TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA

Monday, July 14, 2025
9:00 a.m.
First Floor Commissioners' Meeting Room
150 Courthouse Dr, Driggs, ID 83422

ZOOM LINK
*"**Open Mic**" is 9:00 - 9:15 am to speak to the Board on **any item on the agenda.***

			Pages
1.	MEETING CALL TO ORDER		
2.	PLEDGE OF ALLEGIANCE		
3.	ADOPT AGENDA		
4.	ACTION ITEMS: CONSENT AGENDA		
	4.1	Claims Report	4 - 18
	4.2	Action Item – Liquor License Approval	19 - 20
	4.3	Action Item – Liquor License Approval	21 - 22
	4.4	Action Item: Payroll Form	23 - 23
5.	OPEN MIC		
6.	PUBLIC APPEARANCE		
	6.1	9:05 AM Fred Goodworth, Presenting the FY24 Audit	
7.	PUBLIC WORKS		
	7.1	9:00 AM MT Action Item – N1000W Road Vacation Public Hearing	24 - 39
	7.2	9:00 AM MT Action Item – Packsaddle Bench & Neville Springs Road Vacation/Addition Affirmation Public Hearing	40 - 245
	7.3	Report: Public Works Dept. Update	246 - 255
	7.4	Action Item – Grooming Garage Contract Award	256 - 258
	7.5	Action Item – LEC HVAC System Replacement	259 - 259
8.	IT/EMERGENCY MANAGEMENT		

	8.1	DISCUSSION ITEM – 2025 July IT/EM Monthly Report	260 - 260
9.	BUILDING DEPARTMENT		
	9.1	Action Item - SOQ review and next steps	261 - 360
10.	CLERK		
	10.1	Discussion Item: FY25 3rd Quarter Financial Report	361 - 375
	10.2	Discussion Item: FY26 Budget	376 - 376
11.	OPERATIONS		
	11.1	Action Item – MOU with Madison County for Probation Services	377 - 386
	11.2	Action Item – Historic Preservation Commission Applications	387 - 391
	11.3	County Manager's Memorandum	
	11.4	Action Item – Supervision of River Ordinance to go under Sheriff's Department	392 - 409
12.	COMMISSIONERS		
	12.1	ELECTED OFFICIALS & DEPARTMENT HEADS MEETING	
	12.2	COMMISSIONER'S REPORTS	
	12.3	Action Item: Payroll Form	410 - 430
	12.4	Action Item – Designation of Commissioner to 7th Judicial District Magistrate Commission	431 - 432
	12.5	Action Item – Press Release re: Teton County FY26 budget	433 - 433
13.	PLANNING AND ZONING		
	13.1	ACTION ITEM - 1:10 PM - PUBLIC HEARING: Grimm Lot 20 Aspen Meadows - Significant Plat Amendment	434 - 451
	13.2	ACTION ITEM: 1:30 PM - PUBLIC HEARING: Fraiz Request for Reconsideration of Wetlands Variance	452 - 680
	13.3	ACTION ITEM: North Leigh Creek Subdivision Minor Plat Amendment	681 - 700
	13.4	ACTION ITEM: Irish Acres Subdivision Development Agreement Recording Extension	701 - 706
	13.5	WORK SESSION: Tetonia AOI Update Process	707 - 711
	13.6	ACTION ITEM: Written Decision for La Duranzo Subdivision Extension	712 - 714
	13.7	ACTION ITEM: Written Decision for Morgan Fine Finishes SUP	715 - 718
	13.8	ACTION ITEM: Eustachy-Wysong Subdivision Written Decision	719 - 722
	13.9	ACTION ITEM: Dorothy Gayle Subdivision Written Decision	723 - 726
14.	ADJOURNMENT		



Teton County, ID

Expense Approval Report

By Fund

Post Dates 7/14/2025 - 7/14/2025

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 001 - GENERAL FUND (CURRENT EXPENSE)					
Dept: 01 - CLERK / AUDITOR					
Account: 42000 - TRAINING EXPENSES					
US BANK	TOMATO-2025-06	07/14/2025	MEAL	001-01-42000	30.43
US BANK	TERRAZA-2025-06	07/14/2025	MEAL - KIM KEELEY	001-01-42000	30.00
US BANK	SUPER8-21970	07/14/2025	LODGING	001-01-42000	233.28
US BANK	TVN-SUBSCRIPTION	07/14/2025	TVN SUBSCRIPTION	001-01-42000	104.00
				Account 42000 - TRAINING EXPENSES Total:	**397.71**
Account: 42100 - SUPPLIES					
PORTERS OFFICE PRODUCTS	884174	07/14/2025	CLASP ENVELOPES	001-01-42100	14.97
				Account 42100 - SUPPLIES Total:	**14.97**
				Dept 01 - CLERK / AUDITOR Total:	**412.68**
Dept: 02 - ASSESSOR					
Account: 42000 - TRAINING EXPENSES					
IDAHO ASSOC OF COUNTY AS...	IACA-25169	07/14/2025	IACA CONF	001-02-42000	370.00
				Account 42000 - TRAINING EXPENSES Total:	**370.00**
Account: 42100 - SUPPLIES					
US BANK	AMZN-3722640	07/14/2025	OFFICE SUPPLIES	001-02-42100	74.44
				Account 42100 - SUPPLIES Total:	**74.44**
Account: 42520 - POSTAGE					
US BANK	USPS-310335	07/14/2025	POSTAGE	001-02-42520	176.33
US BANK	USPS-374671	07/14/2025	POSTAGE	001-02-42520	5.58
				Account 42520 - POSTAGE Total:	**181.91**
				Dept 02 - ASSESSOR Total:	**626.35**
Dept: 03 - TREASURER / TAX COLLECTOR					
Account: 42090 - MISCELLANEOUS EXPENSES					
US BANK	CFL-4736224	07/14/2025	TAX CHECKS	001-03-42090	152.41
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**152.41**
				Dept 03 - TREASURER / TAX COLLECTOR Total:	**152.41**
Dept: 04 - SHERIFF					
Account: 42000 - TRAINING EXPENSES					
US BANK	2025-0528	07/14/2025	Tactical Combat Casualty Care...	001-04-42000	600.00
US BANK	2025-06-17	07/14/2025	EVIDENCE TRAINING	001-04-42000	125.00
US BANK	2025-0617-11047	07/14/2025	EVIDENCE ROOM ONLINE CLA...	001-04-42000	350.00
				Account 42000 - TRAINING EXPENSES Total:	**1,075.00**
Account: 42100 - SUPPLIES					
WESTERN RECORDS DESTRUCT..	0755536	07/14/2025	PAPER DESTRUCTION	001-04-42100	165.00
US BANK	2025-0605	07/14/2025	EVIDENCE TAPE	001-04-42100	30.00
US BANK	193902099	07/14/2025	RUBBER GLOVES	001-04-42100	175.19
US BANK	2025-0609	07/14/2025	DRUG TEST SUPPLIES	001-04-42100	345.41
US BANK	2025-0611	07/14/2025	EVIDENCE BAGS	001-04-42100	211.66
US BANK	2025-0616	07/14/2025	IN CUSTODY PROPERTY BAGS	001-04-42100	35.99
US BANK	2025-0617	07/14/2025	ADMIN NOTARY STAMP	001-04-42100	42.94
				Account 42100 - SUPPLIES Total:	**1,006.19**
Account: 42120 - INVESTIGATIVE SUPPLIES					
KODEX, INC	H4541WL70001	07/14/2025	#2502052 YAHOO SEARCH W...	001-04-42120	245.00
				Account 42120 - INVESTIGATIVE SUPPLIES Total:	**245.00**
Account: 42160 - CWP/SOR PASS THRU EXPENSES					
IDAHO STATE POLICE	2025-0610	07/14/2025	CWP & PRINTS	001-04-42160	286.00
				Account 42160 - CWP/SOR PASS THRU EXPENSES Total:	**286.00**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Account: 42520 - POSTAGE					
PEAK INDUSTRIES GROUP LLC	61041	07/14/2025	EVIDENCE SHIPPING	001-04-42520	18.09
PEAK INDUSTRIES GROUP LLC	61042	07/14/2025	EVIDENCE SHIP #2505270,250...	001-04-42520	16.94
PEAK INDUSTRIES GROUP LLC	61301	07/14/2025	EVIDENCE SHIP #2505499	001-04-42520	17.97
PEAK INDUSTRIES GROUP LLC	61638	07/14/2025	EVIDENCE SHIP #2505828,589...	001-04-42520	33.65
