, Robert A. & Ellen Kay, husband and wife  Route #1 Kuna, Idaho 83634	2. Secured Party(ies) and address(es)  WESTERN IDAHO PRODUCTION CREDIT ASSOCIATION  P.O. Box 759 Caldwell, Idaho 83605	4. FOR FILING OFFICER ONLY (Date, time, number and filing office)

5. This Statement refers to original Financing Statement No. 787282  
Filed with Ad County Recorder Date filed 11-4 19 71

- CONTINUATION. The original financing statement between the foregoing Debtor and Secured party, bearing file number shown above, is still effective. (\$1.00)
- TERMINATION. Secured party no longer claims a security interest under the financing statement bearing file number shown above. (\$1.00)
- ASSIGNMENT. The secured party's right under the financing statement bearing file number shown above to the property described below has been assigned to the assignee whose name and address appears below. (\$1.00)
- AMENDMENT. Financing Statement bearing file number shown above is amended as set forth below. (\$1.00)
- RELEASE. Secured Party releases the collateral described below from the financing statement bearing file number shown above. (\$.75)

**PARTIAL RELEASE**

Assignee(s) of secured party(ies) and address(es):

**SEE ADDITIONAL SHEET #1**

WESTERN IDAHO PRODUCTION CREDIT ASSN.

BY: \_\_\_\_\_  
Signature(s) of Debtor(s)  
(Required only on some amendments)

BY:   
Signature(s) of Secured Party(ies) or Assignee of Record

ADDITIONAL SHEET #1

A parcel of land lying in the N<sup>2</sup>SE<sup>4</sup>, Section 18, T 1 N.R.1.W.B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 50.0' in width, being 25.0' on each side of the following described survey line:

Beginning at a point in the East line of Section 18, T. 1N, R.1 W.B.M., Idaho, which bears Sout 50.0' from the East Quarter corner of said Section 18; Thence, N. 89°46'40" W, a distance of 2640.0' more or less to a point in the West line of the SE<sup>4</sup> of Section 18, T1 N. R. 1WB.M., Idaho.

888366

Idaho Power Company  
POWER LINE EASEMENT

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

Harold E Boehlke and Deanna F Boehlke

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the N<sup>2</sup>SW<sup>4</sup>, Section 17, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line.

Beginning at a point in the West boundary line of Section 17, T. 1 N., R. 1 W., B.M., Idaho, which point bears South 50.0 feet of the West Quarter corner of said Section 17; Thence, S. 89°29'50" E., a distance of 2640 feet more or less to a point in the East boundary line of the SW<sup>4</sup>, Section 17, T. 1 N., R. 1 W., B.M., Idaho.

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.

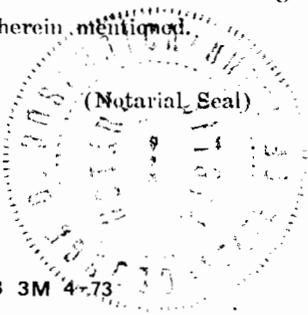
Executed and delivered this 24 day of May, 1974

*Harold E. Boehlke*

*Deanna F. Boehlke*

STATE OF Idaho }  
County of Ada } ss.

On this 24 day of May, 1974, before me, George D Rosandick a Notary Public, personally appeared Harold E Boehlke and Deanna F Boehlke, 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.



Ada County, Idaho, ss.  
Request of

*Idaho Power*  
Time 12:07 P M. OVER  
Date 6-7-74  
CLARENCE A. PLANTING  
RECORDER

*George D. Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977

*70 James E Bruce*  
*83707*

By *[Signature]*

*4*

2

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Idaho State Office  
Room 398, Federal Building  
550 W. Fort Street  
P. O. Box 042  
Boise, Idaho 83724

DECISION

:  
RIGHT-OF-WAY GRANTED

Details of Grant

Serial number of grant: I-8913

Name of grantee: Idaho Power Company

Map showing the location and dimensions of grant:

Map designations: Mora Sub-Bowmont Sub, 06E-34960

Date filed: September 16, 1974

Permitted use by grantee: 230 Kv Transmission Line

Authority for grant: Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961),  
as amended.

Regulations applicable to grant:

Code reference: 43 CFR Parts 2800 and 2850

Date of grant: February 20, 1975

Expiration date of grant: 50 years

Rental: A rental charge for use and occupancy of National Resource Lands under the authority of this right-of-way permit will be required in accordance with the provisions of 43 CFR 2802.1-7. The grantee will pay the rental charge when required by the Bureau of Land Management.

Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964, (29 F.R. 10526), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions:

1. All valid rights existing on the date of the grant.
2. All regulations specified above.
3. Filing of proof of construction within 5 years of the date of grant.
4. Further terms and conditions as follows:
  - (a) Pursuant to 43 CFR 2801.1-5, the District Manager, Boise District Office, 230 Collins Road, Boise, Idaho, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact him prior to the beginning of construction.
  - (b) Stipulations executed September 16, 1974, accepting conditions of 43 CFR 2851.1-1(a)(5) with reservation of rights.
  - (c) Stipulations of Exhibit A attached hereto and made a part hereof.

*Vincent S. Strobel*  
Vincent S. Strobel, Chief  
Branch of L&M Operations

STIPULATIONS  
BUREAU OF LAND MANAGEMENT  
RIGHT-OF-WAY I-8913

1. The permittee agrees in all operations under this permit to comply with the applicable State and Federal laws and regulations concerning the use of poisonous substances, including insecticides, herbicides, fungicides, rodenticides and other similar substances. Prior to the use of such substances on or near the right-of-way, the permittee shall obtain from the District Manager approval of a written plan for such use. The plan shall state the type and quantity of material to be used, the pest to be controlled, the method of application and such other information as he may require. All use of such substances on or near the right-of-way shall be in accordance with the approved plan. If the use of a poison is prohibited by the Secretary of the Interior, it shall not be used. If use of a poison is limited by the Secretary of the Interior, it shall be used only in accordance with that limitation.
2. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of the power line must be conducted within the limits of the right-of-way.
3. Permittee shall notify the Department of Anthropology, Idaho State University, Pocatello, of proposed construction under this application in order that the University may negotiate with the permittee for the purpose of undertaking, prior to construction of the project, an archeological survey and salvage excavation to be financed by the permittee.

Should additional sites, ruins, or artifacts be discovered during construction activities, construction will immediately be suspended and the BLM District Manager shall be notified. If the district manager finds the damage or destruction to historic or prehistoric remains or artifacts cannot be avoided as a result of planned construction activities, the permittee will be required to provide at his expense, proper scientific investigation. All investigation and salvage will be covered by an Antiquities Act Permit applied for by the agency doing the survey or salvage work.

4. Existing roads are to be used whenever possible.
5. Use only raptor-safe poles of the type shown in the attachment in the construction and maintenance of the transmission line.
6. No blading will be done on National Resource Lands without prior approval of the Bruneau Resource Area authorized official of the Bureau of Land Management (Bruneau Resource Area Manager.).
7. All operators working on the transmission line will be furnished with, and required to read, a copy of these stipulations.

SINGLE POLE

EXHIBIT 2

Length = 5.4 miles  
Average span = 300 feet  
Average pole height = 75 feet  
10-foot Davit Arms  
13 ten-inch ball & socket disc insulators  
in suspension  
24/7 ACSR conductor  
5/16" HS shield wire

See Dwg 23B-35022 Sh  
For Insulator Assembly Details

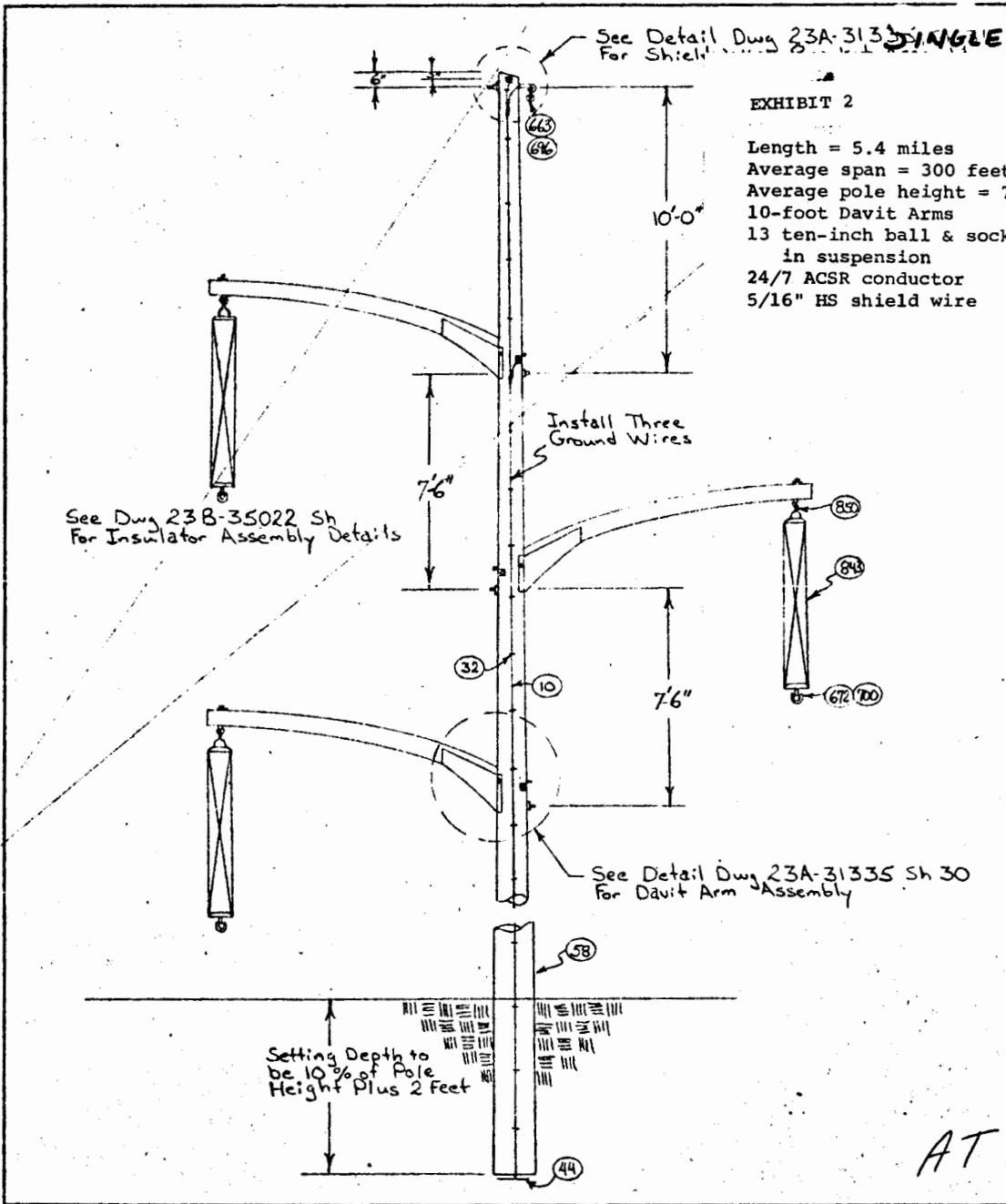
Install Three  
Ground Wires

See Detail Dwg 23A-31335 Sh 30  
For Davit Arm Assembly

Setting Depth to  
be 10% of Pole  
Height Plus 2 feet

RECEIVED  
DEPT. OF TRANSPORTATION  
BUREAU OF LAND MANAGEMENT  
SEP 16 2 37 PM 1974  
RM 334, P.O. BLDG.  
BOISE, IDAHO 83702  
IDAHO LAND OFFICE

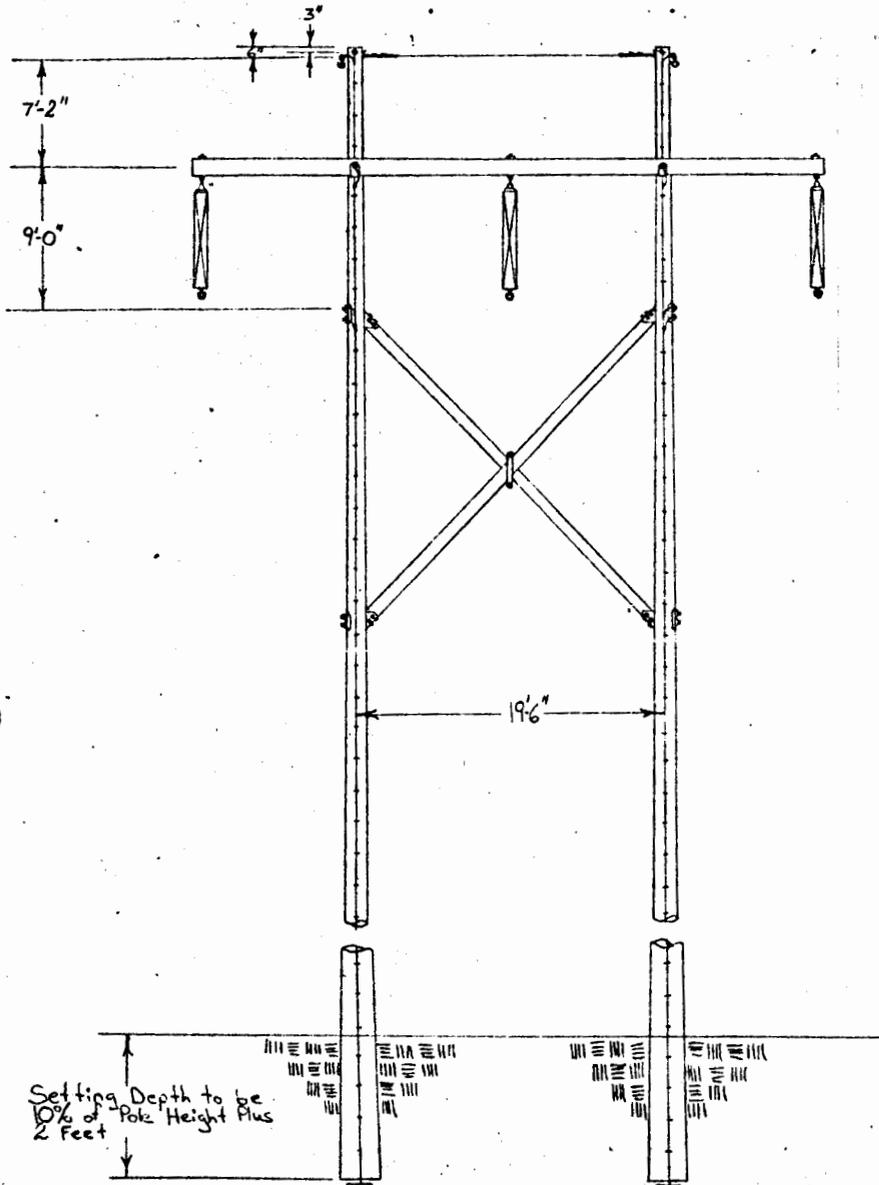
ATT 5



# H-FRAME

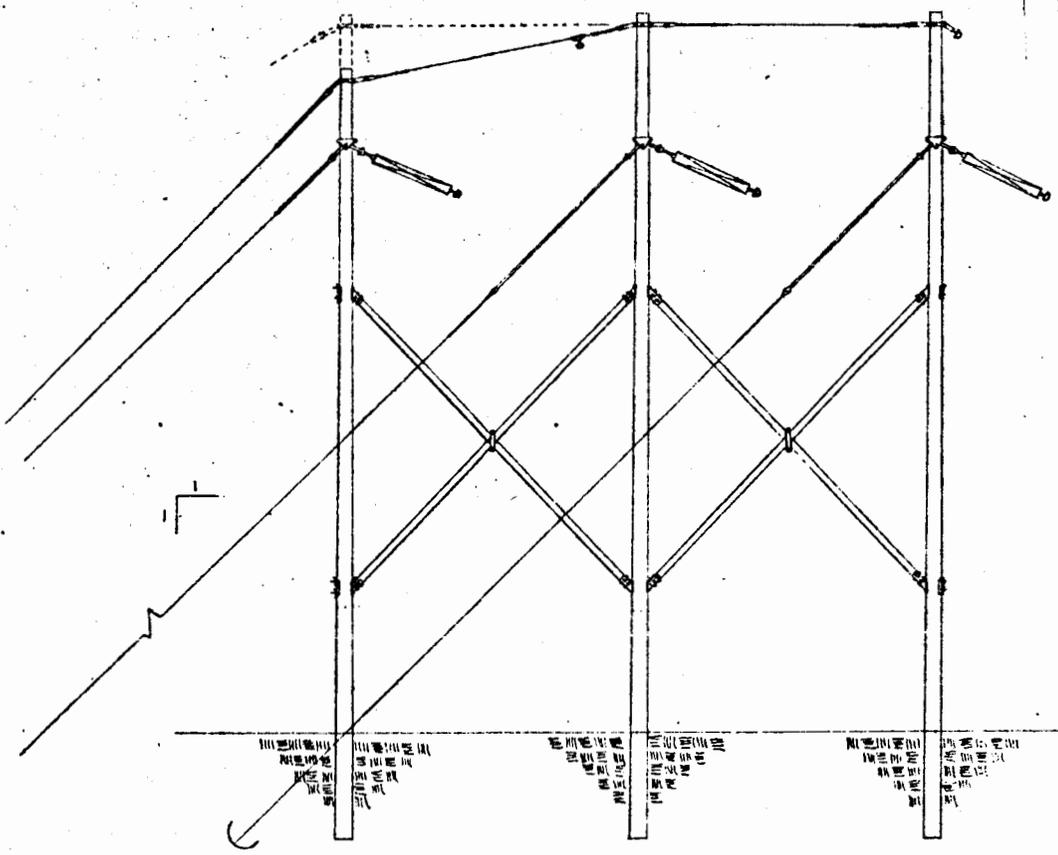
EXHIBIT 3

Length = 10.85 miles  
Average span = 700 feet  
Average pole height = 75 feet  
40-foot crossarms with 13 ten-inch ball & socket disc insulators in suspension  
715.5 MCM 24/7 ACSR conductor  
3/8" EHS shield wire



RECEIVED  
DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
SEP 16 2 37 PM 1974  
R4 334, FED. BLDG.  
BOISE, IDAHO 83702  
IDAHO LAND OFFICE

EXHIBIT 4



RECEIVED  
DEPT OF THE INTERIOR  
BUREAU OF LANDS  
SEP 16 2 37 PM 1974  
RM 334, FED. BLDG.  
BOISE, IDAHO 83702  
IDAHO LAND OFFICE

Wayne B. Smith, states he is by occupation an electrical engineer employed by the Idaho Power Company to make the survey of the MORA SUB - BOWMONT SUB 230KV transmission line described and shown on this map; that the survey of said works was made under his supervision and under authority commencing on the 1st day of FEB. 1974 and ending on the 5th day of FEB. 1974 and that such survey is accurately represented upon this map.

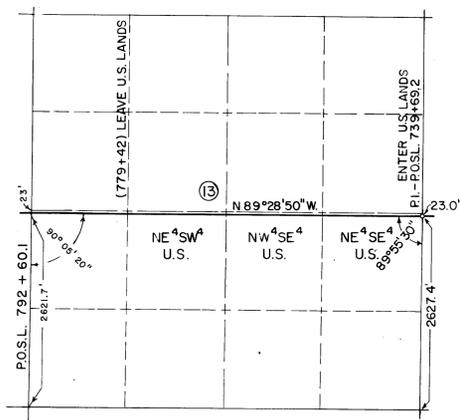
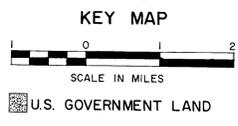


This is to certify that Wayne B. Smith, who subscribed the statement hereon is the person employed by the undersigned applicant to prepare this map, which has been adopted by the applicant as the approximate final location of the works there-by shown, and that this map is filed as a part of the complete application, and in order that the applicant may obtain the benefits of 36 Stat. 1253, 43 U.S.C. 961, as amended, and I further certify that the right-of-way herein described is desired for an electric transmission line.

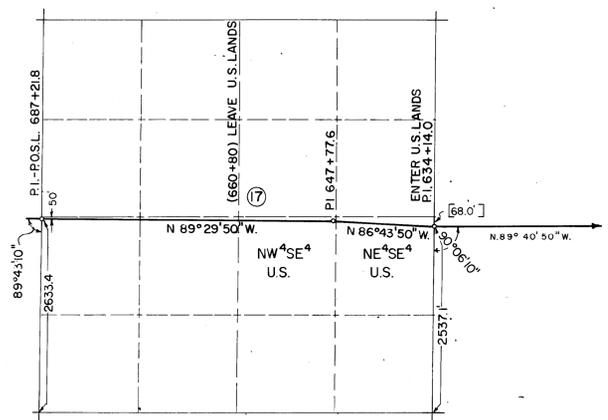
*James E. Poree*  
Vice President  
Idaho Power Company



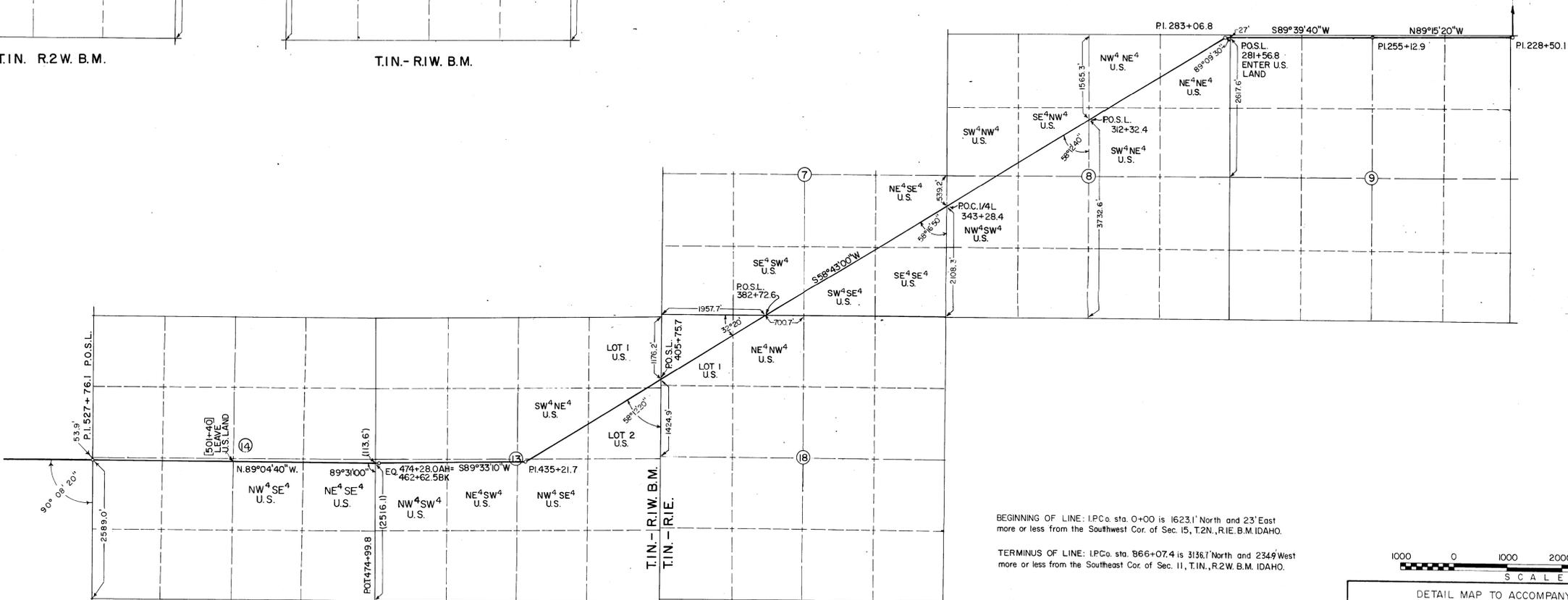
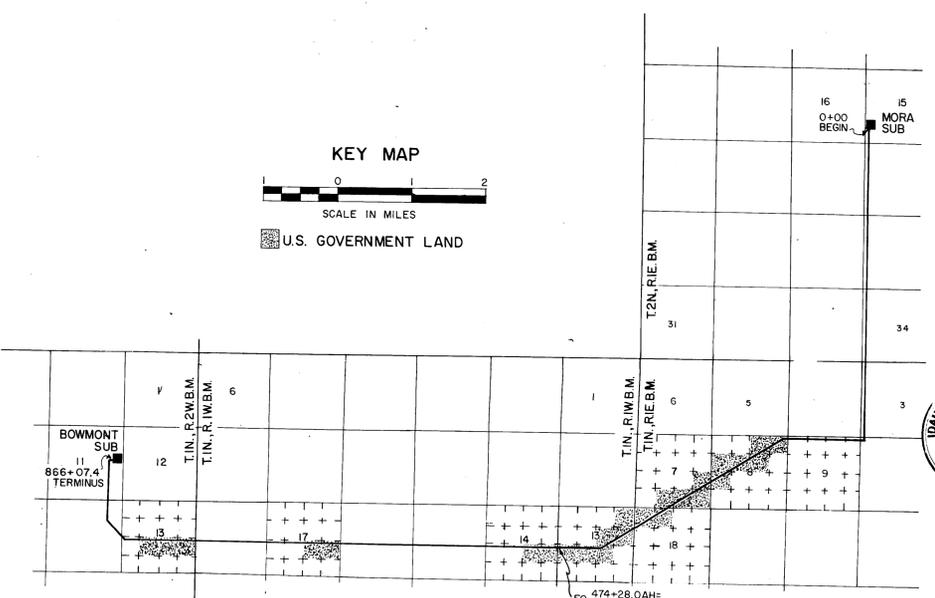
*Paul L. Poree*  
Assist. Secretary



T.I.N. R.2W. B.M.



T.I.N. - R.1W. B.M.

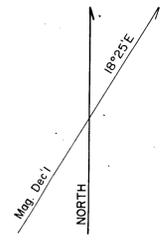
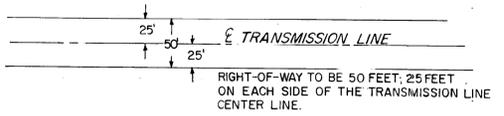


BEGINNING OF LINE: I.P.C. sta. 0+00 is 1623.1' North and 23' East more or less from the Southwest Cor. of Sec. 15, T.2N., R.1E. B.M. IDAHO.

TERMINUS OF LINE: I.P.C. sta. 866+07.4 is 3136.1' North and 234.9' West more or less from the Southeast Cor. of Sec. 11, T.1N., R.2W. B.M. IDAHO.

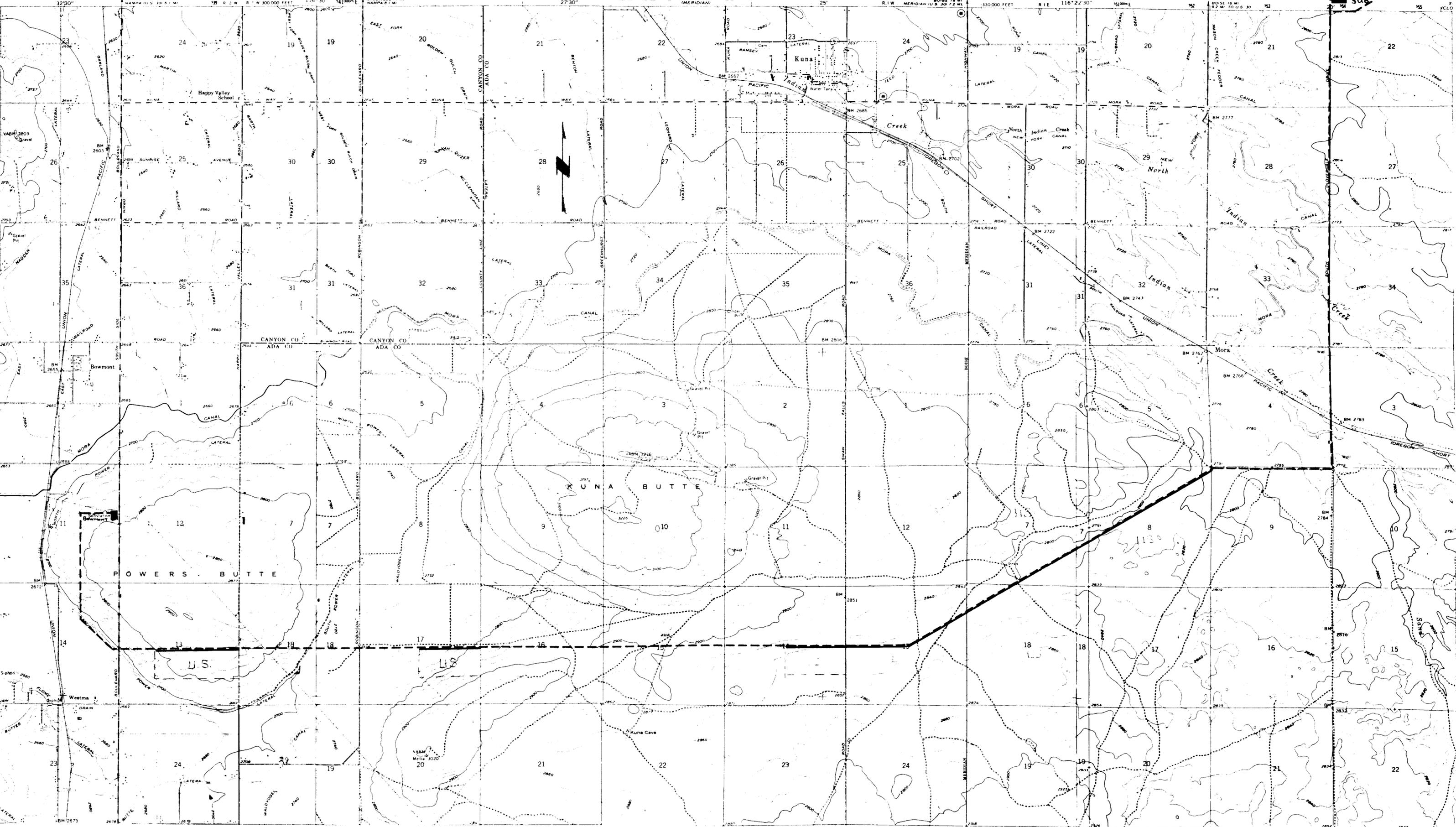
ADA COUNTY, T.1N. - R.1W., R.1E., B. M., IDAHO

MILES OF LINE ON U S GOVERNMENT LANDS..... 5.200  
TOTAL MILES OF LINE.....16.182



DETAIL MAP TO ACCOMPANY APPLICATION  
FOR RIGHT OF WAY GRANT  
**MORA SUB - BOWMONT SUB**  
**230KV TRANSMISSION LINE**  
IDAHO POWER COMPANY  
BOISE IDAHO  
SCALE: 1"=1000' FEBRUARY 21, 1974 **06E-34960**

APR 24 1974



882829

33-708-001.50

Idaho Power Company  
POWER LINE EASEMENT

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

Herbert R Montierth and  
Darlene Montierth, his wife and Hazel L O'Gorman

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the NE<sup>4</sup>SW<sup>4</sup> and Lot 3, Section 16, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line:

Beginning at a point in the West boundary line of Section 16, T. 1 N., R. 1 W., B.M., Idaho, which point bears South 68.0 feet from the West Quarter corner of said Section 16; Thence, S. 89°40'50" E., a distance of 2705.0 feet more or less to the East boundary line of the SW<sup>4</sup>, Section 16, T. 1 N., R.1 W., B.M., Idaho.

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 29 day of March, 1977

Herbert R Montierth  
Darlene Montierth

Hazel L O'Gorman

STATE OF Idaho }  
County of Ada } ss.

On this 26 day of March, 1977, before me, George S Rosandich a Notary Public, personally appeared Herbert R Montierth and Darlene Montierth his wife, 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.

George S Rosandich  
Notary Public, residing at Boise  
Commission expires October 18, 1977

(Notarial Seal)

OVER

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

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.

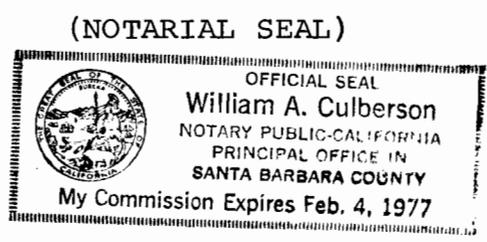
(Notarial Seal)

Notary Public, residing at .....  
Commission expires ....., 19.....

STATE OF California ) ss.  
County of Santa Barbara )

On this 12<sup>th</sup> day of April, 1974, before me  
William A. Culberson a Notary Public, personally appeared  
Hazel L O'Gorman and \_\_\_\_\_,  
known to me to be the person(s) who executed the foregoing instrument  
and acknowledged to me that She executed the same freely and  
voluntarily for the uses and purposes therein mentioned.

William A. Culberson  
Notary Public, residing at Lompoc, Ca.  
Commission expires Feb 4, 1977



Ada County, Idaho, ss.  
Request of  
IDAHO POWER CO.  
Time 12:20 P M.  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER  
By O. Martin  
Deputy

#200

Idaho Power Company  
POWER LINE EASEMENT

Herbert R Montierth and Darlene Montierth, his wife and  
David George Dixon and Jacqueline S Dixon

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the N<sup>2</sup>SE<sup>4</sup>, Section 16, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line.

Beginning at a point in the East line of the N<sup>2</sup>SE<sup>4</sup> of Section 16, T. 1 N., R. 1 W., B.M., Idaho, said point bears South 50.0 feet from the East Quarter corner of said Section 16; Thence, N. 89°40'50" W., a distance of 2640.0 feet more or less to a point in the West boundary line of the N<sup>2</sup>SE<sup>4</sup> of Section 16, T. 1 N., R. 1 W., B.M., Idaho.

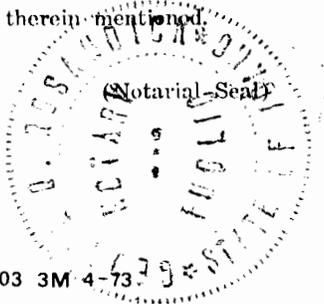
Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions 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 26 day of March, 1974  
Herbert R Montierth  
Darlene Montierth  
David George Dixon  
Jacquelyn S Dixon

STATE OF Idaho } ss.  
County of Ada }

On this 26 day of March, 1974, before me, George D. Rozandich, Notary Public, personally appeared Herbert R. Montierth and Darlene Montierth, his wife, 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.

George D. Rozandich  
Notary Public, residing at Boise  
Commission expires October 18, 1977



OVER

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 .....  
Commission expires ....., 19.....

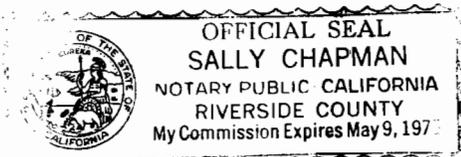
(Notarial Seal)

STATE OF California )  
County of Riverside ) ss.

On this 12th day of April, ....., 19 74, before me .....  
Sally Chapman a Notary Public, personally appeared .....  
David George Dixon and Jacquelyn S. Dixon,  
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.

(NOTARIAL SEAL)

Sally Chapman  
Notary Public, residing at .....  
Commission expires ..... 19.....



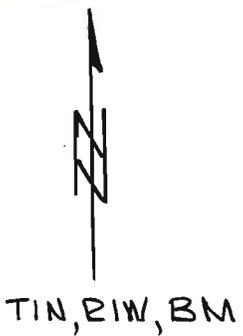
W. 9th St., P. O. Box 70, Corona, Calif. 91702

Ado County, Idaho, ss.  
Request of  
IDAHO POWER CO.

Time 12:20 P. M.  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By O. Martin  
Deputy  
13  
200

Herbert R. Monticelli  
et al



P1 630+63.5 POSL  
Δ 0°19'20" Lt.

500

Str. 581585

Str. 06+265

Str. 600+30

N. 89°40'50" W.

610

10

600

590

580

89°57'40"

NW<sup>4</sup>SE<sup>4</sup>

NE<sup>4</sup>SE<sup>4</sup>

DAVID S. DIXON



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

**882835**  
**Idaho Power Company**  
**POWER LINE EASEMENT**

33-708-00150

Herbert R Montierth and Darlene Montierth

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the N<sup>2</sup> S<sup>2</sup> of Section 15, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width, being 25.0 feet on each side of the following described survey line:

Beginning at a point in the West boundary line of Section 15, T. 1 N., R. 1 W., B.M., Idaho, said point bears South 50.0 feet from the West Quarter corner of said Section 15; Thence, S. 89° 21' 30" E., a distance of 5287.4 feet to a point in the East boundary line of the SE<sup>4</sup>, Section 15, T. 1 N., R. 1 W., B.M., Idaho.

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 26 day of March, 19 74

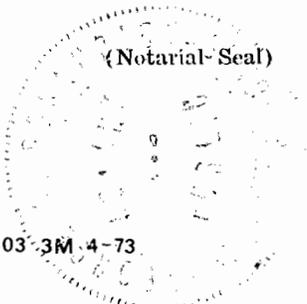
*Herbert R Montierth*  
*Darlene Montierth*

*James E. Brown*  
Notary Public  
Idaho State Court

STATE OF Idaho }  
County of Ada } ss.

On this 26 day of March, 19 74, before me, George D Rosandick a Notary Public, personally appeared Herbert R Montierth and Darlene Montierth, his wife, 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 19 77

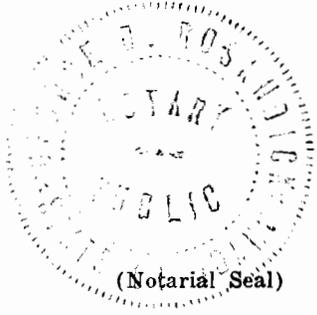


OVER

8

STATE OF Idaho }  
County of Elmore } ss.

On this 1 day of April, 19 74, before me, George D Rosandick  
a Notary Public, personally appeared James E Kevan, Executive Vice President and  
Secretary, Idaho State Bank and, to me personally known, who being duly sworn, did say that  
they are respectively the EX VP 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.



George D Rosandick  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 19 77

Ada County, Idaho, ss.  
Request of POWER CO.

Time 12:20 P M.  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By O. Martin  
Deputy  
6/200

882830

Idaho Power Company  
POWER LINE EASEMENT

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

Dean E Bues & Elaine S Bues, his wife  
and Herbert R Montierth & Darlene R Montierth, his wife and Idaho State Bank

~~XXXX~~ Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the N<sup>2</sup> SW<sup>4</sup>, Section 14, T. 1 N., R. 1 W., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 50.0 feet in width being 25.0 feet on each side of the following described survey line.

Beginning at a point in the West boundary line of Section 14, T. 1 N., R. 1 W., B.M., Idaho, said point bears South 50.0 feet from the West Quarter corner of said Section 14; Thence, S. 89° 04' 40" E. a distance of 2631.1 feet to a point in the East boundary line of the SW<sup>4</sup>, Section 14, T. 1 N., R. 1 W., B.M., Idaho.

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 15 day of April, 19 74

x Dean E Bues  
x Elaine S Bues  
Herbert R Montierth  
Darlene R Montierth

James E. Evers  
Notary Public  
Idaho State Bank

STATE OF Idaho }  
County of Ada } ss.

On this 15 day of April, 19 74, before me, George D Rosandick a Notary Public, personally appeared Dean E Bues & Elaine S Bues, his wife and Herbert R Montierth & Darlene R Montierth, his wife 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.

George D Rosandick  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977



OVER

STATE OF Idaho }  
County of Elmore } ss.

On this 15 day of April, 19 74, before me, George D. Rosandick  
a Notary Public, personally appeared James E Kevan and  
and, to me personally known, who being duly sworn, did say that  
they are respectively the EX VP 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.



George D. Rosandick  
Notary Public, residing at Base  
Commission expires October 18, 1977

Ada County, Idaho, ss.  
Request of  
IDAHO POWER CO.

Time 12:20 P M.  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By C. Martin  
Deputy

200

3, 9, 10, 1N1E

line 708

1N1E 3

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 10/23/06 02:25 PM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Idaho Power Co.

AMOUNT 12.00 4



106167464

**This sheet has been added to document  
to accommodate recording information.**

line 708



**(Transmission Line - Organization)  
Amendment and Correction of a Power Line  
Correction Easement as Recorded on  
August 28, 2006 as Instrument No.  
106138692**

Boyd & Loa Anderson L.P.

A Limited Partnership, Grantor (s) of Ada County

State of Idaho, does hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in Ada County, State of Idaho, in the following location:

**See Attached Legal Description "Exhibit A"**

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 20 day of October, 2006.

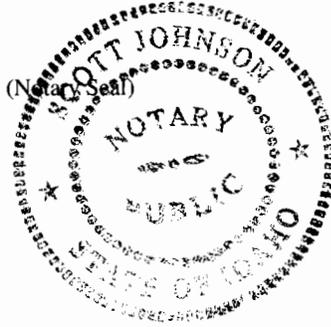
Signature(s) of Grantor(s) (Include title where applicable):

Grantor Boyd Anderson Title General Partner  
Boyd Anderson

Grantor Loa Anderson Title General Partner  
Loa Anderson

STATE OF Idaho }  
County of Ada } SS.

I, Scott Johnson, (Notary's Name) a notary public, do hereby certify that on this 20 day of October, 2006, personally appeared before me Boyd Anderson, General Partner & Lou Anderson, General Partner (Individual's Name including title after each name) who, being by me first duly sworn, declared they are respectively the duly authorized persons of Boyd & Lou Anderson L.P. (Organization Name), that he / she / they signed the foregoing document, and acknowledged to me that he / she / they executed the same as the free act and deed on behalf of said organization.