				Account 42520 - POSTAGE Total:	**86.65**
Account: 42570 - SEARCH & RESCUE					
WEX BANK	105765243	07/14/2025	FUEL	001-04-42570	66.83
				Account 42570 - SEARCH & RESCUE Total:	**66.83**
Account: 42700 - K9 UNIT					
US BANK	000203964	07/14/2025	K9 FOOD	001-04-42700	60.08
				Account 42700 - K9 UNIT Total:	**60.08**
Account: 43004 - REPAIRS/MAINT-VEHICLES					
PREVENT FIRE CO LLC	25267	07/14/2025	FIRE EXTINGUISHER RECERTS	001-04-43004	208.00
O'REILLY AUTO PARTS	284595	07/14/2025	CARWASH FLUID PATROL	001-04-43004	6.99
				Account 43004 - REPAIRS/MAINT-VEHICLES Total:	**214.99**
Account: 43080 - VEHICLES - FUEL					
WEX BANK	105765243	07/14/2025	FUEL	001-04-43080	6,090.02
				Account 43080 - VEHICLES - FUEL Total:	**6,090.02**
Account: 44026 - BACKGROUND INVESTIGATIONS					
DANIELA BARNHILL	2025-0612	07/14/2025	NEW HIRE BACKGROUND CHE...	001-04-44026	300.00
DANIELA BARNHILL	2025-0619	07/14/2025	NEW HIRE BACKGROUND - JM	001-04-44026	400.00
TRANSUNION RISK AND ALTE...	5003541-202506-1	07/14/2025	JUNE BACKGROUND INVESTIG.	001-04-44026	139.30
				Account 44026 - BACKGROUND INVESTIGATIONS Total:	**839.30**
Account: 80300 - CAPITAL-VEHICLES					
BANCORP BANK N.A, THE	687926	07/14/2025	LEASE PMTS	001-04-80300	33,832.41
				Account 80300 - CAPITAL-VEHICLES Total:	**33,832.41**
				Dept 04 - SHERIFF Total:	**43,802.47**
Dept: 05 - COMMISSIONERS					
Account: 42000 - TRAINING EXPENSES					
US BANK	TERRAZA-2025-06	07/14/2025	MEAL - DAN POWERS	001-05-42000	30.00
				Account 42000 - TRAINING EXPENSES Total:	**30.00**
Account: 42090 - MISCELLANEOUS EXPENSES					
US BANK	OROURKES-2025	07/14/2025	MEAL	001-05-42090	55.15
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**55.15**
Account: 42322 - ADVERTISING / LEGAL NOTICES					
TETON VALLEY NEWS	645049	07/14/2025	RFQ	001-05-42322	87.65
				Account 42322 - ADVERTISING / LEGAL NOTICES Total:	**87.65**
				Dept 05 - COMMISSIONERS Total:	**172.80**
Dept: 06 - CORONER					
Account: 42100 - SUPPLIES					
US BANK	SOUTHLANDMEDICAL	07/14/2025	SUPPLIES	001-06-42100	2,034.34
				Account 42100 - SUPPLIES Total:	**2,034.34**
				Dept 06 - CORONER Total:	**2,034.34**
Dept: 07 - PROSECUTING ATTORNEY					
Account: 42100 - SUPPLIES					
US BANK	IPAA-8996	07/14/2025	OFFICE SUPPLIES	001-07-42100	36.31
				Account 42100 - SUPPLIES Total:	**36.31**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
SMITH, RACHEL	79	07/14/2025	BEST	001-07-44000	11,850.00
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**11,850.00**
Account: 44005 - OUTSIDE COUNSEL PROSECUTION					
WELCH LAW PC	2084	07/14/2025	OUTSIDE PROSECUTION	001-07-44005	9,550.00
				Account 44005 - OUTSIDE COUNSEL PROSECUTION Total:	**9,550.00**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Account: 44006 - OUTSIDE COUNSEL - CIVIL					
HOPKINS RODEN CROCKETT H...	32761	07/14/2025	OUTSIDE CIVIL	001-07-44006	8,600.00
				Account 44006 - OUTSIDE COUNSEL - CIVIL Total:	**8,600.00**
Account: 44007 - OUTSIDE COUNSEL - LITIGATION					
HALL ANGELL & ASSOCIATES, ...	16207	07/14/2025	OUTSIDE LITIGATION	001-07-44007	1,080.00
HALL ANGELL & ASSOCIATES, ...	16208	07/14/2025	OUTSIDE LITIGATION	001-07-44007	620.00
HALL ANGELL & ASSOCIATES, ...	16209	07/14/2025	OUTSIDE LITIGATION	001-07-44007	1,980.00
HALL ANGELL & ASSOCIATES, ...	16210	07/14/2025	OUTSIDE LITIGATION	001-07-44007	235.00
HOPKINS RODEN CROCKETT H...	32565	07/14/2025	OUTSIDE LITIGATION	001-07-44007	4,405.50
				Account 44007 - OUTSIDE COUNSEL - LITIGATION Total:	**8,320.50**
Account: 44008 - CASE-SPECIFIC COSTS					
BEVEL, GARDNER & ASSOCIAT...	23-53 ID 4	07/14/2025	BEST	001-07-44008	7,670.00
				Account 44008 - CASE-SPECIFIC COSTS Total:	**7,670.00**
Account: 44067 - HARDWARE & SOFTWARE					
US BANK	LEXISNEXIS-3095811457	07/14/2025	SOFTWARE	001-07-44067	384.00
				Account 44067 - HARDWARE & SOFTWARE Total:	**384.00**
				Dept 07 - PROSECUTING ATTORNEY Total:	**46,410.81**
Dept: 08 - PUBLIC WORKS DIRECTOR					
Account: 42100 - SUPPLIES					
US BANK	AMAZON 112-2494876-21674...	07/14/2025	OFFICE SUPPLIES	001-08-42100	36.98
US BANK	LOWES-254310886	07/14/2025	OFFICE SUPPLIES	001-08-42100	75.63
				Account 42100 - SUPPLIES Total:	**112.61**
Account: 43081 - VEHICLES - FUEL & REPAIRS					
WEX BANK	105765243	07/14/2025	FUEL	001-08-43081	167.92
				Account 43081 - VEHICLES - FUEL & REPAIRS Total:	**167.92**
				Dept 08 - PUBLIC WORKS DIRECTOR Total:	**280.53**
Dept: 09 - COURTHOUSE					
Account: 42058 - FIRE & ELEVATOR-ALL EXPENSES					
TK ELEVATOR	3008718296	07/14/2025	ELEVATOR MAINTENANCE	001-09-42058	481.58
				Account 42058 - FIRE & ELEVATOR-ALL EXPENSES Total:	**481.58**
Account: 42090 - MISCELLANEOUS EXPENSES					
ACE HARDWARE	342441	07/14/2025	DUPLICATE KEYS/WASTEBASK...	001-09-42090	18.74
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**18.74**
Account: 42100 - SUPPLIES					
R & S DISTRIBUTING	122660	07/14/2025	CLEANING SUPPLIES	001-09-42100	10.93
WAXIE SANITARY SUPPLY	83347309	07/14/2025	JANITOR SUPPLIES	001-09-42100	118.77
				Account 42100 - SUPPLIES Total:	**129.70**
Account: 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS					
US BANK	AMAZON 112-2494876-21674...	07/14/2025	KEY STAMP	001-09-43002	29.69
				Account 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS Total:	**29.69**
Account: 43081 - VEHICLES - FUEL & REPAIRS					
WEX BANK	105765243	07/14/2025	FUEL	001-09-43081	167.21
				Account 43081 - VEHICLES - FUEL & REPAIRS Total:	**167.21**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
DOUBLE DIAMOND PEST & W...	7513	07/14/2025	PEST CONTROL	001-09-44000	150.00
MARQUEE CLEANING SERVICE...	20244233	07/14/2025	CLEANING SERVICES - JUN25	001-09-44000	5,720.00
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**5,870.00**
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750015 JUN25	07/14/2025	ELECTRICITY	001-09-45004	1,743.41
				Account 45004 - ELECTRICITY Total:	**1,743.41**
				Dept 09 - COURTHOUSE Total:	**8,440.33**
Dept: 11 - EMERGENCY MANAGEMENT					
Account: 42090 - MISCELLANEOUS EXPENSES					
US BANK	OREILLY-280367	07/14/2025	PARTS	001-11-42090	45.55