Scott Johnson  
Notary Public

Numpa, Idaho  
Residing at

4/7/2007  
Commission expires

# Exhibit "A"



## Easement Description of a portion of the Mora – Bowmont 230 KV Line for Idaho Power Company

A 25-foot wide easement for the Idaho Power Company Mora – Bowmont 230 KV Line situate in the west half of Section 3, the northwest quarter of Section 10, and the north half of Section 9, Township 1 North, Range 1 East, Boise Meridian, Ada County, Idaho, being 12.50 feet on both sides of the following described centerline:

Commencing at the west quarter-section corner of Section 3, Township 1 North, Range 1 East, Boise Meridian;

Thence  $S00^{\circ}46'56''E$ , 689.56 feet along the west line of Section 3 to the south right-of-way line of the Union Pacific Railroad;

Thence 37.17 feet on a non-tangent curve to the left, concave northerly, having a radius of 8694.62 feet, a central angle of  $0^{\circ}14'42''$ , a chord bearing of  $S64^{\circ}01'51''E$ , and a chord length of 37.17 feet, along the south right-of-way line of the Union Pacific Railroad to the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line, the POINT OF BEGINNING:

Thence  $S00^{\circ}10'16''E$ , 1947.46 feet along the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line to the south line of Section 3;

Thence  $S00^{\circ}10'16''E$ , 102.09 feet along the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line, the guy lines, and the southerly extension thereof;

Thence back  $N00^{\circ}10'16''W$ , 75.00 feet along the guy lines and the southerly extension thereof;

Thence  $S89^{\circ}14'57''E$ , 75.00 feet along the guy lines and the easterly extension thereof;

Thence back  $N89^{\circ}14'57''W$ , 87.73 feet along the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line, the guy lines, and the easterly extension thereof to the west line of Section 10;

Thence continuing  $N89^{\circ}14'57''W$ , 2660.92 feet along the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line to the west line of the northeast quarter of Section 9;

Thence  $S89^{\circ}40'19''W$ , 2643.96 feet along the centerline of the Idaho Power Company Mora – Bowmont 230 KV Line to the west line of Section 9, the POINT OF ENDING.

The sidelines of the above-described easement shall extend or contract to form a closed boundary and to terminate at the railroad right-of-way at the point of beginning and the section line at the point of ending.



DEVELOPMENT  
SERVICES



LAND  
PLANNING



CIVIL  
ENGINEERING



LANDSCAPE  
ARCHITECTURE



453 S. Fitness Place  
Eagle, ID  
83616

PH 208/246.8300  
FX 208/246.8320

www.wrgd.com

885755  
Idaho Power Company  
POWER LINE EASEMENT

Boise West LDS Farm and

~~Notarize~~ Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the NW<sup>4</sup> SW<sup>4</sup>, Section 3, T. 1 N., R. 1 E., B.M., Idaho (North and East of the UPRR).

All that portion of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line.

Beginning at a point in the North boundary line of the NW<sup>4</sup> SW<sup>4</sup>, Section 3, T. 1 N., R. 1 E., B.M., Idaho, which point bears East 31.0 feet from the West Quarter corner of said Section 3; Thence, S. 0° 06' 20" E. a distance of 491.0 feet more or less to a point to the Northerly right-of-way line of the Union Pacific Railroad.

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.

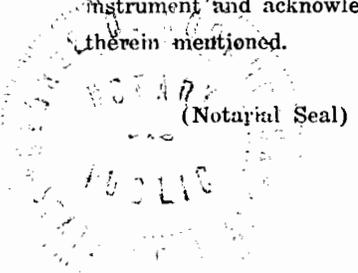
Executed and delivered this 6 day of May, 19 74

*Marion J. Callister*  
*Samuel O. Thompson*  
*Steven S. Mortensen*

STATE OF Idaho }  
County of Ada } ss.

On this 6 day of May, 19 74, before me, George D Rosandick a Notary Public, personally appeared Marion J Callister, Samuel O Thompson and Steven S Mortensen, 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 19 77



OVER  
STATE OF IDAHO, COUNTY OF ADA, ss.  
Filed for record at the request of IDAHO POWER CO.  
45 Min. past 11 o'clock A. M. this 17<sup>th</sup> day of May 19 74  
CLARENCE A. PLANTING, Recorder  
By *O. Martin* City

8

885757

Idaho Power Company  
POWER LINE EASEMENT

George Koutures and Christine Koutures

his wife, Grantor(s), of Multnomah County, State of Oregon, 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the SW<sup>4</sup> NW<sup>4</sup> and Lot 4, Section 3, T. 1 N., R. 1 E., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line.

Beginning at a point in the North boundary line of Lot 4, Section 3, T. 1 N., R. 1 E., B.M., Idaho, which point bears East 31.0 feet from the Northwest corner of said Section 3; Thence, S. 1° 00' 50" E. a distance of 2666.8 feet to a point in the South boundary line of the NW<sup>4</sup>, Section 3, T. 1 N., R. 1 E., B.M., Idaho.

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 10<sup>th</sup> day of April, 19 74

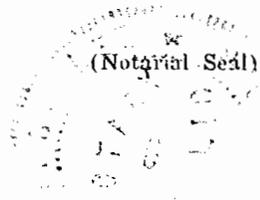
George Koutures  
Christine Koutures

STATE OF Oregon ss.  
County of Multnomah

On this 10<sup>th</sup> day of April, 19 74, before me, R.H. Salter, a Notary Public, personally appeared George Koutures & Christine Koutures

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.

R.H. Salter  
Notary Public, residing at Portland Ore.  
Commission expires Sept 17, 19 77



OVER

IDAHO POWER CO.  
45  
MAY 17 19 74  
CLARENCE A. BLANTING, Recorder  
By O. Martin Deputy

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

882836  
Idaho Power Company  
POWER LINE EASEMENT

33-728-001.20

Fred H Wolski and Phillis E Wolski

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the W<sup>2</sup> SW<sup>4</sup>, Section 34, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 25.0 feet in width being 12.5 feet on each side of the following described survey line.

Beginning at a point in the South boundary line of Section 34, T. 2 N., R. 1 E., B.M., Idaho, which point bears East 31.0 feet from the Southwest corner of said Section 34; Thence, N. 0° 15' 00" E. a distance of 2633.3 feet to a point in the North boundary line of the NW<sup>4</sup> SW<sup>4</sup>, Section 34, T. 2 N., R. 1 E., B.M., Idaho.

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 1 day of April, 19 74

*Fred H. Wolski*  
*Phillis E. Wolski*

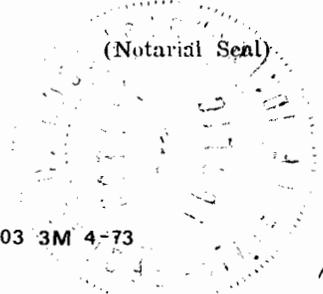
STATE OF Idaho }  
County of Ada } ss.

On this 1 day of April, 19 74, before me, George D Rosandick a Notary Public, personally appeared Fred H Wolski and Phillis E Wolski, his wife, 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.

Ada County, Idaho, ss.

Request of  
IDAHO POWER CO.

*George D. Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 19 77



Time 12:20 P. M. OVER  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By *O. Martin*  
Deputy

9

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 06/10/09 09:13 AM  
DEPUTY Vicki Allen  
RECORDED - REQUEST OF  
Idaho Power

AMOUNT 15.00 5



109067535

**This sheet has been added to document to  
accommodate recording information.**



Power Line Easement  
Transmission Line  
(Organization)

LINE # 708  
WO # 27285136  
RL

Little Creek Ranch, LLC

A Corporation, Grantor (s) of  
ADA County

State of Idaho, does hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in Canyon County, State of Idaho, in the following location:  
ADB

**See Attached Exhibit "A" and Exhibit "B"**

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 27th day of March, 2009.

Signature(s) of Grantor(s) (Include title where applicable):

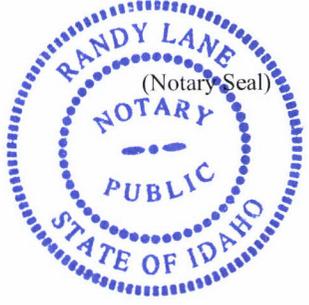
Grantor [Signature] Title Manager

Larry R. Shideler

Grantor \_\_\_\_\_ Title \_\_\_\_\_

STATE OF IDAHO }  
County of ADA } ss.

I, RANDY LANE, (Notary's Name) a notary public, do hereby certify that on this 27<sup>th</sup> day of MARCH,  
20 09, personally appeared before me LETTIE SHIDLER (Individual's Name  
including title after each name) who, being by me first duly sworn, declared they are respectively the duly authorized persons of LITTLE  
COY FENCE LLC (Organization Name), that he / she / they signed the foregoing document, and acknowledged to me  
that he / she / they executed the same as the free act and deed on behalf of said organization.



[Signature]  
Notary Public  
ADA, IDAHO  
Residing at  
Commission expires 8/18, 2011

**LEGAL DESCRIPTION FOR  
Idaho Power Transmission line Easement  
Little Creek Ranch LLC Parcel**

An Easement located in the Southwest 1/4 of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

**BASIS OF BEARINGS:**

The West line of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East Boise Meridian, derived from found monuments (CP&F No.s 9054152 and 94025263) and taken as, North 00°19'46" East, with the distance between monuments found to be 2635.79 feet (See the "Multiple Land Corners" narrative on Ada County Record of Survey 8402).

Commencing at the West 1/4 Corner of Section 34, Township 2 North, Range 1 East, Boise Meridian, thence along the South line of the Northwest 1/4 of said Section 34, South 89°25'28" East to a point on the easterly Prescriptive Right of Way of S. Cloverdale Road a distance of 25.00 feet, the *Point of Beginning* of this easement description;

Thence along said easterly Prescriptive Right of Way, a line being 25.00 feet east of and parallel to the West line of said Northwest 1/4, North 00°19'46" East to the Southwest corner of Lot 3 Block 1 of Pitts Subdivision, as recorded in Book 88 of Plats, Page 10,073, Ada County records, a distance of 155.19 feet;

Thence leaving said parallel line along the South line of said Lot 3 South 87°34'26" East a distance of 25.02 feet;

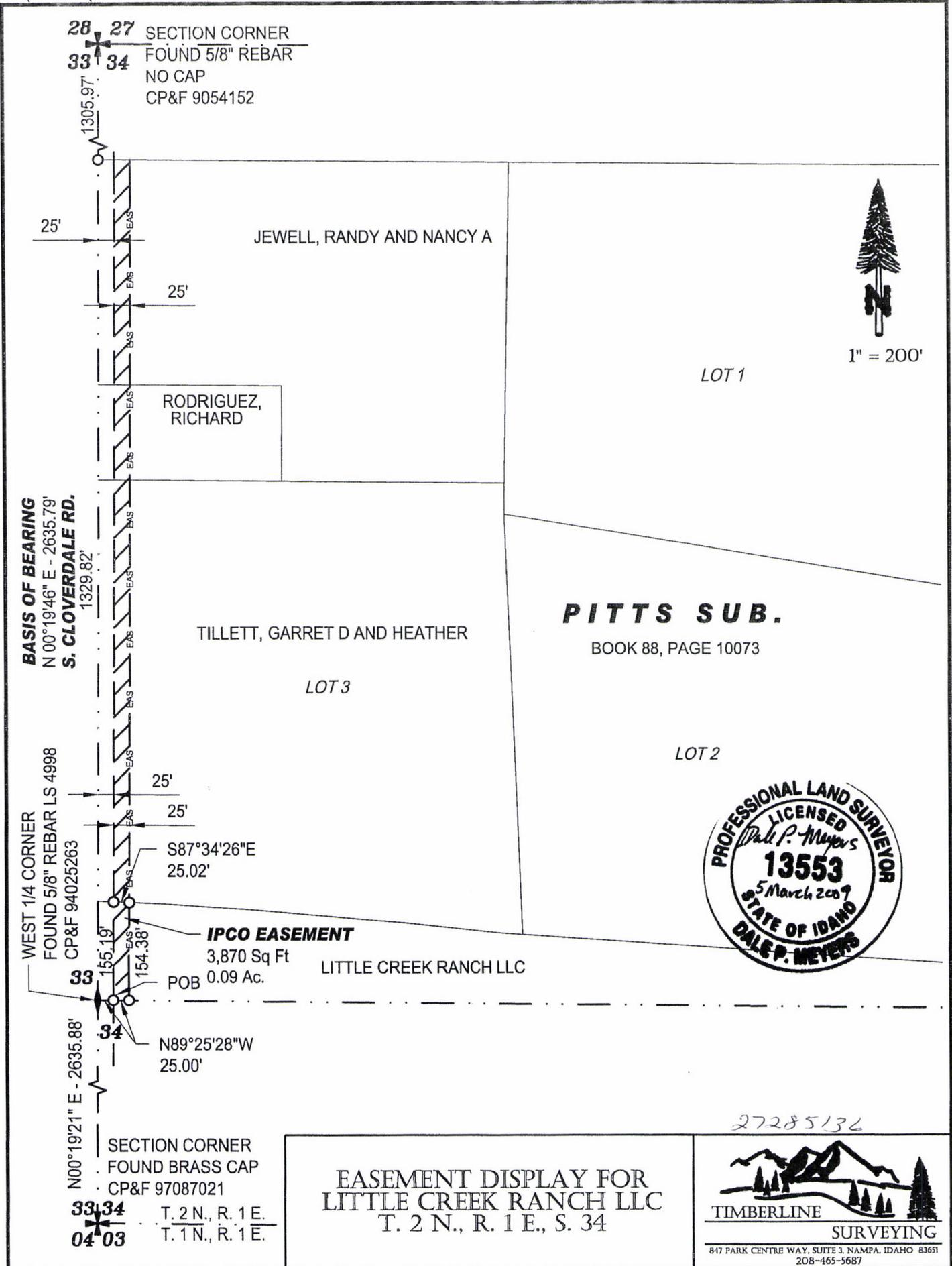
Thence leaving said South line along a line 50.00 feet east of and parallel with said West line South 00°19'46" West to a point on the South line of said Northwest 1/4 a distance of 154.38 feet;

Thence leaving said 50.00 foot parallel line along the South line of said Northwest 1/4 North 89°25'28" West to a point on said easterly Prescriptive Right of Way a distance of 25.00 feet, the *Point of Beginning*.

Said Easement contains an area of approximately 3870 square feet or 0.09 acres.

Dale P Meyers, P.L.S. 13553  
Timberline Surveying  
847 Park Centre Way Suite 3,  
Nampa, Idaho 83651  
(208) 465-5687





28 27 SECTION CORNER  
 33 34 FOUND 5/8" REBAR  
 NO CAP  
 CP&F 9054152



LOT 1

**PITTS SUB.**  
 BOOK 88, PAGE 10073

LOT 2



TILLETT, GARRET D AND HEATHER  
 LOT 3

JEWELL, RANDY AND NANCY A

RODRIGUEZ, RICHARD

**IPCO EASEMENT**  
 3,870 Sq Ft  
 POB 0.09 Ac. LITTLE CREEK RANCH LLC

**BASIS OF BEARING**  
 N 00°19'46" E - 2635.79'  
**S. CLOVERDALE RD.**  
 1329.82'

WEST 1/4 CORNER  
 FOUND 5/8" REBAR LS 4998  
 CP&F 94025263

N 00°19'21" E - 2635.88'  
 SECTION CORNER  
 FOUND BRASS CAP  
 CP&F 97087021

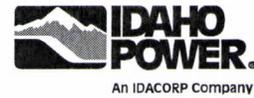
33 34 T. 2 N., R. 1 E.  
 04 03 T. 1 N., R. 1 E.

EASEMENT DISPLAY FOR  
 LITTLE CREEK RANCH LLC  
 T. 2 N., R. 1 E., S. 34

27285132

**TIMBERLINE SURVEYING**  
 847 PARK CENTRE WAY, SUITE 3, NAMPA, IDAHO 83651  
 208-465-5687

# Easement Checklist



Easement Assembled By (completed by Surveyor or Designer who assembles easement document, e.g., Service Specialist, Surveyor or Distribution Designer) Randy Lane			
Distribution Designer's Name	Surveyor's Name	Date 3/26/09	Work Order No. #27285136
Grantor's Name Little Creek Ranch LLC		Sec. Township and Range Sec 34, T2NR1E	

## Easement Development *(The following is to be completed by the Surveyor documenting the Project for easement purposes before sending for checking.)*

Signed By \_\_\_\_\_ Employee No. \_\_\_\_\_ @ Ext. \_\_\_\_\_ on \_\_\_\_\_  
 By typing your name, you are acknowledging you have completed the following steps.

- |   |  |   |
|---|--|---|
| Yes<br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><br><input type="checkbox"/> | No<br><input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/> | Based on the Delivery Distribution Easement Policy, is an easement required for this project?<br>Has the customer provided all required information as defined in the Distribution Manual, or has the Surveyor obtained all the necessary information to prepare the easement?<br>The legal description has been (check one):<br><input type="checkbox"/> obtained from the customer<br><input checked="" type="checkbox"/> prepared by the customer's Surveyor<br><input type="checkbox"/> prepared by the Company's Surveyor<br><input type="checkbox"/> prepared by the Real Estate Specialist<br><input type="checkbox"/> prepared by the Distribution Designer<br>Has the Surveyor verified that the Grantor is the current Owner of Record? |
|---|--|---|

Corrections/Notes: Legal description (Exhibit "A") and map (Exhibit "B") were prepared by IPC's hired surveyor Dale P Meyers, PLS of Timberline Surveying

## Legal Description and Maps *(The following is to be completed by the Real Estate Specialist or Surveyor checking the easement after it has been created.)*

Signed By Diana Pon Employee No. 74125 @ Ext. 2695 on 5/27/09  
 By typing your name, you are acknowledging you have completed the following steps.

- | Legal Desc.                         | Map                                 | N/A                                 |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Is the Section, Township, Range, and County information clearly stated and correct?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a North or South AND an East or West direction?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a distance associated with them?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the description have a Point of Commencement, a Point of Beginning and a Point of Terminus, if applicable?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Does the legal description close, if applicable?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Does the legal description match the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map?   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the width of the easement given?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the same Work Order number on both the easement and the Work Order map?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the Point of Commencement, Point of Beginning, and Point of Terminus clearly indicated on the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map? |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are there distances and bearings of the easement noted on the map?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are subdivision names, lots, blocks, and streets (if needed) labeled?   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the map drawn to scale?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is there a North arrow on the map?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Does the Survey map reasonably agree with the Work Order Map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Has the legal description been checked for accuracy by a Real Estate Specialist or Surveyor that <b>did not</b> prepare the description?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | If any errors were found, were they corrected?  |

Corrections/Notes: No WO map was provided. The description was checked after signatures were acquired.  
\_\_\_\_\_  
\_\_\_\_\_

**Signatures/Notary Section** *(The following is to be completed by the Real Estate Specialist recording the easement.)*

Signed By E Vanderpool Employee No. 92637 @ Ext. 2699 on 3/26/09  
By typing your name, you are acknowledging you have completed the following steps.

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are all names and counties printed on the lines at the top of the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did all owner(s) listed on the easement form sign the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary print owners' names and sign notary certificate?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary seal the certificate?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the Grantor fill in their county and state?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are both the Work Order map and the Survey map attached?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the property owner's signature on the <input type="checkbox"/> Work Order map and/or the <input type="checkbox"/> Survey map? |

Corrections/Notes: 3/26/09 - gave esmt back to Randy Lane due to county error made by him. He needs to get it corrected & initialed by customer. -- 5/27/09 - Rec'd esmt back from Randy Lane with initials by county.  
\_\_\_\_\_  
\_\_\_\_\_

**List the Exhibits to be recorded:**

Legal description (Exhibit "A") and map (Exhibit "B") were prepared by IPC's hired surveyor Dale P Meyers, PLS of Timberline Surveying. Must add additional sheet to accommodate recording information because Randy Lane has written the line number & WO number at top right hand corner of easement.  
\_\_\_\_\_  
\_\_\_\_\_

**Send this completed checklist to Land Management Services with the completed easement.**

Customer wants copy of recorded document.  
(Company / contact or customer's name, address, city, state, zip, and e-mail address)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I need copy of recorded document.  
(IPC employee full name, location, and e-mail address)  
Randy Lane  
\_\_\_\_\_  
\_\_\_\_\_

Date Completed: \_\_\_\_\_

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 04/06/09 09:33 AM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Idaho Power Co

AMOUNT 15.00 5



109038537

**This sheet has been added to document to  
accommodate recording information.**



Power Line Easement  
Transmission Line

LINE# 708  
W.O.# 27285136 RL

Garret ~~Tillett~~ *TILLITT*

Heather ~~Tillett~~ *Tillitt*

his wife, Grantors(s) of ADA County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in ADA County, State of Idaho, in the following location:

See Attached Exhibits "A" and "B"

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 9<sup>TH</sup> day of March, 2009.

Grantor *[Signature]* Address \_\_\_\_\_  
Garret ~~Tillett~~ *TILLITT* 12187 W. Pitts, Kuna, Id 83634

Grantor *[Signature]* Address \_\_\_\_\_ *[Signature]*  
Heather ~~Tillett~~ *Tillitt* 12187 W. Pitts, Kuna, Id 83634

STATE OF IDAHO } ss.  
County of ADA }

On this 9 day of March, 2009, before me, RANDY LANE  
a Notary Public, personally appeared CARRET D TILLITT and  
HEATHER TILLITT, known to me to be the person(s) who executed the foregoing  
instrument and acknowledged to me that them executed the same freely and voluntarily for the uses and  
purposes therein mentioned.



[Signature]  
Notary Public, residing at: Step, ID  
Commission expires: 8/18, 2011

STATE OF \_\_\_\_\_ } ss.  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_  
a Notary Public, personally appeared \_\_\_\_\_ and  
\_\_\_\_\_, to me personally known, who being duly  
sworn, did say 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.

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

(Notarial Seal)

\_\_\_\_\_  
Notary Public, residing at: \_\_\_\_\_  
Commission expires: \_\_\_\_\_, \_\_\_\_\_

LEGAL DESCRIPTION FOR  
Idaho Power Transmission line Easement  
Tillett Parcel

An Easement over a portion of Lot 3 Block 1 of Pitts Subdivision, located in the Southwest 1/4 of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The West line of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East Boise Meridian, derived from found monuments (CP&F No.s 9054152 and 94025263) and taken as, North 00°19'46" East, with the distance between monuments found to be 2635.79 feet (See the "Multiple Land Corners" narrative on Ada County Record of Survey 8402).

Commencing at the West 1/4 Corner of Section 34, Township 2 North, Range 1 East, Boise Meridian, thence along the West line of the Northwest 1/4 of said Section 34 North 00°19'46" East to the Southwest corner of Pitts Subdivision, as recorded in Book 88 of Plats, Page 10,073, Ada County records, a distance of 156.00 feet;

Thence leaving said West line along the South line of said Subdivision South 87°34'26" East to the Southwest corner of Lot 3 Block 1 of said Subdivision, also being a point on the easterly Right of Way of S. Cloverdale Road, a distance of 25.02 feet, the **Point of Beginning** of this easement description;

Thence along said easterly Right of Way, a line being 25.00 feet east of and parallel to said West line, North 00°19'46" East to the Northwest corner of Said Lot 3, a distance of 669.07 feet;

Thence leaving said Right of Way line along the North line of said Lot 3 South 89°29'34" East a distance of 25.00 feet;

Thence leaving said North line along a line 50.00 feet east of and parallel to said West line South 00°19'46" West to a point on the South line of said Lot 3, a distance of 669.91 feet;

Thence leaving said 50.00 foot parallel line along the South line of said Lot 3 North 87°34'26" West to the Southwest corner of said Lot 3, also being a point on said easterly Right of Way, a distance of 25.02 feet, the **Point of Beginning**.

Said Easement contains an area of approximately 16,737 square feet or 0.38 acres, and includes the ten (10) foot wide public utility easement dedicated by the plat of Pitts Subdivision (Note 1).

Dale P Meyers, P.L.S. 13553  
Timberline Surveying  
847 Park Centre Way Suite 3,  
Nampa, Idaho 83651  
(208) 465-5687



**EXHIBIT "B"**



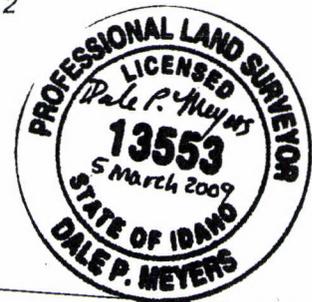
1" = 200'

LOT 1

**PITTS SUB.**

BOOK 88, PAGE 10073

LOT 2



LITTLE CREEK RANCH LLC

27285136

28 27 SECTION CORNER  
 33 34 FOUND 5/8" REBAR  
 NO CAP  
 CP&F 9054152

1305.97'

25'

JEWELL, RANDY AND NANCY A

25'

RODRIGUEZ,  
 RICHARD

S89°29'34"E  
 25.00'

TILLET, GARRET D AND HEATHER

LOT 3

**IPCO EASEMENT**  
 16,737 Sq Ft  
 0.38 Ac.

25'

25'

S87°34'26"E  
 25.02'

POB

**BASIS OF BEARING**  
 N 00°19'46" E - 2635.79'  
**S. CLOVERDALE RD.**  
 1173.82'

WEST 1/4 CORNER  
 FOUND 5/8" REBAR LS 4998  
 CP&F 94025263  
 156.00'

33

34

33

34

33

34

33

34

33

34

04

03

SECTION CORNER  
 FOUND BRASS CAP  
 CP&F 97087021

T. 2 N., R. 1 E.  
 T. 1 N., R. 1 E.

**EASEMENT DISPLAY FOR  
 GARRET & HEATHER TILLET**  
 T. 2 N., R. 1 E., S. 34



**TIMBERLINE SURVEYING**

847 PARK CENTRE WAY, SUITE 3, NAMPÄ, IDAHO 83651  
 208-465-5687

# Easement Checklist



Easement Assembled By (completed by Surveyor or Designer who assembles easement document, e.g., Service Specialist, Surveyor or Distribution Designer) Randy Lane			
Distribution Designer's Name	Surveyor's Name Dale Meyers	Date	Work Order No. 27285136
Grantor's Name Garret Tillitt and Heather Tillitt		Sec. Township and Range Sec 34, T2N, R1E Ada -- Line #708	

## Easement Development *(The following is to be completed by the Surveyor documenting the Project for easement purposes before sending for checking.)*

Signed By \_\_\_\_\_ Employee No. \_\_\_\_\_ @ Ext. \_\_\_\_\_ on \_\_\_\_\_  
 By typing your name, you are acknowledging you have completed the following steps.

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Based on the Delivery Distribution Easement Policy, is an easement required for this project?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the customer provided all required information as defined in the Distribution Manual, or has the Surveyor obtained all the necessary information to prepare the easement?  |
| <input type="checkbox"/> | <input type="checkbox"/> | The legal description has been (check one): <ul style="list-style-type: none"> <li><input type="checkbox"/> obtained from the customer</li> <li><input checked="" type="checkbox"/> prepared by the customer's Surveyor</li> <li><input type="checkbox"/> prepared by the Company's Surveyor</li> <li><input type="checkbox"/> prepared by the Real Estate Specialist</li> <li><input type="checkbox"/> prepared by the Distribution Designer</li> </ul> |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the Surveyor verified that the Grantor is the current Owner of Record?   |

Corrections/Notes: Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.

## Legal Description and Maps *(The following is to be completed by the Real Estate Specialist or Surveyor checking the easement after it has been created.)*

Signed By Diana Pon Employee No. 74125 @ Ext. 2695 on 3/31/09  
 By typing your name, you are acknowledging you have completed the following steps.

- | Legal Desc.                         | Map                                 | N/A                                 |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Is the Section, Township, Range, and County information clearly stated and correct?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a North or South AND an East or West direction?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a distance associated with them?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the description have a Point of Commencement, a Point of Beginning and a Point of Terminus, if applicable?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the legal description close, if applicable?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Does the legal description match the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the width of the easement given?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the same Work Order number on both the easement and the Work Order map?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the Point of Commencement, Point of Beginning, and Point of Terminus clearly indicated on the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map? |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are there distances and bearings of the easement noted on the map?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are subdivision names, lots, blocks, and streets (if needed) labeled?   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the map drawn to scale?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is there a North arrow on the map?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Does the Survey map reasonably agree with the Work Order Map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Has the legal description been checked for accuracy by a Real Estate Specialist or Surveyor that <b>did not</b> prepare the description?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If any errors were found, were they corrected?  |

Corrections/Notes: No WO map was provided.

**Signatures/Notary Section** (The following is to be completed by the Real Estate Specialist recording the easement.)

Signed By E Vanderpool Employee No. 92637 @ Ext. 2699 on 3/27/09  
By typing your name, you are acknowledging you have completed the following steps.

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are all names and counties printed on the lines at the top of the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did all owner(s) listed on the easement form sign the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary print owners' names and sign notary certificate?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary seal the certificate?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the Grantor fill in their county and state?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are both the Work Order map and the Survey map attached?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the property owner's signature on the <input type="checkbox"/> Work Order map and/or the <input type="checkbox"/> Survey map? |

Corrections/Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**List the Exhibits to be recorded:**

Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.  
\_\_\_\_\_  
\_\_\_\_\_

**Send this completed checklist to Land Management Services with the completed easement.**

Customer wants copy of recorded document.  
(Company / contact or customer's name, address, city, state, zip, and e-mail address)  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I need copy of recorded document.  
(IPC employee full name, location, and e-mail address)  
  
Randy Lane  
\_\_\_\_\_  
\_\_\_\_\_

**Date Completed:** \_\_\_\_\_

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 04/06/09 09:33 AM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Idaho Power Co

AMOUNT 15.00 5



109038538

**This sheet has been added to document to  
accommodate recording information.**



Power Line Easement  
Transmission Line

LINE # 708  
WO # 27285136

RL

Richard Rodriguez \_\_\_\_\_ and \_\_\_\_\_

his wife, Grantors(s) of ADA County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in ADA County, State of Idaho, in the following location:

See Attached Exhibits "A" and "B"

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 9<sup>TH</sup> day of August, 2009.

Grantor *Richard Rodriguez* Address \_\_\_\_\_  
Richard Rodriguez 1907 N. 11<sup>th</sup> Street, Boise Id, 83702

Grantor \_\_\_\_\_ Address \_\_\_\_\_

*RP*

STATE OF IDAHO }  
County of ADA } ss.

On this 9 day of March, 2009, before me, RANDY LANE  
a Notary Public, personally appeared RICHARD RODRIGUEZ and  
\_\_\_\_\_ known to me to be the person(s) who executed the foregoing  
instrument and acknowledged to me that He, Richard Rodriguez executed the same freely and voluntarily for the uses and  
purposes therein mentioned.



Randy Lane  
Notary Public, residing at: Star, ID

Commission expires: 8/18, 2011

STATE OF \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_  
a Notary Public, personally appeared \_\_\_\_\_ and  
\_\_\_\_\_, to me personally known, who being duly  
sworn, did say 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.

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

(Notarial Seal)

\_\_\_\_\_  
Notary Public, residing at: \_\_\_\_\_  
Commission expires: \_\_\_\_\_, \_\_\_\_\_

# EXHIBIT "A"

## LEGAL DESCRIPTION FOR Idaho Power Transmission line Easement Rodriguez Parcel

An Easement located in the Southwest 1/4 of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

### BASIS OF BEARINGS:

The West line of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East Boise Meridian, derived from found monuments (CP&F No.s 9054152 and 94025263) and taken as, North 00°19'46" East, with the distance between monuments found to be 2635.79 feet (See the "Multiple Land Corners" narrative on Ada County Record of Survey 8402).

Commencing at the West 1/4 Corner of Section 34, Township 2 North, Range 1 East, Boise Meridian, thence along the West line of the Northwest 1/4 of said Section 34 North 00°19'46" East to the Northwesterly corner of Pitts Subdivision, as recorded in Book 88 of Plats, Page 10,073, Ada County records, a distance of 824.23 feet; Thence leaving said West line along the North line of said Subdivision South 89°29'34" East to the Northwest corner of Lot 3 Block 1 of said Subdivision, also being a point on the easterly Prescriptive Right of Way of S. Cloverdale Road a distance of 25.00 feet, the **Point of Beginning** of this easement description;

Thence along said Prescriptive Right of Way, a line being 25.00 feet east of and parallel with said West line, North 00°19'46" East a distance of 150.00 feet;

Thence leaving said parallel line South 89°29'34" East a distance of 25.00 feet;

Thence along a line 50.00 feet east of and parallel with said West line South 00°19'46" West to a point on the north line of said Lot 3 a distance of 150.00 feet;

Thence leaving said 50.00 foot parallel line along the north line of said Lot 3 North 89°29'34" West to a point on said Prescriptive Right of Way a distance of 25.00 feet, the **Point of Beginning**.

Said Easement contains an area of approximately 3750 square feet or 0.09 acres.

Dale P Meyers, P.L.S. 13553  
Timberline Surveying  
847 Park Centre Way Suite 3,  
Nampa, Idaho 83651  
(208) 465-5687



27285136

# EXHIBIT "B"

28 27 SECTION CORNER  
 33 34 FOUND 5/8" REBAR  
 NO CAP  
 CP&F 9054152



1" = 200'

LOT 1

JEWELL, RANDY AND NANCY A

S89°29'34"E  
 25.00'

RODRIGUEZ,  
 RICHARD

**IPCO EASEMENT**

3,750 Sq Ft  
 0.09 Ac.

S89°29'34"E  
 25.00'

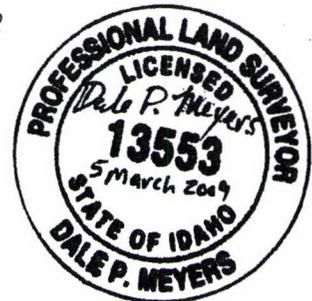
TILLET, GARRET D AND HEATHER

**PITTS SUB.**

BOOK 88, PAGE 10073

LOT 3

LOT 2



LITTLE CREEK RANCH LLC

**BASIS OF BEARING**  
 N 00°19'46" E - 2635.79'  
**S. CLOVERDALE RD.**

WEST 1/4 CORNER  
 FOUND 5/8" REBAR LS 4998  
 CP&F 94025263

SECTION CORNER  
 FOUND BRASS CAP  
 CP&F 97087021

33 34 T. 2 N., R. 1 E.  
 04 03 T. 1 N., R. 1 E.

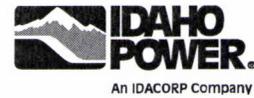
Rodriguez  
 27285136

EASEMENT DISPLAY FOR  
 RICHARD RODRIGUEZ  
 T. 2 N., R. 1 E., S. 34

**TIMBERLINE SURVEYING**

847 PARK CENTRE WAY, SUITE 3, NAMPA, IDAHO 83651  
 208-465-5687

# Easement Checklist



Easement Assembled By (completed by Surveyor or Designer who assembles easement document, e.g., Service Specialist, Surveyor or Distribution Designer) Randy Lane			
Distribution Designer's Name	Surveyor's Name Dale Meyers	Date 3/27/09	Work Order No. 27285136
Grantor's Name Richard Rodriguez		Sec. Township and Range Sec 34 T2NR1E Ada -- Line #708	

## Easement Development *(The following is to be completed by the Surveyor documenting the Project for easement purposes before sending for checking.)*

Signed By \_\_\_\_\_ Employee No. \_\_\_\_\_ @ Ext. \_\_\_\_\_ on \_\_\_\_\_  
 By typing your name, you are acknowledging you have completed the following steps.

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Based on the Delivery Distribution Easement Policy, is an easement required for this project?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the customer provided all required information as defined in the Distribution Manual, or has the Surveyor obtained all the necessary information to prepare the easement?  |
| <input type="checkbox"/> | <input type="checkbox"/> | The legal description has been (check one): <ul style="list-style-type: none"> <li><input type="checkbox"/> obtained from the customer</li> <li><input type="checkbox"/> prepared by the customer's Surveyor</li> <li><input checked="" type="checkbox"/> prepared by the Company's Surveyor</li> <li><input type="checkbox"/> prepared by the Real Estate Specialist</li> <li><input type="checkbox"/> prepared by the Distribution Designer</li> </ul> |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the Surveyor verified that the Grantor is the current Owner of Record?   |

Corrections/Notes: Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.

## Legal Description and Maps *(The following is to be completed by the Real Estate Specialist or Surveyor checking the easement after it has been created.)*

Signed By Diana Pon Employee No. 74125 @ Ext. 2695 on 3/31/09  
 By typing your name, you are acknowledging you have completed the following steps.

- | Legal Desc.                         | Map                                 | N/A                                 |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Is the Section, Township, Range, and County information clearly stated and correct?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a North or South AND an East or West direction?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a distance associated with them?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the description have a Point of Commencement, a Point of Beginning and a Point of Terminus, if applicable?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the legal description close, if applicable?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Does the legal description match the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the width of the easement given?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the same Work Order number on both the easement and the Work Order map?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the Point of Commencement, Point of Beginning, and Point of Terminus clearly indicated on the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map? |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are there distances and bearings of the easement noted on the map?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are subdivision names, lots, blocks, and streets (if needed) labeled?   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the map drawn to scale?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is there a North arrow on the map?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Does the Survey map reasonably agree with the Work Order Map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Has the legal description been checked for accuracy by a Real Estate Specialist or Surveyor that <b>did not</b> prepare the description?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If any errors were found, were they corrected?  |

Corrections/Notes: No WO map was provided.

**Signatures/Notary Section** *(The following is to be completed by the Real Estate Specialist recording the easement.)*

Signed By E Vanderpool Employee No. 92637 @ Ext. 2699 on 3/27/09  
By typing your name, you are acknowledging you have completed the following steps.

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are all names and counties printed on the lines at the top of the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did all owner(s) listed on the easement form sign the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary print owners' names and sign notary certificate?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary seal the certificate?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the Grantor fill in their county and state?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are both the Work Order map and the Survey map attached?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the property owner's signature on the <input type="checkbox"/> Work Order map and/or the <input type="checkbox"/> Survey map? |

Corrections/Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**List the Exhibits to be recorded:**

Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.  
\_\_\_\_\_  
\_\_\_\_\_

**Send this completed checklist to Land Management Services with the completed easement.**

Customer wants copy of recorded document.  
(Company / contact or customer's name, address, city, state, zip, and e-mail address)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I need copy of recorded document.  
(IPC employee full name, location, and e-mail address)  
Randy Lane  
\_\_\_\_\_  
\_\_\_\_\_

Date Completed: \_\_\_\_\_

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 04/06/09 09:33 AM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Idaho Power Co

AMOUNT 15.00 5



109038536

**This sheet has been added to document to  
accommodate recording information.**



Power Line Easement  
Transmission Line

LINE# 708  
WO# 27285136  
12L

Randy Jewell and Nancy Jewell

his wife, Grantors(s) of ADA County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in ADA County, State of Idaho, in the following location:

See Attached Exhibits "A" and "B"

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 9<sup>TH</sup> day of March, 2009.

Grantor Randy Jewell Address 14618 S. Cloverdale, Kuna, Id 83634  
Randy Jewell

Grantor Nancy Jewell Address 14618 S. Cloverdale, Kuna, Id 83634  
Nancy Jewell

STATE OF Idaho } ss.  
County of ADA }

On this 9 day of March, 2009, before me, Randy Lane  
a Notary Public, personally appeared Randy Jewell and  
Nancy Jewell, 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.



[Signature]  
Notary Public, residing at: STEP, ID  
Commission expires: 8/18, 2011

STATE OF \_\_\_\_\_ } ss.  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, \_\_\_\_\_  
a Notary Public, personally appeared \_\_\_\_\_ and  
\_\_\_\_\_, to me personally known, who being duly  
sworn, did say 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.

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

(Notarial Seal)

\_\_\_\_\_  
Notary Public, residing at: \_\_\_\_\_  
Commission expires: \_\_\_\_\_, \_\_\_\_\_

**LEGAL DESCRIPTION FOR  
Idaho Power Transmission line Easement  
Jewell Parcel**

An Easement located in the West 1/2 of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

**BASIS OF BEARINGS:**

The West line of the Northwest 1/4 of Section 34, Township 2 North, Range 1 East Boise Meridian, derived from found monuments (CP&F No.s 9054152 and 94025263) and taken as, North 00°19'46" East, with the distance between monuments found to be 2635.79 feet (See the "Multiple Land Corners" narrative on Ada County Record of Survey 8402).

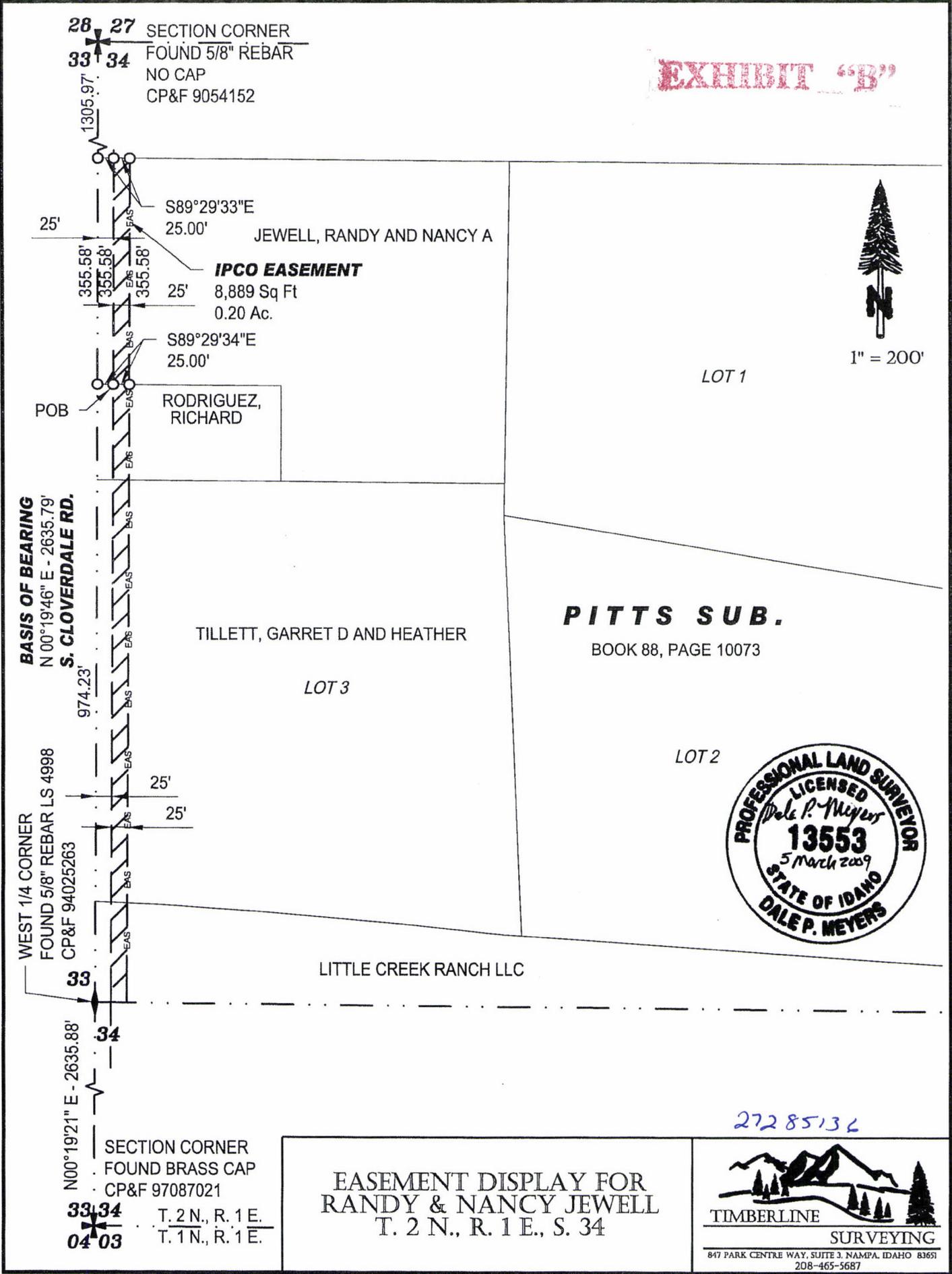
Commencing at the West 1/4 Corner of Section 34, Township 2 North, Range 1 East, Boise Meridian, thence along the West line of the Northwest 1/4 of said Section 34 North 00°19'46" East a distance of 974.23 feet to a point;  
Thence leaving said West line South 89°29'34" East to a point on the easterly Prescriptive Right of Way of S. Cloverdale Road a distance of 25.00 feet, being the *Point of Beginning* of this easement description;  
Thence along said easterly Prescriptive Right of Way, a line being 25.00 feet east of and parallel with said West line, North 00°19'46" East to a point on the property line established per agreement Instrument # 98115991, a distance of 355.58 feet;  
Thence leaving said parallel line along said property line South 89°29'33" East a distance of 25.00 feet;  
Thence leaving said property line along a line 50.00 feet east of and parallel with said West line South 00°19'46" West a distance of 355.58 feet;  
Thence leaving said 50.00 foot parallel line, North 89°29'34" West to a point on said Prescriptive Right of Way a distance of 25.00 feet, the *Point of Beginning*.

Said Easement contains an area of approximately 8889 square feet or 0.20 acres.

Dale P Meyers, P.L.S. 13553  
Timberline Surveying  
847 Park Centre Way Suite 3,  
Nampa, Idaho 83651  
(208) 465-5687



**EXHIBIT "B"**



28 27 SECTION CORNER  
 33 34 FOUND 5/8" REBAR  
 NO CAP  
 CP&F 9054152

25'  
 355.58'  
 S89°29'33"E  
 25.00'  
**JEWELL, RANDY AND NANCY A**  
**IPCO EASEMENT**  
 25' 8,889 Sq Ft  
 0.20 Ac.  
 S89°29'34"E  
 25.00'

POB  
**RODRIGUEZ, RICHARD**

**BASIS OF BEARING**  
 N 00°19'46" E - 2635.79'  
**S. CLOVERDALE RD.**

**TILLETT, GARRET D AND HEATHER**

**PITTS SUB.**

BOOK 88, PAGE 10073

LOT 3

LOT 2



WEST 1/4 CORNER  
 FOUND 5/8" REBAR LS 4998  
 CP&F 94025263  
 974.23'  
 25'  
 25'

LITTLE CREEK RANCH LLC

N00°19'21" E - 2635.88'  
 33 34 SECTION CORNER  
 FOUND BRASS CAP  
 CP&F 97087021

33 34 T. 2 N., R. 1 E.  
 04 03 T. 1 N., R. 1 E.

**EASEMENT DISPLAY FOR  
 RANDY & NANCY JEWELL**  
 T. 2 N., R. 1 E., S. 34

272 8513 6

**TIMBERLINE SURVEYING**  
 847 PARK CENTRE WAY, SUITE 3, NAMPA, IDAHO 83651  
 208-465-5687

# Easement Checklist



Easement Assembled By (completed by Surveyor or Designer who assembles easement document, e.g., Service Specialist, Surveyor or Distribution Designer) Randy Lane			
Distribution Designer's Name	Surveyor's Name Dale Meyers	Date 3/27/09	Work Order No. #27285136
Grantor's Name Randy Jewell & Nancy Jewell		Sec. Township and Range Sec 34 T2NR1E Ada -- Line #708	

## Easement Development *(The following is to be completed by the Surveyor documenting the Project for easement purposes before sending for checking.)*

Signed By \_\_\_\_\_ Employee No. \_\_\_\_\_ @ Ext. \_\_\_\_\_ on \_\_\_\_\_  
 By typing your name, you are acknowledging you have completed the following steps.

- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Based on the Delivery Distribution Easement Policy, is an easement required for this project?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the customer provided all required information as defined in the Distribution Manual, or has the Surveyor obtained all the necessary information to prepare the easement?  |
| <input type="checkbox"/> | <input type="checkbox"/> | The legal description has been (check one): <ul style="list-style-type: none"> <li><input type="checkbox"/> obtained from the customer</li> <li><input type="checkbox"/> prepared by the customer's Surveyor</li> <li><input checked="" type="checkbox"/> prepared by the Company's Surveyor</li> <li><input type="checkbox"/> prepared by the Real Estate Specialist</li> <li><input type="checkbox"/> prepared by the Distribution Designer</li> </ul> |
| <input type="checkbox"/> | <input type="checkbox"/> | Has the Surveyor verified that the Grantor is the current Owner of Record?   |

Corrections/Notes: Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.

## Legal Description and Maps *(The following is to be completed by the Real Estate Specialist or Surveyor checking the easement after it has been created.)*

Signed By Diana Pon Employee No. 74125 @ Ext. 2695 on 3/31/09  
 By typing your name, you are acknowledging you have completed the following steps.

- | Legal Desc.                         | Map                                 | N/A                                 |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Is the Section, Township, Range, and County information clearly stated and correct?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a North or South AND an East or West direction?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Do all bearings have a distance associated with them?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the description have a Point of Commencement, a Point of Beginning and a Point of Terminus, if applicable?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the legal description close, if applicable?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Does the legal description match the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the width of the easement given?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the same Work Order number on both the easement and the Work Order map?  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the Point of Commencement, Point of Beginning, and Point of Terminus clearly indicated on the <input type="checkbox"/> Work Order or <input checked="" type="checkbox"/> Survey map? |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are there distances and bearings of the easement noted on the map?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are subdivision names, lots, blocks, and streets (if needed) labeled?   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the map drawn to scale?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is there a North arrow on the map?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Does the Survey map reasonably agree with the Work Order Map?   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     | Has the legal description been checked for accuracy by a Real Estate Specialist or Surveyor that <b>did not</b> prepare the description?  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If any errors were found, were they corrected?  |

Corrections/Notes: No WO map was provided.

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**Signatures/Notary Section** *(The following is to be completed by the Real Estate Specialist recording the easement.)*

Signed By E Vanderpool Employee No. 92637 @ Ext. 2699 on 3/27/09  
By typing your name, you are acknowledging you have completed the following steps.

- | Yes                                 | No                                  |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are all names and counties printed on the lines at the top of the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did all owner(s) listed on the easement form sign the easement?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary print owners' names and sign notary certificate?  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the notary seal the certificate?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Did the Grantor fill in their county and state?  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are both the Work Order map and the Survey map attached?   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the property owner's signature on the <input type="checkbox"/> Work Order map and/or the <input type="checkbox"/> Survey map? |

Corrections/Notes: \_\_\_\_\_

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**List the Exhibits to be recorded:**

Legal description (Exhibit "A") and the map (Exhibit "B") were done by Dale P Meyers, IPC's hired surveyor from Timberline Surveying.

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**Send this completed checklist to Land Management Services with the completed easement.**

Customer wants copy of recorded document.  
(Company / contact or customer's name, address, city, state, zip, and e-mail address)

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---

---

I need copy of recorded document.  
(IPC employee full name, location, and e-mail address)

Randy Lane

---

---

Date Completed: \_\_\_\_\_

# Idaho Power Company POWER LINE EASEMENT

884571

Bruce E Bestwick ..... and Michael K Bestwick .....  
his wife, Grantor(s), of Ada ..... 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 Ada ..... County, State of Idaho ....., in the following location, to-wit:

A parcel of land lying in the NW<sup>4</sup> NW<sup>4</sup> of Section 34, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line:

Commencing at the Northwest corner of Section 34, T. 2 N., R. 1 E., B.M., Idaho; Thence, East 31.0 feet; Thence, S. 0° 25' 30" W. a distance of 645.0 feet to the Real Point of Beginning; Thence, S. 0° 25' 30" W. a distance of 670.0 feet, to a point in the South boundary line of the NW<sup>4</sup> NW<sup>4</sup>, Section 34, T. 2 N., R. 1 E., B.M., Idaho.

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 26 day of April, 1974

*Bruce E. Bestwick*  
*Michael K. Bestwick*

STATE OF Idaho }  
County of Ada } ss.

On this 26 day of April, 1974, before me, George D Rosandick a Notary Public, personally appeared Bruce E Bestwick and Michael K Bestwick, his wife, 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977

(Notarial Seal)

OVER OF IDAHO, COUNTY OF ADA, SS. Idaho Power Company  
for record at the request of Idaho Power Company  
45 min. past 1 o'clock P. M. this 8<sup>th</sup> day of May 1974  
CLARENCE A. PLANTING, Recorder  
By *O. Martin* Deputy

# Idaho Power Company POWER LINE EASEMENT

# 884569

Donald McEldowney ..... and Sandra M Ellis .....

~~Grantor(s)~~ Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the NW<sup>4</sup> NW<sup>4</sup>, Section 34, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side, of the following described survey line:

Beginning at a point in the North boundary line of Section 34, T. 2 N., R. 1 E., B.M., Idaho, which point bears East 31.0 feet from the Northwest corner of said Section 34, Thence, S. 0° 25' 30" W. a distance of 1320.0 feet more or less to a point in the South boundary line of the NW<sup>4</sup> NW<sup>4</sup>, Section 34, T. 2 N., R. 1 E., B.M., Idaho.

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.

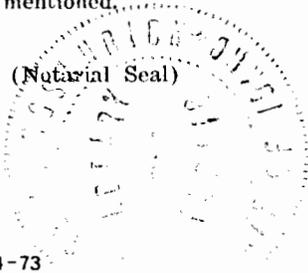
Executed and delivered this 1 day of May, 19 74

*Donald McEldowney* ..... x  
*Sandra M Ellis* ..... x  
 ..... x  
 ..... x

STATE OF Idaho }  
 County of Ada } ss.

On this 1 day of May, 19 74, before me, George D Rosandick a Notary Public, personally appeared Donald McEldowney and Sandra M Ellis, 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.

*George D Rosandick*  
 Notary Public, residing at Boise, Idaho  
 Commission expires October 18, 19 77



OVER

STATE OF IDAHO, COUNTY OF ADA, ss. Idaho Power Company  
 Executed at the request of Idaho Power Company  
45 Min. past 1 o'clock P M. this 8<sup>th</sup> day of May, 19 74  
 CLARENCE A. PLANTING, Recorder  
*O. Martin* Deputy

885756

33-100-1-1

Idaho Power Company  
POWER LINE EASEMENT

Stanley C. Coleman and Joyce M. Coleman  
his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the W<sup>2</sup> SW<sup>4</sup>, Section 27, T. 2 N., R. 1 W., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line.

Beginning at a point in the North boundary line of the SW<sup>4</sup>, Section 27, T. 2 N., R. 1 W., B.M., Idaho, which point bears East 31.0 feet from the West Quarter corner of said Section 27; Thence, S 0° 35' 00" W. a distance of 2634.9 feet to a point in the South boundary line of Section 27, T. 2 N., R. 1 W., B.M., Idaho.

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.

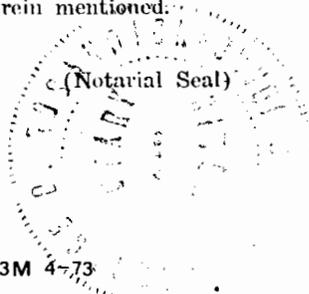
Executed and delivered this 28<sup>th</sup> day of March, 1974.

Joyce M. Coleman  
Stanley C. Coleman

STATE OF Idaho } ss.  
County of Ada

On this 28 day of MARCH, 1974, before me, George D. Rosendick  
a Notary Public, personally appeared Stanley C. Coleman and  
Joyce M. Coleman his wife, 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.

George D. Rosendick  
Notary Public, residing at Paris  
Commission expires October 18, 1977



OVER

IDAHO POWER CO.  
45 Min. past 11 o'clock A.M. on 17 day of May 1974  
CLARENCE A. MARTIN, Recorder  
O. Martin Deputy

16,00

885758  
Idaho Power Company  
POWER LINE EASEMENT

Harvey G Olsen and Dorothy T Olsen  
his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the SW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line.

Beginning at a point in the South boundary line of the SW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho, which point bears East 31.0 feet from the West Quarter corner of said Section 27; Thence, N. 0° 40' 40" E. a distance of 337.59 feet.

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.

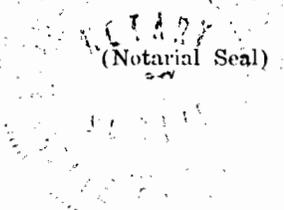
Executed and delivered this 7 day of May, 1974

*Harvey G. Olsen*  
*Dorothy T. Olsen*

STATE OF Idaho } ss.  
County of Ada }

On this 7 day of May, 1974, before me, George D Rosandick a Notary Public, personally appeared Harvey G Olsen and Dorothy T Olsen, his wife, 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977



OVER  
STATE OF IDAHO, COUNTY OF ADA, SS.  
Filed for record at the request of IDAHO POWER CO.  
4:55 Min. past 11 o'clock A.M. this 17<sup>th</sup> day of May 1974  
CLARENCE A. PLANTING, Recorder  
*O. Martin* Deputy

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

Idaho Power Company  
POWER LINE EASEMENT

Manuel T Fontes and Carole L Fontes

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the SW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.6 feet on each side of the following described survey line.

Commencing at the Northwest corner of Section 27, T. 2 N., R. 1 E., B.M., Idaho; Thence, East 31.0 feet; Thence, S. 0° 40' 40" W. a distance of 1955.0 feet to the Real Point of Beginning; Thence, S. 0° 40' 40" W. a distance of 320.0 feet.

0

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 1 day of April, 1974

X Manuel T Fontes  
X Carole L Fontes

STATE OF Idaho }  
County of Canyon } ss.

On this 1 day of April, 1974, before me, George D Rosandick a Notary Public, personally appeared Manuel T Fontes and Carole L Fontes, his wife, 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.

Ada County, Idaho, ss.  
Request of  
IDAHO POWER CO.

George D Rosandick  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977



Time 12:20 P M. OVER  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By O. Martin  
Deputy

# Idaho Power Company POWER LINE EASEMENT 884574

Hiram J Gregory, Jr ..... and Don McEldowney .....

his wife, Grantor(s), of Ada ..... 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 Ada ..... County, State of Idaho ....., in the following location, to-wit:

A parcel of land lying in the SW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line:

Commencing at the West Quarter Corner of Section 27, T. 2 N., R. 1 E., B.M., Idaho; Thence East 31.0 feet; Thence N. 0° 40' 40" E. a distance of 657.59 feet to the Real Point of Beginning; Thence, N. 0° 40' 40" E. a distance of 662.41 feet to a point in the North line SW<sup>4</sup> NW<sup>4</sup> of said Section 27.

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.

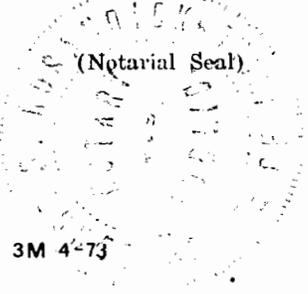
Executed and delivered this 25 ..... day of April ....., 19 74 .....

*Hiram J Gregory Jr*  
*Don McEldowney*

STATE OF Idaho ..... } ss.  
County of Ada .....

On this 25 ..... day of April ....., 19 74, before me, George D Rosandick a Notary Public, personally appeared Hiram J Gregory Jr ..... and Don McEldowney ....., 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.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977



OVER STATE OF IDAHO, COUNTY OF ADA, SS:  
Filed for record at the request of Idaho Power Company  
55 Min. past 1 o'clock P M. this 8<sup>th</sup> day of May 19 74  
CLARENCE A. PLANTING, Recorder  
*D. Martin* Deputy

1.00

# Idaho Power Company POWER LINE EASEMENT

## 884575

Madge Anderson and

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the NW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.6 feet on each side of the following described survey line.

Commencing at the Northwest corner of Section 27, T. 2 N., R. 1 E., B.M., Idaho; Thence, East 31.0 feet; Thence, S. 0° 40' 40" W. a distance of 850.0 feet to the Real Point of Beginning; Thence, S. 0° 40' 40" W. a distance of 310.0 feet.

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.

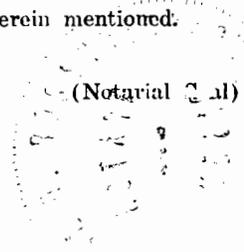
Executed and delivered this 25 day of April, 19 74

*Madge Anderson*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF Idaho }  
County of Ada } ss.

On this 25 day of April, 19 74, before me, George D Rosandick a Notary Public, personally appeared Madge Anderson and \_\_\_\_\_, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein mentioned.

*George D Rosandick*  
\_\_\_\_\_  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977



OVER STATE OF IDAHO, COUNTY OF ADA, ss. Idaho Power Company  
at the request of \_\_\_\_\_  
55 Min. past 1 o'clock P M. this 8<sup>th</sup> day of May 19 74  
CLARENCE A. PLANTING, Recorder  
*D. Martinez* Deputy

*B. 100*

882838

# Idaho Power Company POWER LINE EASEMENT

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

Jack W Parlevliet and Mary L Parlevliet

his wife, Grantor(s), of Ada 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 Ada County, State of Idaho, in the following location, to-wit:

A parcel of land lying in the NW<sup>4</sup> NW<sup>4</sup>, Section 27, T. 2 N., R. 1 E., B.M., Idaho.

All that portion of land of the above described property which lies in a strip of land 25.0 feet in width, being 12.5 feet on each side of the following described survey line;

Commencing at the Northwest corner of Section 27, T. 2 N., R. 1 E., B.M., Idaho; Thence East 31.0 feet; Thence, S. 0° 40' 40" W. a distance of 335.0 feet to a point in the South boundary line of the Desert Estate View No 1 Subdivision as recorded in the office of the Recorder of Ada County, Idaho and being the Real Point of Beginning; Thence, S. 0° 40' 40" W. a distance of 620.0 feet.

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 1 day of April, 1974

*Jack W Parlevliet*  
*Mary L Parlevliet*

STATE OF Idaho }  
County of Ada } ss.

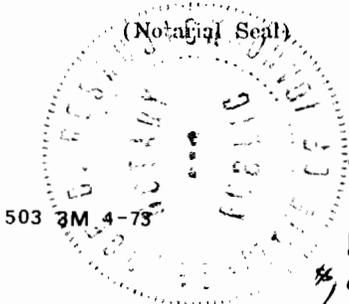
On this 1 day of April, 1974, before me, George D Rosandick a Notary Public, personally appeared Jack W Parlevliet and Mary L Parlevliet, his wife, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

*George D Rosandick*  
Notary Public, residing at Boise, Idaho  
Commission expires October 18, 1977

Ada County, Idaho, ss.  
Request of  
IDAHO POWER CO.

Time 12:20 P. M. OVER  
Date 4-24-74  
CLARENCE A. PLANTING  
RECORDER

By *O. Martin*  
Deputy





**Power Line Easement**  
**Transmission Line**  
 TN, RE, Section 22, 23  
2N1E

ADA COUNTY RECORDER J. DAVID NAVARRO  
 BOISE IDAHO 03/27/07 03:19 PM  
 DEPUTY Vicki Allen  
 RECORDED - REQUEST OF  
 Idaho Power

AMOUNT 9.00 3



*line 708*

Falcon Crest, LLC

Grantors(s) of Ada County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, with its principal office located at 1221 West Idaho Street, Boise, Idaho, 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 (including, but not limited to, voltage or capacity upgrades and additional structures, and/or new structure locations), inspection and replacement of overhead and/or underground electrical transmission, distribution, and communications lines and circuits of the Grantee, attached to towers, poles, props, guys, or other supports, together with 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, under, on, and across the following premises, belonging to the said Grantor(s) in Ada County, State of Idaho, in the following location:

See Exhibit "A"

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 or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as the same now exist or may hereafter be amended.

At no time shall Grantor(s) or Grantor's heirs, successors or assigns erect or place any building, structure, or store flammable material of any kind within the boundaries of said right-of-way, nor shall they bring or permit to be brought any equipment or vehicles or material of any kind within the boundaries of the said right-of-way that exceed 14 feet in height. Grantor shall not alter the grade or elevation of the land within the right-of-way existing on the date hereof through excavations, grading, installation of berms or other activities without the prior written approval of Grantee.

Subject to the foregoing limitations, said right-of-way may be used by Grantor(s) for roads, agricultural crops, and other purposes not inconsistent with this easement. Said uses shall not interfere with any existing or future electrical lines of the Grantee, or result in the violation of any state, local, or federal law or regulation or the National Electrical Safety Code as same now exists or may hereafter be amended.

Executed and delivered this 13 day of March, 2007.

Grantor 7y Cook Address 2528 No. CLOVERDALE Rd  
Falcon Crest, LLC BOISE, IDAHO 83713

Grantor \_\_\_\_\_ Address \_\_\_\_\_

STATE OF Idaho }  
County of Ada } ss.

On this 13 day of March, 2007, before me, Shirley J Smith  
a Notary Public, personally appeared Terry Cank and  
Member to me personally known, who being duly  
sworn, did say they are respectively the Member ~~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.

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



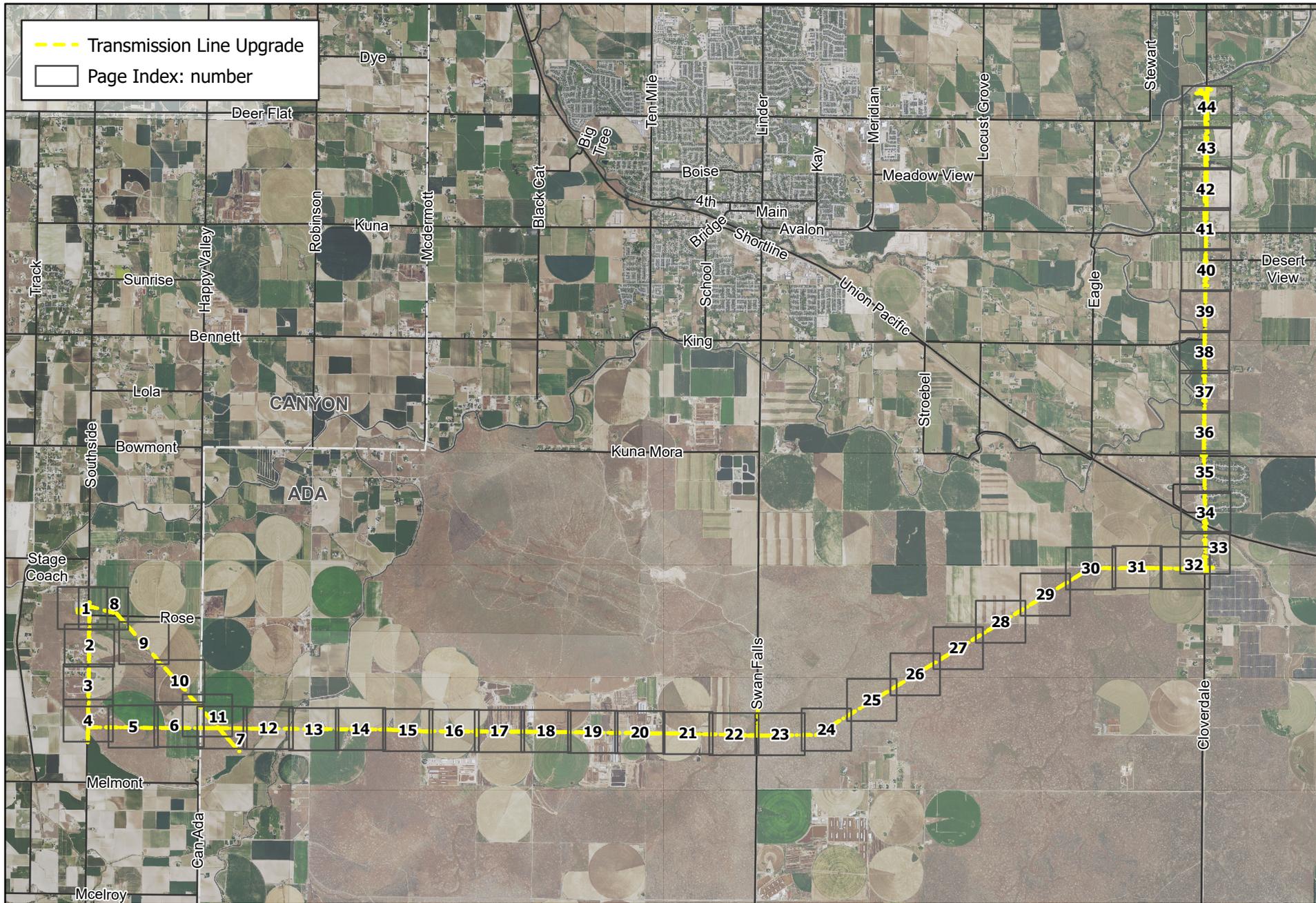
Shirley J Smith  
Notary Public, residing at: London Valley Idaho  
Commission expires: 9-26-10

## Exhibit "A"

A strip of land 30 feet wide located in Sections 22 and 23, Township 2 North Range 1 East, Boise Meridian, Ada County, Idaho, said strip being more particularly described as follows:

Commencing at the Southeast corner of said Section 23; thence, N 89°37'14" W, a distance of 689.98 feet to a point on the south section line of said section 23; thence, south, a distance of 33.0 feet; thence, N 89°37'14" W, a distance of 1,900.93 feet; thence, N 65°03'51" W, a distance of 149.53 feet to a point located a point on the south Section line in the SE¼SW¼, said Section 23, said point being the **True Point of Beginning**; thence being located 3.0 feet on the south side and 27.0 feet on the north side of a centerline, N 65°03'51" W, a distance of 3.0 feet, more or less; thence, N 89°36'35" W, a distance of 2571.84 feet; thence, S 89°59'23" W, a distance of 2,660.42 feet; thence, N 89° 59'27" W, a distance of 2,660.68 feet, to a point located in the SW¼SW¼, said Section 22; thence, 3.0 feet on the west side and 27.0 feet on the East side of a centerline, N 00°41'08" E, a distance of 2,655.38 feet; thence, N 043'29" E, a distance of 2,655.38 feet; thence, N00°41'39" E, a distance of 1,189.6 feet to a point located on the south property line of the Idaho Power Company Mora substation site, said point being the point of terminus of said right of way and easement.

This easement contains an area of 431,889.0 square feet/9.915 acres.



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

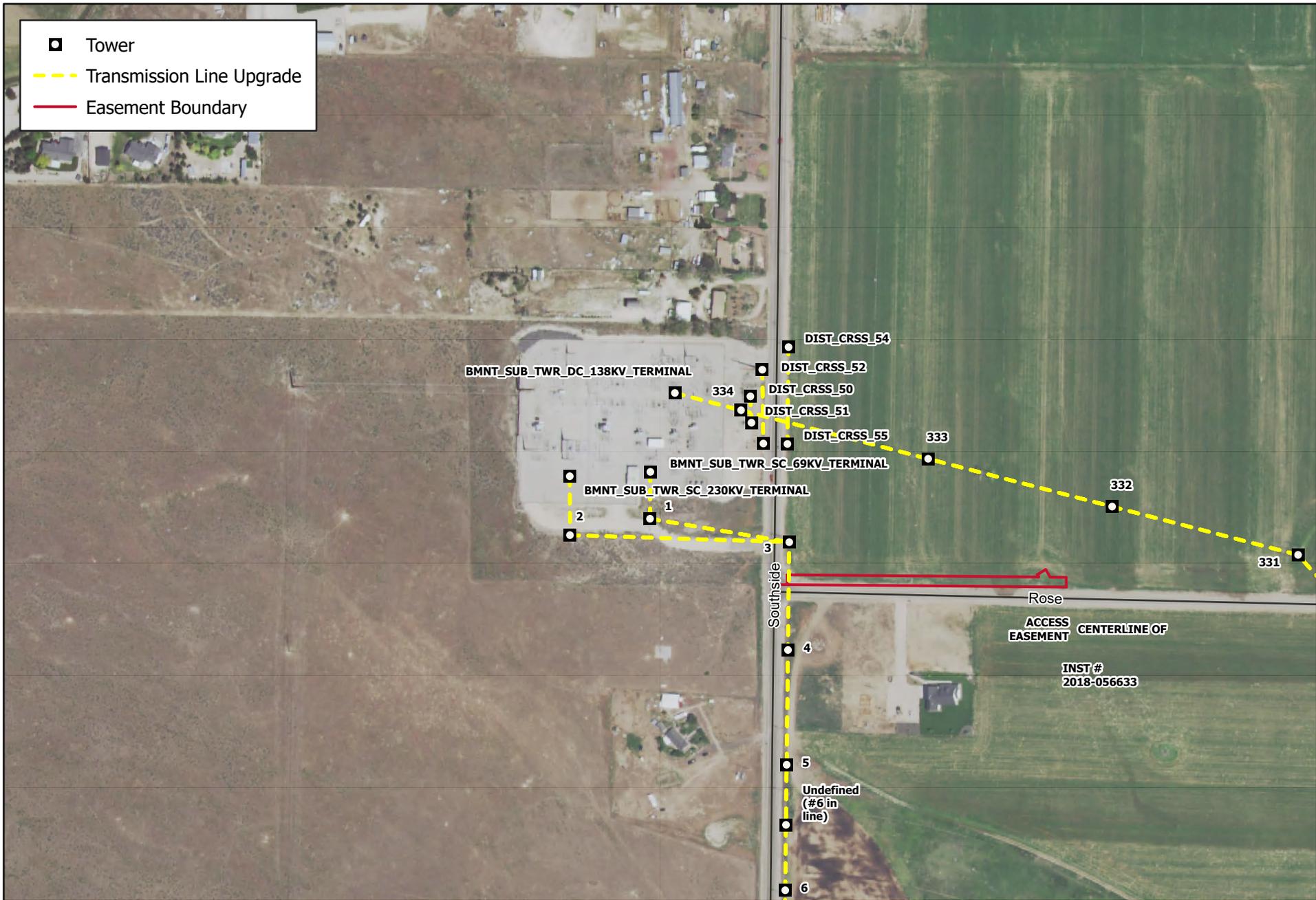


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Page Index: Overview  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.1



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 1  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.2

Tower  
 Transmission Line Upgrade



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



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Page Index: 2  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.3



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 3  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.4



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 4  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.5



Tower  
 Transmission Line Upgrade  
 Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 5  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.6



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

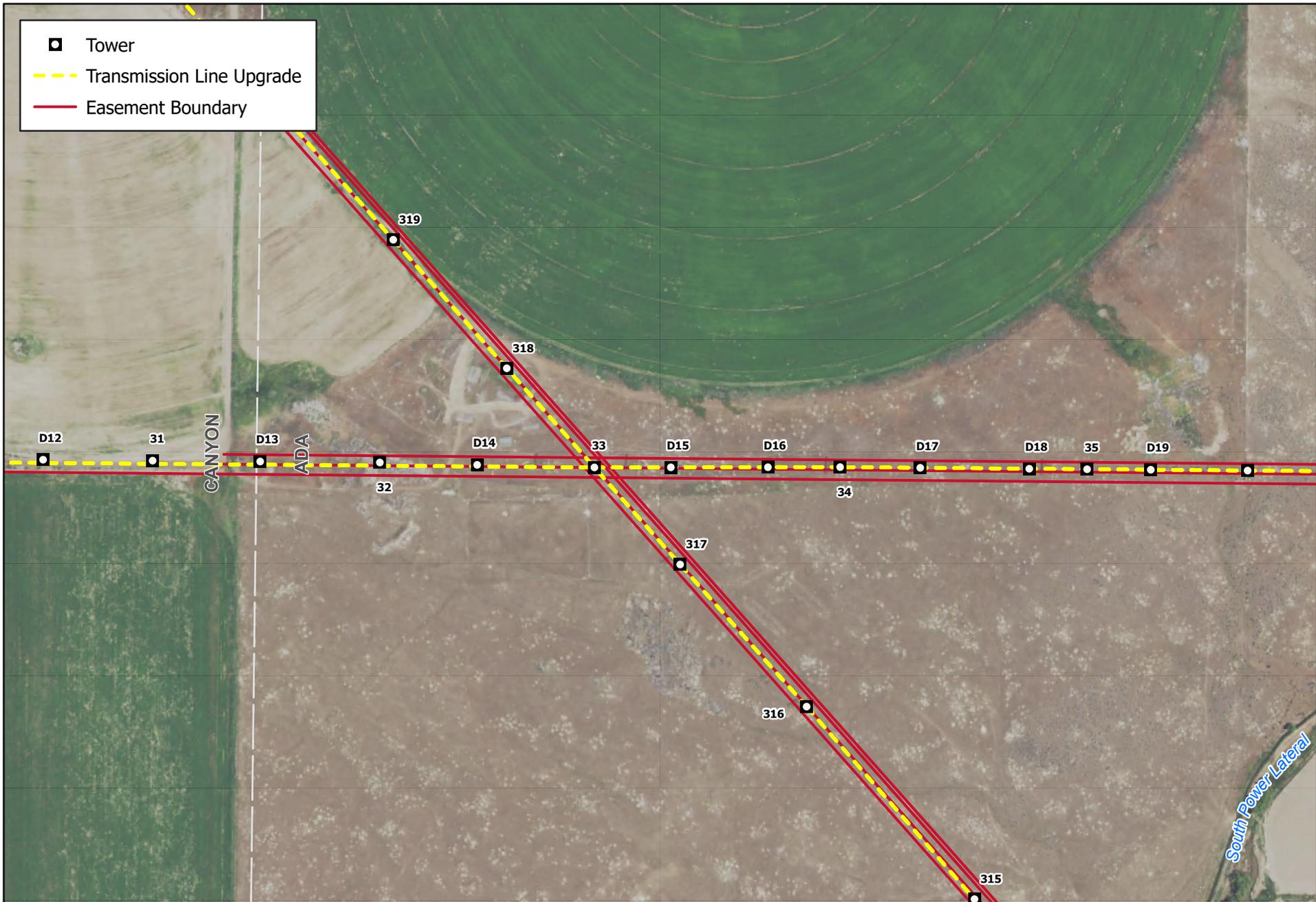


0 250 Feet

Page Index: 6  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.7



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

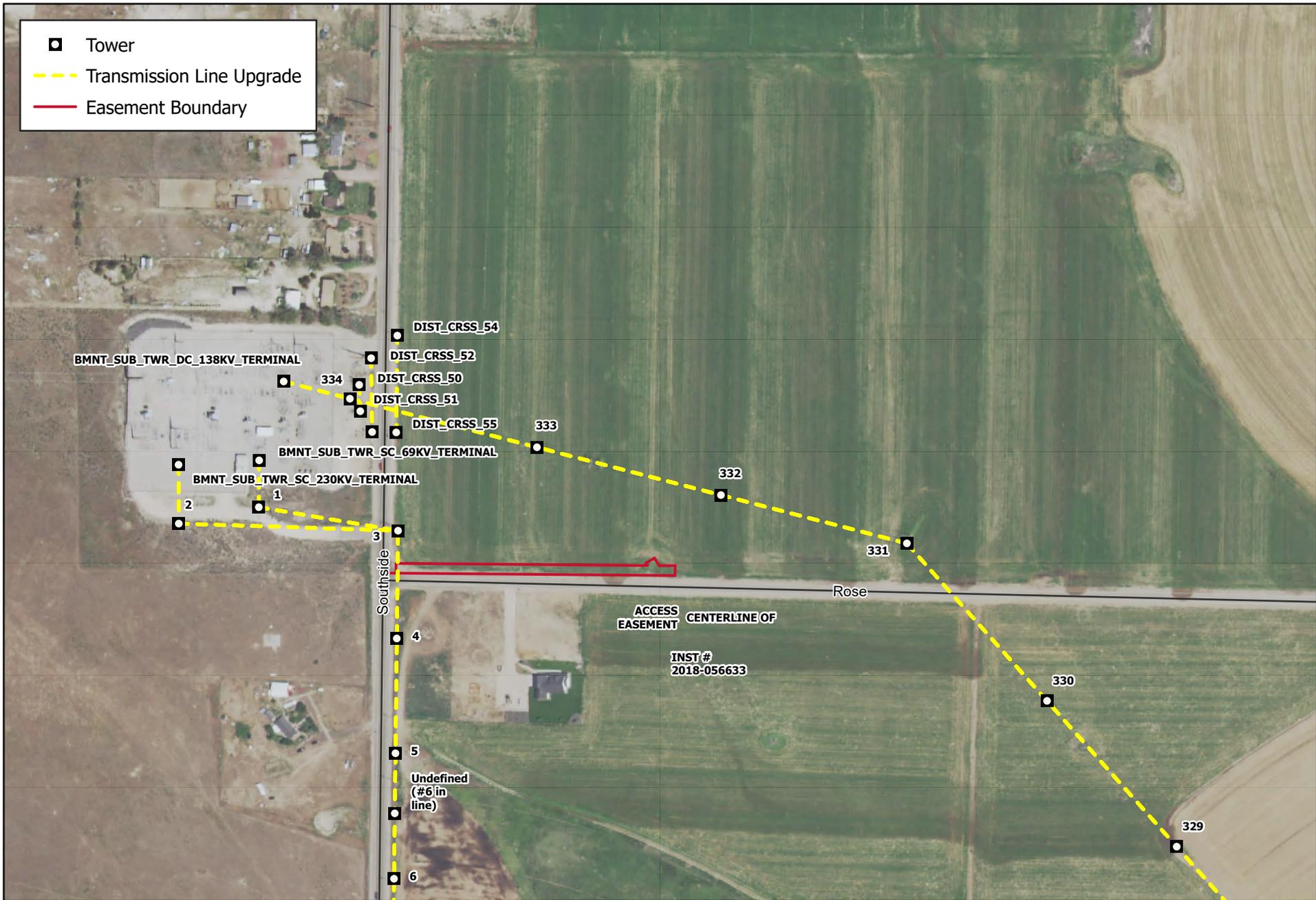


0 250 Feet

Page Index: 7  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.8



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



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Page Index: 8  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.9



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 9  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.10