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
US BANK	BROUL-2025-06-26	07/14/2025	REFRESHMENTS	001-11-42090	33.41
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**78.96**
Account: 43000 - REPAIRS/MAINT-EQUIPMENT					
US BANK	AMZN-5753861	07/14/2025	TRUCK BED TIE DOWNS	001-11-43000	68.99
				Account 43000 - REPAIRS/MAINT-EQUIPMENT Total:	**68.99**
Account: 43081 - VEHICLES - FUEL & REPAIRS					
WEX BANK	105765243	07/14/2025	FUEL	001-11-43081	446.44
				Account 43081 - VEHICLES - FUEL & REPAIRS Total:	**446.44**
Account: 45012 - CELL TOWER ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750022 JUN25	07/14/2025	ELECTRICITY	001-11-45012	115.37
				Account 45012 - CELL TOWER ELECTRICITY Total:	**115.37**
				Dept 11 - EMERGENCY MANAGEMENT Total:	**709.76**
Dept: 13 - EXTENSION					
Account: 42053 - OFFICE RENT & UTILITIES					
MAGPIE PROPERTIES LLC	2025-05/2025-06	07/14/2025	MAY, JUNE RENT	001-13-42053	1,200.00
				Account 42053 - OFFICE RENT & UTILITIES Total:	**1,200.00**
Account: 42100 - SUPPLIES					
US BANK	CM0000217	07/14/2025	GROWLIGHT BULBS	001-13-42100	-42.74
US BANK	BROUL-2025-05-29	07/14/2025	OFFICE SUPPLIES	001-13-42100	8.08
US BANK	MD-44100187	07/14/2025	LANDSCAPING	001-13-42100	13.03
WERLIN, JEN	COSTCO-2025-06-12	07/14/2025	ZIPLOCK BAGS	001-13-42100	14.49
				Account 42100 - SUPPLIES Total:	**-7.14**
Account: 42322 - ADVERTISING / LEGAL NOTICES					
US BANK	FB-2025-04	07/14/2025	VICTORY GARDEN AD	001-13-42322	32.27
TETON VALLEY NEWS	639227	07/14/2025	AD FOR SUMMER HELP	001-13-42322	100.00
				Account 42322 - ADVERTISING / LEGAL NOTICES Total:	**132.27**
Account: 43081 - VEHICLES - FUEL & REPAIRS					
US BANK	OREILLY-283521	07/14/2025	WIPER BLADES	001-13-43081	85.18
WEX BANK	105765243	07/14/2025	FUEL	001-13-43081	69.21
				Account 43081 - VEHICLES - FUEL & REPAIRS Total:	**154.39**
				Dept 13 - EXTENSION Total:	**1,479.52**
Dept: 14 - INFORMATION TECHNOLOGY					
Account: 42000 - TRAINING EXPENSES					
US BANK	BROUL-401991	07/14/2025	MEETING SNACKS	001-14-42000	6.43
US BANK	BW-569389874	07/14/2025	LODGING	001-14-42000	399.92
US BANK	MCD-413050	07/14/2025	MEAL	001-14-42000	14.24
US BANK	MONGOLIAN-123051	07/14/2025	MEALS	001-14-42000	27.30
US BANK	MCD-915005	07/14/2025	MEAL	001-14-42000	14.94
US BANK	BROUL-2025-06-16	07/14/2025	FARWELL PARTY	001-14-42000	6.98
BARNUM, RUSSELL	2025-06-21	07/14/2025	INTERN MEAL	001-14-42000	33.00
US BANK	OROURKES-2025-06-24	07/14/2025	IT LUNCH	001-14-42000	69.30
				Account 42000 - TRAINING EXPENSES Total:	**572.11**
Account: 42190 - SUPPLIES: CABLES, ETC.					
US BANK	AMZN-5753861	07/14/2025	SWEDISH FISH	001-14-42190	19.98
ACE HARDWARE	341711	07/14/2025	PARTS	001-14-42190	12.62
US BANK	AMZN-4298665	07/14/2025	ROOF MOUNT LEC	001-14-42190	264.99
US BANK	AMZN-1583416	07/14/2025	USB HOLDERS	001-14-42190	48.70
				Account 42190 - SUPPLIES: CABLES, ETC. Total:	**346.29**
Account: 44067 - HARDWARE & SOFTWARE					
COMPUTER ARTS INC	CAIMN0001547	07/14/2025	CAI MONTHLY	001-14-44067	958.78
TYLER TECHNOLOGIES	025-514665	07/14/2025	ERP ANNUAL	001-14-44067	26,425.35
				Account 44067 - HARDWARE & SOFTWARE Total:	**27,384.13**
Account: 45005 - LANDLINE PHONES & INTERNET					
US BANK	STARLINK-53788-4	07/14/2025	ALTERNATE ISP	001-14-45005	120.00
SILVER STAR COMMUNICATI...	48642-2025-07-01	07/14/2025	INTERNET	001-14-45005	633.85
				Account 45005 - LANDLINE PHONES & INTERNET Total:	**753.85**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Account: 45010 - CELL PHONE					
AT&T MOBILITY (2873182754...	287318275404X07012025	07/14/2025	CELL PHONE	001-14-45010	2,207.34
				Account 45010 - CELL PHONE Total:	**2,207.34**
Account: 45011 - AIR CARDS					
AT&T MOBILITY (2873161171...	287316117117X07012025	07/14/2025	AIR CARDS	001-14-45011	246.79
				Account 45011 - AIR CARDS Total:	**246.79**
				Dept 14 - INFORMATION TECHNOLOGY Total:	**31,510.51**
Dept: 17 - LAW ENFORCEMENT CENTER					
Account: 42090 - MISCELLANEOUS EXPENSES					
DOUBLE DIAMOND PEST & W...	7513	07/14/2025	PEST CONTROL	001-17-42090	170.00
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**170.00**
Account: 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS					
DOOR MAN, THE	27329129	07/14/2025	REPAIR SOUTH SALLY PORT G...	001-17-43002	312.20
				Account 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS Total:	**312.20**
Account: 45002 - GARBAGE					
TETON COUNTY SOLID WASTE	02-00446858	07/14/2025	DUMP RUN	001-17-45002	10.00
				Account 45002 - GARBAGE Total:	**10.00**
Account: 45003 - PROPANE/OIL					
SUBURBAN PROPANE - 1373	108783	07/14/2025	36.6G PROPANE	001-17-45003	98.28
				Account 45003 - PROPANE/OIL Total:	**98.28**
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750013 JUN25	07/14/2025	ELECTRICITY	001-17-45004	1,402.85
				Account 45004 - ELECTRICITY Total:	**1,402.85**
Account: 80500 - CAPITAL-OTHER					
US BANK	OLDHICK - 310385	07/14/2025	STORAGE SHED DEPOSIT	001-17-80500	702.95
FERGUSON	3775254	07/14/2025	STAINLESS STEEL TOILETS - HO...	001-17-80500	3,096.00
				Account 80500 - CAPITAL-OTHER Total:	**3,798.95**
				Dept 17 - LAW ENFORCEMENT CENTER Total:	**5,792.28**
Dept: 18 - GENERAL					
Account: 42070 - COLLEGE TUITION					
COLLEGE OF SOUTHERN IDAHO	202420-1	07/14/2025	SPRING COLLEGE TUITION	001-18-42070	3,950.00
				Account 42070 - COLLEGE TUITION Total:	**3,950.00**
Account: 42321 - EASTERN IDAHO PUBLIC HEALTH					
EASTERN IDAHO PUBLIC HEAL...	7/1/25-9/30/25	07/14/2025	7/1/25-9/30-25	001-18-42321	47,749.75
				Account 42321 - EASTERN IDAHO PUBLIC HEALTH Total:	**47,749.75**
Account: 42326 - CONTINGENCY ACCOUNT					
US BANK	FIGGIE-2025-06-16	07/14/2025	MEAL	001-18-42326	138.71
US BANK	FIGGIE-2025-06-23	07/14/2025	MEAL	001-18-42326	95.68
				Account 42326 - CONTINGENCY ACCOUNT Total:	**234.39**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
WIPFLI LLP	3009599	07/14/2025	FY24 AUDIT	001-18-44000	2,968.00
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**2,968.00**
				Dept 18 - GENERAL Total:	**54,902.14**
Dept: 21 - PLANNING					
Account: 42322 - ADVERTISING / LEGAL NOTICES					
TETON VALLEY NEWS	641376	07/14/2025	LEGAL	001-21-42322	201.65
TETON VALLEY NEWS	646174	07/14/2025	NOTICE	001-21-42322	136.10
				Account 42322 - ADVERTISING / LEGAL NOTICES Total:	**337.75**
				Dept 21 - PLANNING Total:	**337.75**
Dept: 22 - BUILDING					
Account: 43004 - REPAIRS/MAINT-VEHICLES					
KAUFMANS OK TIRE STORE	46851	07/14/2025	OIL & TIRES	001-22-43004	127.04
				Account 43004 - REPAIRS/MAINT-VEHICLES Total:	**127.04**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Account: 43080 - VEHICLES - FUEL					
WEX BANK	105765243	07/14/2025	FUEL	001-22-43080	404.61
				Account 43080 - VEHICLES - FUEL Total:	**404.61**
				Dept 22 - BUILDING Total:	**531.65**
Dept: 31 - ARMORY (AKA ANNEX)					
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
WAXIE SANITARY SUPPLY	83322604	07/14/2025	JANITOR SUPPLIES	001-31-44000	112.29
ARK SECURITY	14596	07/14/2025	DUPLICATE KEYS	001-31-44000	30.99
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**143.28**
				Dept 31 - ARMORY (AKA ANNEX) Total:	**143.28**
Dept: 32 - BUXTON AVE					
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750001 JUN25	07/14/2025	ELECTRICITY	001-32-45004	141.70
FALL RIVER RURAL ELECTRIC	2750005 JUN25	07/14/2025	ELECTRICITY	001-32-45004	39.00
				Account 45004 - ELECTRICITY Total:	**180.70**
				Dept 32 - BUXTON AVE Total:	**180.70**
				Fund 001 - GENERAL FUND (CURRENT EXPENSE) Total:	**197,920.31**
Fund: 202 - ROAD & BRIDGE					
Dept: 00 - NO DEPARTMENT					
Account: 42093 - LAUNDRY/UNIFORM					
HIGH COUNTRY LINEN	0508235	07/14/2025	RAGS, COVERALLS	202-00-42093	60.22
HIGH COUNTRY LINEN	0509599	07/14/2025	RAGS, COVERALLS	202-00-42093	60.22
HIGH COUNTRY LINEN	0512523	07/14/2025	RAGS, COVERALLS	202-00-42093	60.22
				Account 42093 - LAUNDRY/UNIFORM Total:	**180.66**
Account: 42100 - SUPPLIES					
US BANK	BB 0302 BROULIMS	07/14/2025	(2) CLIP BOARDS	202-00-42100	10.42
				Account 42100 - SUPPLIES Total:	**10.42**
Account: 42152 - SUPPLIES - SHOP					
STANDARD PLUMBING SUPPLY..	YRHF13	07/14/2025	BRZ RD, TORCH, NIPPLE, COU...	202-00-42152	36.03
MARC	0850787-IN	07/14/2025	CLEANERS, NEUTRALIZR, SPRA...	202-00-42152	1,455.00
STANDARD PLUMBING SUPPLY..	YRYF13	07/14/2025	PUTTY KNIVES, STL SHEET	202-00-42152	35.27
NAPA AUTO PARTS	192244	07/14/2025	STARTER FLUID, ELECT TAPE	202-00-42152	89.84
ACE HARDWARE	342613/1	07/14/2025	BITS	202-00-42152	31.78
AIRGAS USA, LLC	5517670933	07/14/2025	CYLINDER RENTAL / WELDING	202-00-42152	54.15
				Account 42152 - SUPPLIES - SHOP Total:	**1,702.07**
Account: 43000 - REPAIRS/MAINT-EQUIPMENT					
STANDARD PLUMBING SUPPLY..	YRBB46	07/14/2025	REPAIR ELECTRICAL CORD END	202-00-43000	81.97
ACE HARDWARE	341813/1	07/14/2025	FASTENERS, STYLS	202-00-43000	64.82
JACKSON GROUP PETERBILT	698547IF	07/14/2025	AIR SWITCH	202-00-43000	116.96
RDO EQUIPMENT CO	P14009R8	07/14/2025	FILTERS	202-00-43000	157.28
RDO EQUIPMENT CO	P14010R8	07/14/2025	WINDOWPANE	202-00-43000	322.03
JACKSON GROUP PETERBILT	698091IFX1	07/14/2025	CHALMERS BOLT KIT	202-00-43000	56.68
NAPA AUTO PARTS	191908	07/14/2025	CIR/TEST, BUTANE FUEL, FLAS...	202-00-43000	42.20
JACKSON GROUP PETERBILT	699202IF	07/14/2025	FLASHER	202-00-43000	63.06
METROQUIP	P33081	07/14/2025	12" TAR TANK O	202-00-43000	94.08
KENWORTH SALES COMPANY	004P66914	07/14/2025	SENSOR ASSY, TANK ASSY	202-00-43000	570.09
				Account 43000 - REPAIRS/MAINT-EQUIPMENT Total:	**1,569.17**
Account: 43024 - VEHICLES - TIRES					
CLAIR & DEES POINT S - DRIG...	6017723	07/14/2025	(2) TIRES, VALVE STEMS, MNT...	202-00-43024	326.03
				Account 43024 - VEHICLES - TIRES Total:	**326.03**
Account: 43060 - PLANT ASPHALT FOR PATCHING					
JEFFERSON COUNTY R&B	20250618	07/14/2025	4.11 TON CRS-2	202-00-43060	2,554.37
JEFFERSON COUNTY R&B	20250701	07/14/2025	3.51 TON CRS-2	202-00-43060	2,181.47
				Account 43060 - PLANT ASPHALT FOR PATCHING Total:	**4,735.84**
Account: 43080 - VEHICLES - FUEL					
NAPA AUTO PARTS	190894	07/14/2025	ADDITIVE, SILICONE, WATER R...	202-00-43080	57.43