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

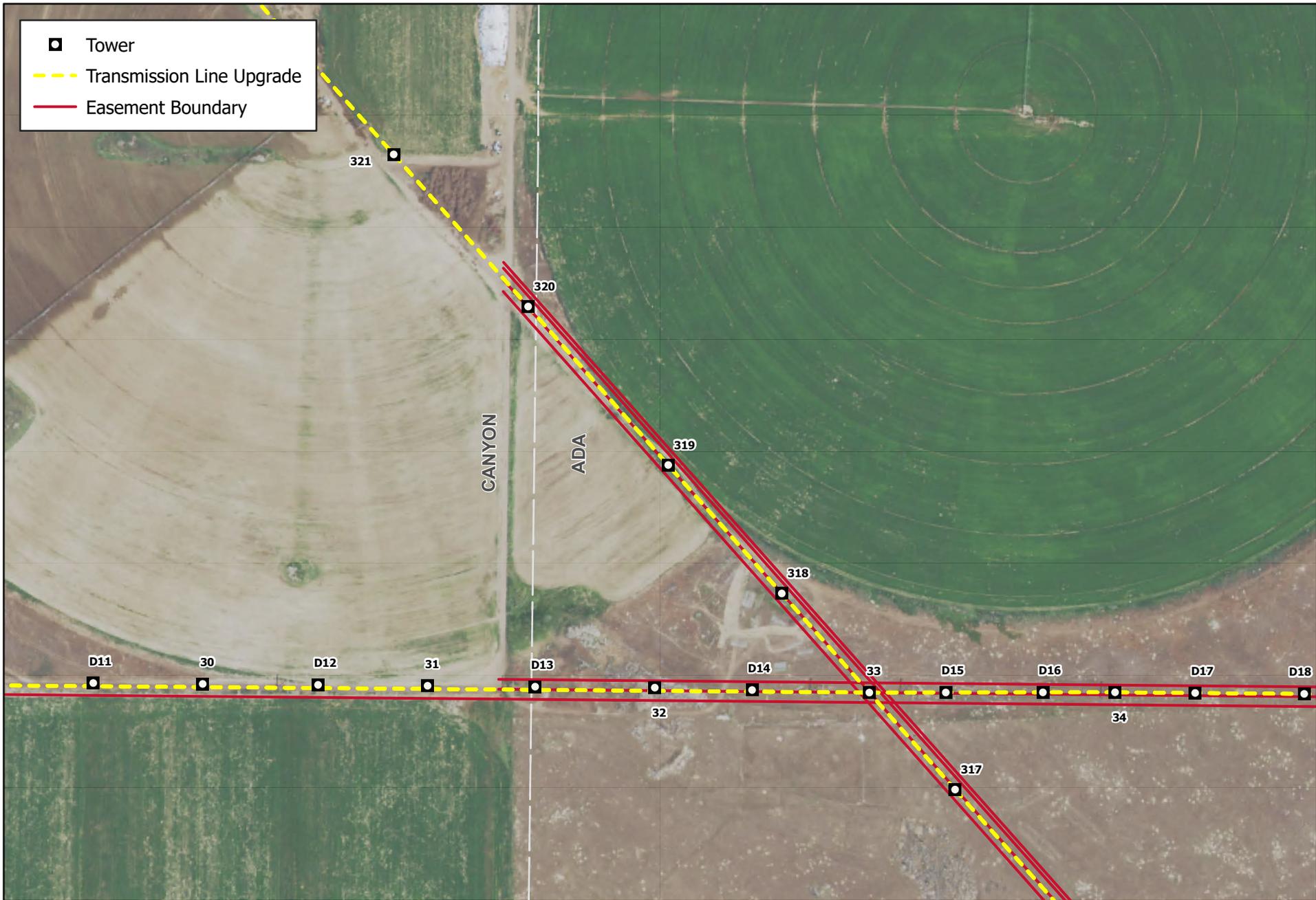


0 250 Feet

Page Index: 10  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.11



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 11  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.12



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 12  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.13



- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



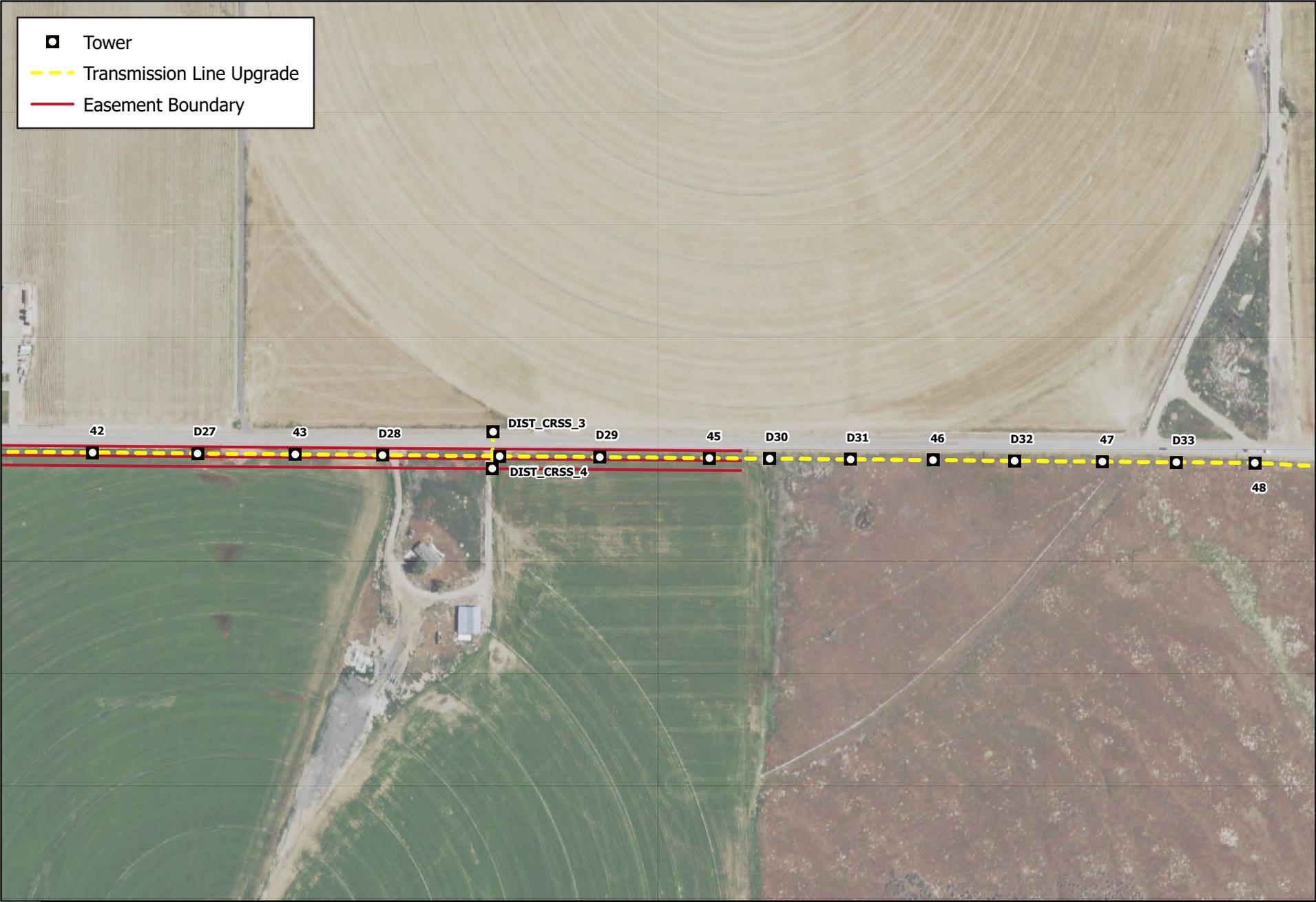
0 250 Feet

Page Index: 13  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.14

- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 14  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.15

Tower  
 Transmission Line Upgrade  
 Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



0 250 Feet

Page Index: 15  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.16

- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

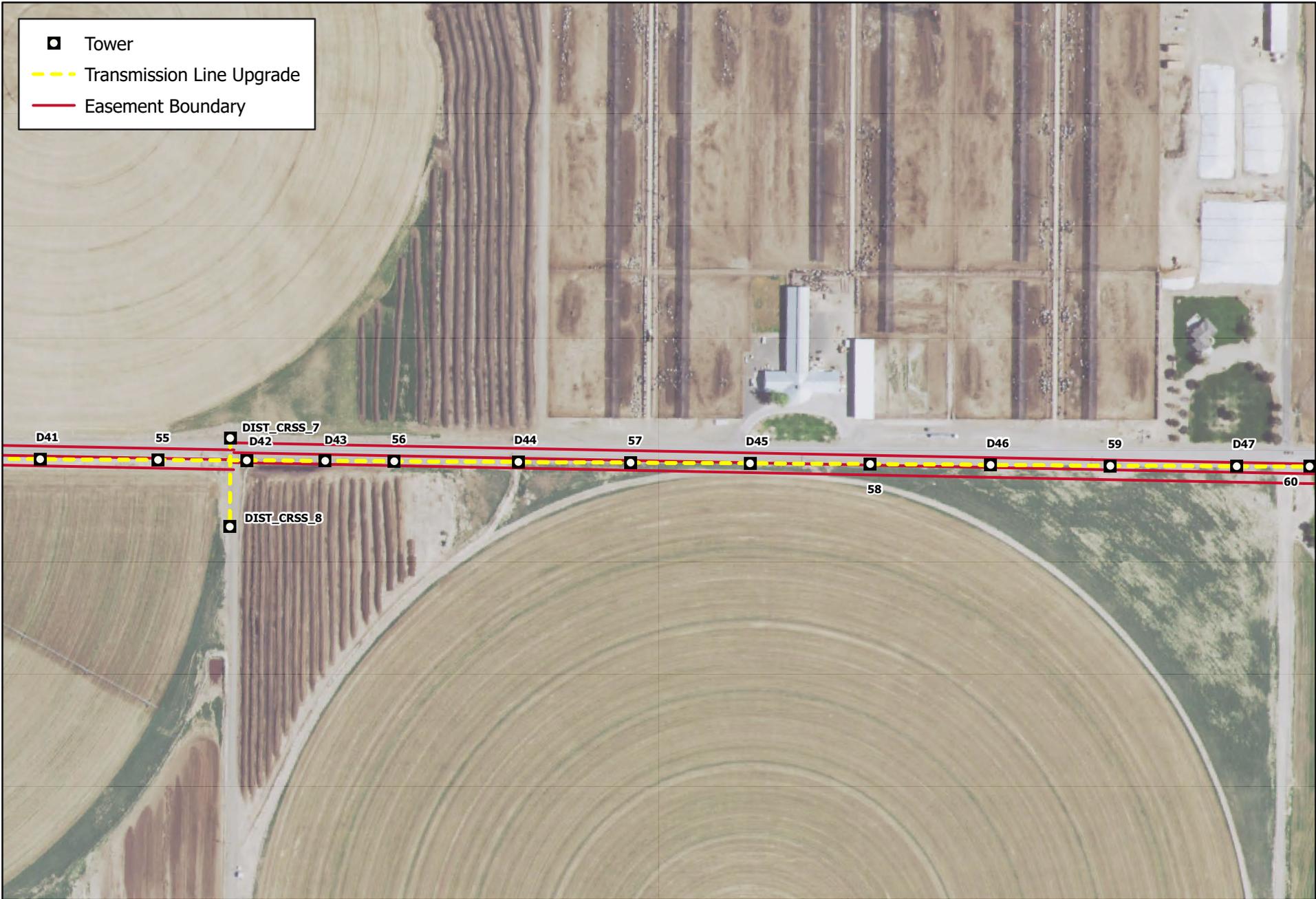


0 250 Feet

Page Index: 16  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.17



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

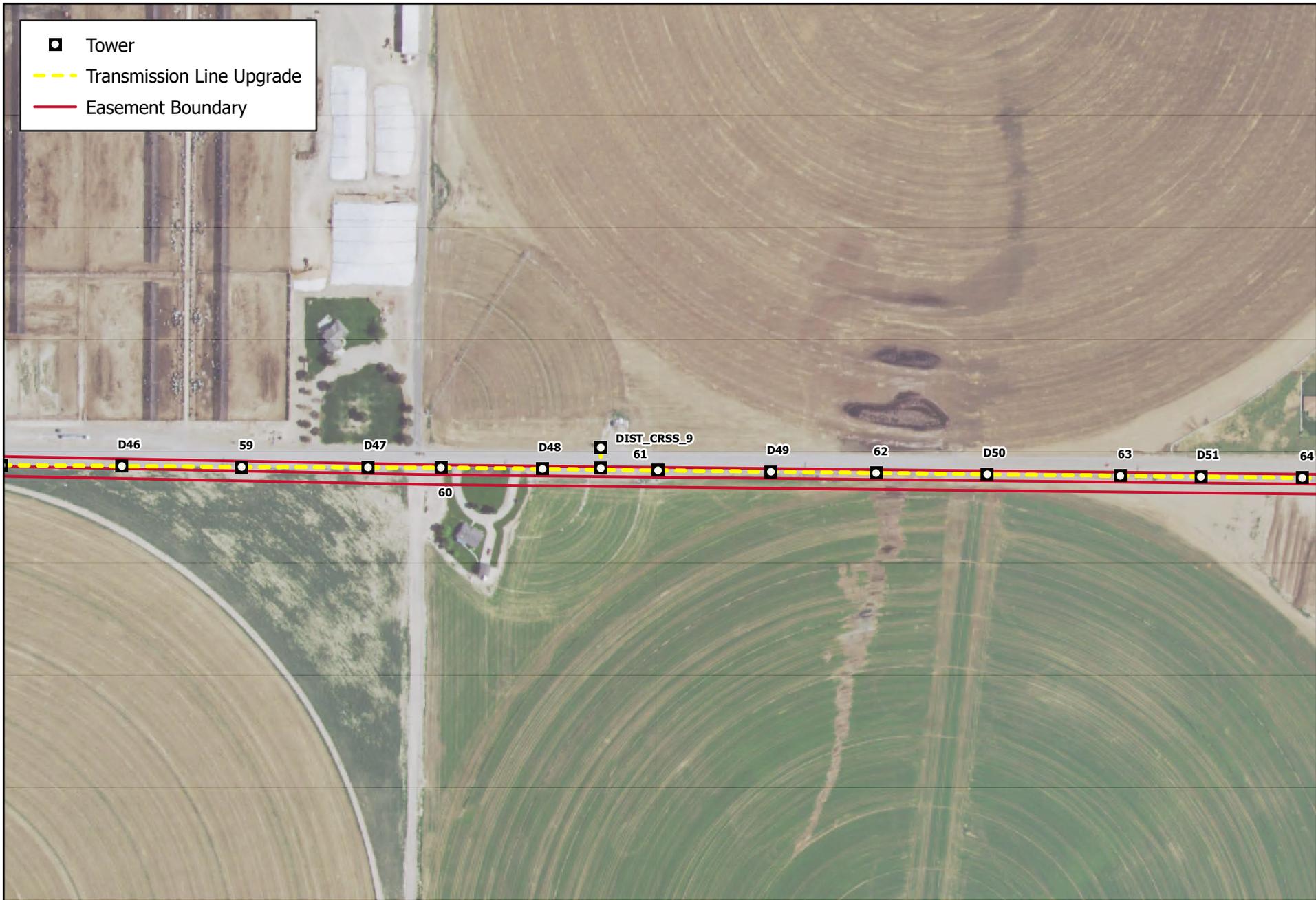


0 250 Feet

Page Index: 17  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.18



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

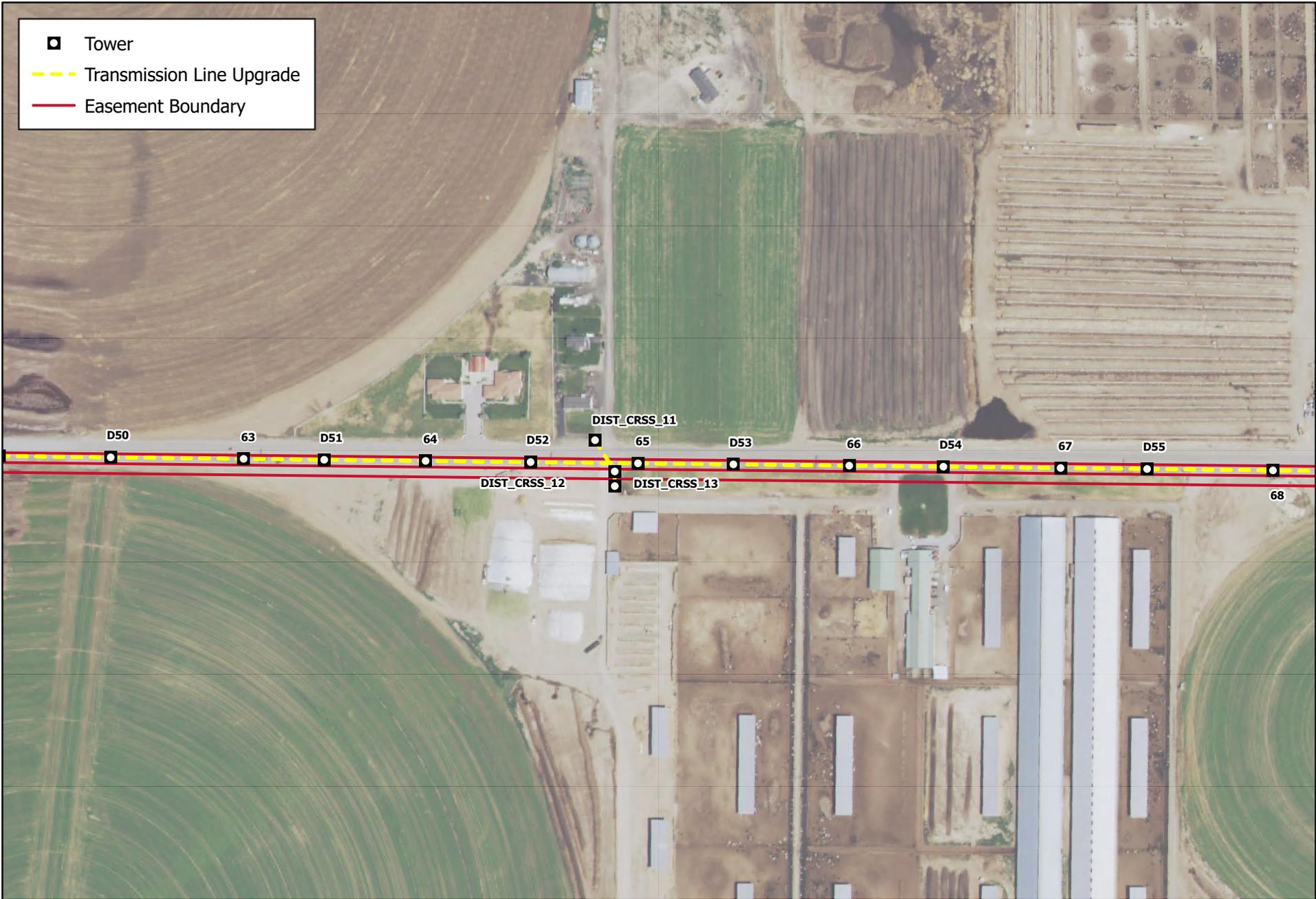


0 250 Feet

Page Index: 18  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.19



- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

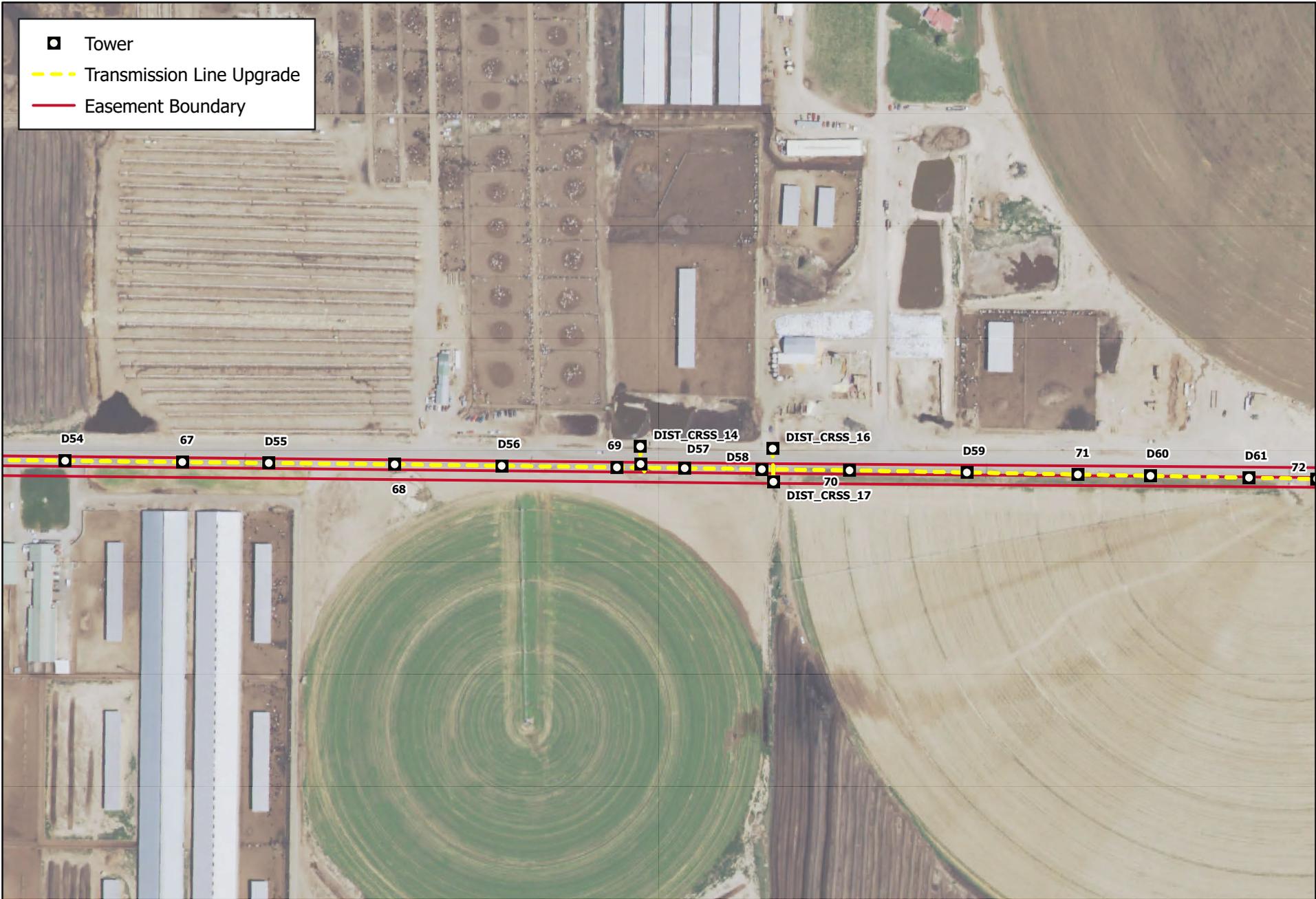


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Page Index: 19  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.20



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



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Page Index: 20  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.21

- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

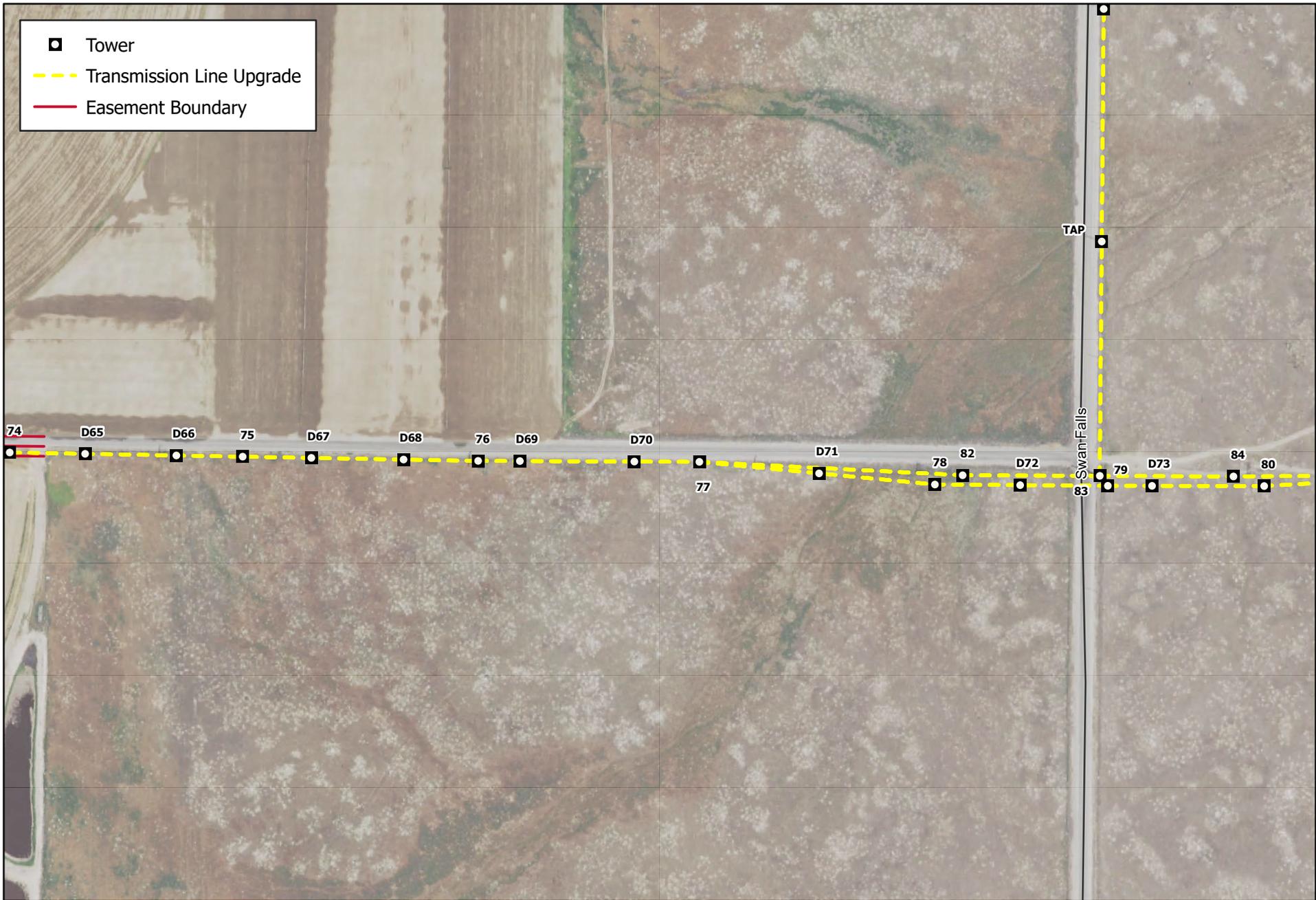


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Page Index: 21  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.22



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

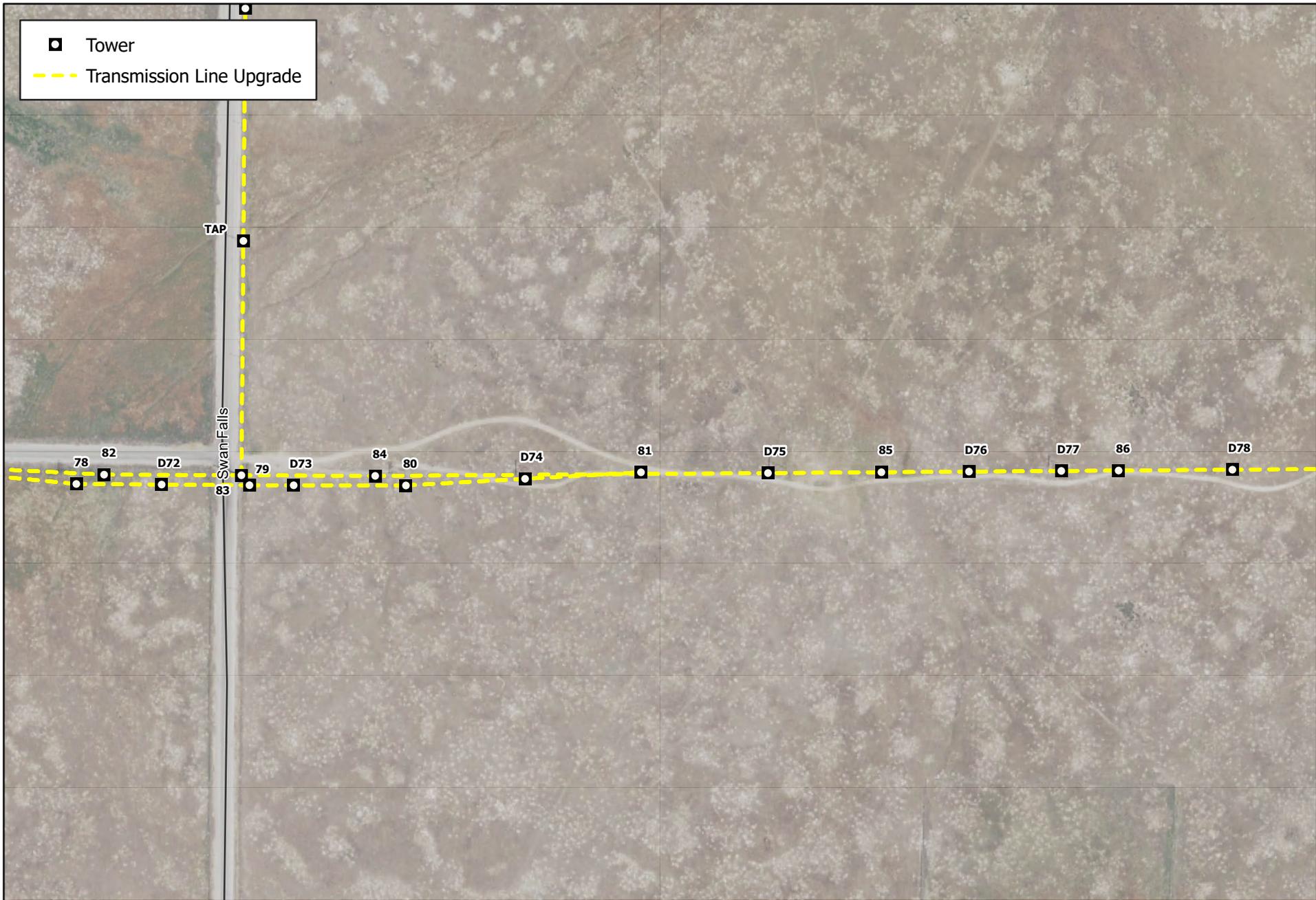


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Page Index: 22  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.23



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

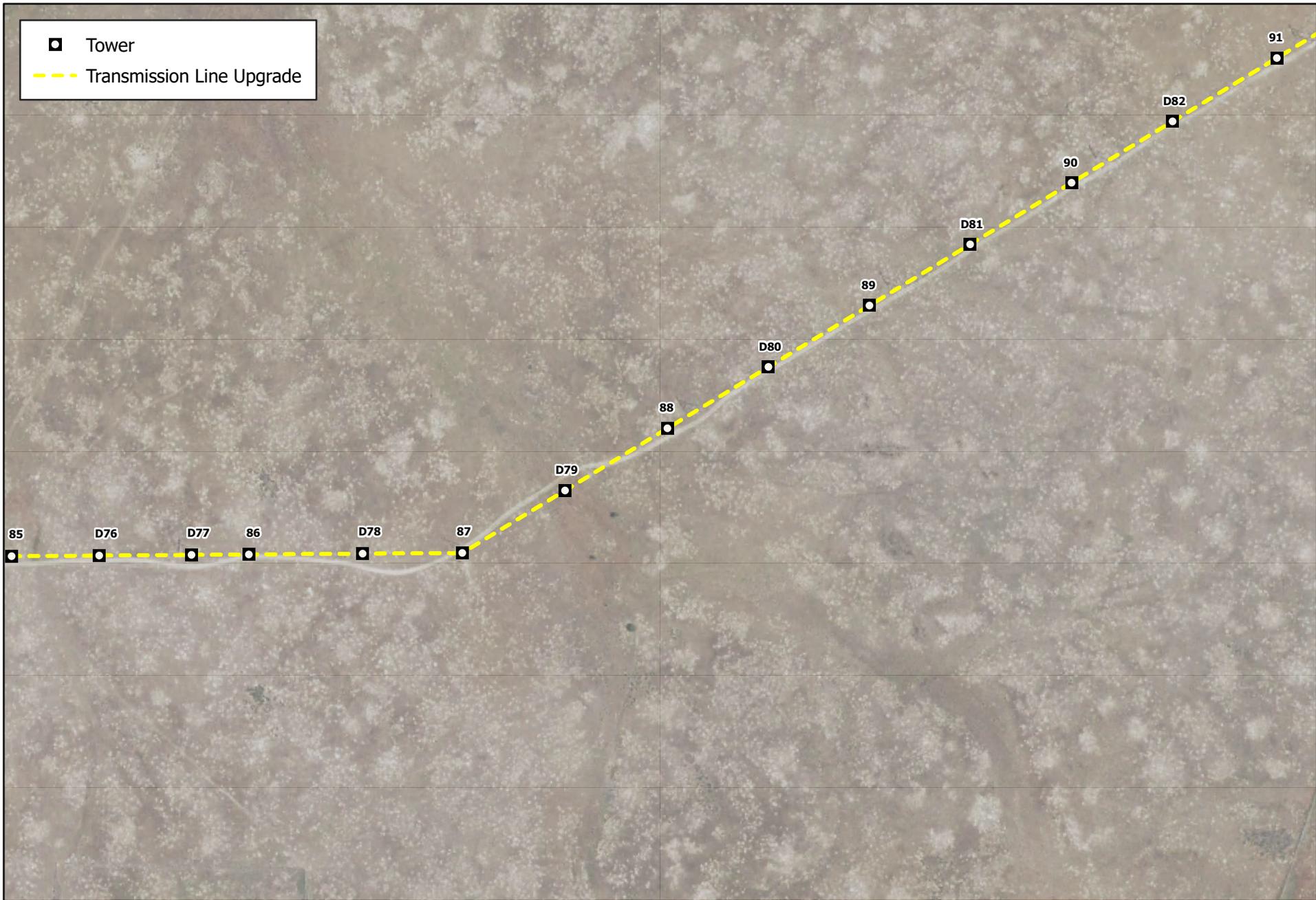


0 250 Feet

Page Index: 23  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.24



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

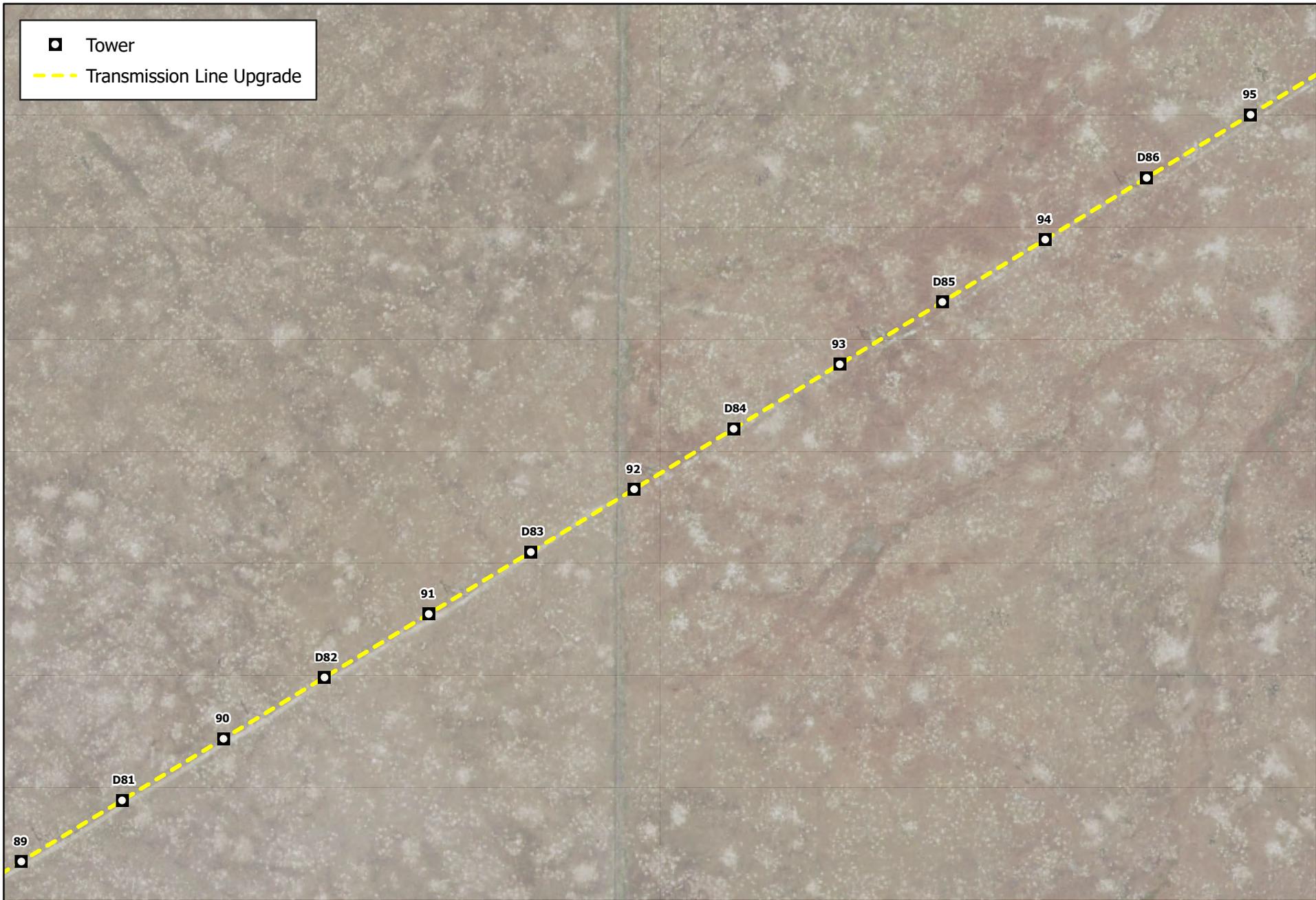


0 250 Feet

Page Index: 24  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.25



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

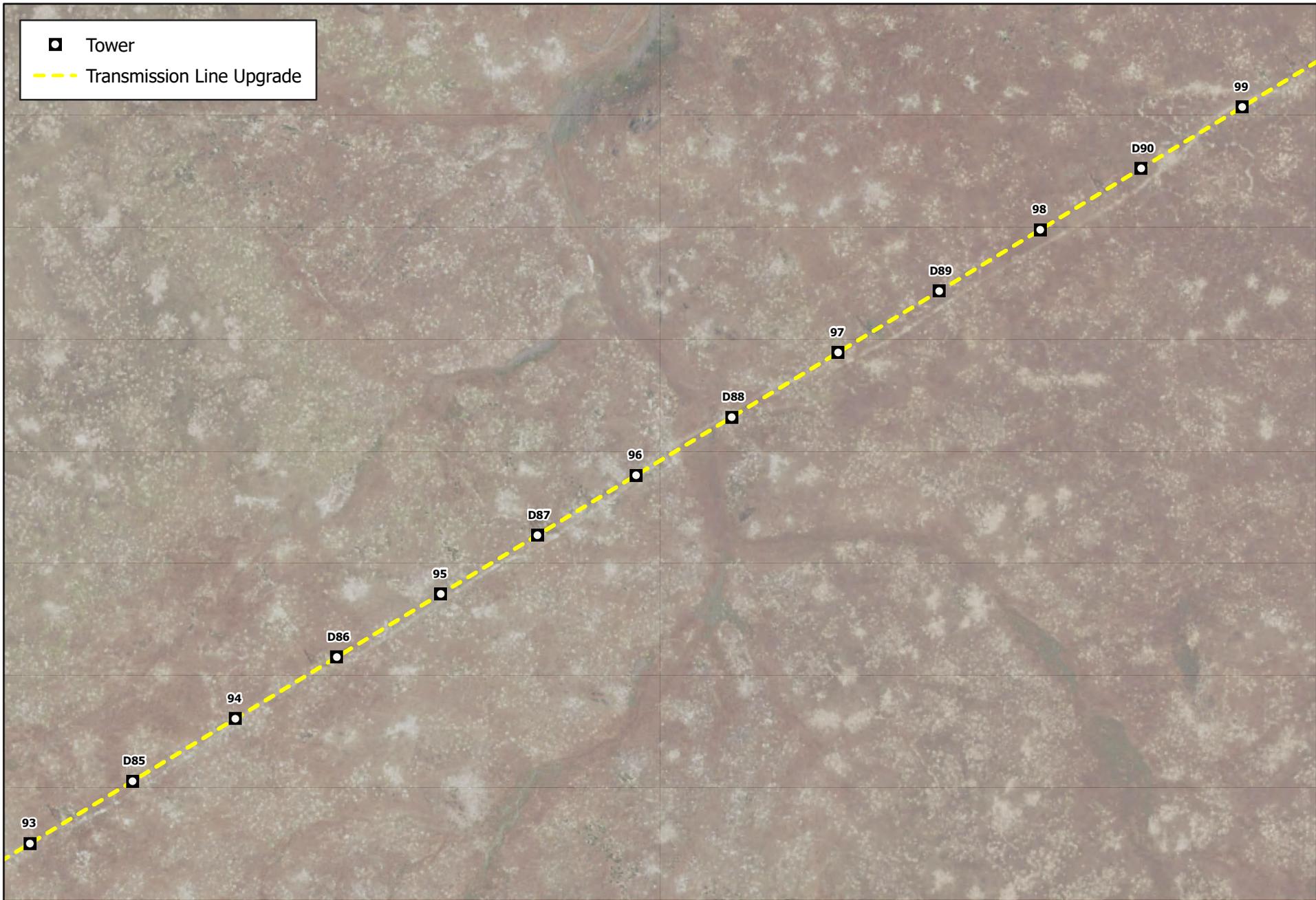


0 250 Feet

Page Index: 25  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.26



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

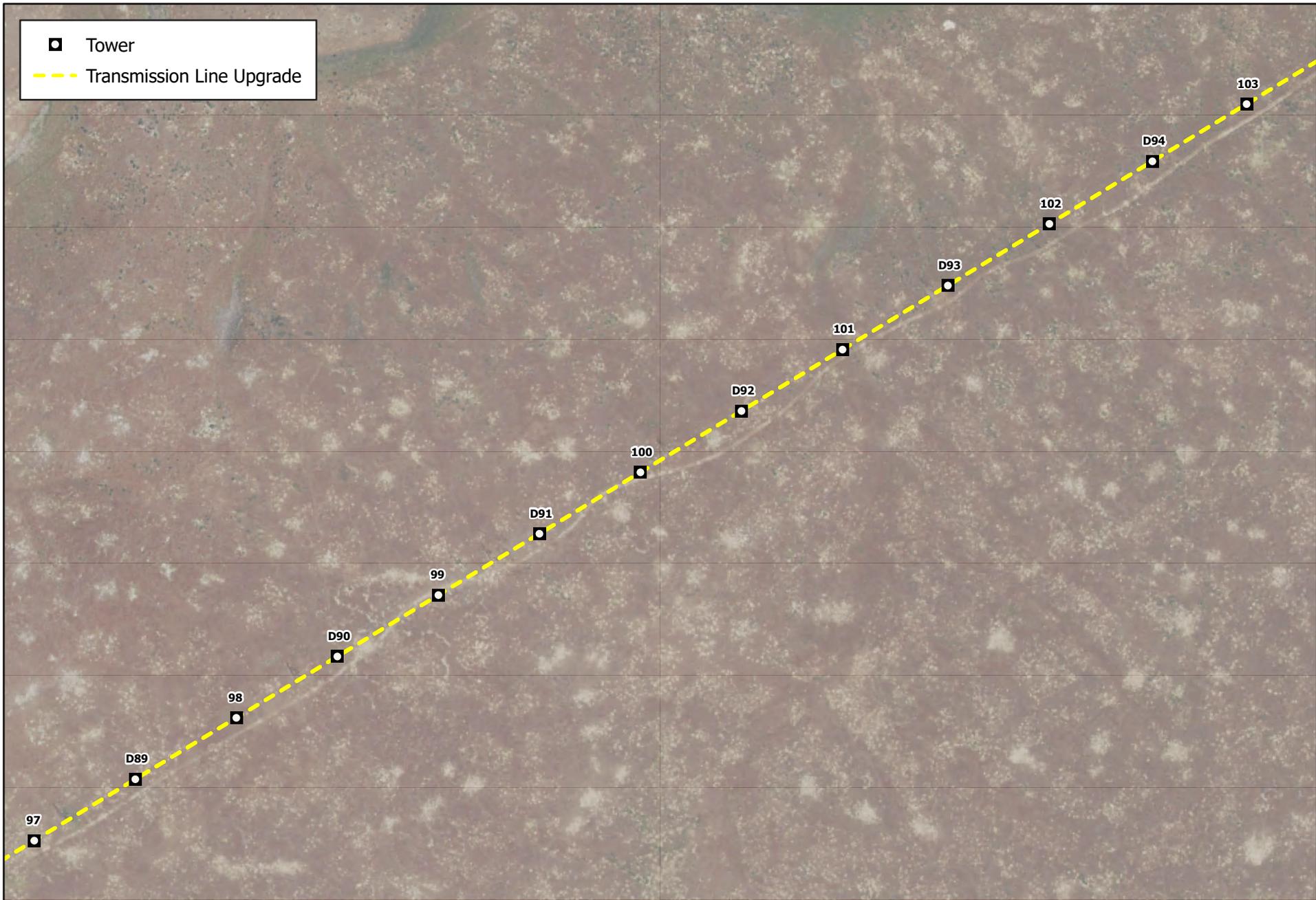


0 250 Feet

Page Index: 26  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.27



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

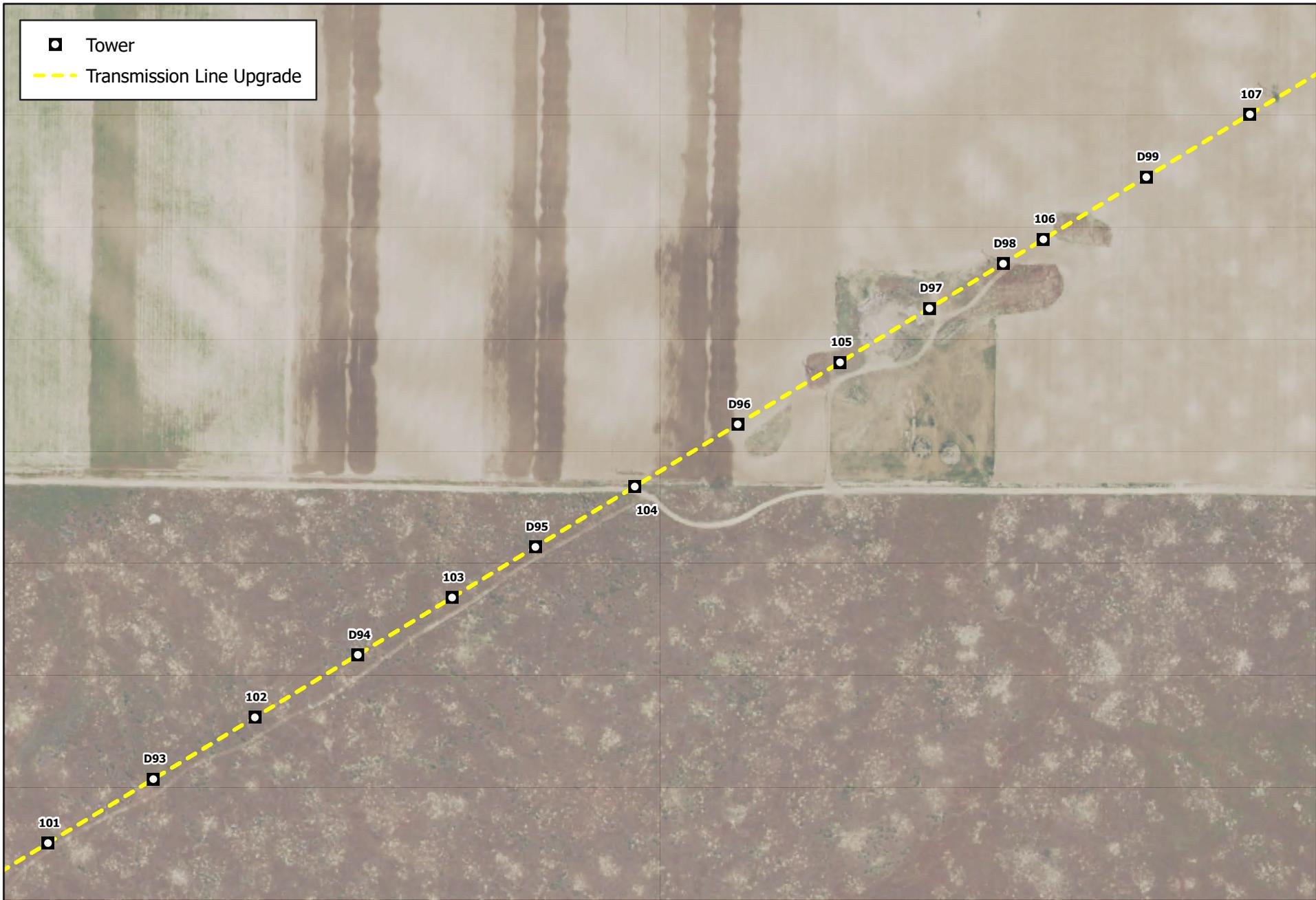


0 250 Feet

Page Index: 27  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.28



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

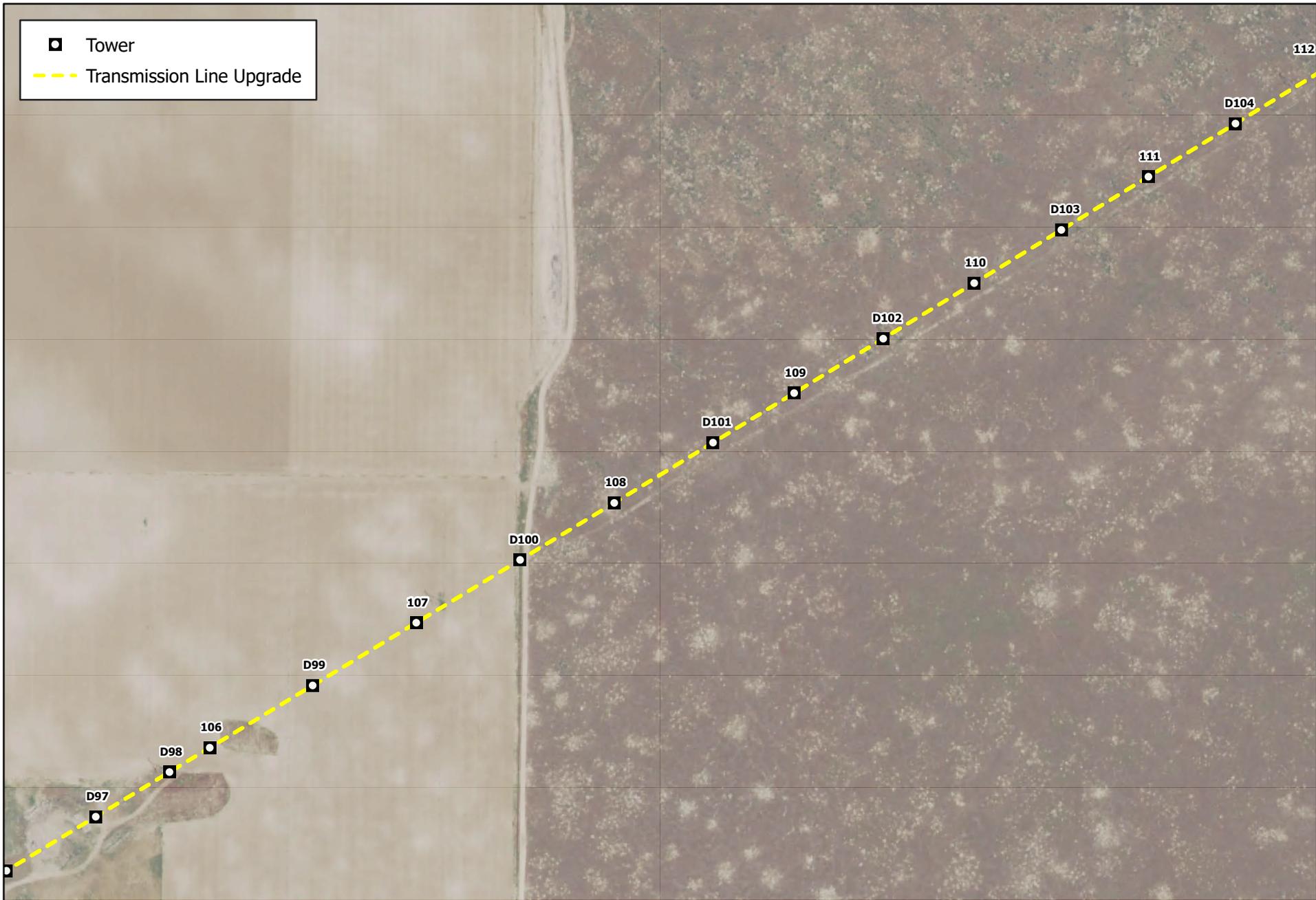


0 250 Feet

Page Index: 28  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.29



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

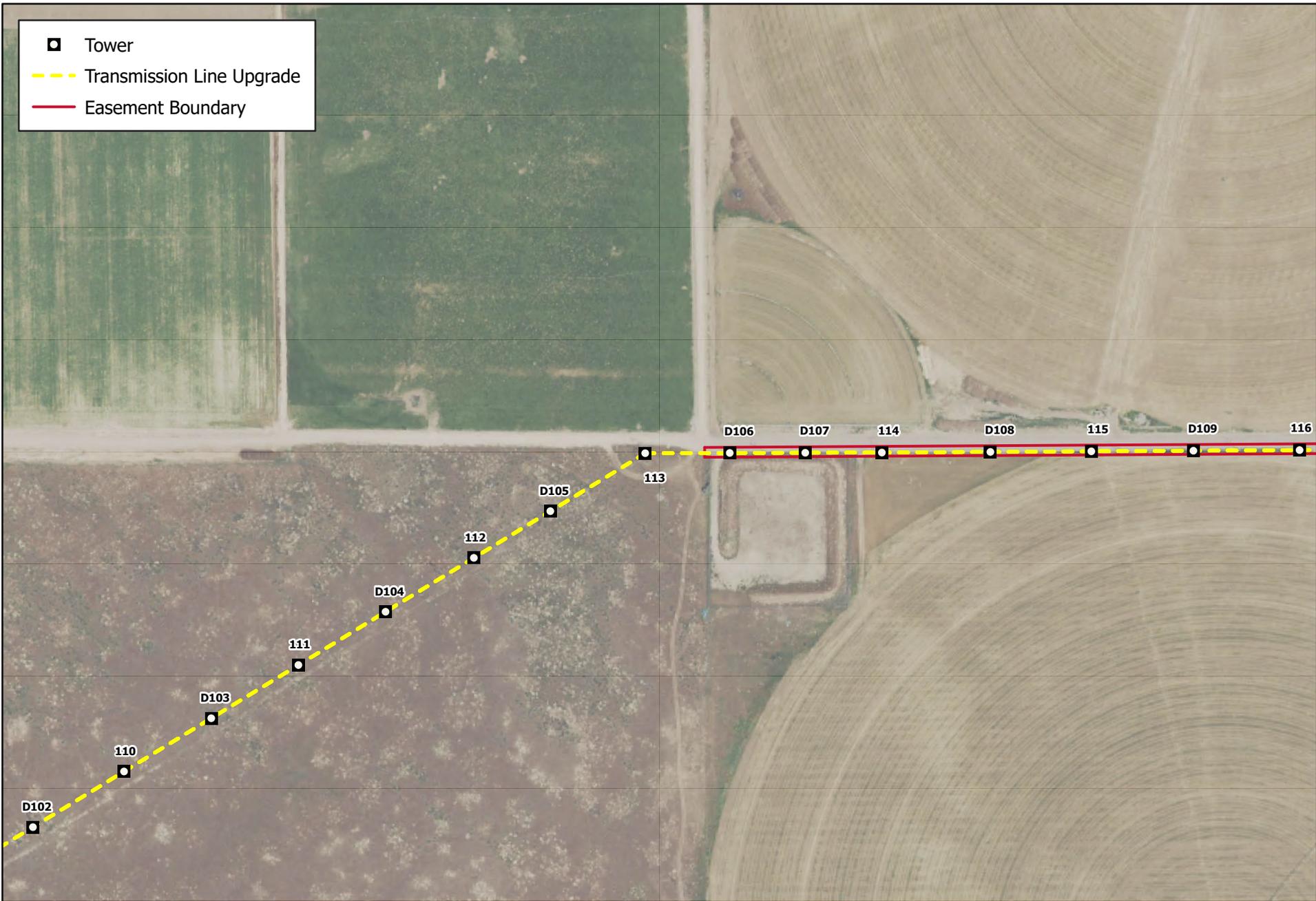


0 250 Feet

Page Index: 29  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.30



- Tower
- - - Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



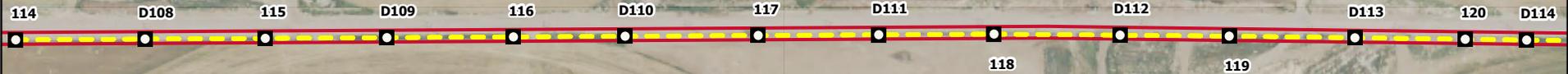
0 250 Feet

Page Index: 30  
 Total Pages: 45

**LINE UPGRADE PLOT PLAN MAP**

**Figure 6.31**

Tower  
 Transmission Line Upgrade  
 Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

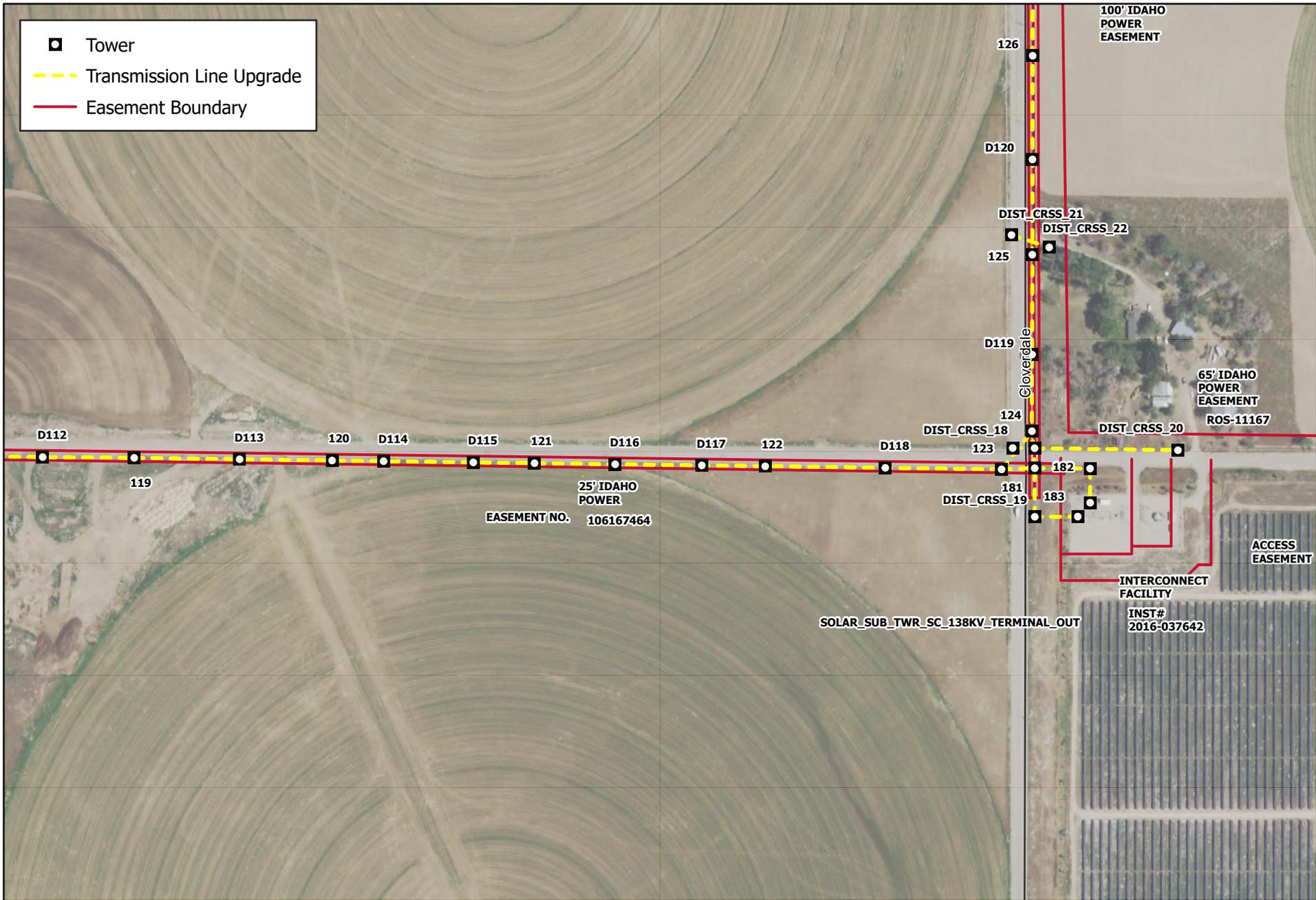


0 250 Feet

Page Index: 31  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.32



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

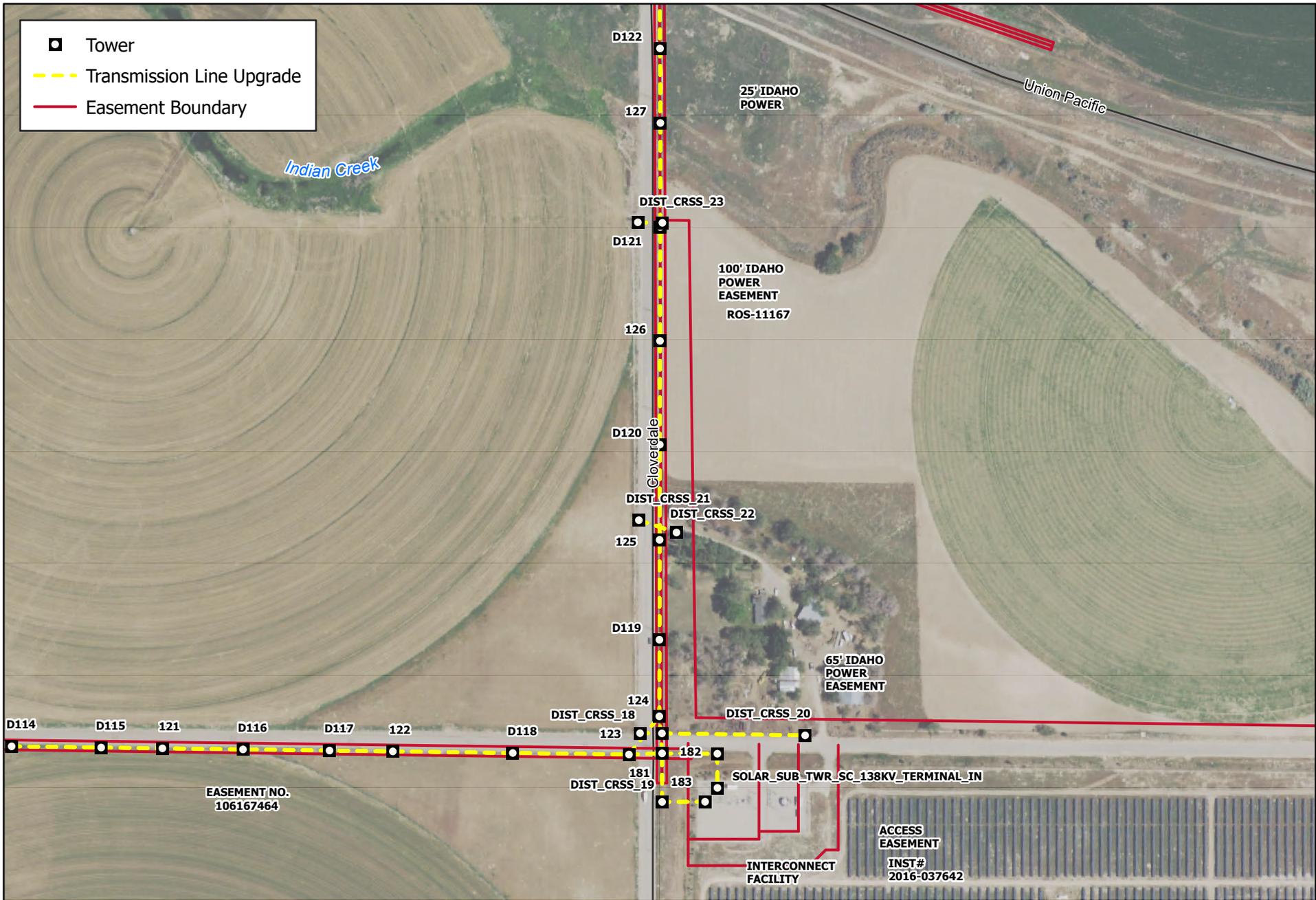


0 250 Feet

Page Index: 32  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.33



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

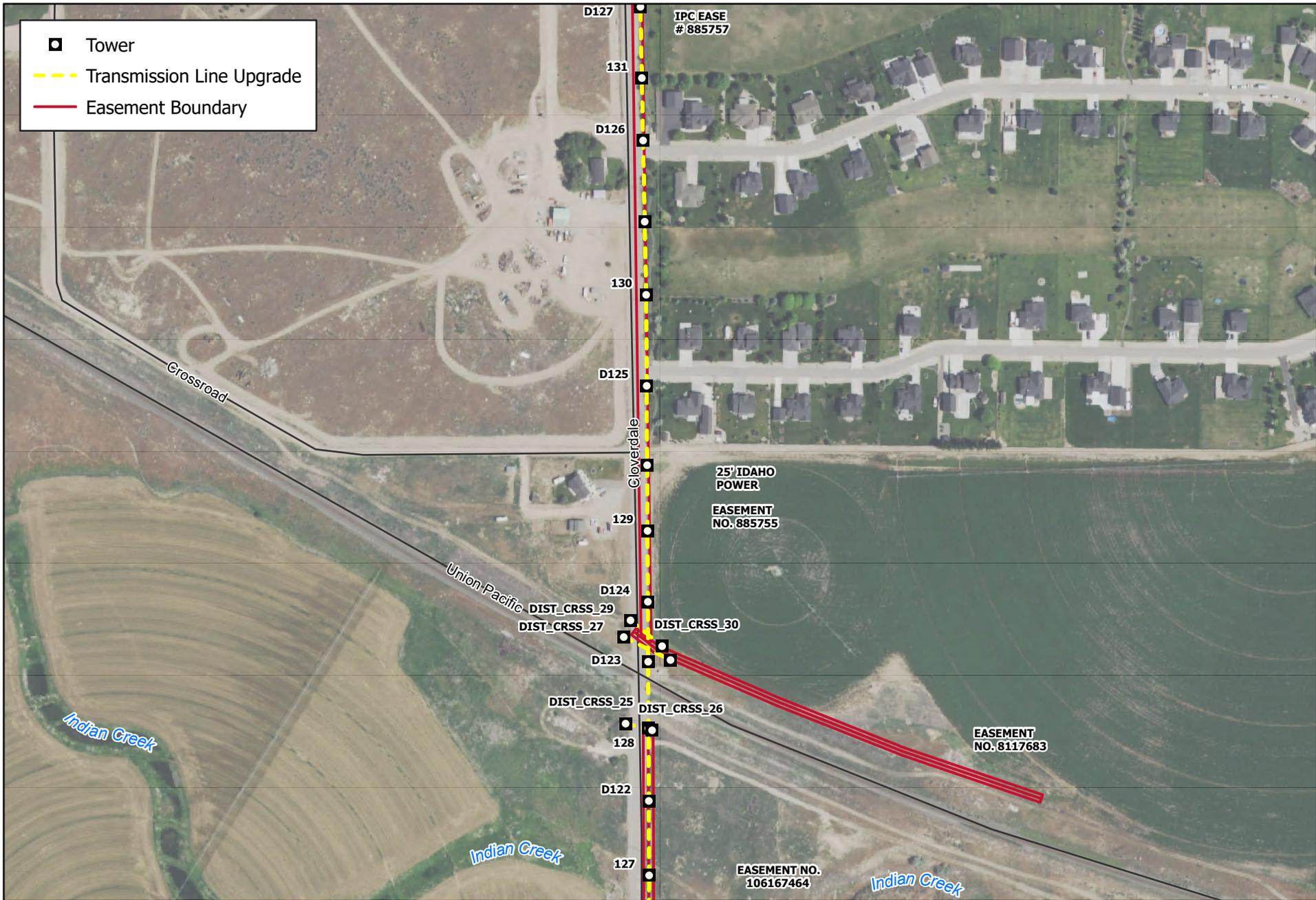


0 250 Feet

Page Index: 33  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.34



Tower  
 Transmission Line Upgrade  
 Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

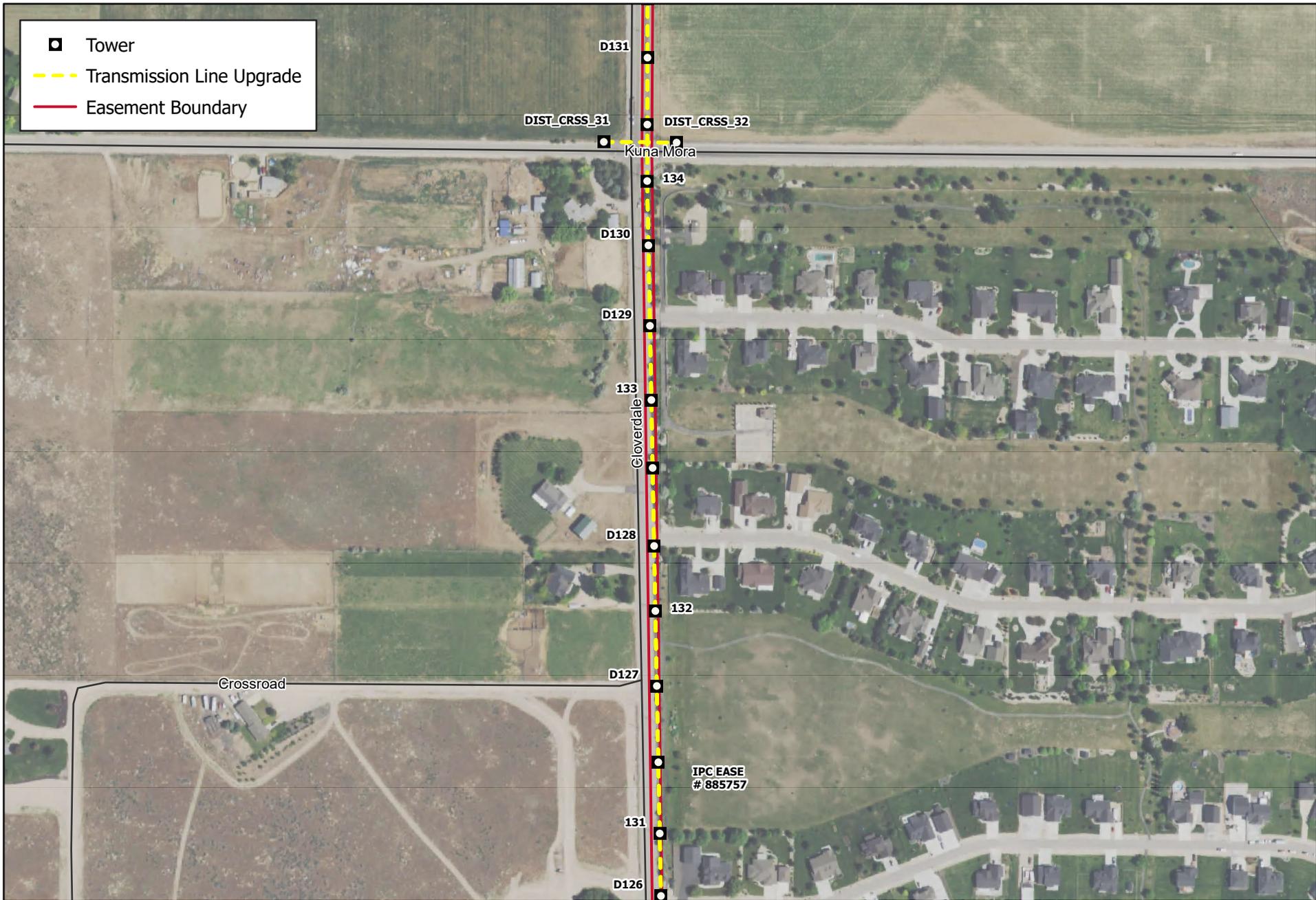


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Page Index: 34  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.35



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

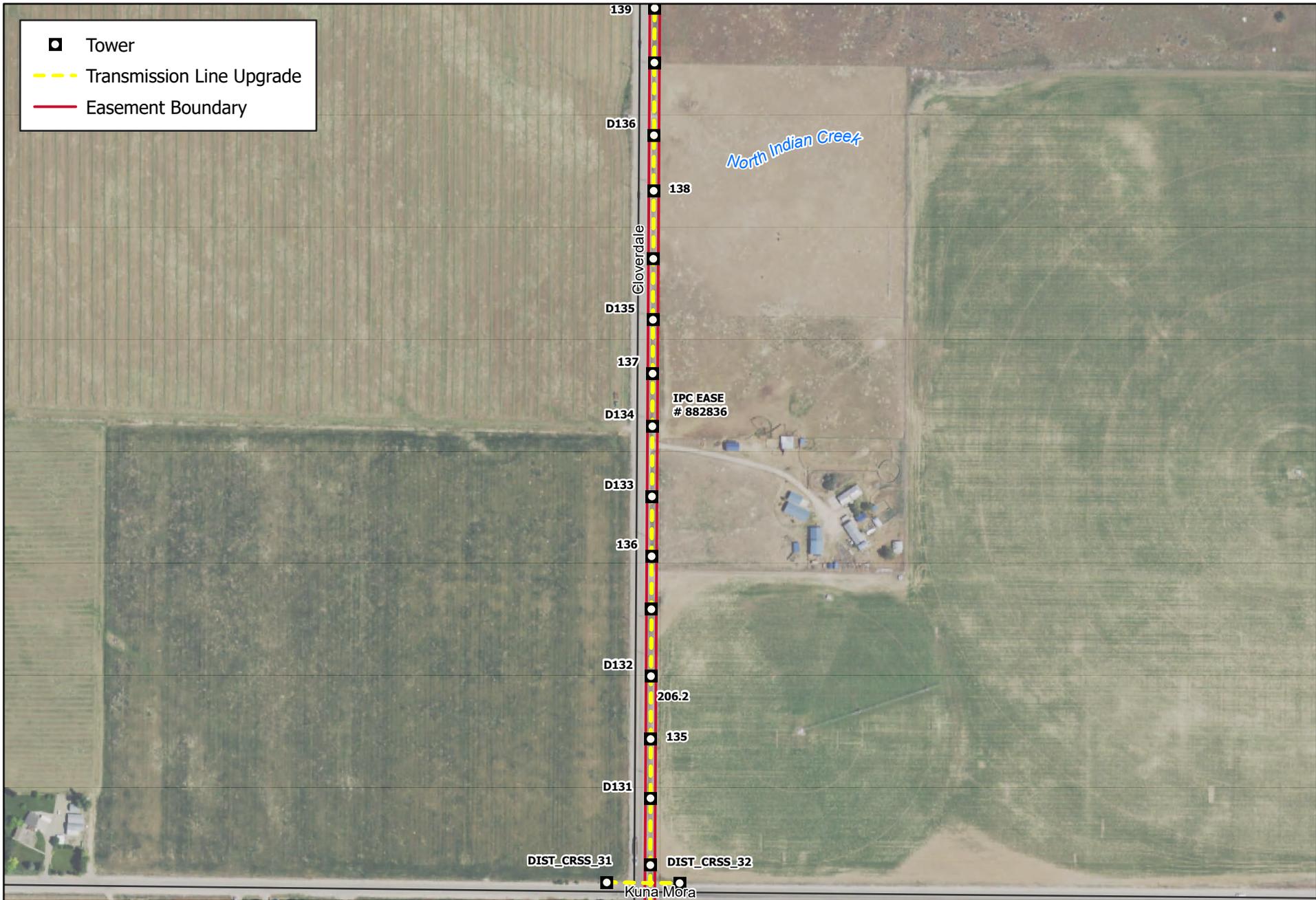


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Page Index: 35  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.36



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



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Page Index: 36  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.37



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

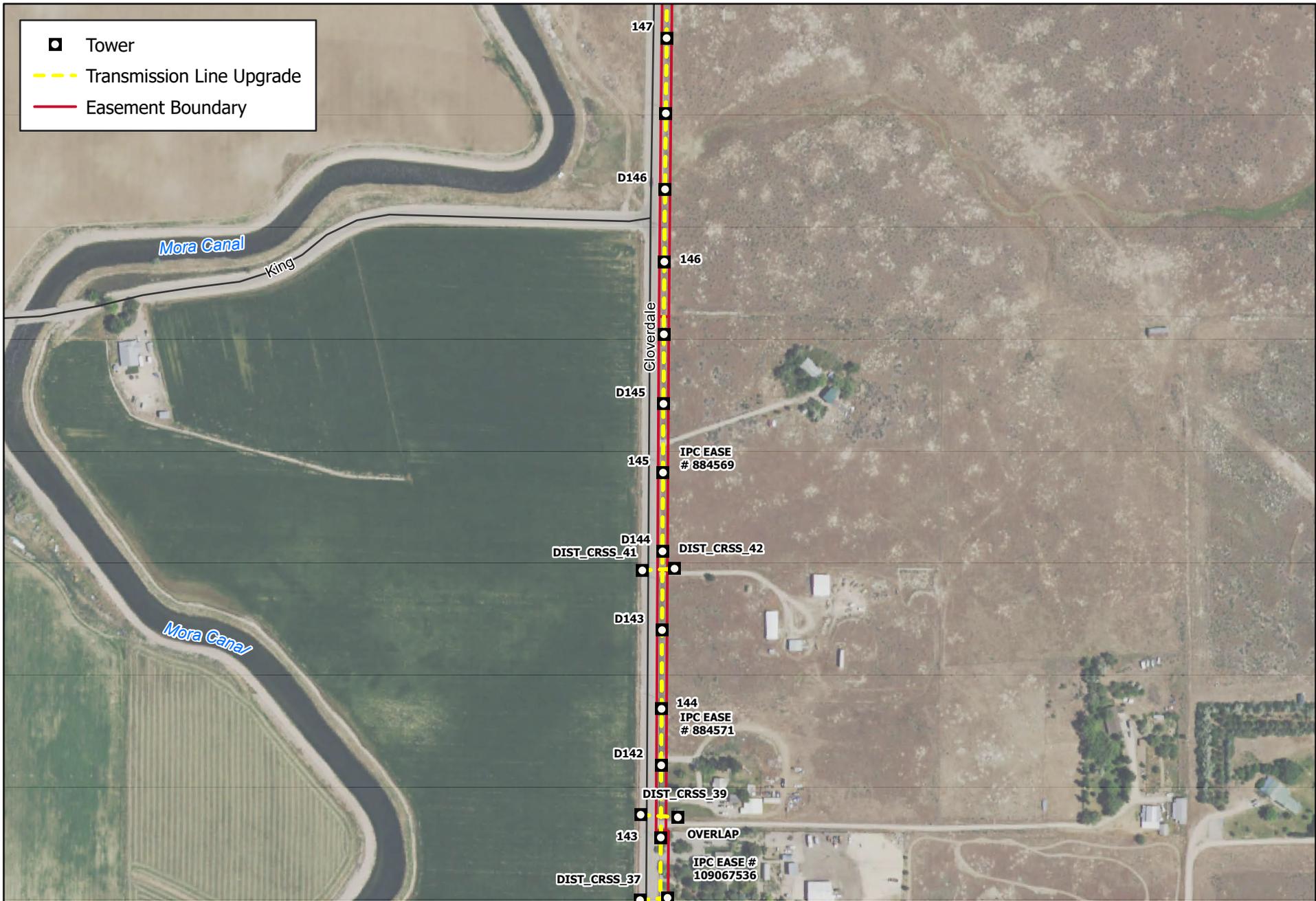


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Page Index: 37  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.38



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

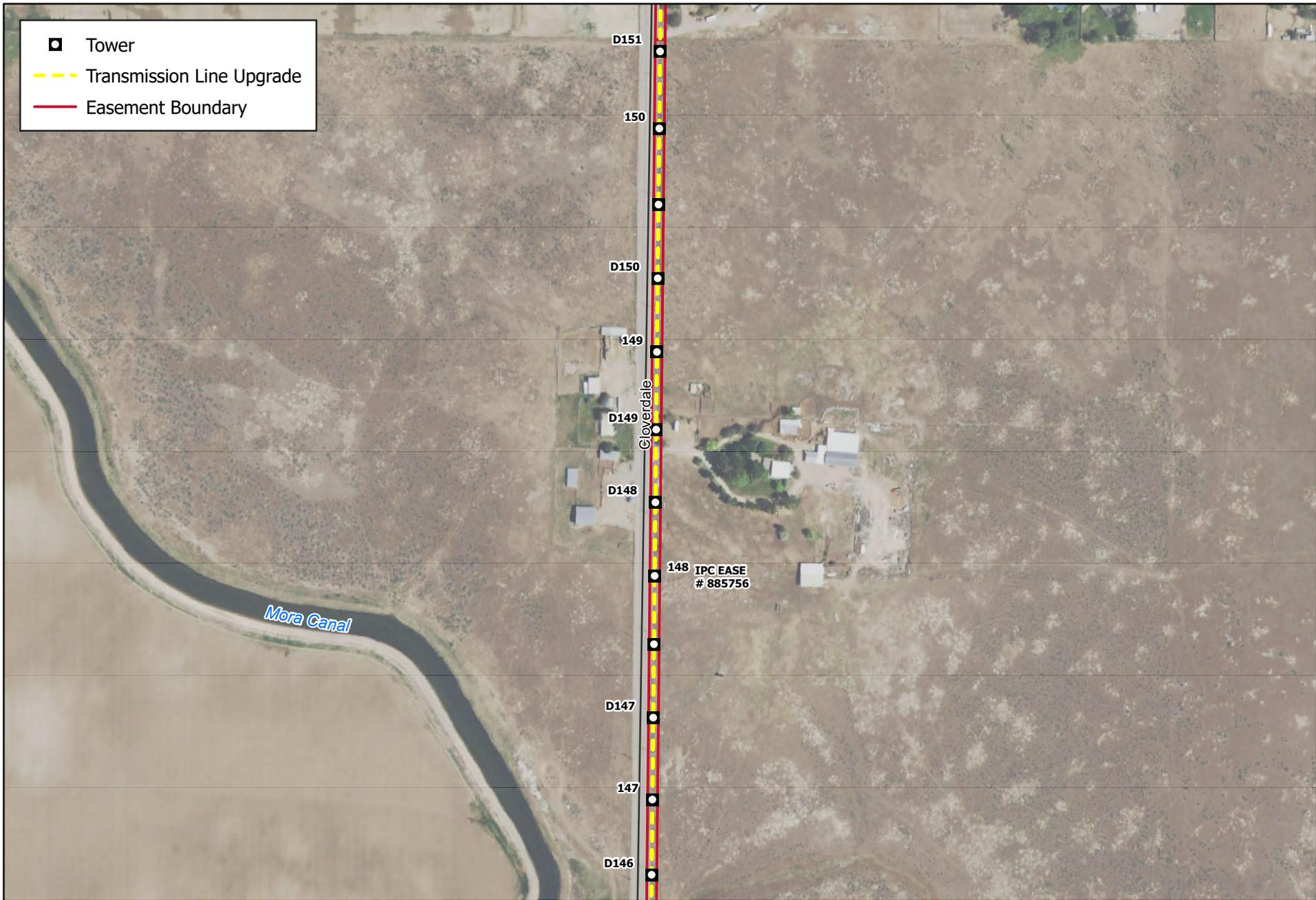


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Page Index: 38  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.39