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
JOHN C BERRY & SONS INC	CFSI-7011	07/14/2025	JUNE 2025 UNLEADED FUEL U...	202-00-43080	485.96
				Account 43080 - VEHICLES - FUEL Total:	**543.39**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
DOUBLE DIAMOND PEST & W...	7513	07/14/2025	PEST CONTROL	202-00-44000	180.00
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**180.00**
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750012 JUN25	07/14/2025	ELECTRICITY	202-00-45004	39.00
FALL RIVER RURAL ELECTRIC	2750023 JUN25	07/14/2025	ELECTRICITY	202-00-45004	450.40
				Account 45004 - ELECTRICITY Total:	**489.40**
Account: 45010 - CELL PHONE					
AT&T MOBILITY (2873163789...	287316378929X07012025	07/14/2025	CELL PHONE USAGE	202-00-45010	537.26
				Account 45010 - CELL PHONE Total:	**537.26**
Account: 80200 - CAPITAL-EQUIPMENT					
ARNOLD MACHINERY COMPA...	RS1002662-1	07/14/2025	VOLVO LOADER (6) MONTH S...	202-00-80200	4,500.00
				Account 80200 - CAPITAL-EQUIPMENT Total:	**4,500.00**
				Dept 00 - NO DEPARTMENT Total:	**14,774.24**
				Fund 202 - ROAD & BRIDGE Total:	**14,774.24**
Fund: 206 - DISTRICT COURT & PROBATION					
Dept: 61 - DISTRICT COURT					
Account: 42090 - MISCELLANEOUS EXPENSES					
WESTERN RECORDS DESTRUCT..	N512580	07/14/2025	SHREDDING	206-61-42090	112.00
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**112.00**
				Dept 61 - DISTRICT COURT Total:	**112.00**
Dept: 62 - PROBATION					
Account: 40200 - SALARIES					
US BANK	ZIP-52224048	07/14/2025	RECRUITING	206-62-40200	1,000.00
MADISON COUNTY	2025-07-08	07/14/2025	PROBATION CONTRACT	206-62-40200	4,256.72
				Account 40200 - SALARIES Total:	**5,256.72**
Account: 42000 - TRAINING EXPENSES					
US BANK	CONNCOMM	07/14/2025	PROBATION TRAINING	206-62-42000	57.04
US BANK	IJJA-4573414	07/14/2025	TRAINING	206-62-42000	200.00
US BANK	NASAC-Q004G	07/14/2025	CONFERENCE	206-62-42000	499.00
				Account 42000 - TRAINING EXPENSES Total:	**756.04**
Account: 42027 - 5C JUVENILE FACILITY					
FIVE COUNTY JUVENILE DETE...	2025-42	07/14/2025	Q4 5C	206-62-42027	29,450.59
				Account 42027 - 5C JUVENILE FACILITY Total:	**29,450.59**
Account: 42100 - SUPPLIES					
US BANK	AMZN-9515436	07/14/2025	SUPPLIES	206-62-42100	119.60
				Account 42100 - SUPPLIES Total:	**119.60**
Account: 43080 - VEHICLES - FUEL					
WEX BANK	105765243	07/14/2025	FUEL	206-62-43080	179.74
				Account 43080 - VEHICLES - FUEL Total:	**179.74**
				Dept 62 - PROBATION Total:	**35,762.69**
				Fund 206 - DISTRICT COURT & PROBATION Total:	**35,874.69**
Fund: 215 - CONSOLIDATED ELECTIONS					
Dept: 00 - NO DEPARTMENT					
Account: 44067 - HARDWARE & SOFTWARE					
ELECTION SYSTEMS & SOFTW...	CD2122442	07/14/2025	DS450	215-00-44067	6,933.93
				Account 44067 - HARDWARE & SOFTWARE Total:	**6,933.93**
				Dept 00 - NO DEPARTMENT Total:	**6,933.93**
				Fund 215 - CONSOLIDATED ELECTIONS Total:	**6,933.93**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 216 - INDIGENT AND CHARITY					
Dept: 00 - NO DEPARTMENT					
Account: 42016 - INDIGENT- FOOD & HOUSING					
EXPRESS LAB, LLC	1172109A	07/14/2025	INMATE LAB - JCOM	216-00-42016	8.30
MADISON MEMORIAL HOSPIT...	261308363	07/14/2025	PRISONER ER VISIT - BB	216-00-42016	306.35
BRIGHTSIDE DENTAL	17469	07/14/2025	INMATE DENTAL - JCV	216-00-42016	34.55
BRIGHTSIDE DENTAL	18121	07/14/2025	INMATE DENTAL -JCPR	216-00-42016	76.38
BRIGHTSIDE DENTAL	18141	07/14/2025	INMATE DENTAL - WW	216-00-42016	76.38
INDIGENT HEALTHCARE SOLUT..	80221	07/14/2025	JAIL MEDICAL	216-00-42016	721.81
				Account 42016 - INDIGENT- FOOD & HOUSING Total:	**1,223.77**
				Dept 00 - NO DEPARTMENT Total:	**1,223.77**
				Fund 216 - INDIGENT AND CHARITY Total:	**1,223.77**
Fund: 220 - REVALUATION					
Dept: 00 - NO DEPARTMENT					
Account: 44076 - CONTRACTS - APPRAISALS					
MARSHALL APPRAISAL, INC.	2025-07	07/14/2025	JUN/JUL REVALUATION	220-00-44076	16,500.00
				Account 44076 - CONTRACTS - APPRAISALS Total:	**16,500.00**
				Dept 00 - NO DEPARTMENT Total:	**16,500.00**
				Fund 220 - REVALUATION Total:	**16,500.00**
Fund: 223 - SOLID WASTE					
Dept: 00 - NO DEPARTMENT					
Account: 42000 - TRAINING EXPENSES					
US BANK	SkillcatMay2025	07/14/2025	Skill Cat Membership for 608 c...	223-00-42000	10.00
				Account 42000 - TRAINING EXPENSES Total:	**10.00**
Account: 42100 - SUPPLIES					
PORTERS OFFICE PRODUCTS	884174	07/14/2025	CLASP ENVELOPES	223-00-42100	36.17
				Account 42100 - SUPPLIES Total:	**36.17**
Account: 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS					
NAPA AUTO PARTS	190997	07/14/2025	Replacement for burst hydraul..	223-00-43002	83.21
JV'S AUTO REPAIR LLC	1517	07/14/2025	Repairs to Hook Truck	223-00-43002	1,112.06
WESTERN STATES EQUIPMENT..	IN003246189	07/14/2025	Service and Repairs to 315	223-00-43002	2,013.25
				Account 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS Total:	**3,208.52**
Account: 43080 - VEHICLES - FUEL					
WEX BANK	105765243	07/14/2025	FUEL	223-00-43080	238.85
JOHN C BERRY & SONS INC	101191	07/14/2025	Diesel Fuel	223-00-43080	1,424.53
				Account 43080 - VEHICLES - FUEL Total:	**1,663.38**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
PARKERS SEPTIC TANK SERVICE	63732	07/14/2025	Service to outdoor relief facilit...	223-00-44000	148.96
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**148.96**
Account: 44067 - HARDWARE & SOFTWARE					
CAROLINA SOFTWARE	95143	07/14/2025	Waste Works Software and S...	223-00-44067	400.00
				Account 44067 - HARDWARE & SOFTWARE Total:	**400.00**
Account: 44080 - HAULING TO CIRCULAR BUTTE					
RAD CURBSIDE	250702749006	07/14/2025	Hauling to Circular Butte	223-00-44080	50,276.80
				Account 44080 - HAULING TO CIRCULAR BUTTE Total:	**50,276.80**
Account: 44081 - JEF CO MUD LAKE TIPPING FEES					
JEFFERSON COUNTY SOLID W...	June2025	07/14/2025	Tipping Fees at Circular Butte	223-00-44081	43,395.60
				Account 44081 - JEF CO MUD LAKE TIPPING FEES Total:	**43,395.60**
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750010 JUN25	07/14/2025	ELECTRICITY	223-00-45004	517.20
FALL RIVER RURAL ELECTRIC	2750016 JUN25	07/14/2025	ELECTRICITY	223-00-45004	39.00
				Account 45004 - ELECTRICITY Total:	**556.20**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Account: 81000 - LOADER LEASE					
ARNOLD MACHINERY COMPA...	RS10022895-6	07/14/2025	Loader Rental	223-00-81000	1,000.00
				Account 81000 - LOADER LEASE Total:	**1,000.00**
				Dept 00 - NO DEPARTMENT Total:	**100,695.63**
				Fund 223 - SOLID WASTE Total:	**100,695.63**
Fund: 227 - WEEDS					
Dept: 00 - NO DEPARTMENT					
Account: 42019 - CHEMICALS					
HELENA AGRI-ENTERPRISES LLC	147091074	07/14/2025	CHEMICALS	227-00-42019	2,250.00
				Account 42019 - CHEMICALS Total:	**2,250.00**
Account: 42100 - SUPPLIES					
US BANK	AMZN-7491449	07/14/2025	SUPPLIES	227-00-42100	86.19
				Account 42100 - SUPPLIES Total:	**86.19**
Account: 42520 - POSTAGE					
US BANK	USPS-372431	07/14/2025	POSTAGE	227-00-42520	19.05
US BANK	USPS-373476	07/14/2025	POSTAGE	227-00-42520	16.84
US BANK	USPS-371892	07/14/2025	POSTAGE	227-00-42520	19.05
US BANK	USPS-75787353	07/14/2025	POSTAGE	227-00-42520	9.68
US BANK	USPS-2025-06-23	07/14/2025	POSTAGE	227-00-42520	18.32
US BANK	USPS-372035	07/14/2025	POSTAGE	227-00-42520	18.32
				Account 42520 - POSTAGE Total:	**101.26**
Account: 43080 - VEHICLES - FUEL					
WEX BANK	105765243	07/14/2025	FUEL	227-00-43080	520.38
				Account 43080 - VEHICLES - FUEL Total:	**520.38**
				Dept 00 - NO DEPARTMENT Total:	**2,957.83**
				Fund 227 - WEEDS Total:	**2,957.83**
Fund: 230 - PARKS & RECREATION					
Dept: 00 - NO DEPARTMENT					
Account: 40200 - SALARIES					
US BANK	ZIP-52224048	07/14/2025	RECRUITING	230-00-40200	579.00
				Account 40200 - SALARIES Total:	**579.00**
				Dept 00 - NO DEPARTMENT Total:	**579.00**
				Fund 230 - PARKS & RECREATION Total:	**579.00**
Fund: 233 - SPECIAL ROAD LEVY					
Dept: 00 - NO DEPARTMENT					
Account: 43084 - GRAVEL STABILIZATION					
US BANK	BB 3106 AMAZON	07/14/2025	(2) 16X24X2" PANS (TESTING)	233-00-43084	125.98
				Account 43084 - GRAVEL STABILIZATION Total:	**125.98**
Account: 43085 - CHIP SEAL					
US BANK	BB 8272 BROULIMS	07/14/2025	GATORADE / ICE	233-00-43085	32.96
				Account 43085 - CHIP SEAL Total:	**32.96**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