- Tower
- Transmission Line Upgrade
- Easement Boundary



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

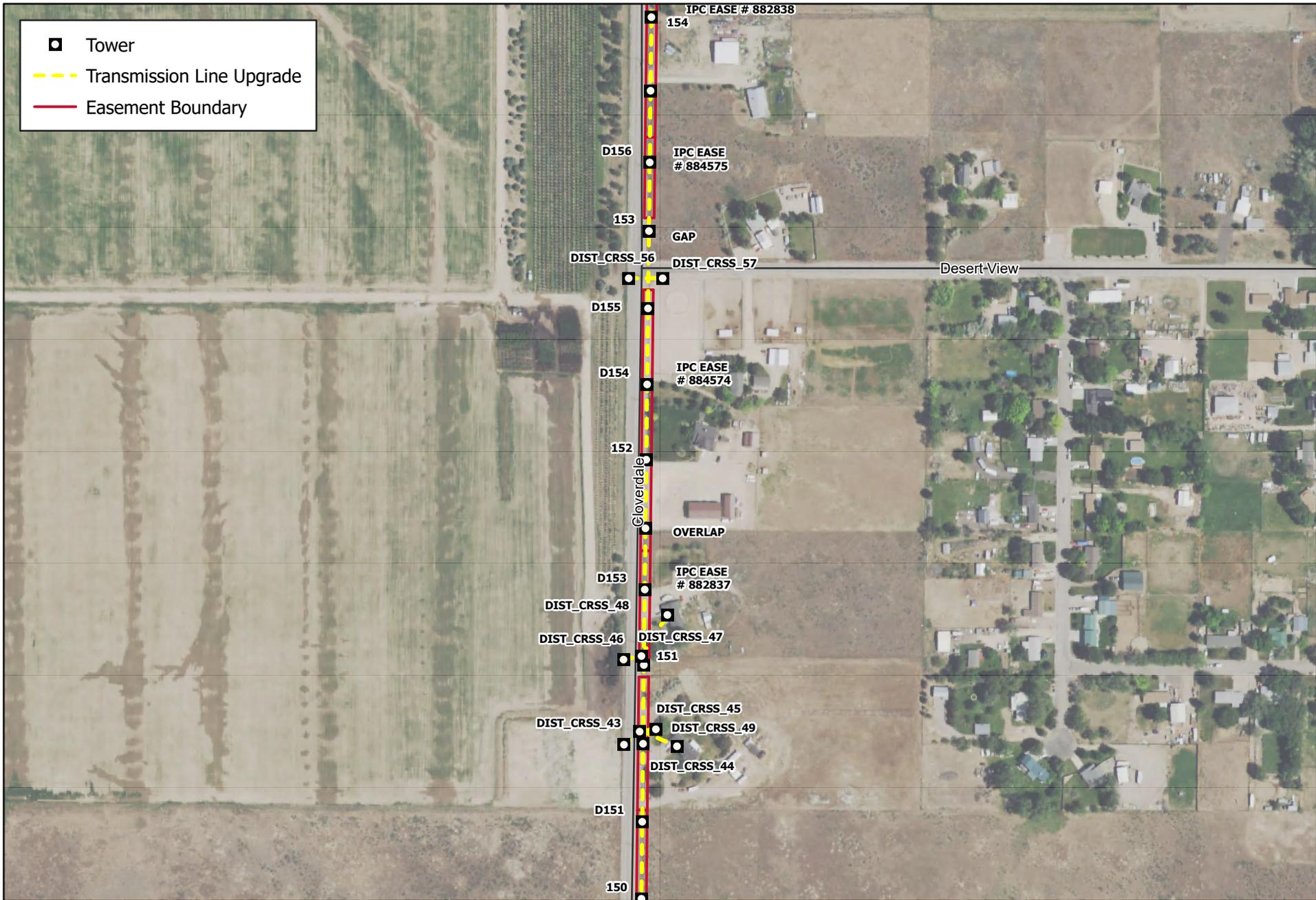


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Page Index: 39  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.40



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

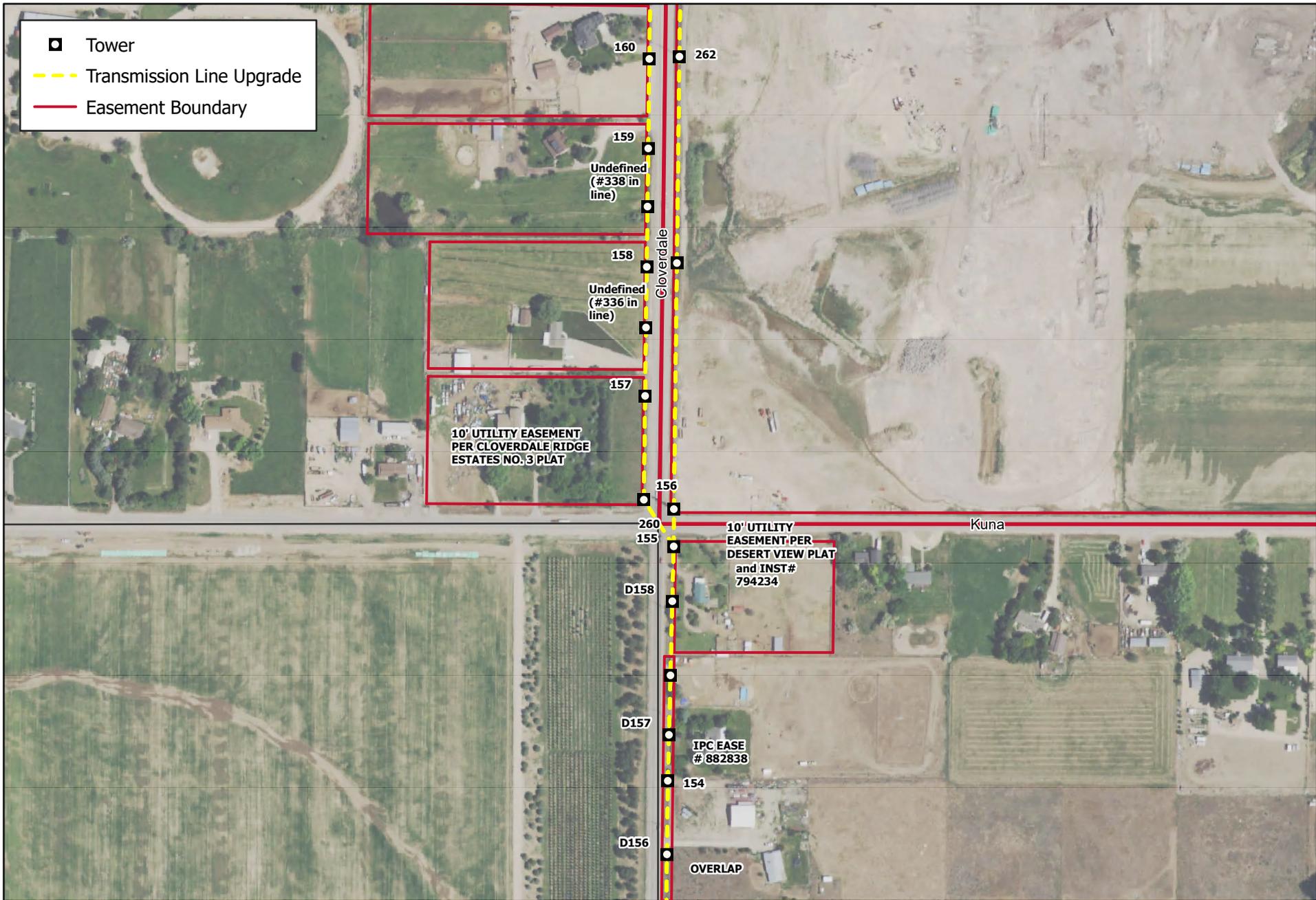


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Page Index: 40  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.41



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

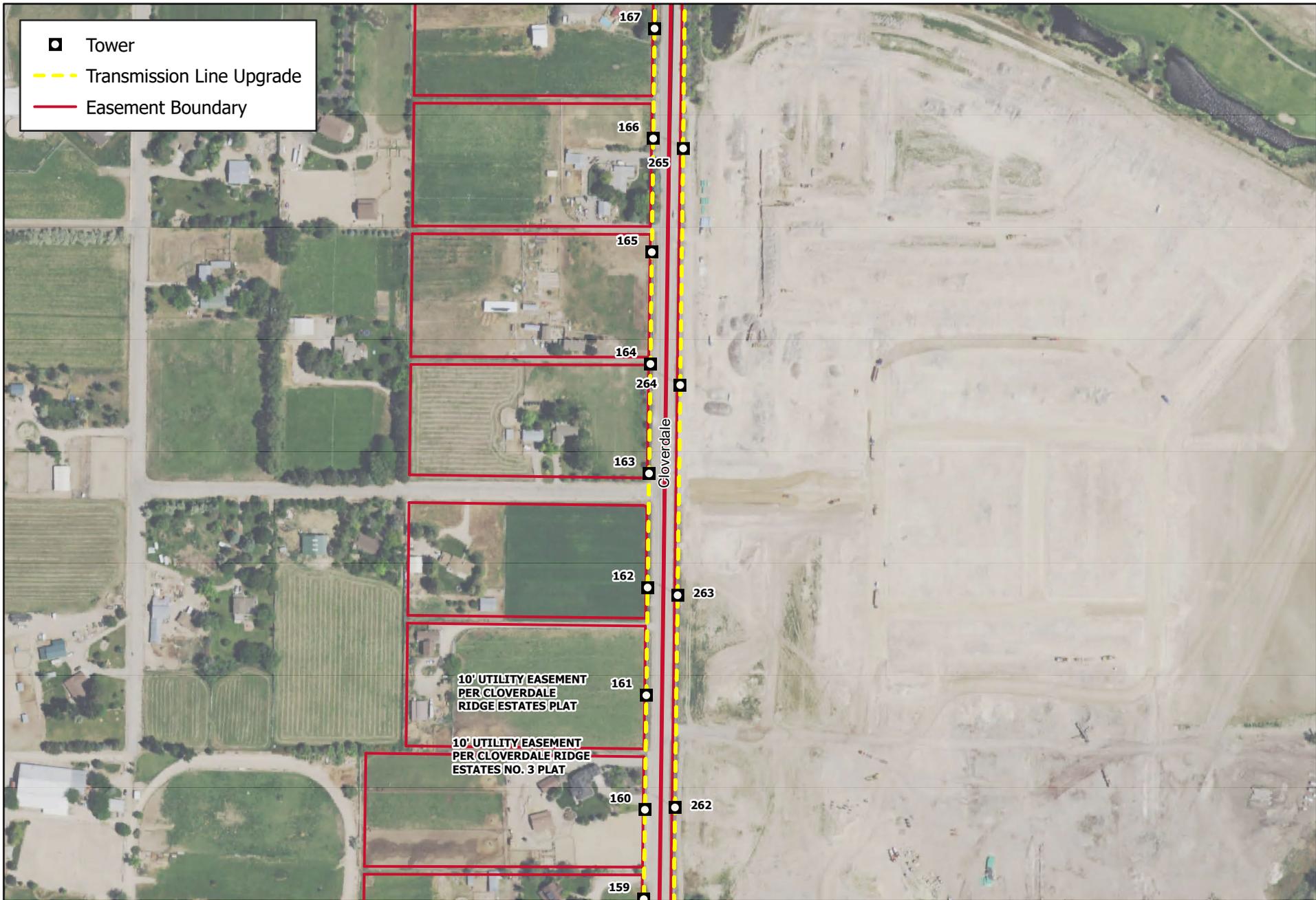


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Page Index: 41  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.42



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

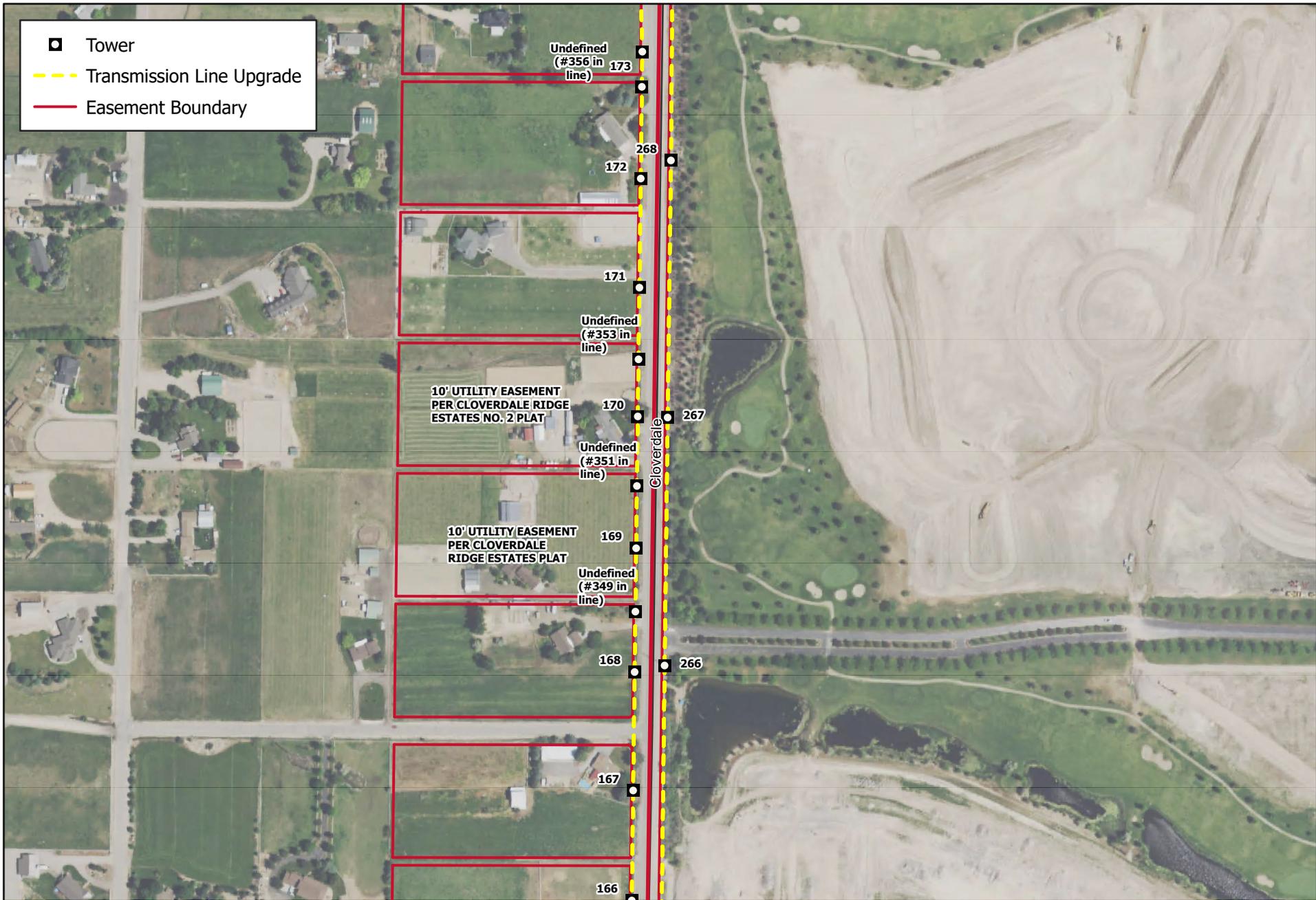


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Page Index: 42  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.43



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County

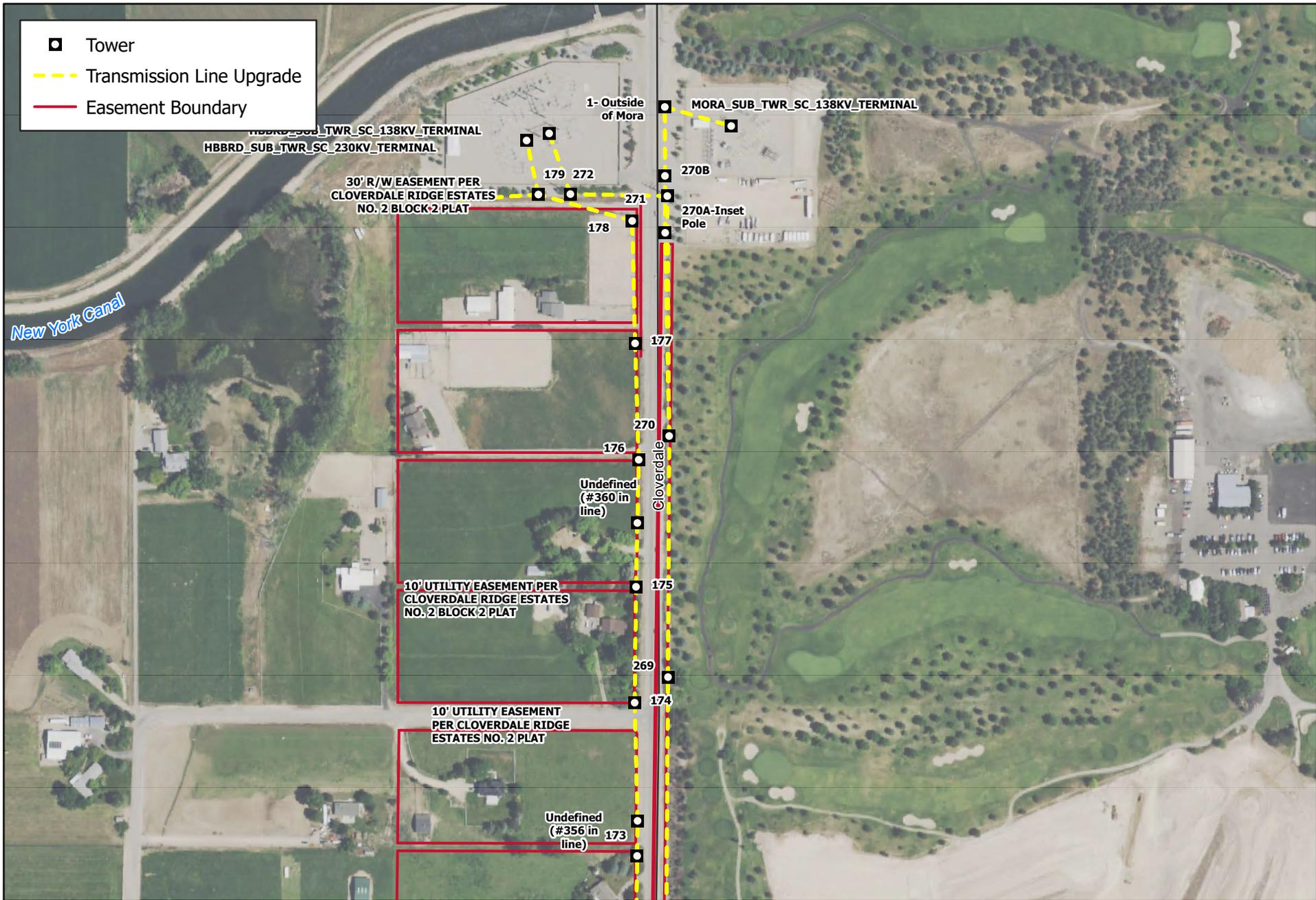


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Page Index: 43  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.44



Imagery: 2021 USDA NAIP 1 meter resolution  
 Other data sources: State of Idaho, Ada County



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Page Index: 44  
 Total Pages: 45

LINE UPGRADE PLOT PLAN MAP

Figure 6.45



# COMMITMENT TO PROPERTY POSTING

PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)



Per Kuna City Code (KCC) 5-1A-8, the Applicant, for all applications requiring a Public Hearing, shall post the subject property *not less than ten (10) days prior to the hearing*. The Applicant shall post a copy of the Public Hearing notice on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *no later than seven (7) days* prior to the Public Hearing, attesting to where and when the sign(s) were posted. Unless such certificate is received by the required date, the hearing will be continued to the next available date, as scheduling permits.

**The signs shall be removed no later than three (3) days after the end of the Public Hearing for which the sign(s) had been posted.**

Print Name: Jeff Maffuccio, Idaho Power

Signature: Jeffrey Maffuccio Digitally signed by Jeffrey Maffuccio  
Date: 2022.08.30 09:08:34 -06'00'

Date: 8/29/2022



# Neighborhood Meeting Certification

PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)



You **must** conduct a Neighborhood Meeting **prior** to submission of an application for Annexation; Rezone; Special Use Permit; Subdivision; and Variance. Please see Kuna City Code 5-1A-2 for more information or contact the Planning & Zoning Department at (208) 922-5274.

The Neighborhood Meeting Certification packet includes the following:

- Neighborhood Meeting Certification – This acts as quick reference information regarding your project.
- Sign-in Sheet – This provides written record of who attended your Neighborhood Meeting.
- Neighborhood Meeting Minutes – Provides space in which to record the items discussed and any concerns attendees may have.

A Neighborhood Meeting cannot take place more than two (2) months prior to acceptance of the application and an application will not be accepted before the meeting is conducted. You are required to mail written notification of your meeting, allowing at least fourteen (14) days before your meeting for property owners to plan to attend. **Contacting and/or meeting individually with property owners will not fulfill Neighborhood Meeting requirements.** You may request a 300' property owners mailing list by completing the Neighborhood Meeting Mailing List Request form located under Forms & Applications on the City of Kuna website.

Neighborhood Meetings must be held on either a weekend between 10:00 Am & 7:00 PM, or a weekday between 6:00 PM & 8:00 PM. The meeting **cannot** be conducted on holidays, holiday weekends, or the day before/after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- Subject property;
- Nearest available public meeting place (i.e. Libraries, Community Centers, etc.); or
- An office space within a one (1) mile radius of the subject property.

Once you have held your Neighborhood Meeting, please complete this certification form and include with your application along with the Sign-in Sheet, Neighborhood Meeting Minutes & a copy of the notification mailed to attendees.

Description of proposed project: Idaho Power proposes to upgrade the existing 230-kV Bowmont to Hubbard transmission line. A portion of the 16-mile line is on properties within Kuna.

Date of Meeting: June 28, 2022 Time: 7 p.m.- 7:30 pm

Meeting Location: Kuna Public Library

### Site Information

Location: Section 16 Township 2N Range 1E Total Acres \_\_\_\_\_

Subdivision Name: N/A Lot \_\_\_\_\_ Block \_\_\_\_\_

Address: Hubbard Substation, 10555 South Cloverdale Road, Kuna, Idaho

Parcel No(s): S1416414601\* (Hubbard Sub property only), \*Various parcels along corridor  
*Include ALL addresses and parcel numbers for your application.*

**Current Property Owner**

Name: Idaho Power Company, Hubbard Substation (only) + Various easements along line

Address: Hubbard Substation, 10555 South Cloverdale Road, Kuna, Idaho

**Contact Person**

Name: Makary Hutson

Business Name (if applicable): HDR

Address: 412 E. Parkcenter Blvd, Suite 100, Boise, ID 83706

Phone: 208-387-7000 / 509-9810-7542 Email: makary.hutson@hdrinc.com

**Applicant**

Name: Idaho Power Company, Attn: Jeff Maffuccio

Address: P.O. Box 70, Boise, ID 83707

Phone: 208-388-2402 Email: jmaffuccio@idahopower.com

I, Jeff Maffuccio, certify that a Neighborhood Meeting was conducted at the time and location noted on this form in accordance with Kuna City Code 5-1A-2.

Applicant Signature: Jeffrey Maffuccio Digitally signed by Jeffrey Maffuccio  
Date: 2022.08.30 09:07:36 -06'00' Date: 8/29/2022

# SIGN-IN SHEET

Project Name: Bowmont to Hubbard Line

	Name	Address	Phone
1	Steve Beus	1605 Poen Rd, Kuna	
2	Becky Beus	1605 Poen Rd, Kuna	
3			
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# NEIGHBORHOOD MEETING MINUTES

Meeting Date: June 28, 2022 Number of Attendees: 2

Location: Kuna Public Library

Project Description: Idaho Power to upgrade the existing 230-kV Bowmont-Hubbard line

Attendee Comments or Concerns: The Beus' were mostly interested in Bowmont to Hubbard area line and had been approached by a developer who wanted to purchase their land. They were curious about neighborhood process. The Beus' attended a meeting for another proposed project, the Cole Station, but learned about both projects.

I, Jeff Maffuccio, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.

Applicant Signature: Jeffrey Maffuccio Digitally signed by Jeffrey Maffuccio Date: 2022.08.30 09:07:55 -06'00' Date: 8/29/2022

## Doug Hanson

---

**From:** Doug Hanson  
**Sent:** Wednesday, September 14, 2022 9:02 AM  
**To:** 'Ada County Engineer'; 'Ada County Highway District'; 'Adam Ingram'; Bobby Withrow; 'Boise Kuna Irrigation District'; 'Boise Project Board of Control'; 'Brady Barroso'; 'Brent Moore (Ada County)'; 'Cable One TV'; 'Camille Burt (USPS)'; 'Cat Feistner'; 'Central District Health Department'; 'Chief Fratusco'; 'COMAPSS (Lila Klopfenstein)'; 'Danielle Horras'; 'DEQ'; 'Eric Adolfsen'; 'Erika Olvera (NMID)'; 'Idaho Power Easements'; 'Idaho Power Easements 2'; 'Intermountain Gas'; 'ITD'; 'J&M Sanitation'; 'Joe Bongiorno (Meridian Fire)'; 'Krystal Hinkle'; 'Leon Letson (Ada County)'; 'Marc Boyer (Kuna Postmaster)'; 'Marci Horner (West Ada School District)'; 'Megan Leatherman'; 'Nampa Meridian Irrigation District'; 'New York Irrigation'; 'Paris Dickerson'; 'Paul Stevens'; 'Public Works'; 'Robbie Reno'; 'Sarah Arjona ITD'; 'Scott Arellano (KRFD)'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'; Brady Barroso  
**Subject:** 22-13-SUP Bowmont to Hubbard Transmission Line Upgrade Agency Transmittal

## Agency Transmittal

September 14, 2022

Notice is hereby given by the City of Kuna the following actions are under consideration:

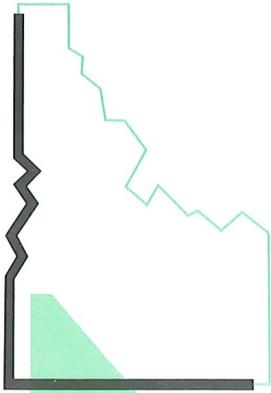
<b>FILE NUMBER:</b>	22-13-SUP (Special Use Permit) Bowmont to Hubbard Transmission Line Upgrade
<b>PROJECT DESCRIPTION</b>	Idaho Power Company requests Special Use Permit approval for a portion of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in city of Kuna
<b>SITE LOCATION</b>	See <b>Exhibit 2.5</b> in packet
<b>REPRESENTATIVE</b>	Idaho Power, Jeff Maffucio PO Box 70 Boise, ID 83707 208.388.2402 <a href="mailto:jmaffucio@idahopower.com">jmaffucio@idahopower.com</a>
<b>SCHEDULED HEARING DATE</b>	Tuesday, <b>October 25, 2022</b> , at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4 <sup>th</sup> Street, Kuna, ID 83634
<b>STAFF CONTACT</b>	Doug Hanson 208.287.1771 <a href="mailto:dhanson@kunaid.gov">dhanson@kunaid.gov</a>
<b>PROJECT PACKET LINK</b>	<a href="https://kunacity.id.gov/DocumentCenter/View/8178/22-13-SUP-Bowmont-to-Hubbard-Trabnsmission-Line-Upgrade-Agency-Transmittal-Packet">https://kunacity.id.gov/DocumentCenter/View/8178/22-13-SUP-Bowmont-to-Hubbard-Trabnsmission-Line-Upgrade-Agency-Transmittal-Packet</a>

*Please provide comments within 15 days of receipt if at all possible. We would appreciate any information as to how this action would affect the service(s) your agency provides.* The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. If your agency needs different plans or paper copies to review, notify our office know and we will send them. Please notify our office who future packets should be sent to, including their email address. If your agency needs additional time for review, please let our office know ASAP.

Best,

Doug Hanson  
Planning and Zoning Director  
City of Kuna  
751 W 4<sup>th</sup> St  
Kuna, ID 83634  
[dhanson@kunaid.gov](mailto:dhanson@kunaid.gov)  
208.287.1771





RECEIVED

SEP 29 2022

CITY OF KUNA

ORGANIZED 1904

# Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH  
FAX #208-463-0092

NAMPA, IDAHO 83651-4395  
nmid.org

OFFICE: Nampa 208-466-7861  
SHOP: Nampa 208-466-0663

September 26, 2022

Troy Behunin, Senior Planner  
City of Kuna  
751 W. 4th Street  
Kuna, ID 83634

**RE: 22-13-SUP/ Idaho Power Bowont Hubbard Line Upgrade; 1055 S. Cloverdale Rd.**

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall  
Asst. Water Superintendent  
Nampa & Meridian Irrigation District  
DTD/ eol

Cc:

Office/ file  
T. Ritthaler, Board of Control



APPROXIMATE IRRIGABLE ACRES  
RIVER FLOW RIGHTS - 23,000  
BOISE PROJECT RIGHTS - 40,000



CITY OF KUNA  
P.O. BOX 13  
KUNA, ID 83634  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

Catherine Feistner, E.I.T.  
Assistant Kuna City Engineer

Brady Barroso  
Engineering Technician I

## MEMORANDUM

**To:** Doug Hanson - Planning and Zoning Director  
**From:** Brady Barroso - Engineering Technician I  
Catherine Feistner - Assistant City Engineer  
**Date:** 17 October 2022  
**RE:** Public Works Comments  
**Bowmont to Hubbard Transmission Line Upgrade – 22-13-SUP (Special Use Permit)**

---

The Bowmont to Hubbard transmission line upgrade, 22-13-SUP, special use permit request dated 14 September 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff can support approval for this special use permit. The applicant does not propose construction or connection of any public works infrastructure.

Comments may be expanded or refined in connection with the future land-use actions.



# ADVERTISING PROOF

c/o ISj Payment Processing Center  
 PO Box 1570,  
 Pocatello, ID 83204  
 Ph. (208) 465-8129 Fax: (907) 452-5054

BILLING DATE:	ACCOUNT NO:
09/23/22	21880

## LEGAL NOTICE

**Case No. 22-13-SUP  
 (Special Use Permit) for  
 Bowmont to Hubbard  
 Transmission Line  
 Upgrade**

1 KUNA, CITY OF  
 P.O. BOX 13  
 KUNA, ID 83634

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing Tuesday, October 25, 2022, at 6:00 PM, or as soon as can be heard; in connection with a Special Use Permit (SUP) request for portions of the proposed Idaho Power Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in City of Kuna which will run adjacent to Barker Road and Cloverdale Road.

Please do not contact the Commission or Council including the Mayor as this may jeopardize the public hearing process as it is considered ex parte. If you require special accommodations, please contact Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

The public is invited to provide written or oral testimony. Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning  
 Department

September 29, 2022  
 October 5, 2022

286029

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
286029	22-13-SUP BOWMAN/HUB	09/28/22	10/05/22	2	

## Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	<b>\$0.00</b>
Surcharge:	<b>\$0.00</b>
Credits:	<b>\$0.00</b>

*We Appreciate Your Business!*

## Suggestions for Testifying at Public Hearings:

### Be Informed...

Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at [www.kunacity.id.gov](http://www.kunacity.id.gov) >City Government >Agendas & Minutes.

### Be on time...

Although the item you are interested in may not be first on the agenda, you never know when it will be heard; the governing body has authority to adjust the schedule according to its discretion, thus, anticipate attending from the beginning.

### Speak to the Point...

The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

### If you do not wish to speak, write...

Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at the hearing and expect it to be reviewed prior to a decision.



JR 9.28.22

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning and Zoning Commission** is scheduled to hold a Public Hearing on **October 25, 2022 at 6:00 PM** (or as soon as can be heard), in City Hall Council Chambers, 751 W 4<sup>th</sup> Street, Kuna, ID, 83634, on the following case:

**Case No. 22-13-SUP (Special Use Permit) for Bowmont to Hubbard Transmission Line Upgrade**

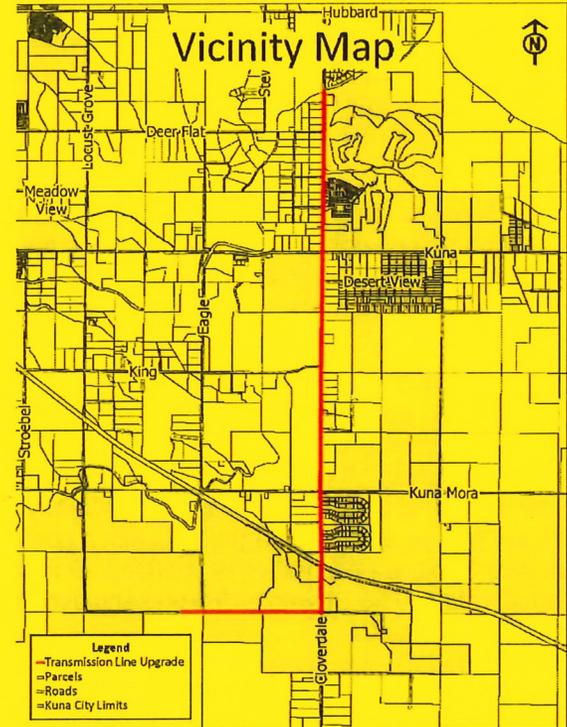
Idaho Power requests approval for portions of the proposed Bowmont to Hubbard 230-kilovolt transmission line upgrade project located in City of Kuna which will run adjacent to Barker Road and Cloverdale Road.

The public is invited to provide written or oral testimony; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person or will not be able to attend. Please contact the Kuna Planning & Zoning Department at (208) 922-5274.

Written testimony received by close of business on **October 19, 2022** will be included with the packet distributed to the governing body prior to the hearing; late submissions will be provided at time of hearing.

**MAILED 09.28.2022**

# LEGAL NOTICE





# Proof of Property Posting

PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)



This form shall confirm that the Public Hearing Notice for 22-13-SUP Case No. \_\_\_\_\_  
Bowmont to Hubbard transmission line was posted, as required per Kuna City Code  
5-1A-8, on 10/15/2022 Date \_\_\_\_\_. This form and associated photos shall be returned  
to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing.

*Signs shall be removed from the site within three (3) days after the Public Hearing.*

DATED this 17 day of October, 2022.

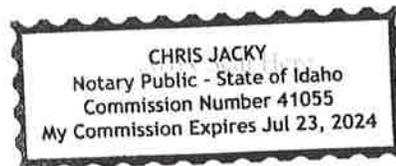
Signature: [Handwritten Signature] Owner/Developer

State of Idaho )  
) ss  
County of Ada )

On this 17 day of October, 2022, before me, the  
Undersigned, a Notary Public in and for said State, personally appeared before me  
(Owner/Developer).

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

Chris Jacky  
Residing at: 7765 S. Mohr Dr  
Box 4 ID 83709  
My Commission expires: 7-23-24



[Handwritten Signature]  
Signature

Signs posted for Ada County on October 1, 2022  
Signs posted for City of Kuna on October 15, 2022  
for Idaho Power's Bowmont to Hubbard Transmission Line Rebuild



Sign 1 Pictures



facing north

facing south

Sign 2 Pictures



facing north



facing south

Sign 3 Pictures



facing west



facing east

Sign 4 Pictures



facing east



facing west

## Doug Hanson

---

**From:** noreply@civicplus.com  
**Sent:** Thursday, October 13, 2022 1:53 PM  
**To:** Doug Hanson; City Clerk  
**Subject:** Online Form Submittal: Public Testimony Form

### Public Testimony Form

Please complete the form with your testimony for the below referenced case for the Public Hearing record.

Case Number/Description	22-13-sup
Public Hearing Date	10/25/2022
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	<a href="mailto:tuckerhockey@gmail.com">tuckerhockey@gmail.com</a>
Phone Number	2089930864
First Name	Jim
Last Name	Tucker
Address1	12131 W Precept Ln
City	Kuna
State	ID
Zip	83634
Written Testimony	Thank You for allowing me to comment on Case No. 22-13-SUP. Before you put in this Powerline and Substation have all interested parties come to the table in a collaborative effort to look at all your options? I am not opposed to the Powerline or substation. I am opposed to poor planning. Widening Cloverdale and Bowmont roads prior to or concurrently with the Powerline going in might be a start. Growth in this community and Ada County continues. We all face a Lack of Infrastructure (ROADS) that can handle increased traffic with the number of

subdivisions being constructed, particularly in Kuna. It is very frustrating to have the same section of road closed multiple times a season and re-dug to accommodate growth when it should have been done all at once.

What is the plan to route traffic in relation to other nearby closures? We are often routed one way in the morning to have it closed in the afternoon.

Construction signage is not well maintained and often faces away from the approaching traffic. More notice on closure should be put out ahead of the last re-route option.

---

*By checking the "I agree" box below, you agree and acknowledge that submitting, that this testimony will be a public record and a part of the case file for the governing body. Any testimony submitted after the public hearing Will Not be considered by the governing body.*

---

Electronic Signature  
Agreement

I Agree

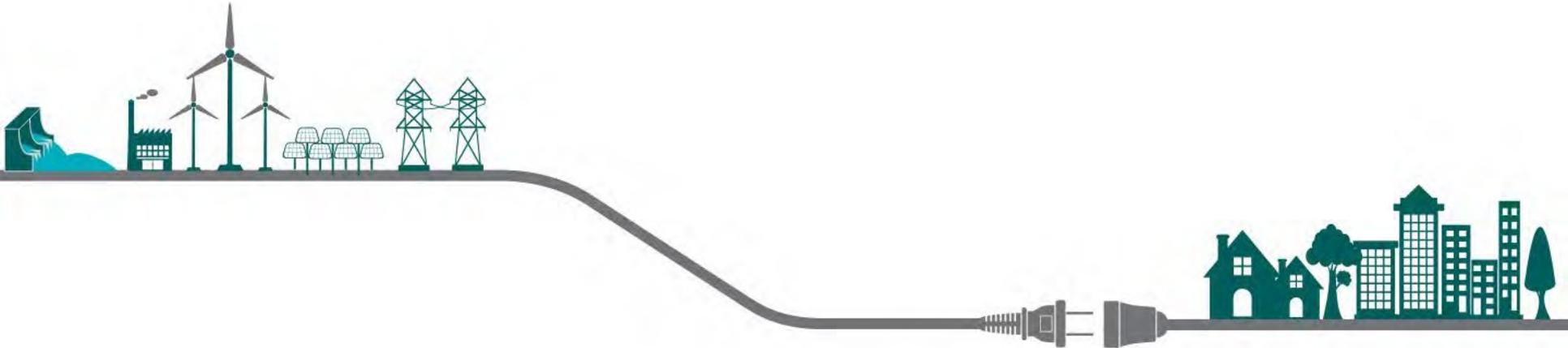
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Email not displaying correctly? [View it in your browser.](#)

# Public Hearing



## Bowmont to Hubbard Transmission Line Upgrade



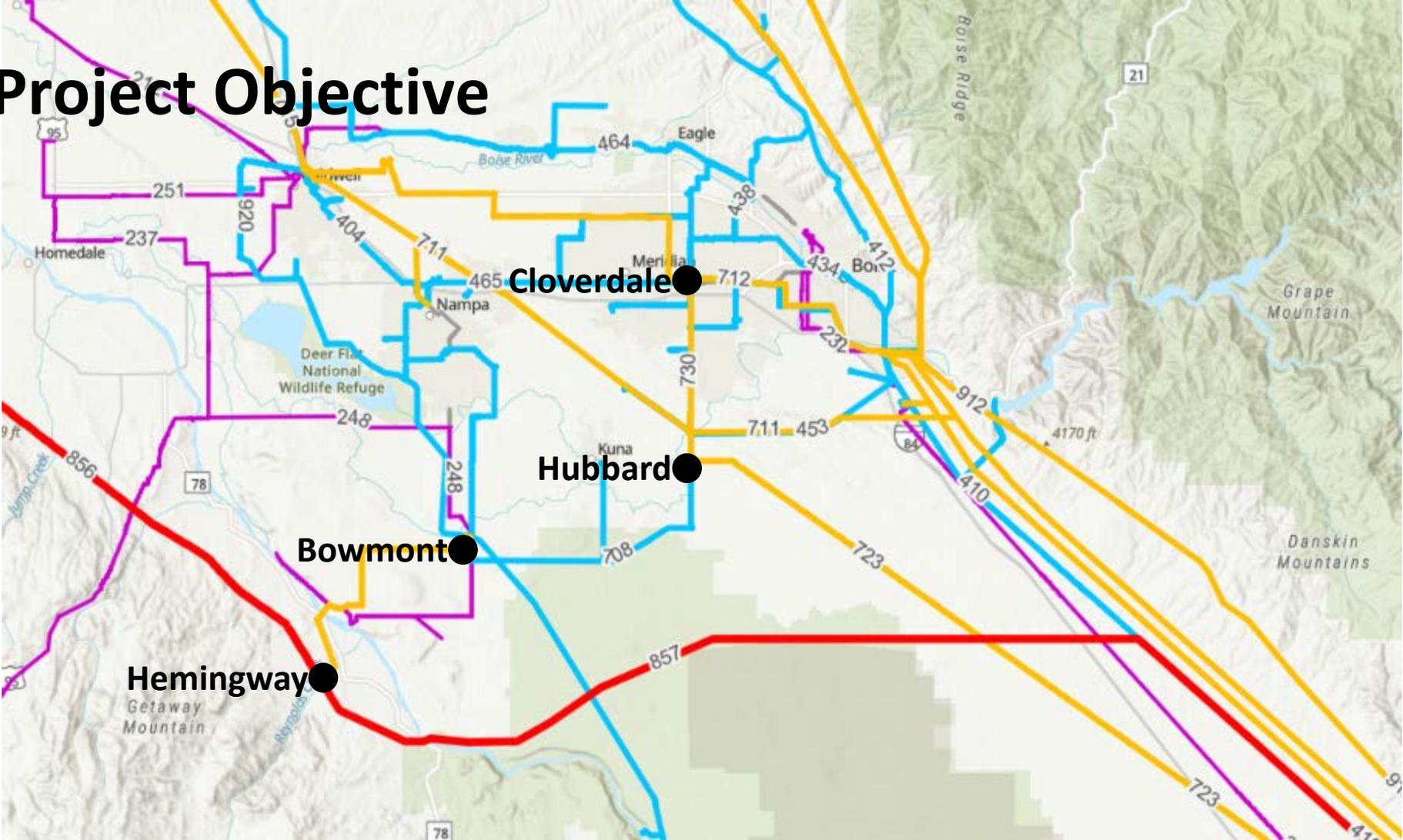
October 25, 2022

Jeff Maffuccio, Idaho Power

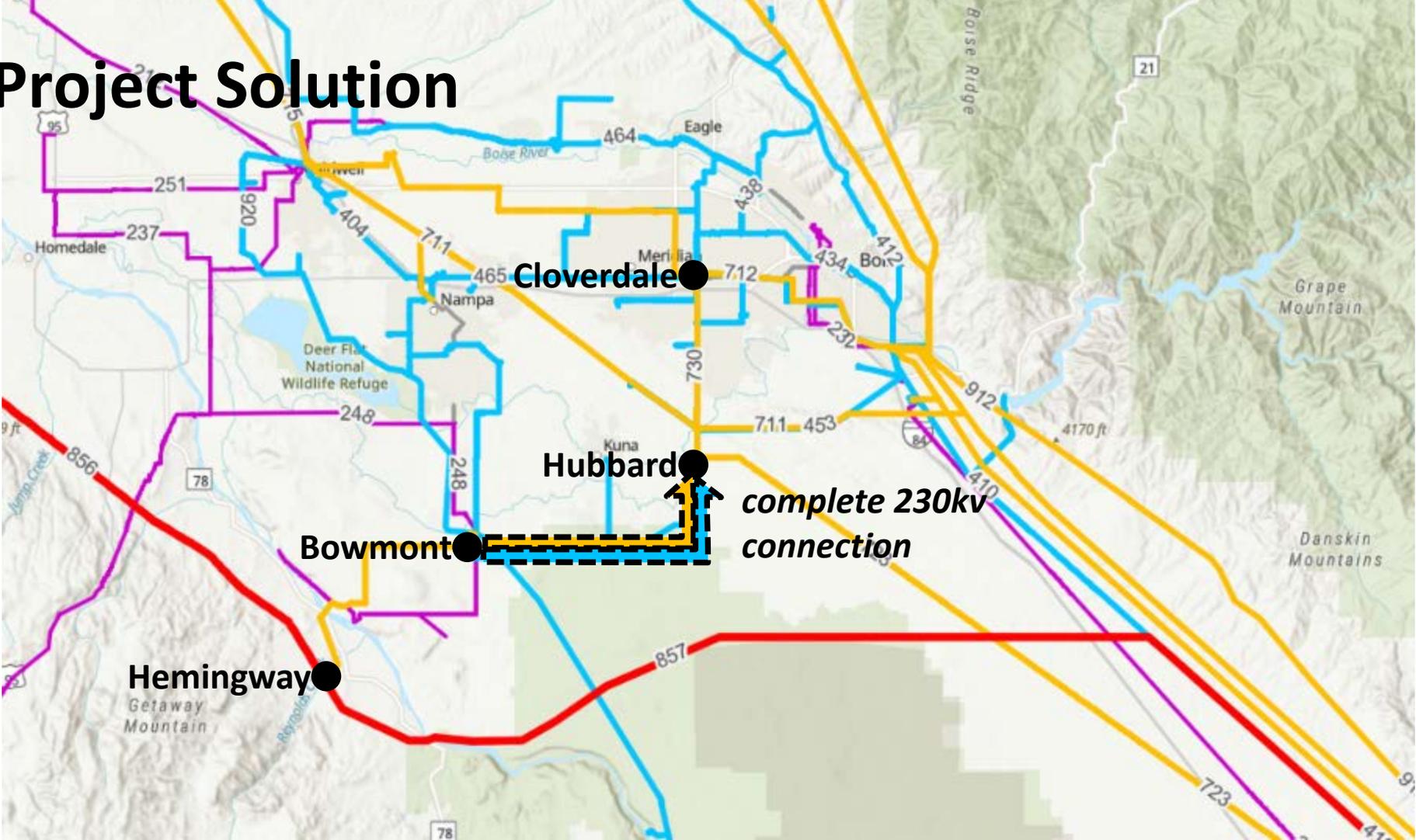
# Project Objective

- Update a 16-mile section of an existing transmission line from 138-kilovolt (kV) to a combined 138kV/230kV line, across Canyon and Ada County
  - *3 miles cross through Kuna city limits*
- Minimize impacts to surrounding properties by utilizing existing easements and corridors
  - *Work with Ada County highway district*
- Provide for increasing electrical needs across Ada County, and improve energy resiliency

# Project Objective



# Project Solution



Cloverdale ●

Hubbard ●

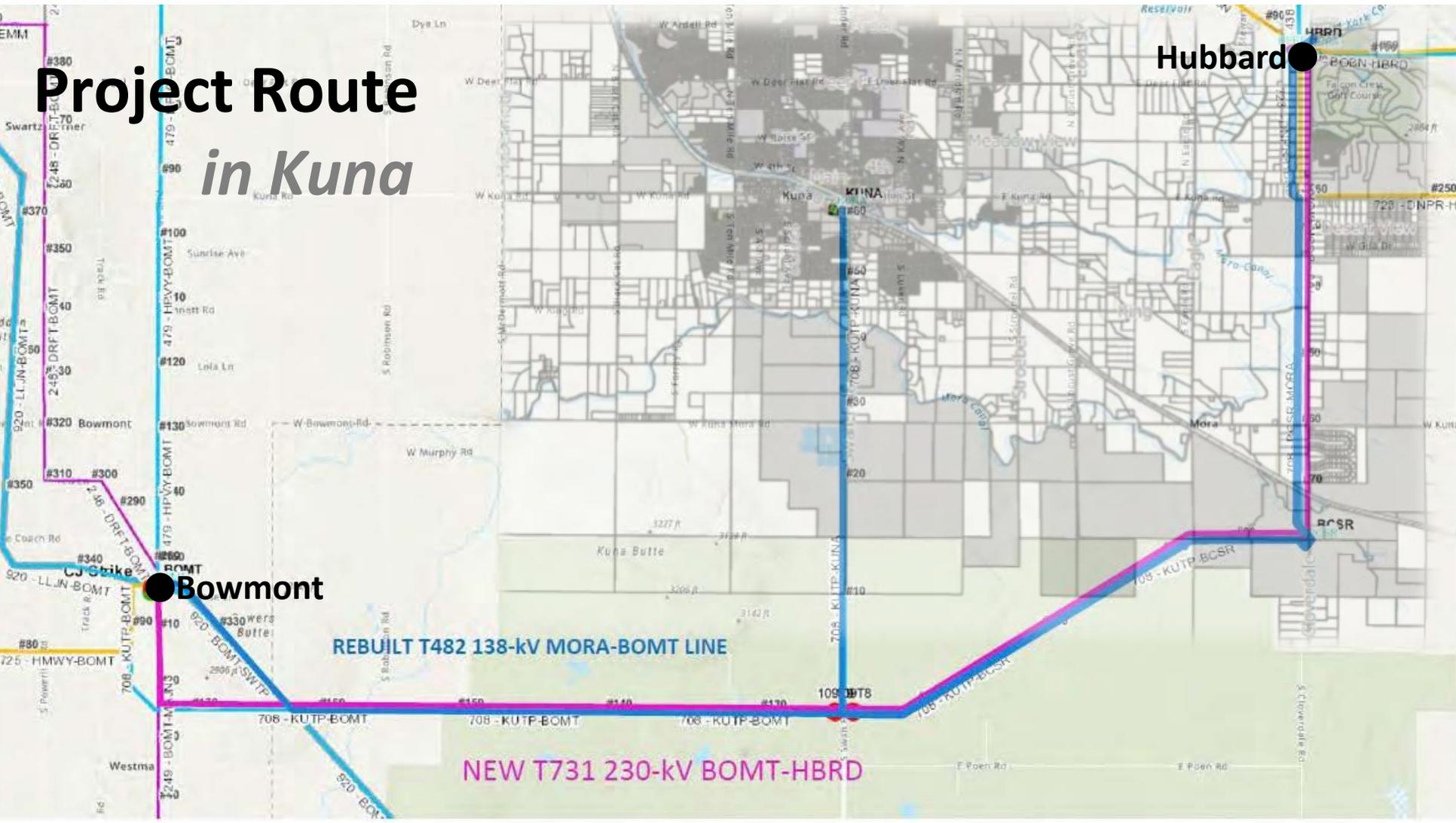
Bowmont ●

Hemingway ●

*complete 230kv  
connection*



# Project Route in Kuna



● Bowmont

Hubbard ●

REBUILT T482 138-kV MORA-BOMT LINE

NEW T731 230-kV BOMT-HBRD

# Before and After: *south of Kuna Rd*



**This image represents existing 80' single-circuit wood poles along Cloverdale Road, south of Kuna Road.**



**This image represents the new 120' double-circuit steel poles that will replace the existing wood poles.**

# Before and After: *north of Kuna Rd*



This image represents existing 120' double-circuit steel poles along Cloverdale Road, north of Kuna Road.



This image represents the additional 120' single-circuit steel poles along Cloverdale Road, from Kuna Road into the Hubbard Substation. *The existing double-circuit poles cannot accommodate another transmission line.*

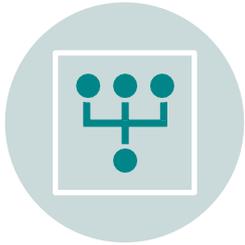
# Construction



**Constructed mostly within Idaho Power's existing right-of-way (ROW) and easements**



**New required easements will be purchased after receiving permits from Ada County and the City of Kuna**



**Built in three phases: each phase will take approximately one year to complete**  
*(through Kuna in 2025-26)*



**Idaho Power will coordinate with Ada County Highway District on road construction activities to minimize impacts**

# Public Outreach

Public Meetings  
**Public Meeting 1**  
**Kuna Public Library**  
February 15, 2022  
6 p.m. to 8 p.m.

**Public Meeting 2**  
**Kuna Public Library**  
June 28, 2022  
7 p.m. – 7:30 p.m.

*10 people total signed in at the meetings.  
No formal comments were received.*

## Bowmont to Hubbard 230-kilovolt Line Upgrade

**MEETING PURPOSE**

The purpose of the meeting is to share information and gather feedback from stakeholders on plans to upgrade the existing 138kV line with a new 230kV circuit connecting Idaho Power's Bowmont substation south of Nampa to the Hubbard substation south of Boise.

**IDAHO POWER**  
An IDACORP Company



# Public Outreach

## Project Purpose



**The project will increase the amount of available power, reduce the risk of service interruptions and provide an additional connection for customers. The upgraded Bowmont to Hubbard line will also bring more energy into the region from the Boardman to Hemingway (B2H) project.**

# Standards Evaluation



- ✓ Protection of the grid and area growth is driving the need to complete this additional transmission network into Ada County.
- ✓ The route is the most viable option in terms of property acquisition, electrical system planning, and minimizing additional transmission line impacts.
- ✓ There will be no additional public cost for this project to Kuna or Ada County.
- ✓ The line will be in easements and setback for ACHD plans of Cloverdale Road.
- ✓ Idaho Power will coordinate with ACHD on traffic along Cloverdale Road.

**BEFORE THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATION OF ) **Case No. 22-35-DR (DESIGN REVIEW)**  
 )  
**CITY OF KUNA INC** )  
 )  
 )  
*For a Design Review of Kuna Police Station,* ) **STAFF REPORT FOR DESIGN**  
*associated parking lot and landscaping.* ) **REVIEW APPLICATION**

**TABLE OF CONTENTS**

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Proposed Findings of Fact and Conclusions of Law
8. Commission’s Proposed Decision



**I  
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

**1.1 Exhibits:**

<i><b>DESCRIPTION OF EVIDENCE</b></i>		Withdrawn	Refused	Admitted
<b>1.1</b>	Staff Report			X
<b>2.1</b>	P&Z Application Coversheet			X
<b>2.2</b>	Design Review Application			X
<b>2.3</b>	Narrative			X
<b>2.4</b>	Warranty Deed			X

<b>2.5</b>	Aerial Map			X
<b>2.6</b>	Vicinity Map			X
<b>2.7</b>	Sire Plan and Elevations			X
<b>2.8</b>	Landscape Plan			X
<b>2.9</b>	Renderings			X
<b>2.10</b>	Agency Transmittal			X
<b>2.11</b>	Ada County Highway District			X
<b>2.12</b>	Public Works			X

**II  
PROCESS AND NOTICING**

**2.1** In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new projects, landscaping, and other various amenities are required to submit an application for review by the Planning and Zoning Commission. As a Public Meeting item, this action requires no formal public noticing.

**2.2 Notifications**

- 2.2.1** Agency Notifications: October 4, 2022
- 2.2.2** Agenda: October 25, 2022

**III  
APPLICANTS REQUEST**

**3.1** The City of Kuna requests Design Review approval to for a new police station, shop, parking lot and landscaping. The subject site is located at 793 W 4th Street, Kuna ID, 83634 (APN: R5070001633) within Section 23, Township 2 North, Range 1 West.

**IV  
GENERAL PROJECT FACTS**

**4.1 Site History**

**4.1.1** The subject site has historically served as a single-family residence.

**4.2 Surrounding Land Uses**

<b>North</b>	C-1 R-6	Neighborhood Commercial – Kuna City Medium Density Residential – Kuna City
<b>South</b>	P	Public – Kuna City
<b>East</b>	CBD	Central Business District – Kuna City
<b>West</b>	P	Public – Kuna City

**4.3 Parcel Number, Owner, Size and Zoning**

- 4.3.1** R5070001633
  - 4.3.1.1** City of Kuna Inc
  - 4.3.1.2** 0.37 acres
  - 4.3.1.3** CBD (Central Business District)

**4.4 Services**

Sanitary Sewer – City of Kuna  
Potable Water – City of Kuna  
Irrigation – City of Kuna  
Fire Protection – Kuna Rural Fire District  
Police Protection – Kuna Police (Ada County Sheriff’s Office)  
Sanitation Services – J&M Sanitation

**4.5 Existing Structures, Vegetation, and Natural Features**

**4.5.1** The subject site has an unoccupied existing single-family residence that is to be demolished. Bedrock depth is estimated greater than 60 inches, the slope is estimated at 0 to 2%.

**4.6 Environmental Issues**

**4.6.1** Other than being within the Nitrate Priority Area, staff is not aware of any environmental issues, health or safety conflicts at this time.

**4.7 Comprehensive Plan Future Land Use Map**

**4.7.1** The Future Land Use Map (FLUM) identifies the subject sites as Commercial; the subject site is currently zoned CBD (Central Business District).

**4.8 Agency Responses**

<b>Agency</b>	<b>Exhibit No.</b>
Ada County Highway District	2.11
Public Works	2.12

**V  
TRANSPORTATION AND CONNECTIVITY**

**5.1** The subject site has frontage on W 4<sup>th</sup> Street with curb, gutter and attached sidewalk. Ingress/egress for the site will utilize the existing driveway onto W 4<sup>th</sup> Street. Cross access will be provided from Kuna City Hall to the immediate east.

The Ada County Highway District (ACHD) reviewed the submitted application and has determined that there are no improvements required to the adjacent street(s) per exhibit 2.11.

**VI  
STAFF ANALYSIS**

**6.1** The proposed police station will be approximately 5,399 SF with a 960 SF shop. Exterior building materials as shown in Exhibit 2.9 will match existing City Hall.

The existing sod landscape buffer along W 4<sup>th</sup> Street will be removed and replaced with RTF turf type tall fescue. The remainder of groundcover on site will consist of a mix RTF turf type tall fescue and one-inch washed rock mulch. Landscaping appears to be in compliance with Kuna City Code (KCC).

The proposed parking lot provides 18 standard stalls and two (2) ADA accessible stalls. Additional parking will be provided from the existing City Hall parking lot. Per KCC 5-9-3, offices, public or professional administration, or service buildings require one (1) parking stall per 400 square feet of floor area. The proposed parking for this application exceeds requirements of KCC and should be approved as proposed.

Per Exhibit 2.12 Public Works can support approval of the application. The subject site is already serviced by sanitary sewer and potable water.

Upon complete review, staff finds the application generally complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map (FLUM); and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-35-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report.

## 6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5

6.2.2 City of Kuna Comprehensive Plan FLUM

6.2.3 Idaho Code, Title 67, Chapter 65 – Local Land Use Planning Act

## VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-35-DR (Design Review), including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, exhibits and discussion at the public meeting; the Kuna Planning and Zoning Commission hereby **Approves/Denies** the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No. 22-35-DR, a request from the City of Kuna for a new police station, shop, parking lot and landscaping, located at 793 W 4<sup>th</sup> Street.

*If the Planning and Zoning Commission wishes to Approve, Deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.*

7.1 The contents of the proposed Design Review application *does/does not* contain all of the necessary requirements as listed in KCC 5-4-9: Design Review Application Required.

**Staff Finding:** *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.*

7.2 Based on the evidence contained in Case No. 22-35-DR, the structure design, including mass, proportion, relationship of exterior materials, and relationship of openings, this proposal generally *does/does not* comply with Kuna City Code.

**Staff Finding:** *Review by Staff and the Commission of the proposed Design Review confirms the proposed structures and their design appear appropriate for the subject site.*

7.3 Based on the evidence contained in Case No. 22-35-DR, this proposal *does/does not* generally comply with the Comprehensive Plan.

**Staff Finding:** *The Comprehensive Plan designates the future land use designation of the subject site as Commercial; the subject site is currently zoned CBD (Central Business District), thus meeting this requirement.*

**7.4** The overall proposed project *is/is not* appropriate for the proposed site selection.

**Staff Finding:** *Upon review, staff finds the proposed project is an appropriate fit for the proposed location.*

**7.5** The orientation of the structures and the site design *does/does not* minimize the impact on adjacent properties.

**Staff Finding:** *The placement and orientation of the structures, including building façade and colors, proposed landscaping and fencing, appear to offer a cohesive design and provides adequate screening between the subject sites and neighboring properties.*

**7.6** The surrounding pedestrian amenities *do/do not* provide safe access for pedestrians.

**Staff Finding:** *Sidewalks immediately adjacent to the police station and the existing sidewalk on W 4<sup>th</sup> Street, provides safe pedestrian access.*

**7.7** The availability of existing and proposed public services and infrastructure *can/cannot* accommodate the proposed development.

**Staff Finding:** *Based on comments provided by ACHD in Exhibits 2.11, the existing infrastructure can support the proposed development once roadway improvements are made; the Public Works Department in Exhibit 2.12 also states the existing infrastructure can support the proposed development.*

## **VIII COMMISSIONS ORDER OF DECISION**

*Note: The motion is for the Approval, Conditional Approval, or Denial of the Design Review application. However, if the Planning and Zoning Commission wishes to Approve/Deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report, Case File, and discussion at the public meeting, the Planning and Zoning Commission of Kuna, Idaho (acting as Design Review Committee), hereby Approves/Conditionally Approves/Denies Case No. 22-35-DR (Design Review), a request from the City of Kuna for a new police station, shop, parking lot and landscaping, located at 793 W 4<sup>th</sup> Street, subject to the following Conditions of Approval:

**8.1** The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation connections, and all other requirements of the Kuna Public Works Department. Potable/drinking water shall not be used for irrigation purposes per Kuna City Code 6-4-2(B)(9).

**8.2** The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the approved use, or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:

**8.2.1** No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.

**8.2.2** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Kuna Rural Fire District is required.

**8.2.3** The city shall approve any modifications to the existing water, sewer or irrigation system.

- 8.2.4** Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance* of building permits.
- 8.3** Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.
- 8.4** Developer/Owner/Applicant shall submit civil plans to [pwoffice@kunaid.gov](mailto:pwoffice@kunaid.gov) for review, and receive formal Civil plan approvals, *prior* to construction or Building Permit application.
- 8.5** On-site stormwater retention shall be reviewed in conjunction with this Design Review and Applicant/Developer shall be required to provide a stormwater disposal and treatment plan which accounts for increased on-site storm water runoff volumes; detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.
- 8.6** If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).
- 8.7** The Kuna Rural Fire District (KRFD), or KRFD representative, must approve fire access to the project before, during, and after construction.
- 8.8** Developer/Owner/Applicant shall verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties; slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot, and no steeper than 4:1 for lots with common rear lot lines.
- 8.9** This development is subject to Architectural and Landscape compliance Design Review inspections *prior* to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid *prior* to requesting staff inspection.
- 8.10** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.
- 8.11** All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (3) days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 8.12** Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles. All rope, twine, burlap and wire cages shall be removed half way down the rootball.
- 8.13** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.
- 8.14** Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over 12-inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout the seasons.
- 8.15** Developer/Owner/Applicant is hereby notified of Kuna's working hours. Construction of any kind

shall only be conducted between 7:00 AM to 11:00 PM; noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

**8.16** Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.

**8.17** Developer/Owner/Applicant shall comply with all local, state and federal laws.

**DATED** this 25<sup>th</sup> day of October, 2022.



# Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)



**\*\*Office Use Only\*\***

File No.(s): 22-35-DR  
Project Name: Kuna Police Station  
Date Received: 9/30/2022  
Date Accepted as Complete: 10/04/2022

Type of review requested (check all that apply):

<input type="checkbox"/>	Annexation & Zoning	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Comp. Plan Map Amendment	<input type="checkbox"/>	Combination Pre & Final Plat
<input checked="" type="checkbox"/>	Design Review	<input type="checkbox"/>	Development Agreement
<input type="checkbox"/>	Final Planned Unit Development	<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Lot Split
<input type="checkbox"/>	Ordinance Amendment	<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Preliminary Plat	<input type="checkbox"/>	Rezone
<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Temporary Business
<input type="checkbox"/>	Vacation	<input type="checkbox"/>	Variance

**Owner of Record**

Name: City of Kuna  
Address: 751 W 4th Street, Kuna 83634  
Phone: 208-922-5546 Email: cityclerk@kunaid.gov

**Applicant (Developer) Information**

Name: Chris Engels - City Clerk  
Address: 751 W 4th Street, Kuna 83634  
Phone: 208-922-5546 Email: cityclerk@kunaid.gov

**Engineer/Representative Information**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Subject Property Information**

Site Address: 793 W 4th Street  
Nearest Major Cross Streets: School & W 4th

Parcel No.(s): R5070001633

Section, Township, Range: Section 23, Township 2 North, Range 1 West

Property Size: 0.37 acres

Current Land Use: non-conforming residence Proposed Land Use: Police station

Current Zoning: CBD Proposed Zoning: SAME

**Project Description**

Project Name: Kuna Police Station

General Description of Project: Construction of new Kuna Police Station building, associated parking/storage lot & landscaping

Type of proposed use (check all that apply and provide specific density/zoning):

- Residential: R-2 R-4 R-6 R-8 R-12 R-20  Commercial: C-1 C-2 C-3  CBD  
 Office  Industrial: M-1 M-2  Other: \_\_\_\_\_

Type(s) of amenities provided with development: \_\_\_\_\_

**Residential Project Summary (If Applicable)**

Are there existing buildings? YES NO

If YES, please describe: \_\_\_\_\_

Will any existing buildings remain? YES NO

No. of Residential Units: \_\_\_\_\_ No. of Building Lots: \_\_\_\_\_

No. of Common Lots: \_\_\_\_\_ No. of Other Lots: \_\_\_\_\_

Type of dwelling(s) proposed (check all that apply):

- Single-Family  Townhomes  Duplexes  Multi-Family  
 Other: \_\_\_\_\_

Minimum square footage of structure(s): \_\_\_\_\_

Gross Density (Dwelling Units ÷ Total Acreage): \_\_\_\_\_

Net Density (Dwelling Units ÷ Total Acreage not including Roads): \_\_\_\_\_

Percentage of Open Space provided: \_\_\_\_\_ Acreage of Open Space: \_\_\_\_\_

Type of Open Space provided (i.e. public, common, landscaping): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Non-Residential Project Summary (If Applicable)**

Number of building lots: 1 Other lots: \_\_\_\_\_

Gross floor area square footage: \_\_\_\_\_ Existing (if applicable): \_\_\_\_\_

Building height: \_\_\_\_\_ Hours of Operation: \_\_\_\_\_

Total No. of Employees: \_\_\_\_\_ Max No. of Employees at one time: \_\_\_\_\_

~~No. of and ages of students: \_\_\_\_\_ Seating capacity: \_\_\_\_\_~~

**Proposed Parking**

ADA accessible spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

Regular parking spaces: \_\_\_\_\_ Dimensions: \_\_\_\_\_

Width of driveway aisle: \_\_\_\_\_

Proposed lighting: \_\_\_\_\_

Is lighting "Dark Sky" compliant?

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant Signature: Chris Engels Date: 9/30/2022  
*By signing, you are confirming you have provided all required items listed on this application.*

**Upon completion of this form, please email to [pzapplications@kunaaid.gov](mailto:pzapplications@kunaaid.gov). A link will be provided to you for application attachments to be uploaded to the cloud.**



# DESIGN REVIEW APPLICATION



PO Box 13 | 751 W 4<sup>th</sup> Street | Kuna, ID 83634  
(208) 922-5274 | [www.KunaCity.ID.gov](http://www.KunaCity.ID.gov)

**\*\*Office Use Only\*\***

Case No(s): 22-35-DR

Project Name: Kuna Police Station

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by Staff

Date Received: 10/03/2022

Date Accepted as Complete: 10/04/2022

The City of Kuna has adopted a Design Review Overlay District whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in Kuna City Code 5-4. The Design Overlay District includes all of Kuna City Limits.

Design Review includes, but is not limited to:

- Commercial
- Institutional
- Multifamily Residential
- Proposed Conversions
- Exterior Remodel//Restoration
- Industrial
- Office
- Common Areas/Landscaping
- Proposed Changes in Land and/or building use
- Enlargement or Expansion of existing buildings or sites

**Application shall contain one (1) copy of the following (digital documents preferred):**

- Complete Planning & Zoning Application Coversheet
- Complete Design Review Application (*It is the Applicant's responsibility to use the most current application.*)
- Detailed narrative or justification for the application, describing the project, design elements and how the project complies with Design Review standards.
- Vicinity Map: 8.5" x 11" at 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- Aerial Map: 8.5" x 11" color photo depicting proposed site, street names, and surrounding area within 500'.
- Recorded Warranty Deed
- Affidavit of Legal Interest if the individual submitting the application is not the property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.*)
- Elevations for each structure & color rendering with material sample(s) specifically noting where each color and material is to be located on the structure. (*PDF or photo of materials acceptable.*)
- Site, Lighting, Landscape & Drainage Plans
- Construction Drawings/Civil Plans

### Detailed Site Plan Requirements

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Property Lines
- Existing structures – Identify those which are relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention/detention
- Location of public restrooms, if applicable
- Existing and/or proposed utility services; any above ground utility structures and provide their location
- Location and width of easements, canals and drainage ditches
- Location and dimensions of off-street parking
- Location and size of any loading areas, docks, ramps and vehicle storage or service areas
- Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
- Sign locations (*A separate Sign Application must be submitted; this is a Staff level review.*)
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of all Open Spaces (*if applicable*)
- Location, types and sizes of sound and visual buffers (*all buffers must be located outside the public rights-of-way.*)
- Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
- Location and designation of subdivision lines (*if applicable*), property lines, and rights-of-way
- Location of walls and fences; provide their height and material of construction
- Roofline and foundation plan of building and location onsite

### Landscape Plan

The Landscape Plan need to be drawn by the Project Architect, Professional Landscape Architect, Landscape Designer, or qualified Nurseryman for developments possessing more than twelve thousand (12,000) square feet of private land. The Landscape Plan must be colored and drawn to a scale no smaller than 1" = 30', unless otherwise approved. The Planning & Zoning Director may require the preparation of a landscape plan for smaller developments by one of the noted individuals, if the lot(s) have unique attributes. (*See Kuna City Code 5-17 Landscaping Requirements*)

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Boundaries, property lines and dimensions
- Location and design of areas to be landscaped
- Location and labels for all proposed plants
- Existing vegetation identified by species & sizes, and if they are proposed to be relocated or removed (*Retention of existing trees required, see Kuna City Code 5-17-4*)
- Plant lists or schedules with the botanical common name, quantity, and spacing as well as the size of all proposed landscape materials at time of planting
- Location of automatic, underground irrigation systems (*See Kuna City Code 5-17-11*)
- Clearly identify pressurized irrigation lines and underground water storage
- Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fencings, fountains, street/pathway furniture, etc.

- Sign locations (a separate sign application must be submitted)
- Locations of open spaces (*if applicable*)
- Parking areas
- Location and designations of all sidewalks
- Engineered Grading and Drainage Plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved Design Review application, a detailed site grading and drainage plan prepared by a registered professional engineer (PE), shall be submitted to the City for review and approval by the City Engineer.

**Building Elevations**

- Detailed elevation plans, in color, of each side of any proposed building(s) or addition(s). Label associated elevations with North, South, East, West
- Color renderings of all proposed building materials and indication where each material and color application are to be located, in PDF or JPEG format.
- Screening of mechanical equipment
- Provide a cross-section of the building showing any rooftop mechanical units and their roof placement
- Detailed trash enclosure elevation plans showing the materials to be used in construction

**Lighting Plan**

- Exterior lighting, including detailed cut sheets and photometric plan (*pedestrian, vehicle, security, decoration, etc.*)
- Types and wattage of all light fixtures. (*NOTE: Lighting fixtures shall comply with "Dark Sky" policies.*)
- Placement of all light fixtures shown on elevations and landscaping plans

**Owner Information**

Name: City of Kuna  
 Address: 751 W 4th Street, Kuna ID, 83634  
 Phone: 208-922-5546 Email: cityclerk@kunaid.gov

**Applicant Information**

Name: Chris Engels - City Clerk  
 Address: 751 W 4th Street, Kuna ID, 83634  
 Phone: 208-922-5546 Email: cityclerk@kunaid.gov

**Engineer/Representative**

Name: Jacob Eller-Senior Drafter for ADP Architects, PA  
 Address: 1831 W. Overland Rd.  
 Phone: 208-391-9684 Email: jake@adpboise.com



**Exterior Building Materials and Colors**

	Material	Color
<b>Roof:</b>	30 YEAR ARCHITECTURAL SHINGLE	TO MATCH EXISTING CITY HALL
<b>Walls: (include percentage of wall coverage of each material)</b>	Total building wall= 2,796 sqft Total shop wall =1,610 sqft	TO MATCH EXISTING CITY HALL
<b>% of Wood Application:</b>	Building=.01% of 2,796 / Shop = 0%	STAIN TO MATCH EXISTING CITY HALL
<b>% EIFS: (Exterior Insulation Finish System)</b>	NA	
<b>% Masonry:</b>	Building=10% of 2,796 sqft / Shop = 0%	TO MATCH EXISTING LARGE STONE WAINSCOT
<b>% Face Block:</b>	NA	
<b>% Stucco:</b>	Building=76% of 2,796 sqft / Shop = 0%	TO MATCH EXISTING CITY HALL STUCCO
<b>Other:</b>		
<b>Windows/Doors:</b>	Building=13.6% or 381 sf / Shop = 0% or 221sf	TO MATCH EXISTING CITY HALL
<b>Soffits and Fascia:</b>	Building=702 sf (soffit) 364 lineal ft. (fascia)	TO MATCH EXISTING CITY HALL
<b>Trim, etc.:</b>	Building= 119 lineal ft. 4" (trim)	TO MATCH EXISTING CITY HALL

**Mechanical Units**

Please identify mechanical unit(s) size and placement: \_\_\_\_\_

Proposed screening method? \_\_\_\_\_

**Trash Enclosures**

Please identify trash enclosure location, size, and construction materials: Existing CMU enclosure

**Irrigation Ditches/Canals**

Are there any irrigation ditches/canals on or adjacent to the property? YES  NO

If Yes, what is the name of the irrigation/drainage provider? \_\_\_\_\_

What is the proposed method of on-site drainage retention/detention? \_\_\_\_\_

**Fencing**

Is there any existing fencing that will remain?

If Yes, what is the fencing material, size and location? \_\_\_\_\_

What is the fencing material for all new fencing? 6' chainlink security fence

*The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must be acquired prior to installation of any fencing; a permit cannot be acquired until Design Review application Approval/Conditional Approval/Denial.*

### Building Coverage

% of site devoted to building coverage?	35%	
% of site devoted to landscaping? (Include landscaped rights-of-way)	36%	Square Footage: 7,967 sf
% of site that is hard surface? (paving, driveways, walkways)	37%	Square Footage: 8,152 sf
% of site devoted to other uses:		Describe:

### Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: 3,828 sf  
104'x 28' (north of boundary) 8'x158' (west of boundary)

Are there any existing trees of 4" or greater in caliper on the property?  YES  NO  
If Yes, what type, size and general location? (Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)

### Dock Loading Facilities

Will there be any dock loading facilities? YES  NO  (If Yes, please continue; if No, please skip this section.)

No. of dock loading facilities and their location: \_\_\_\_\_

What is the proposed method of screening? \_\_\_\_\_

### Pedestrian Amenities

Are there any proposed pedestrian amenities? (i.e. bike racks, trash receptacles, drinking fountains, benches, etc.) YES  NO

If Yes, please indicate type, number of each type: \_\_\_\_\_

### Parking

Total number of parking spaces? 18 Dimensions? 9'x20'

Total number of ADA accessible spaces? 2 Dimensions? 9'x20'

Total number of compact spaces (8' x 17')? 0

**Miscellaneous**

Will you be proposing setbacks different than those found in KCC 5-3-3? YES **NO**

If YES, please provide setbacks below, in feet:

Front: \_\_\_\_\_ Rear: \_\_\_\_\_ Side: \_\_\_\_\_ Side: \_\_\_\_\_

Is any portion of the property subject to flooding conditions? YES NO

*The Ada County Highway District (ACHD) may also conduct a public meeting regarding this application. If you have questions about the meeting date, the traffic that this development may generate or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6170. In order to expedite your request, please have ready the file number indicated.*

Applicant Signature: Chris Engels Date: 10/03/2022

**Additional Information**

Please indicate/explain/provide any additional information deemed relevant to this application:

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# City of Kuna

P.O. BOX 13  
KUNA ID 83634  
(208)922-5546  
[www.KunaCity.id.gov](http://www.KunaCity.id.gov)

**Mayor**  
Joe Stear

**City Council**  
**Members**  
Chris Bruce  
John Laraway  
Greg McPherson

September 30, 2022

Doug Hanson  
Planning & Zoning Director  
751 W 4<sup>th</sup> Street  
Kuna, ID 83634

**Re: Kuna Police Station Design Review Application**

Project Information:  
793 W 4<sup>th</sup> Street  
Kuna, ID 83634  
APN: R5070001633  
Zoning: CBD

The Kuna Police Department proposes a new police station location on the SEC of the School Avenue and W 4<sup>th</sup> Street intersection at 793 W 4<sup>th</sup> Street. Design Review approval is requested for the police station, shop, parking and associated landscaping.