HIGH COUNTRY LINEN	0507925	07/14/2025	Laundry Services	233-00-44000	13.31
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**13.31**
				Dept 00 - NO DEPARTMENT Total:	**172.25**
				Fund 233 - SPECIAL ROAD LEVY Total:	**172.25**
Fund: 244 - EMERGENCY 911 COMM: 31-4809					
Dept: 00 - NO DEPARTMENT					
Account: 42261 - STATE RADIO SYSTEM					
TETON COMMUNICATIONS INC	30134	07/14/2025	RELAY RIDGE SITE RENTAL	244-00-42261	170.00
				Account 42261 - STATE RADIO SYSTEM Total:	**170.00**
				Dept 00 - NO DEPARTMENT Total:	**170.00**
				Fund 244 - EMERGENCY 911 COMM: 31-4809 Total:	**170.00**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 245 - EXTENSION & 4H PROGRAMS					
Dept: 41 - 4H					
Account: 42142 - SUPPLIES FOR 4H CLUBS					
US BANK	MD-44098816	07/14/2025	GARDENING SOIL	245-41-42142	41.23
US BANK	USPS-6110220	07/14/2025	STAMPS	245-41-42142	56.00
US BANK	4-HSHOP-251901	07/14/2025	AWARDS	245-41-42142	23.45
				Account 42142 - SUPPLIES FOR 4H CLUBS Total:	**120.68**
Account: 42144 - exp					
US BANK	MANN-SO1331113	07/14/2025	BEEKEEPING	245-41-42144	48.35
				Account 42144 - exp Total:	**48.35**
				Dept 41 - 4H Total:	**169.03**
Dept: 42 - EXTENSION					
Account: 42060 - REFRESHMENTS					
US BANK	BROUL-2025-05-29	07/14/2025	CLASS SNACKS	245-42-42060	31.27
				Account 42060 - REFRESHMENTS Total:	**31.27**
Account: 42123 - TRAINING MATERIALS					
US BANK	BROUL-2025-06-13	07/14/2025	CANNING CLASS	245-42-42123	50.97
US BANK	ACE-J99767	07/14/2025	CANNING CLASS	245-42-42123	71.57
US BANK	BROUL-2025-06	07/14/2025	CANNING CLASS	245-42-42123	51.35
US BANK	ACE-232864	07/14/2025	CANNING CLASS	245-42-42123	51.13
US BANK	BROUL-2025-06-17	07/14/2025	CANNING CLASS	245-42-42123	111.06
				Account 42123 - TRAINING MATERIALS Total:	**336.08**
				Dept 42 - EXTENSION Total:	**367.35**
				Fund 245 - EXTENSION & 4H PROGRAMS Total:	**536.38**
Fund: 251 - MOSQUITO ABATEMENT DISTRICT					
Dept: 00 - NO DEPARTMENT					
Account: 42090 - MISCELLANEOUS EXPENSES					
TETON VALLEY NEWS	638421	07/14/2025	LEGAL	251-00-42090	65.75
TETON VALLEY NEWS	638328	07/14/2025	LEGAL	251-00-42090	67.10
US BANK	DOMINO-57	07/14/2025	MEAL	251-00-42090	34.22
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**167.07**
Account: 42462 - SOURCE REDUCTION					
TETON COUNTY SOLID WASTE	051725	07/14/2025	TIRE CHALLENGE	251-00-42462	3,400.00
				Account 42462 - SOURCE REDUCTION Total:	**3,400.00**
Account: 43083 - VEHICLE EXPENSES					
TETON COUNTY SOLID WASTE	051725	07/14/2025	TIRE CHALLENGE	251-00-43083	1,150.00
				Account 43083 - VEHICLE EXPENSES Total:	**1,150.00**
Account: 44000 - CONTRACTED PROFESSIONAL SRVCS					
RAL VENTURES INC	1057	07/14/2025	JULY 2025	251-00-44000	25,000.00
				Account 44000 - CONTRACTED PROFESSIONAL SRVCS Total:	**25,000.00**
				Dept 00 - NO DEPARTMENT Total:	**29,717.07**
				Fund 251 - MOSQUITO ABATEMENT DISTRICT Total:	**29,717.07**
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013					
Dept: 00 - NO DEPARTMENT					
Account: 42153 - WATER WAYS EXPENDITURES					
A-1 RENTAL	370540-1	07/14/2025	ADA PORTA POTTY RENTAL	254-00-42153	203.00
A-1 RENTAL	370541-1	07/14/2025	ADA PROTA POTTY RENTAL	254-00-42153	203.00
				Account 42153 - WATER WAYS EXPENDITURES Total:	**406.00**
				Dept 00 - NO DEPARTMENT Total:	**406.00**
				Fund 254 - VESSEL/WATERWAYS: IC 67-7013 Total:	**406.00**
Fund: 282 - FAIRGROUNDS & FAIR					
Dept: 00 - NO DEPARTMENT					
Account: 42000 - TRAINING EXPENSES					
US BANK	SAMS-2025	07/14/2025	SAMS CLUB MEMBERSHIP	282-00-42000	50.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
SHARON NIEMI ENTERPRISES ...	0630-01	07/14/2025	TRAINING	282-00-42000	35.00
				Account 42000 - TRAINING EXPENSES Total:	**85.00**
Account: 42090 - MISCELLANEOUS EXPENSES					
US BANK	SQUARE-184520813	07/14/2025	JUN WEBSITE	282-00-42090	25.00
US BANK	ADOBE-3123991181	07/14/2025	ADOBE MEMBERSHIP	282-00-42090	239.88
GET'M FIX'T	670212	07/14/2025	TOP RAIL	282-00-42090	130.24
				Account 42090 - MISCELLANEOUS EXPENSES Total:	**395.12**
Account: 42293 - FAIR EXPENSES					
PINE NEEDLE EMBROIDERY	3348	07/14/2025	SHIRTS/HATS	282-00-42293	627.00
JACKSON HOLE EVENT RENTA...	230286024-#2	07/14/2025	FAIR TENT	282-00-42293	3,165.75
				Account 42293 - FAIR EXPENSES Total:	**3,792.75**
Account: 42296 - 4-H FAIR EXPENSES					
US BANK	4-HSHOP-251901	07/14/2025	AWARDS	282-00-42296	313.68
				Account 42296 - 4-H FAIR EXPENSES Total:	**313.68**
Account: 42322 - ADVERTISING / LEGAL NOTICES					
SHARON NIEMI ENTERPRISES ...	0630-01	07/14/2025	TRAINING	282-00-42322	85.00
				Account 42322 - ADVERTISING / LEGAL NOTICES Total:	**85.00**
Account: 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS					
ACE HARDWARE	341522	07/14/2025	ARCHERY	282-00-43002	11.49
				Account 43002 - REPAIRS/MAINT-FACILITIES/BUILDINGS Total:	**11.49**
Account: 43005 - REPAIRS/MAINT-OTHER					
ACE HARDWARE	342226	07/14/2025	HEAD GATE	282-00-43005	18.48
RIPS DUST CONTROL	107	07/14/2025	DUST CONTROL	282-00-43005	1,800.00
ACE HARDWARE	342556	07/14/2025	BLEACHERS	282-00-43005	31.84
ACE HARDWARE	342583	07/14/2025	BLEACHERS	282-00-43005	30.04
				Account 43005 - REPAIRS/MAINT-OTHER Total:	**1,880.36**
Account: 43081 - VEHICLES - FUEL & REPAIRS					
ACE HARDWARE	341599	07/14/2025	CM AIR TL ACCESS KT 18PC	282-00-43081	26.03
WEX BANK	105765243	07/14/2025	FUEL	282-00-43081	80.13
				Account 43081 - VEHICLES - FUEL & REPAIRS Total:	**106.16**
Account: 44075 - CONTRACTS - LANDSCAPING					
GOLDEN EAGLE LAWN & GAR...	375	07/14/2025	MOWING	282-00-44075	1,715.00
BROOKE'S CLEANING LLC	31-PT2	07/14/2025	BLDG CLEANING	282-00-44075	335.00
				Account 44075 - CONTRACTS - LANDSCAPING Total:	**2,050.00**
Account: 45002 - GARBAGE					
RAD CURBSIDE	250501553574	07/14/2025	MAY TRASH	282-00-45002	489.01
RAD CURBSIDE	250530036557	07/14/2025	JUN TRASH	282-00-45002	489.01
RAD CURBSIDE	250702755772	07/14/2025	JULY TRASH	282-00-45002	871.21
				Account 45002 - GARBAGE Total:	**1,849.23**
Account: 45004 - ELECTRICITY					
FALL RIVER RURAL ELECTRIC	2750008 JUN25	07/14/2025	ELECTRICITY	282-00-45004	191.66
FALL RIVER RURAL ELECTRIC	2750018 JUN24	07/14/2025	ELECTRICITY	282-00-45004	301.66
				Account 45004 - ELECTRICITY Total:	**493.32**
Account: 45006 - PORTABLE TOILETS					
A-1 RENTAL	369348A-1	07/14/2025	TOILETS	282-00-45006	137.00
A-1 RENTAL	353463N-1	07/14/2025	TOILETS	282-00-45006	137.00
A-1 RENTAL	370517A-1	07/14/2025	TOILETS	282-00-45006	432.00
				Account 45006 - PORTABLE TOILETS Total:	**706.00**
				Dept 00 - NO DEPARTMENT Total:	**11,768.11**
				Fund 282 - FAIRGROUNDS & FAIR Total:	**11,768.11**
Fund: 286 - GRANTS					
Dept: 18 - GENERAL					
Account: 42510 - HISTORIC PRESERVATION					
KIRK HUFFAKER PRESERVATI...	1244	07/14/2025	HISTORIC PRESERVATION PRO...	286-18-42510	1,000.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
TURNER, ELIZABETH VANCE	REIMB	07/14/2025	LODGING	286-18-42510	429.50
				Account 42510 - HISTORIC PRESERVATION Total:	**1,429.50**
				Dept 18 - GENERAL Total:	**1,429.50**
				Fund 286 - GRANTS Total:	**1,429.50**
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES					
Dept: 00 - NO DEPARTMENT					
Account: 80100 - CAPITAL-BUILDINGS					
CITY OF DRIGGS UTILITIES	2025-06-26	07/14/2025	BOUNDARY LINE ADJUSTMENT	291-00-80100	450.00
TETON WEST OF IDAHO LLC	759MB-APP10	07/14/2025	SAR BLDG	291-00-80100	172,540.09
				Account 80100 - CAPITAL-BUILDINGS Total:	**172,990.09**
				Dept 00 - NO DEPARTMENT Total:	**172,990.09**
				Fund 291 - IMPACT FEES-SHERIFF FACILITIES Total:	**172,990.09**
Fund: 704 - CIVIL PROCESS					
Dept: 00 - NO DEPARTMENT					
Account: 22010 - LIABILITY PAYABLE					
BONNEVILLE COLLECTIONS	2025-0630	07/14/2025	GARN PMT CV33-23-0596 TU...	704-00-22010	550.90
JOHNSON MARK LLC	2025-0630	07/14/2025	GARN PMT CV14-20-02803	704-00-22010	870.76
				Account 22010 - LIABILITY PAYABLE Total:	**1,421.66**
				Dept 00 - NO DEPARTMENT Total:	**1,421.66**
				Fund 704 - CIVIL PROCESS Total:	**1,421.66**
Fund: 999 - POOLED CASH					
Dept: 00 - NO DEPARTMENT					
Account: 10050 - CASH ON HAND					
TETON COUNTY TREASURER	CASHBOX	07/14/2025	CASH BANK FOR PROBATION	999-00-10050	25.00
				Account 10050 - CASH ON HAND Total:	**25.00**
				Dept 00 - NO DEPARTMENT Total:	**25.00**
				Fund 999 - POOLED CASH Total:	**25.00**
				Grand Total:	**596,095.46**