Thank you for your time and consideration,

Chris Engels  
Kuna City Clerk  
751 W 4<sup>th</sup> Street  
Kuna, ID 83634



AFTER RECORDING MAIL TO:

City of Kuna  
P.O. Box 13  
Kuna, ID 83634

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## WARRANTY DEED

File No.: 4103-3912443 (cc)

Date: **March 15, 2022**

For Value Received, **Elizabeth Ann Nelson, Personal Representative of the Estate of Willard Gregory Nelson, deceased, Case No. CV01-21-06982**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **City of Kuna, Inc., an Idaho corporation**, hereinafter referred to as Grantee, whose current address is **P.O. Box 13, Kuna, ID 83634**, the following described premises, situated in **Ada County, Idaho**, to wit:

**LEGAL DESCRIPTION:** Real property in the County of Ada, State of Idaho, described as follows:

**PARCEL A**

**Lots 4, 5 and 6 in Block 17 of THE AMENDED PLAT OF THE TOWNSITE OF KUNA, according to the Plat thereof, filed in Book 4 of Plats at Page 187, records of Ada County, Idaho.**

**PARCEL B**

**All of that certain tract of land shown as Rose Park on the plat of the Amended plat of THE TOWNSITE OF KUNA, filed in Book 4 of Plats at Page 187, records of Ada County, Idaho.**

APN: **R5070001633**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



# Aerial Map



School

Syrup

4th

**Legend**

-  Subject Site
-  Parcels
-  Roads
-  Railroad
-  Waterways

# Vicinity Map



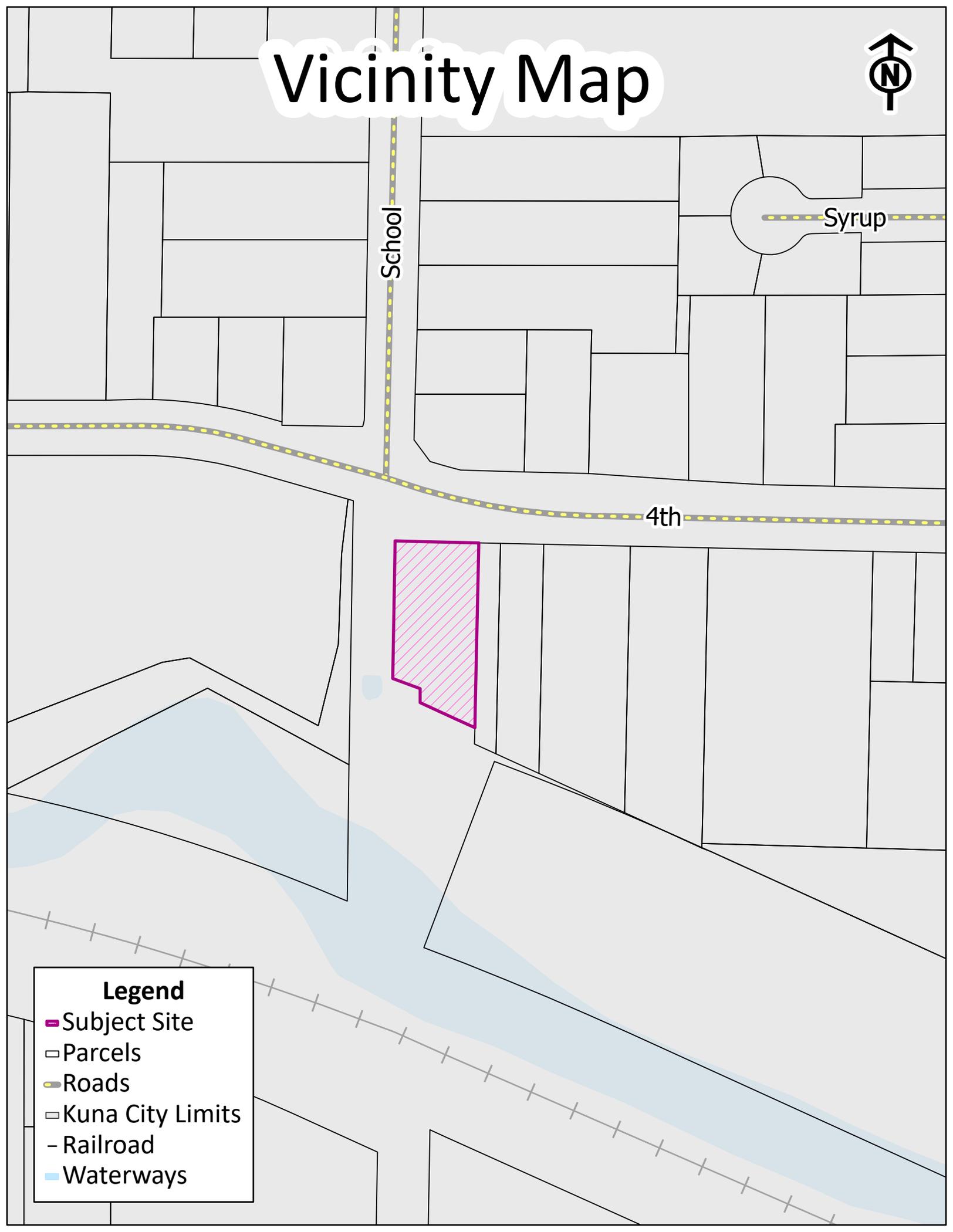
School

Syrup

4th



- Legend**
- Subject Site
  - Parcels
  - Roads
  - Kuna City Limits
  - Railroad
  - Waterways













NO.	REVISIONS	DATE



**ADP ARCHITECTS**  
ARCHITECTURE & REAL ESTATE PLANNING  
GLENN WALKER, AIA  
1891 N. WILLOWOOD ST.  
BOISE, IDAHO 83713  
OFFICE: 208-353-0734  
gwalker@adpboise.com

PROJECT NAME:  
KUNA CITY  
KUNA POLICE STATION  
793 W 4TH ST. KUNA, ID 83634  
**LANDSCAPE PLAN**

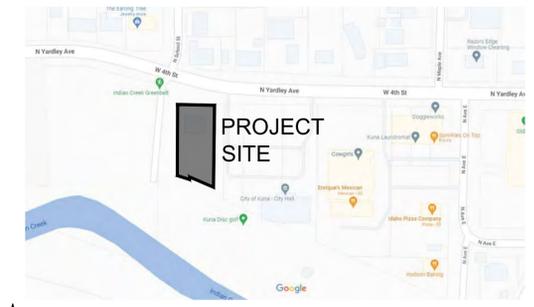
JOB NO: --  
DATE: 09/26/22  
DRAWN BY: JAG

SHEET NUMBER:  
**L-1.1**

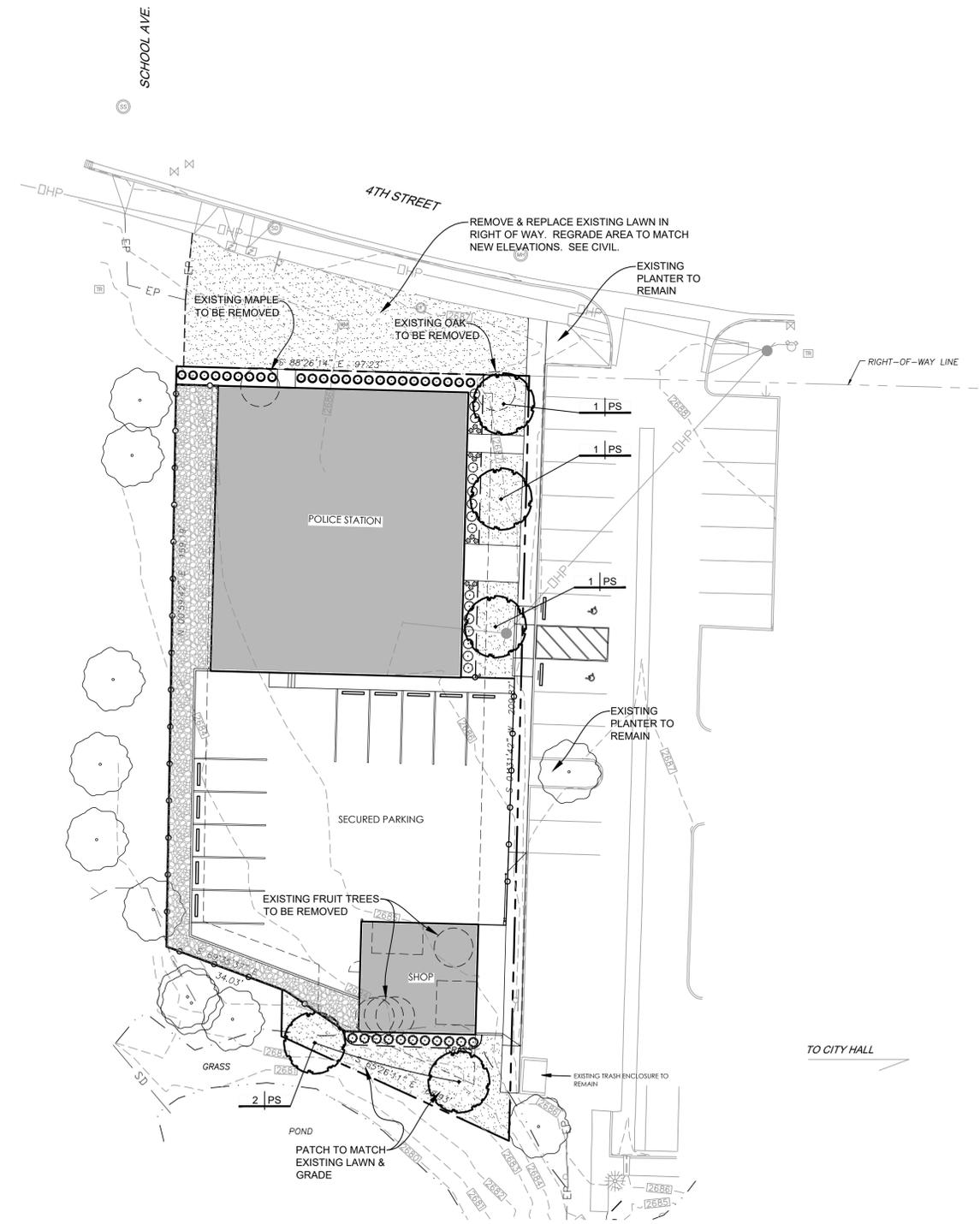
2002 S. Vista Ave  
Boise, ID 83705  
PH: 208.342.2999  
info@sbgao.com  
www.sbgao.com

**SOUTH BECK & BAIRD**

South Landscape Architecture P.C.  
Dba South Beck & Baird Landscape Architecture P.C.



**VICINITY MAP**  
SCALE: NTS



**LANDSCAPE LEGEND**

- - - CUT EDGE, SEE DETAIL 4/L2.0
- ○ ○ ○ ○ 6" CHAINLINK SECURITY FENCE
- - - PROPERTY LINE (VERIFY)
- 10|JB QUANTITY PLANT IDENTIFICATION KEY
- [Pattern] RTF TURF TYPE TALL FESCUE SOD OVER APPROVED TOPSOIL AS SPECIFIED
- [Pattern] 1" WASHED ROCK MULCH
- ○ ○ ○ ○ EXISTING TREE TO REMAIN

**PLANT SCHEDULE**

NOTE: All trees to be grade #1 (Shown at 80% Maturity)

KEY	BOTANICAL NAME COMMON NAME	PLANTING SIZE	MATURE SIZE	CLASS
<b>DECIDUOUS TREES</b> SEE DETAIL 1/L2.0				
PS	Prunus sargentii 'Columnaris' Columnar Sargent Cherry	2" B&B	30' hgt. 15' w	CLASS I
<b>GROUND COVERS/ GRASSES/ PERENNIALS</b> SEE DETAIL 3/L2.0				
○	Hemerocallis x 'Stella De Oro' Stella De Oro Daylily	1 Gal.	18" hgt. x 2' wide	
○	Pennisetum alopecuroides 'Hameln' Hameln Dwarf Fountain Grass	1 Gal.	3' hgt. x 3' wide	
<b>SHRUBS</b> SEE DETAIL 2/L2.0				
○	Buxus microphylla japonica 'Winter Gem' Winter Gem Boxwood	5 Gal.	4' hgt. x 4' wide	
○	Pinus strobus 'Blue Shag' Blue Shag Eastern White Pine	5 Gal.	3' hgt. x 4' wide	
○	Physocarpus opulifoliosus 'Seaward' Summer Wine Ninebark	5 Gal.	4' hgt. x 4' wide	
○	Rosa x 'Meigalpio' Red Drift Groundcover Rose	2 Gal.	2' hgt. x 3' wide	

**GENERAL NOTES**

- CONTRACTOR TO VERIFY THE LOCATIONS OF ALL UTILITIES WITH OWNER AND UTILITY COMPANIES PRIOR TO CONSTRUCTION. TO DETERMINE IN THE FIELD ACTUAL LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES, WHETHER SHOWN ON THE PLANS OR NOT. THE CONTRACTOR SHALL CALL UTILITY PROTECTION SERVICE 72 HOURS PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
- CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONSISTENCIES WITH PLANS TO OWNER'S REPRESENTATIVE PRIOR TO BEGINNING OF CONSTRUCTION.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LANDSCAPE BEDS AND ALL LAWN AREAS.
- CONTRACTOR TO FINE GRADE AND ROCK HOUND ALL PLANTING AREAS PRIOR TO PLANTING, TO PROVIDE A SMOOTH AND CONTINUOUS SURFACE, FREE OF IRREGULARITIES (BUMPS OR DEPRESSIONS) AND EXTRANEIOUS MATERIAL OR DEBRIS.
- COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND SPRINKLER AND DRAINAGE SYSTEMS.
- CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FOR ALL PLANT MATERIAL SUBSTITUTIONS FROM OWNER'S REPRESENTATIVE PRIOR TO ORDERING OR INSTALLATION. FAILURE TO COMPLY WILL REQUIRE THE REMOVAL OF MATERIALS AT NO COST TO THE OWNER AND REPLACED WITH APPROVED MATERIALS.
- CONTRACTOR SHALL BE RESPONSIBLE TO IMPLEMENT BEST MANAGEMENT PRACTICES TO STABILIZE ALL SLOPES 3:1 OR GREATER AND PREVENT EROSION OR MOVEMENT OF SOIL FROM SLOPES.
- ALL ROCK MATERIALS TO BE OBTAINED FROM LOCAL SOURCE OR APPROVED EQUAL.

OWNER  
CITY OF KUNA  
751 W. 4TH ST.  
KUNA, ID 83634

ARCHITECT  
GLENN WALKER  
ADP ARCHITECTS, PA  
1831 E. OVERLAND RD.  
MERIDIAN, ID 83642  
208-353-0734

ENGINEER  
LANCE WARNICK, P.E.  
ASPEN ENGINEERS  
1619 N. LINDER RD., SUITE 110  
KUNA, ID 83634  
208-466-8181

LANDSCAPE ARCHITECT  
JOHN ROTERS  
SOUTH BECK & BAIRD  
2002 S VISTA AVE  
BOISE, ID 83705  
208-342-2999

**LANDSCAPE SET SHEET INDEX**

SEE SHEETS:  
L1.1 FOR DETAILED LANDSCAPE PLAN  
L2.0 FOR LANDSCAPE NOTES AND DETAILS

**DISCLAIMER:**

THIS DRAWING HAS BEEN PREPARED BASED UPON INFORMATION PROVIDED, IN PART BY OTHERS. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, SOUTH BECK AND BAIRD, P.C. CANNOT ASSURE ITS ACCURACY AND THIS IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS DRAWING OR FOR ANY ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATE INTO IT AS A RESULT. SOUTH BECK AND BAIRD, P.C. ASSUMES NO LIABILITY FOR ANY MISINFORMATION.

# LANDSCAPE SPECIFICATIONS

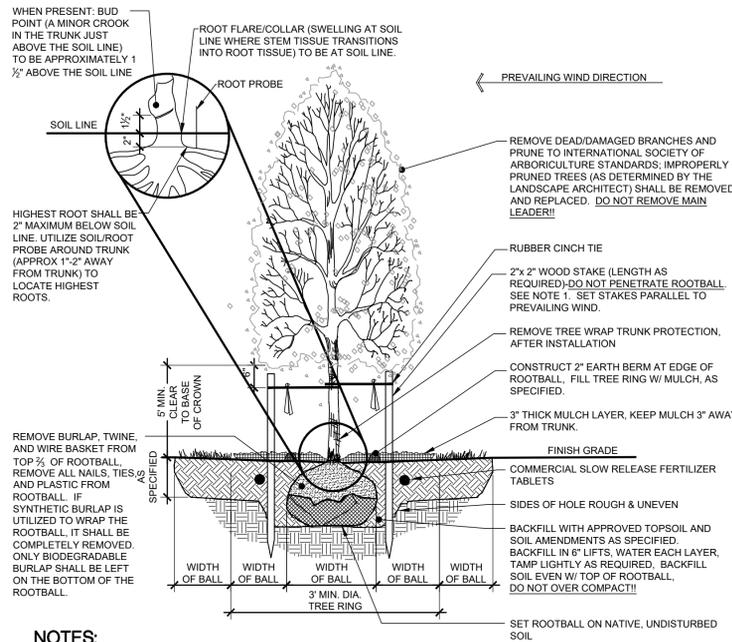
- SEE CIVIL ENGINEERING PLANS FOR ALL SITE CLEARING AND ROUGH GRADE WORK. FINISH GRADE 1" OF DESIGN GRADE. COORDINATE ALL LANDSCAPE WORK WITH CIVIL DRAWINGS. SEE ARCHITECTURAL SITE PLAN FOR ALL SITE ELEMENTS NOT SHOWN ON LANDSCAPE PLAN.
- COORDINATE ALL WORK WITH ALL OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START-UP.
- CONTRACTOR SHALL REPORT TO OWNER'S REPRESENTATIVE ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK PRIOR TO BEGINNING WORK. COORDINATE WORK SCHEDULE AND OBSERVATIONS PRIOR TO CONSTRUCTION STARTUP.
- BEFORE PROCEEDING WITH WORK, CHECK AND VERIFY DIMENSIONS AND QUANTITIES. REPORT VARIATIONS BETWEEN DRAWINGS AND SITE TO OWNER'S REPRESENTATIVE BEFORE PROCEEDING WITH WORK.
- ALL PLANT MATERIAL SHALL CONFORM TO ANSI Z60.1 - "AMERICAN STANDARD FOR NURSERY STOCK". ACCEPTANCE OF PLANT MATERIAL SHALL BE SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE. PLANT MATERIAL SHALL BE PROVIDED BY LICENSED NURSERY OR WHOLESALE GROWER, NO BARE ROOT STOCK ALLOWED. SEE DETAILS FOR FURTHER PLANTING REQUIREMENTS.
- NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE LANDSCAPE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CAN NOT BE OBTAINED.
- IN THE EVENT OF A PLANT COUNT DISCREPANCY, PLANT SYMBOLS SHALL OVERRIDE SCHEDULE QUANTITIES AND CALL OUT SYMBOL NUMBERS.
- FINISH GRADES SHALL PROVIDE A SMOOTH TRANSITION WITH ADJACENT SURFACES AND ENSURE POSITIVE DRAINAGE IN ACCORDANCE WITH THE SITE GRADING PLAN.
- PLANT ALL TREES AND SHRUBS PER DETAILS. USE APPROVED PLANTING SOIL AS SPECIFIED IN PLANTING SOIL NOTES OR APPROVED EQUAL. USE WHEN BACK FILLING TREE AND SHRUB PITS.
- WATER PLANTS THOROUGHLY AFTER PLANTING.
- REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND TYPE AT NO COST TO OWNER. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL FOR ONE YEAR AFTER SUBSTANTIAL COMPLETION HAS BEEN CERTIFIED BY OWNER'S REPRESENTATIVE. PLANTS NOT IN A HEALTHY GROWING CONDITION AFTER ONE (1) YEAR SHALL BE REPLACED AT NO COST TO OWNER EXCEPT FOR LOSS DUE TO CONDITIONS BEYOND THE CONTROL OF THE CONTRACTOR. INSPECTION AND ACCEPTANCE TO BE DONE BY OWNER'S REPRESENTATIVE.
- LIMIT SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- NEWLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- SPREAD PLANTING SOIL TO A COMPACTED DEPTH OF 12 INCHES IN TURF AREAS AND 18 INCHES AT SHRUB BED AREAS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT ROLLING AND NATURAL SETTLEMENT. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
- SPREAD PLANTING SOIL OVER LOOSENED SUBGRADE.
- REDUCE ELEVATION OF PLANTING SOIL TO ALLOW FOR SOIL THICKNESS OF SOD OR SEED.
- UNCHANGED SUBGRADES: IF TURF OR SHRUBS ARE TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY EXCAVATING, GRADING, OR SURFACE-SOIL STRIPPING OPERATIONS, PREPARE SURFACE SOIL AS FOLLOWS:
  - REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE SOIL.
  - LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. PROVIDE WEED ABATEMENT PROCEDURE. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING PLANTING SOIL NOTES AND MIX THOROUGHLY INTO TOP 6 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE.
  - LEGALLY DISPOSE OF WASTE MATERIAL, INCLUDING GRASS, VEGETATION, AND TURF, OFF OWNER'S PROPERTY.
- FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORMLY FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIMIT FINISH GRADING TO AREAS THAT CAN BE PLANTED IN THE IMMEDIATE FUTURE. SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE 3" BELOW ADJACENT SURFACES OF PLANTER BED AREAS, 1-1/2" BELOW ADJACENT SURFACES OF TURF SOD AREAS, AND 1" BELOW ADJACENT SURFACES OF TURF SEED AREAS.
- MOISTEN PREPARED AREA BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE MUDDY SOIL.
- BEFORE PLANTING, OBTAIN LANDSCAPE ARCHITECT'S ACCEPTANCE OF FINISH GRADING; RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.
- DO NOT SOW IMMEDIATELY FOLLOWING RAIN, OR WHEN GROUND IS TOO DRY. TEMPERATURE SHALL BE BETWEEN 55 F AND 95 F FOR A 24 HOUR PERIOD. WIND SHALL BE LESS THAN 5 MPH.
- MAINTAIN ALL LANDSCAPING FOR 30 DAYS AFTER COMPLETION OF LANDSCAPING OR UNTIL SUBSTANTIAL COMPLETION, WHICHEVER IS LATER. THIS WILL INCLUDE WATERING, MOWING, AND REPLACING LAWN THAT IS NOT IN A HEALTHY GROWING STATE.
- BEGIN PLANTING ONLY AFTER INSTALLATION AND ACCEPTANCE OF THE AUTOMATIC UNDERGROUND SPRINKLER SYSTEM AND ACCEPTANCE OF FINISH GRADING BY OWNER'S REPRESENTATIVE.
- THE FOLLOWING LANDSCAPE INSPECTIONS SHALL BE MADE BY THE OWNER'S REPRESENTATIVE AFTER AT LEAST 48 HOURS NOTICE HAS BEEN GIVEN BY THE CONTRACTOR:
  - AFTER GRADING HAS BEEN COMPLETED AND BEFORE IRRIGATION HAS BEEN INSTALLED.
  - AFTER INSTALLING THE IRRIGATION MAINLINE.
  - AFTER IRRIGATION HAS BEEN COMPLETED AND BEFORE PLANTING HAS BEEN INSTALLED.
  - AFTER COMPLETION OF THE INSTALLATION OF ALL PLANT MATERIALS.
  - AFTER ALL WORK HAS BEEN COMPLETED (SUBSTANTIAL COMPLETION).
- ALL PLANTING BED AREAS SHALL BE COVERED IN A MINIMUM OF 3" DEPTH OF 1" MINUS CRUSHED AND WASHED BLACK AND TAN BASALT LANDSCAPE MULCH OVER DEWITT PRO 5 WEED FABRIC. INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SUBMIT SAMPLE OF MULCH MATERIAL FOR APPROVAL BY OWNER'S REPRESENTATIVE.
- AGRIFORM TABLETS(20-10-5) ARE TO BE ADDED TO THE PLANTED MATERIALS IN THE FOLLOWING QUANTITIES: 1 PER 1 GALLON SHRUB, 2 PER 2 OR 3 GALLON SHRUB, 3 PER 5 GALLON SHRUB, AND 6 PER TREE. DISTRIBUTE EQUALLY IN ROOT ZONE OF EACH PLANT.
- AFTER PLANTING, APPLY PRE-EMERGENT(ELANCO, XL, RONSTAR, SURFLAN, OR APPROVED EQUAL) PRIOR TO APPLICATION OF MULCH.
- UPON COMPLETION OF PLANTING OPERATION, CLEAR SITE OF DEBRIS, SUPERFLUOUS MATERIALS AND EQUIPMENT, ALL OF WHICH SHALL BE REMOVED FROM PREMISES. IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OR IRRIGATION ACTIVITIES AND PROPERLY DISPOSE OF OFF SITE.
- PROVIDE WRITTEN INSTRUCTIONS ON MAINTENANCE REQUIREMENTS TO OWNER.
- MAINTAIN TREES BY PRUNING, CULTIVATION AND WEEDING AS REQUIRED FOR HEALTHY GROWTH. TIGHTEN AND REPAIR STAKE AND GUY SUPPORTS AND RESET TREES TO PROPER GRADES OR VERTICAL POSITIONS AS REQUIRED. SPRAY AS REQUIRED TO KEEP TREES FREE OF INSECTS AND DISEASE.
- ALL PLANTING AREAS TO BE SEPARATED FROM ALL LAWN AREAS WITH APPROVED LANDSCAPE EDGING PER PLANS - SEE DETAIL.
- ALL TREES TO BE LOCATED A MINIMUM OF 5 FEET OR GREATER FROM THE BACK OF ANY SIDEWALK.
- IN THE EVENT OF A DISCREPANCY, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.

# PLANTING SOIL NOTES

- TOPSOIL REQUIREMENTS: ASTM D 5268, PH RANGE OF 5.5 TO 7, FOUR PERCENT ORGANIC MATERIAL MINIMUM, FREE OF STONES 1/2 INCH OR LARGER IN ANY DIMENSION, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH. TOPSOIL SOURCE: REUSE EXISTING TOPSOIL STOCKPILED ON THE SITE, SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. VERIFY SUITABILITY AND CONDITION OF TOPSOIL AS A GROWING MEDIUM.
- STRIP EXISTING TOPSOIL FROM ALL AREAS OF THE SITE TO BE DISTURBED. TOPSOIL SHALL BE FERTILE, FRIABLE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, ORGANIC MATTER LARGER THAN 1/2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SCREENED TO ACHIEVE THIS REQUIREMENT.
- REPRESENTATIVE SAMPLES OF PLANTING SOILS SHALL BE TESTED FOR ACIDITY, FERTILITY, ORGANIC MATTER AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY. SUBMIT TOPSOIL ANALYSIS TEST RESULTS FROM TESTING LABORATORY WITH RECOMMENDATIONS FOR IT TO MEET REQUIREMENTS TO THE LANDSCAPE ARCHITECT'S REPRESENTATIVE BY THE CONTRACTOR. ALL TOPSOIL SHALL BE AMENDED TO ACHIEVE SPECIFIED PH AND ORGANIC REQUIREMENTS. RE-TEST TOPSOIL PRIOR TO FINAL COMPLETION TO ENSURE REQUIREMENTS HAVE BEEN MET.
- AT A MINIMUM, PREPARE SOIL IN ALL AREAS BY SPREADING A 15-15-15 FERTILIZER AT 7.5 POUNDS PER 1000 SQUARE FEET OF SURFACE AREA AND AN MANURE COMPOST (OR APPROVED EQUAL) AT 3 CUBIC YARDS PER 1000 SQUARE FEET OF SURFACE AREA OVER FINISH GRADE AND ROTO-TILL INTO TOP 8" OF SOIL. FOLLOW ALL IMPROVEMENT RECOMMENDATIONS OF SOIL TEST RESULTS. TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS OR OTHER FOREIGN MATERIAL AND A HAVE A PH OF 5.5 TO 7.0. IF ONSITE TOPSOIL DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTOR IS RESPONSIBLE TO EITHER:
  - PROVIDE APPROVED IMPORTED TOPSOIL, OR
  - IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY THE LANDSCAPE ARCHITECT.
- IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, ENSURE IT IS FERTILE, FRIABLE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
  - OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THOSE FOUND ON THE PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS AT A DEPTH OF NOT LESS THAN 4 INCHES.
  - REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY, TOXICITY, ORGANIC MATTER, AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE OWNER'S REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE - PH. 5.5 TO 7.6.
- NO TOPSOIL SHALL BE PLACED WHILE IN A FROZEN OR MUDDY CONDITION.
- PLACE TOPSOIL IN AREAS WHERE REQUIRED TO OBTAIN THICKNESS AS SCHEDULED. PLACE TOPSOIL DURING DRY WEATHER. PROVIDE ADDITIONAL IMPORTED TOPSOIL REQUIRED TO BRING SURFACE TO PROPOSED FINISH GRADE, AS REQUIRED.
- IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
- TOPSOIL STOCKPILE LOCATIONS TO BE COVERED COORDINATE WITH EROSION AND SEDIMENT CONTROL PLAN.
- ALL GRAVEL, SUBBASE, AND OTHER IMPORTED FILL MATERIALS OTHER THAN TOPSOIL SHALL ONLY BE STOCKPILED IN PROPOSED IMPERVIOUS AREAS. NO GRAVEL OR ROCK MATERIALS SHALL BE STOCKPILED OR TEMPORARILY PLACED IN PROPOSED LANDSCAPE AREAS TO PREVENT LANDSCAPE AREAS FROM BEING CONTAMINATED WITH ROCK MATERIALS. CONTRACTOR SHALL SUBMIT A DETAILED STOCKPILE PLAN TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO ANY EARTHWORK OPERATIONS.

# IRRIGATION NOTES:

- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
- PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEM OR POP-UP SPRAY SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/ TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
  - PRECISE INDIVIDUAL STATION TIMING
  - RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
  - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
  - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
  - POWER FAILURE BACKUP FOR ALL PROGRAMED INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
- SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS)
- PROVIDE MINIMUM (1) QUICK COUPLER VALVE PER EACH (6) AUTOMATIC VALVE ZONES. APPROVE Q.C.V. LOCATIONS WITH LANDSCAPE ARCHITECT.
- POINT OF CONNECTION TO BE APPROVED BY JURISDICTION PROVIDING WATER SOURCE.

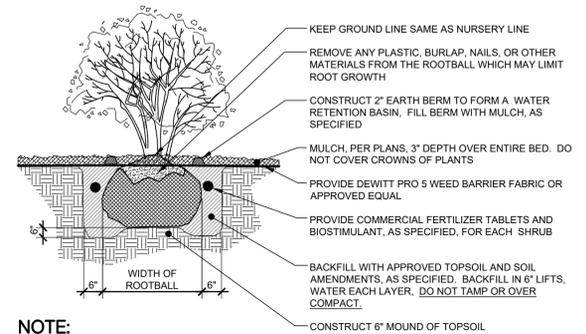


### NOTES:

- THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR LENGTH OF WARRANTY PERIOD OR 1 YEAR AFTER SUBSTANTIAL COMPLETION WHICHEVER IS GREATER. ALL STAKING SHALL BE REMOVED AT THE END OF THE WARRANTY PERIOD.
- IN THE EVENT OF A QUESTION OR LACK OF CLARITY IN THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
- WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
- WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
- IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. FOR TREES LOCATED WITHIN ROADSIDE PLANTERS LESS THAN 6'-0" IN WIDTH, PROVIDE TREE ROOT BARRIER (DEEPROOT #24-2 OR APPROVED EQUAL). LOCATE ROOT BARRIER AT BACK OF CURB AND EDGE OF SIDEWALK. EXTEND ROOT BARRIER TO 80% OF MATURE TREE CANOPY. ALL TREE INSTALLATIONS SHALL CONFORM TO ALL AGENCY APPROVAL REQUIREMENTS. CONTRACTOR SHALL VERIFY PRIOR TO ANY INSTALLATIONS.

## 1 DECIDUOUS TREE PLANTING

NOT TO SCALE

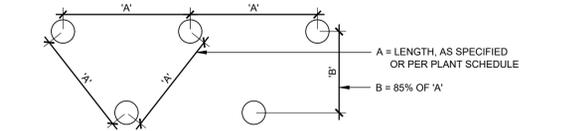


### NOTE:

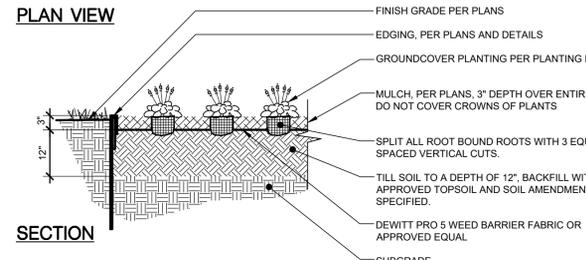
- WATER SHRUB TWICE WITHIN FIRST 24 HOURS.
- APPLY SPECIFIED PRE-EMERGENT PER MANUFACTURER'S RECOMMENDATIONS TO ALL GROUNDCOVER BEDS.

## 2 SHRUB PLANTING

NOT TO SCALE



### PLAN VIEW



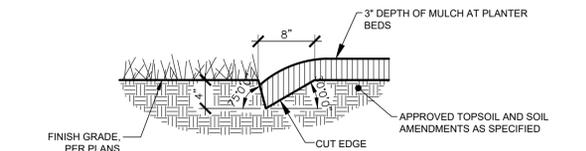
### SECTION

### NOTES:

- ALL GROUNDCOVER PLANTS TO BE PLANTED ON CENTER AND IN A TRIANGULAR PATTERN.
- APPLY SPECIFIED PRE-EMERGENT PER MANUFACTURER'S RECOMMENDATIONS TO ALL GROUNDCOVER BEDS.

## 3 PERENNIAL & GROUNDCOVER PLANTING

NOT TO SCALE



## 4 PLANTER BED CUT EDGE

(TYPICAL AT TREES IN TURF AREAS)

NOT TO SCALE

2002 S. Vista Ave  
Boise, ID 83705  
PH: 208.342.2999  
info@sbgco.com  
www.sbgco.com

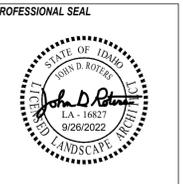
**SOUTH BECK & BAIRD**  
ARCHITECTS



Know what's below. Call before you dig. CALL A BUSINESS BEFORE YOU DIG. GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES



NO.	REVISIONS	DATE



**ADP ARCHITECTS**  
ARCHITECTURE & REAL ESTATE PLANNING  
GLENN WALKER, AIA  
1891 N. WILDWOOD ST.  
BOISE, IDAHO 83713  
OFFICE: 208-353-0734  
gwalker@adp.photose.com

PROJECT NAME:  
KUNA CITY  
KUNA POLICE STATION  
793 W 4TH ST. KUNA, ID 83634

JOB NO: --  
DATE: 09/26/22  
DRAWN BY: JAG

SHEET NUMBER:  
L-2.0

LANDSCAPE PLAN



**KUNA  
POLICE  
DEPARTMENT**



**KUMA  
POLICE  
DEPARTMENT**

**KUMA  
POLICE  
DEPARTMENT**

**ALOK COUNTY  
SHERIFF**



**KUNA  
POLICE  
DEPARTMENT**

**ADA COUNTY  
SHERIFF**



**KUNA  
POLICE  
DEPARTMENT**

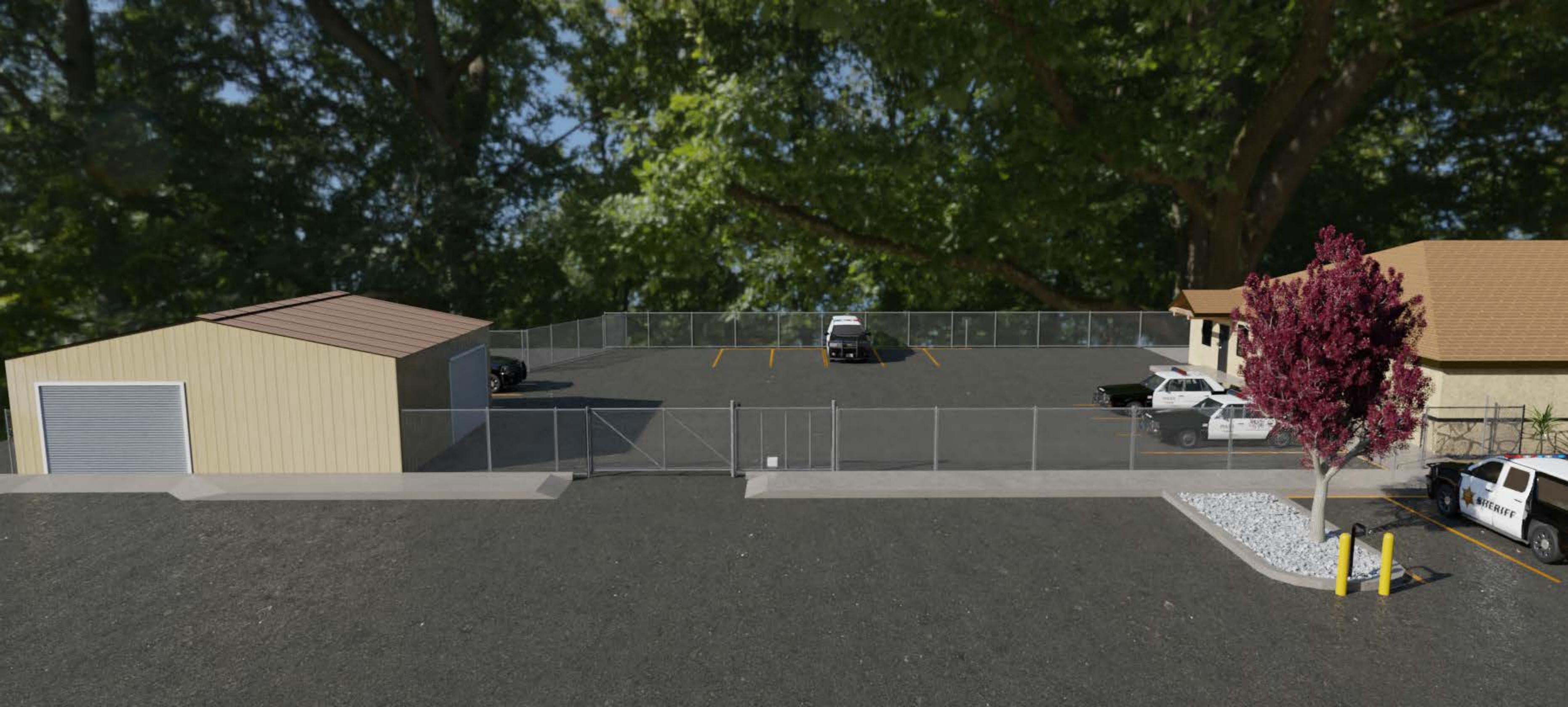


**KUNA  
POLICE  
DEPARTMENT**









KIUNA CITY  
POLICE  
STATION







## Doug Hanson

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**From:** Doug Hanson  
**Sent:** Tuesday, October 4, 2022 1:03 PM  
**To:** Public Works; Cat Feistner; Brady Barroso; 'TJ Lawrence (Interim KRFD Chief)'; 'Scott Arellano (KRFD)'; Mike Fratusco; Bobby Withrow; 'Ada County Highway District'; 'J&M Sanitation'; 'Central District Health Department '  
**Subject:** 22-35-DR Kuna Police Station Agency Transmittal

### Agency Transmittal – October 4, 2022

Notice is hereby given by the City of Kuna the following actions are under consideration:

<b>CASE NUMBER(S):</b>	22-35-DR (Design Review) Kuna Police Station
<b>PROJECT DESCRIPTION</b>	City of Kuna requests Design Review approval to construct a new police station, shop, parking lot and landscaping. The subject site is located at 793 W 4 <sup>th</sup> Street, Kuna ID, 83634 within Section 23, Township 2 North, Range 1 West.
<b>SITE LOCATION(S)</b>	793 W 4 <sup>th</sup> Street Kuna, ID 83634
<b>APPLICANT</b>	City of Kuna 751 W 4 <sup>th</sup> Street, Kuna, ID 83634 208.922.5546 <a href="mailto:cityclerk@kunaid.gov">cityclerk@kunaid.gov</a>
<b>SCHEDULED HEARING DATE</b>	Tuesday, <b>October 25, 2022</b> , at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4 <sup>th</sup> Street, Kuna, ID 83634
<b>STAFF CONTACT</b>	Doug Hanson Planner & Zoning Director <a href="mailto:dhanson@kunaid.gov">dhanson@kunaid.gov</a>
<b>PROJECT PACKET LINK</b>	<a href="https://kunacity.id.gov/DocumentCenter/View/8199/22-35-DR-Design-Review-Kuna-Police-Station-Agency-Transmittal-Packet">https://kunacity.id.gov/DocumentCenter/View/8199/22-35-DR-Design-Review-Kuna-Police-Station-Agency-Transmittal-Packet</a>
<ul style="list-style-type: none"><li>• The above referenced Case may have potential impacts on which your agency may wish to comment.</li><li>• <i>Please provide comments within 15 days; if more time is needed, please inform our offices.</i> We would appreciate any information as to how this action would affect the service(s) your agency provides.</li><li>• If your agency requires additional information in order for you to complete your review, please notify our office and we will do our best to provide it.</li><li>• If you have received this notification in error or if a different individual should be receiving this transmittal, please notify our office who future packets should be sent to, including their email address.</li><li>• <i>If your agency needs additional time for review, please notify our office ASAP.</i></li></ul>	

Best,

Doug Hanson

Planning and Zoning Director  
City of Kuna  
751 W 4<sup>th</sup> St  
Kuna, ID 83634  
[dhanson@kunaid.gov](mailto:dhanson@kunaid.gov)  
208.287.1771





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Mary May, President  
Alexis Pickering, Vice-President  
Jim D. Hansen, 2<sup>nd</sup> Vice President  
Kent Goldthorpe, Commissioner  
Dave McKinney, Commissioner

October 14, 2022

To: Chris Engels  
751 W 4<sup>th</sup> Street  
Kuna, ID 83634

Subject: KUNA22-0023/ 22-35-DR  
793 W 4<sup>th</sup> Street  
Kuna Police Station

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

## Traffic Information

Condition of Area Roadways:

*Traffic Count is based on Vehicles per hour (VPH)*

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
4 <sup>th</sup> Street	97-feet	Collector	140	Better than "D"

\* Acceptable level of service for a two-lane collector is "D" (425 VPH).

Average Daily Traffic Count (VDT):

*Average daily traffic counts are based on ACHD's most current traffic counts*

- The average daily traffic count for 4<sup>th</sup> Street west of Linder Avenue was 2,979 on May 26, 2021.

If you have any questions, please feel free to contact me at (208) 387-6329.

Sincerely,



Carbella Loise Medina  
Planning Review Intern  
Development Services

cc: City of Kuna – Doug Hanson

## Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.



CITY OF KUNA  
P.O. BOX 13  
KUNA, ID 83634  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

Catherine Feistner, E.I.T.  
Assistant Kuna City Engineer

Brady Barroso  
Engineering Technician I

## DESIGN REVIEW MEMORANDUM

**To:** Doug Hanson - Planning and Zoning Director  
**From:** Brady Barroso - Engineering Technician I  
Catherine Feistner - Assistant City Engineer  
**Date:** 17 October 2022  
**RE:** Public Works Comments  
Kuna Police Station – 22-35-DR (Design Review)

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The Kuna Police Station property, 22-35-DR, design review request dated 4 October 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil construction drawings will be accomplished separately when received by [PWoffice@kunaid.gov](mailto:PWoffice@kunaid.gov).

Public Works staff can support approval of this application.

Comments may be expanded or refined in connection with the future land-use actions.

### 1) Inspection & Fees

- a) Additional utility connection costs may be incurred at the time of building permit dependent on a fixture count analysis.
- b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
- c) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to certificate of occupancy.*

### 2) General

- a) Civil construction drawings will need to be provided to the Public Works Department ([PWoffice@kunaid.gov](mailto:PWoffice@kunaid.gov)).
- b) Sufficient fire access is required per Kuna Rural Fire District (KRFD).
- c) Provide engineering certification on all final engineering drawings as applicable.
- d) City's building official must review and approve all building plans.
- e) Fire suppression must be shown and approved by Kuna Rural Fire District (KRFD). Additional fire flow and/or a sprinkler connection may be required to provide adequate fire suppression.
- f) Fiber conduit shall be coordinated during the civil construction drawing review process.

### 3) Right-of-Way

- a) The Design Review does not affect existing Right-of-Way.

### 4) Sanitary Sewer Connection

- a) This project is connected to City services. Public Works construction drawing review team will coordinate sewer corrections during the civil construction drawing review process.
- b) All sewer infrastructure must meet or exceed City of Kuna requirements.
- c) Sewer connection fees apply to each lot containing a facility.

### 5) Potable Water Connection

- a) This project is connected to City services. Public Works construction drawing review team will coordinate water corrections during the civil construction drawing review process.
- b) The KRFD Deputy Fire Marshal, or KRFD representative, must approve fire access to the project before, during, and after construction.
- c) Fire suppression shall be approved by KRFD.
- d) All water infrastructure must meet or exceed City of Kuna requirements.
- e) Water connection fees apply to each lot containing a facility.

### 6) Pressurized Irrigation

- a) This project will not be connected to City services.

### 7) Grading and Storm Drainage

- a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
- d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. *Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.*
- e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

### 8) As-Built Drawings

- a) As-built (record) drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product.
- b) *Correct and verified as-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

**9) Exhibits**

- a) No maps are included to support Public Works comments.