Brad Wolfe, Chair

Dan Powers

Ron James

Attest:

Kim Keeley, Clerk



Teton County, ID

Budget Report

Group Summary

For Fiscal: FY25 Period Ending: 07/31/2025

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - GENERAL FUND (CURRENT EXPENSE)						
Expense	8,825,792.35	9,359,642.35	430,567.92	7,246,579.63	2,113,062.72	22.58%
Fund: 001 - GENERAL FUND (CURRENT EXPENSE) Total:	**8,825,792.35**	**9,359,642.35**	**430,567.92**	**7,246,579.63**	**2,113,062.72**	**22.58%**
Fund: 202 - ROAD & BRIDGE						
Expense	4,007,433.00	4,463,863.00	48,198.62	1,991,793.36	2,472,069.64	55.38%
Fund: 202 - ROAD & BRIDGE Total:	**4,007,433.00**	**4,463,863.00**	**48,198.62**	**1,991,793.36**	**2,472,069.64**	**55.38%**
Fund: 206 - DISTRICT COURT & PROBATION						
Expense	899,346.00	899,346.00	51,476.96	680,951.63	218,394.37	24.28%
Fund: 206 - DISTRICT COURT & PROBATION Total:	**899,346.00**	**899,346.00**	**51,476.96**	**680,951.63**	**218,394.37**	**24.28%**
Fund: 209 - COURT FACILITY: IC 31-867(3)						
Expense	21,000.00	21,000.00	0.00	0.00	21,000.00	100.00%
Fund: 209 - COURT FACILITY: IC 31-867(3) Total:	**21,000.00**	**21,000.00**	**0.00**	**0.00**	**21,000.00**	**100.00%**
Fund: 215 - CONSOLIDATED ELECTIONS						
Expense	86,722.00	86,722.00	9,162.22	65,601.33	21,120.67	24.35%
Fund: 215 - CONSOLIDATED ELECTIONS Total:	**86,722.00**	**86,722.00**	**9,162.22**	**65,601.33**	**21,120.67**	**24.35%**
Fund: 216 - INDIGENT AND CHARITY						
Expense	37,000.00	37,000.00	1,223.77	7,676.32	29,323.68	79.25%
Fund: 216 - INDIGENT AND CHARITY Total:	**37,000.00**	**37,000.00**	**1,223.77**	**7,676.32**	**29,323.68**	**79.25%**
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT						
Expense	0.00	0.00	0.00	902,978.00	-902,978.00	0.00%
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT Total:	**0.00**	**0.00**	**0.00**	**902,978.00**	**-902,978.00**	**0.00%**
Fund: 220 - REVALUATION						
Expense	197,474.00	197,474.00	16,500.00	166,005.00	31,469.00	15.94%
Fund: 220 - REVALUATION Total:	**197,474.00**	**197,474.00**	**16,500.00**	**166,005.00**	**31,469.00**	**15.94%**
Fund: 223 - SOLID WASTE						
Expense	4,001,515.00	4,001,515.00	129,980.18	1,924,690.70	2,076,824.30	51.90%
Fund: 223 - SOLID WASTE Total:	**4,001,515.00**	**4,001,515.00**	**129,980.18**	**1,924,690.70**	**2,076,824.30**	**51.90%**
Fund: 224 - TORT						
Expense	286,000.00	286,000.00	0.00	282,208.00	3,792.00	1.33%
Fund: 224 - TORT Total:	**286,000.00**	**286,000.00**	**0.00**	**282,208.00**	**3,792.00**	**1.33%**
Fund: 227 - WEEDS						
Expense	210,360.00	210,360.00	5,830.75	126,202.40	84,157.60	40.01%
Fund: 227 - WEEDS Total:	**210,360.00**	**210,360.00**	**5,830.75**	**126,202.40**	**84,157.60**	**40.01%**
Fund: 230 - PARKS & RECREATION						
Expense	22,450.00	22,450.00	579.00	679.00	21,771.00	96.98%
Fund: 230 - PARKS & RECREATION Total:	**22,450.00**	**22,450.00**	**579.00**	**679.00**	**21,771.00**	**96.98%**
Fund: 233 - SPECIAL ROAD LEVY						
Expense	1,400,000.00	1,532,500.00	172.25	697,055.34	835,444.66	54.52%
Fund: 233 - SPECIAL ROAD LEVY Total:	**1,400,000.00**	**1,532,500.00**	**172.25**	**697,055.34**	**835,444.66**	**54.52%**
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND						
Expense	0.00	0.00	0.00	67.10	-67.10	0.00%
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND Total:	**0.00**	**0.00**	**0.00**	**67.10**	**-67.10**	**0.00%**
Fund: 241 - BUILDING FUND						
Expense	0.00	378,021.80	0.00	0.00	378,021.80	100.00%
Fund: 241 - BUILDING FUND Total:	**0.00**	**378,021.80**	**0.00**	**0.00**	**378,021.80**	**100.00%**
Fund: 244 - EMERGENCY 911 COMM: 31-4809						
Expense	305,962.00	305,962.00	170.00	67,418.54	238,543.46	77.97%

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 244 - EMERGENCY 911 COMM: 31-4809 Total:	**305,962.00**	**305,962.00**	**170.00**	**67,418.54**	**238,543.46**	**77.97%**
Fund: 245 - EXTENSION & 4H PROGRAMS						
Expense	27,500.00	27,500.00	536.38	10,273.38	17,226.62	62.64%
Fund: 245 - EXTENSION & 4H PROGRAMS Total:	**27,500.00**	**27,500.00**	**536.38**	**10,273.38**	**17,226.62**	**62.64%**
Fund: 251 - MOSQUITO ABATEMENT DISTRICT						
Expense	416,817.00	416,817.00	30,770.49	289,532.57	127,284.43	30.54%
Fund: 251 - MOSQUITO ABATEMENT DISTRICT Total:	**416,817.00**	**416,817.00**	**30,770.49**	**289,532.57**	**127,284.43**	**30.54%**
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013						
Expense	21,500.00	21,500.00	406.00	967.08	20,532.92	95.50%
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013 Total:	**21,500.00**	**21,500.00**	**406.00**	**967.08**	**20,532.92**	**95.50%**
Fund: 275 - HEALTH						
Expense	70,000.00	70,000.00	0.00	78,749.25	-8,749.25	-12.50%
Fund: 275 - HEALTH Total:	**70,000.00**	**70,000.00**	**0.00**	**78,749.25**	**-8,749.25**	**-12.50%**
Fund: 276 - ARPA						
Expense	0.00	0.00	0.00	989,017.30	-989,017.30	0.00%
Fund: 276 - ARPA Total:	**0.00**	**0.00**	**0.00**	**989,017.30**	**-989,017.30**	**0.00%**
Fund: 282 - FAIRGROUNDS & FAIR						
Expense	292,091.00	292,091.00	17,050.26	152,233.91	139,857.09	47.88%
Fund: 282 - FAIRGROUNDS & FAIR Total:	**292,091.00**	**292,091.00**	**17,050.26**	**152,233.91**	**139,857.09**	**47.88%**
Fund: 286 - GRANTS						
Expense	380,370.00	380,370.00	6,477.55	228,527.08	151,842.92	39.92%
Fund: 286 - GRANTS Total:	**380,370.00**	**380,370.00**	**6,477.55**	**228,527.08**	**151,842.92**	**39.92%**
Fund: 290 - IMPACT FEES-REC FACILITIES						
Expense	200,000.00	200,000.00	0.00	171,978.29	28,021.71	14.01%
Fund: 290 - IMPACT FEES-REC FACILITIES Total:	**200,000.00**	**200,000.00**	**0.00**	**171,978.29**	**28,021.71**	**14.01%**
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES						
Expense	570,000.00	570,000.00	172,990.09	492,807.37	77,192.63	13.54%
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES Total:	**570,000.00**	**570,000.00**	**172,990.09**	**492,807.37**	**77,192.63**	**13.54%**
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI						
Expense	180,000.00	180,000.00	0.00	61,524.71	118,475.29	65.82%
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI Total:	**180,000.00**	**180,000.00**	**0.00**	**61,524.71**	**118,475.29**	**65.82%**
Fund: 293 - IMPACT FEES-CIRC FACILITIES						
Expense	750,000.00	750,000.00	0.00	0.00	750,000.00	100.00%
Fund: 293 - IMPACT FEES-CIRC FACILITIES Total:	**750,000.00**	**750,000.00**	**0.00**	**0.00**	**750,000.00**	**100.00%**
Report Total:	**23,209,332.35**	**24,710,134.15**	**922,092.44**	**16,635,517.29**	**8,074,616.86**	**32.68%**

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001 - GENERAL FUND (CURRENT E	8,825,792.35	9,359,642.35	430,567.92	7,246,579.63	2,113,062.72	22.58%
202 - ROAD & BRIDGE	4,007,433.00	4,463,863.00	48,198.62	1,991,793.36	2,472,069.64	55.38%
206 - DISTRICT COURT & PROBATI	899,346.00	899,346.00	51,476.96	680,951.63	218,394.37	24.28%
209 - COURT FACILITY: IC 31-867(3	21,000.00	21,000.00	0.00	0.00	21,000.00	100.00%
215 - CONSOLIDATED ELECTIONS	86,722.00	86,722.00	9,162.22	65,601.33	21,120.67	24.35%
216 - INDIGENT AND CHARITY	37,000.00	37,000.00	1,223.77	7,676.32	29,323.68	79.25%
218 - EMPLOYEE BENEFIT ACCOUN	0.00	0.00	0.00	902,978.00	-902,978.00	0.00%
220 - REVALUATION	197,474.00	197,474.00	16,500.00	166,005.00	31,469.00	15.94%
223 - SOLID WASTE	4,001,515.00	4,001,515.00	129,980.18	1,924,690.70	2,076,824.30	51.90%
224 - TORT	286,000.00	286,000.00	0.00	282,208.00	3,792.00	1.33%
227 - WEEDS	210,360.00	210,360.00	5,830.75	126,202.40	84,157.60	40.01%
230 - PARKS & RECREATION	22,450.00	22,450.00	579.00	679.00	21,771.00	96.98%
233 - SPECIAL ROAD LEVY	1,400,000.00	1,532,500.00	172.25	697,055.34	835,444.66	54.52%
236 - PROSECUTOR'S SPECIAL DRU	0.00	0.00	0.00	67.10	-67.10	0.00%
241 - BUILDING FUND	0.00	378,021.80	0.00	0.00	378,021.80	100.00%
244 - EMERGENCY 911 COMM: 31	305,962.00	305,962.00	170.00	67,418.54	238,543.46	77.97%
245 - EXTENSION & 4H PROGRAM	27,500.00	27,500.00	536.38	10,273.38	17,226.62	62.64%
251 - MOSQUITO ABATEMENT DIS	416,817.00	416,817.00	30,770.49	289,532.57	127,284.43	30.54%
254 - VESSEL/WATERWAYS: IC 67-	21,500.00	21,500.00	406.00	967.08	20,532.92	95.50%
275 - HEALTH	70,000.00	70,000.00	0.00	78,749.25	-8,749.25	-12.50%
276 - ARPA	0.00	0.00	0.00	989,017.30	-989,017.30	0.00%
282 - FAIRGROUNDS & FAIR	292,091.00	292,091.00	17,050.26	152,233.91	139,857.09	47.88%
286 - GRANTS	380,370.00	380,370.00	6,477.55	228,527.08	151,842.92	39.92%
290 - IMPACT FEES-REC FACILITIES	200,000.00	200,000.00	0.00	171,978.29	28,021.71	14.01%
291 - IMPACT FEES-SHERIFF FACILI	570,000.00	570,000.00	172,990.09	492,807.37	77,192.63	13.54%
292 - IMPACT FEES-EMERG SRVCS	180,000.00	180,000.00	0.00	61,524.71	118,475.29	65.82%
293 - IMPACT FEES-CIRC FACILITIES	750,000.00	750,000.00	0.00	0.00	750,000.00	100.00%
Report Total:	**23,209,332.35**	**24,710,134.15**	**922,092.44**	**16,635,517.29**	**8,074,616.86**	**32.68%**

AGENDA ACTION ITEM

TO: Board of County Commissioners

FROM: Clerk's Office

ITEM TITLE: **Action Item – Liquor License Approval**

Summary:

Alcohol Beverage License for Teton Arts Council Summer Party on August 22, 2025 at 110 Rodeo Dr. Driggs, Idaho.

SUGGESTED MOTION:

Approve the liquor licenses as presented.

2025

TETON COUNTY
STATE OF IDAHO

No. 2025-102

RETAIL ALCOHOL BEVERAGE LICENSE

THIS IS TO CERTIFY THAT TETON ARTS COUNCIL
doing business as SUMMER PARTY
at 110 RODEO DR, DRIGGS, IDAHO 83422
a(n) CORPORATION, is licensed to sell Alcoholic Beverages as stated below, subject to the provisions of Chapters 23-903 and 23-916 Idaho Code Annotated, and the laws of the State of Idaho, Municipal Ordinances, and the regulations of the Commissioner in regard to sale of Alcoholic Beverages and the resolution passed by the Commissioners of said County, on file in the office of the Clerk of the Board at the Teton County Courthouse, Driggs, Idaho.

Transfer Fee	
Bottled/canned beer, Consumed off premise	$0.00
Bottled/canned beer, Consumed on premise	$10.00
Draft beer, Includes draft, bottled, and/or canned	$0.00
Wine by the glass	$10.00
Wine by the bottle	$0.00
Liquor	$0.00
Total	**$20.00**

Signature of Licensee or Officer of Corporation

This license is TRANSFERABLE and EXPIRES 08/22/2025.
Witness my hand and seal

Chairman

Commissioner

(SEAL)

Clerk of the Board of County Commissioners

Commissioner

(This license must be conspicuously displayed)

AGENDA ACTION ITEM

TO: Board of County Commissioners

FROM: Clerk's Office

ITEM TITLE: **Action Item – Liquor License Approval**

Summary:

Approve Alcohol Beverage License for Teton County Fair Hoedown at 1412 N Hwy 33, Driggs, Idaho, (fair grounds), on August 8,2025

SUGGESTED MOTION:

Approve the liquor licenses as presented.

2025

TETON COUNTY
STATE OF IDAHO

No. 2025-103

RETAIL ALCOHOL BEVERAGE LICENSE

THIS IS TO CERTIFY THAT COUNTY OF TETON
doing business as FAIR HOEDOWN
at 1412 N HWY 33, DRIGGS, IDAHO 83422
a(n) INDIVIDUAL , is licensed to sell Alcoholic Beverages as stated below, subject to the provisions of Chapters 23-903 and 23-916 Idaho Code Annotated, and the laws of the State of Idaho, Municipal Ordinances, and the regulations of the Commissioner in regard to sale of Alcoholic Beverages and the resolution passed by the Commissioners of said County, on file in the office of the Clerk of the Board at the Teton County Courthouse, Driggs, Idaho.

Transfer Fee	
Bottled/canned beer, Consumed off premise	$0.00
Bottled/canned beer, Consumed on premise	$0.00
Draft beer, Includes draft, bottled, and/or canned	$0.00
Wine by the glass	$0.00
Wine by the bottle	$0.00
Liquor	$0.00
Total	**$0.00**

Signature of Licensee or Officer of Corporation

This license is TRANSFERABLE and EXPIRES 08/06/2025.
Witness my hand and seal

Chairman

Commissioner

(SEAL)

Clerk of the Board of County Commissioners

Commissioner

(This license must be conspicuously displayed)

Revised 10-14-2021

PAYROLL FORM

NEW EMPLOYEE

x CHANGE EXISTING EMPLOYEE

EMPLOYEE NAME: Burris, Joshua

TO BE COMPLETED BY SUPERVISOR

Start Date: _____

Department: Probation

Position: Probation Director

Base hours per week: 40 hours

Current Status: ■ Full Time ☐ Part Time no benefits

REQUEST EFFECTIVE DATE: 20250719

ALL NEW HIRES & PAY INCREASES MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

Pay Rate: _____ Hourly

$62,400.00 Salaried

Employee Pay Grade: 9

PAYROLL CHANGES CAN ONLY OCCUR AT THE BEGINNING OF A NEW PAY PERIOD

Budget Account # 206 (FUND) 62 (DEPT) 40200 (ACCOUNT)

☐ **Change Rate of Pay:**

☐ Merit Increase (attach Performance Evaluation)

☐ Promotion _____ X Other _____

From $25.81

To $30.00

☐ **Termination (Must attach Employee Separation Report):**

Last Day Worked: _____

☐ Voluntary ☐ Discharged ☐ Laid Off

Comments: This raise is for the promotion from Probation Officer to Probation Director.

TO BE COMPLETED BY EMPLOYEE

Mailing Address: _____

City, State, Zip: _____

Physical Address: _____

City, State, Zip: _____

Telephone: _____

Emergency Contact: _____

ER Contact phone #: _____

TO BE COMPLETED BY PAYROLL DEPARTMENT

DATE OF FIRST PAYCHECK: _____

INSURANCE ELIGIBILITY DATE: _____

☐ W-4

☐ I-9

☐ Supporting ID for I-9

☐ Direct Deposit

☐ Personnel Manual Acknowledgement

☐ PERSI Forms ☐ 118 for Law Enforcement

☐ Seasonal Form

☐ Report New Hire to ID Dept. of Labor

☐ Add Benefit Sick Leave Hrs.

☐ Notify I.T. ☐ Facilities ☐ R&B

☐ Contact AFLAC representative

☐ Contact NBS (Laura Woolston)

Accrual Activation Date for Benefited Employee _____

Entered by: _____ Date: _____

SIGNATURE

Submitted by: Dan Reyes — July 11, 2025 (Date)

Approved by the Board of County Commissioners: _____ — _____ (Date)

Deliver this original form to the County Manager and a copy to the Payroll Department

AGENDA ACTION ITEM

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Darryl Johnson, Public Works Director

ITEM TITLE: **9:00 AM MT Action Item – N1000W Road Vacation Public Hearing**

Summary:

Driggs Acquisition LLC has submitted a Road Vacation Application for N1000W lying within Sections 22 & 23 Township 5 North, Range 45 East. Approximately 2000 linear feet of County Road.

Fiscal Impact:

Idaho's transportation fund sources are distributed by the following:

Equally Divided
Registration Revenue
Improved Road Miles

FY2025 Teton County received $2,000,000 through fuel tax and registration. Teton County maintains 308 miles of roads. Although not exact and based on factors other than miles claimed, Teton County receives approximately $6,500 for every mile claimed.

Attachments:

Road Vacation Hearing Staff Report
Road Vacation/Abandonment/Addition Application
Idaho Code 40-203A
Idaho Code 40-203
Public Hearing Notice

SUGGESTED MOTION:

See Staff Report

STAFF REPORT FOR ROAD VALIDATION / VACATION UNDER I.C. § 40-203 and 40-203A
SUBJECT ROAD: the road or right-of-way known as "N1000S"
PREPARED FOR: BoCC July 14, 2025 Public Hearing

PROCEDURAL BACKGROUND:

On March 2, 2025, Driggs Acquisition, LLC submitted a Road Vacation/Abandonment/Addition Application requesting to vacate N1000W beginning approximately 340 feet south of Indian Sunset Drive and continuing south into the Tributary subdivision. Pursuant to Idaho Code § 40-208(7), the road vacation process under Idaho Code § 40-203 and 40-203A is the prescribed process for the evaluation, determination and vacation of legal status or width of a public road.

REQUIREMENTS FOR NOTICE OF PUBLIC HEARING:

In accordance with the requirements of Idaho Code § 40-203(1)(d), (e) and (f), notice of this public hearing was published in the Teton Valley News on June 11, 2025 and July 2, 2025 and notice to adjacent landowners was mailed on May 15, 2025.

OVERVIEW OF ROAD VACATION PROCEEDING:

Where there is no doubt as to the legal status of a road proposed for vacation, the BoCC determines whether it may be in the public interest to abandon or vacate the road. Full text of applicable code is attached.

1. Road Vacation/Abandonment: If a public right-of-way exists, should it be abandoned?

The BoCC must "decide whether the abandonment and vacation of the highway or public right of way is in the public interest of the highway jurisdiction affected but the abandonment or vacation." I.C. § 40-203(1)(h). "No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact." I.C. § 40-203(2).

At the hearing, the BoCC shall consider all information in the record and shall accept testimony from all persons or entities having an interest in the proposed validation. I.C. §§ 40-203A(2)(e) and 40-203(1)(g).

After the hearing, the BoCC shall cause any order or other resolution of the validation proceeding to be recorded in the County records and shall cause the official map of the County highway system to be amended as required to reflect any order or other resolution of the validation proceeding. I.C. § 40-203(1)(j).

LOCATION AND HISTORY OF ROAD:

Based on staff review of county records:

1. LOCATION: The Road is currently shown on the county GIS Map as N1000W. It is located in Sections 22 & 23 T5N R45, Teton County and lies within a 50 foot strip of land through property currently owned by Driggs Acquisition, LLC, Parcel No's RP05N45E220011, RP05N45E233000, RP05N45E232401, and RP05N45E233603.
2. COUNTY ROAD MAP: The Road is shown on the Official Road Map of Teton County adopted on November 22, 2017.
3. PRIOR OFFICIAL FINDINGS:
    a. Beginning July 17, 2006, the Teton County Board of County Commissioner held a series of public hearings to validate all roads in Teton County prior to adoption an official County Road Map ("the 2006 Road Hearings").
    b. N1000W is shown on the Quadrant C exhibit. The exhibit has the road labeled as C-18 but all tables and discussions in the minutes refer the road as C-19. as part of the 2006 Road Hearings.
    c. For each road formally adopted to the County Road Map at the 2006 Road Hearings, the minutes of the 2006 Road Hearings document that the road description was read, comments from Road and Bridge, any public comments and whether the Board of County Commissioners motioned to include or exclude such road from the County Road Map. The minutes of the 2006 Road Hearing include discussion and adoption of N1000S.

PUBLIC COMMENT:

No public written comments or exhibits were received as of 5:00 PM, Wednesday, July 9, 2025, the deadline for inclusion in the hearing packet set forth in the notice for this hearing.

STAFF RECOMMENDATION:

N1000W south of the EE-DAH-HOW Subdivision is located entirely on property owned by Driggs Acquisition LLC. The road currently provides a remote access to the Tributary PUD. Tributary is a private gated community. Currently, N1000W at the south end of EE-DAH-HOW Subdivision is gated. The PUD gated status and interior road configuration eliminates the possibility of connectivity from EE-DAH-HOW Subdivision to Bates Road.

County staff recommends that the BoCC approve the vacation of N1000W south of the southern boundary of the EE-DAH-HOW Subdivision.

PROPOSED MOTIONS:

The following motions could be made to recommend validation/vacation of the Road:

A. CONTINUATION

I move to continue the hearing for the Vacation of the Road Known as N1000W to a future BoCC agenda in order to obtain additional information on the following issues:

1. …….

B. ROAD VACATION/ABANDONMENT

I move to vacate N1000W south of the southern boundary of EE-DAH-HOW subdivision as presented and remove the same from the county road map based on the following findings:

1. ….

After the BoCC's decision is made, the BoCC should direct the Public Works Director and Civil Deputy Prosecuting Attorney to prepare a written Findings of Fact and Conclusions of Law and Order for commissioner approval and recording in accordance with the law.

Prepared by:
Darryl Johnson, Public Works Director

Attachments:

Road Vacation/Abandonment/Addition Application
Idaho Code § 40-203A
Idaho Code § 40-203
Public Hearing Notice

ROAD VACATION / ABANDONMENT / ADDITION APPLICATION

Teton County, Idaho

The County Engineer is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by staff and then scheduled for the appropriate public hearing(s). It is recommended that the applicant review Idaho Code 40-203 and Teton County Code Section 9-7-1.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Driggs Acquisition LLC

Applicant: Todd Woolstenhulme E-mail: tw@tributaryidaho.com

Phone: (208) 313-4060 Mailing Address: 1839 N 1000 W

City: Driggs State: ID Zip Code: 83422

Location:

Address: See attached map Section: 22/23 Township: 5N Range: 45E

Parcel Number: RP05N45E233000, RP05N45E232401, RP05N45E233603, RP05N45E220011, RP000230000160

I, the undersigned, understand that the items listed below are required for my application to be considered complete and for it to be scheduled on an agenda for public meeting/hearing.

- Applicant Signature: Todd Woolstenhulme Date: 4-2-25

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

- Owner Signature: _____ Date: 4.2.25

Fees are non-refundable.

SECTION II. CRITERIA FOR RECOMMENDATIONS AND DECISIONS:

1. A site plan drawn to scale by a professional surveyor may be required showing: See attached map
   - Perimeter, dimensions and topography of the road/property.
   - The names and locations of all streets bordering the property.
   - The location of all easements or right(s)-of-way.
   - The location and dimensions of present and proposed structures.

2. Attach a narrative statement that addresses Title 40 of Idaho Code. See attached transmittal letter
   - That granting the proposed vacation is in the public interest.
   - That the vacation will not leave real property adjoining the highway or public right(s)-of-way without access to the public highway or right(s)-of-way.
   - Reservation of easements or right(s)-of-way for public utilities or ditches and canals.
   - Name of landowner who originally dedicated the parcel to the public. (Fair market value may be imposed.)
3. Fees paid in accordance with current fee schedule. To be delivered with application

SECTION III. SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE:

- Notification of adjoining property owners: Property owners, utility companies, underground facilities, and irrigation companies adjoining the road shall be notified of this application 30 days prior to the public hearing date. This notice must include time, date, and place of the public hearing and will be mailed by staff.

  If a subdivision is adjacent to the application then all lot owners in the subdivision must be notified. If the property is within a subdivision the entire subdivision and any property within 300 feet of the exterior of the subdivision must be notified.

- Notice shall be posted on the property showing the time, date and place of the public hearings and a description of the action requested.

- These procedures are required to be completed prior to each public hearing in accordance with Idaho Code Section 40-203 as amended.

SECTION IV: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION V: PLANNING AND ZONING COMMISSION ACTION IF NECESSARY

SECTION VI: BOARD OF COUNTY COMMISSIONERS ACTION

Return Completed Form & Documentation to:

Teton County Engineer
Department of Public works
150 Courthouse Drive
Driggs, ID 83422

FAX: 1-208-354-8778

If you have questions about this application, you may call 1-208-354-0245

3/24/2025

Teton County Road and Bridge
Teton County Annex
547 N. Main Street
Driggs, ID 83422

ATTN: Blaine Ball, Road and Bridge Supervisor

RE: Vacation of N 1000 W, Tributary PUD

Dear Road and Bridge Staff:

Please find the attached application and supporting documents for the official vacation of County Road N 1000 W on property owned by Driggs Acquisition LLC. Attached Exhibit A illustrates the portion of this road for which this vacation would apply.

It is our understanding that there are no recorded easements, maps, surveys or other documentation that were used to establish N 1000W as a county road. Instead, it appears that in the past, a primitive gravel road was constructed to access several private agricultural properties. These properties have since been purchased by Blackfoot Farms, LLC (Huntsman Springs) and subsequently Driggs Acquisition, LLC, the current owner of the Tributary PUD and applicant for this vacation.

Tributary no longer has any need or use for this county road within the PUD as all roads in this portion of the development will be private. Similarly, this road has not been maintained by the county or used as a county road for nearly 20 years. The short remaining section of the road has been used exclusively by Tributary and their contractors as a controlled construction access since 2005.

Granting this proposed vacation is in the public's best interest by preventing those without proper permission from entering a potentially dangerous and active construction site. It would also officially eliminate any responsibility for the county to repair or maintain approximately 0.75 miles of gravel road that does not serve any owners outside of the Tributary PUD.

Underground public utilities such as power and communications located within the roadway alignment would be allowed to remain. An official recorded easement would be granted by Driggs Acquisition to the applicable utility company for use and maintenance. Historic irrigation supply ditches would also be granted easements where necessary. However, most of the irrigation water in this area serves lands that are part of the Tributary PUD.

We also wish to note that approximately one mile of the historic N 1000 W has been incorporated into the Tributary PUD and City of Driggs. This section of N 1000 W that is within the city limits is also shown on the attached exhibit. However, with the approval of the 2019 Tributary (Huntsman Springs) PUD Master Plan Amendment (Approved by the City on 5-14-2019), 2019 Development Agreement (Inst # 256791) and the 2024 Phase III Addition to the City of Driggs (Inst # 283901), all roads within the Tributary PUD gates were made private. As a result, N 1000 W no longer functions as a public road through the Tributary property.

Please let us know if you need any other information or have any questions.

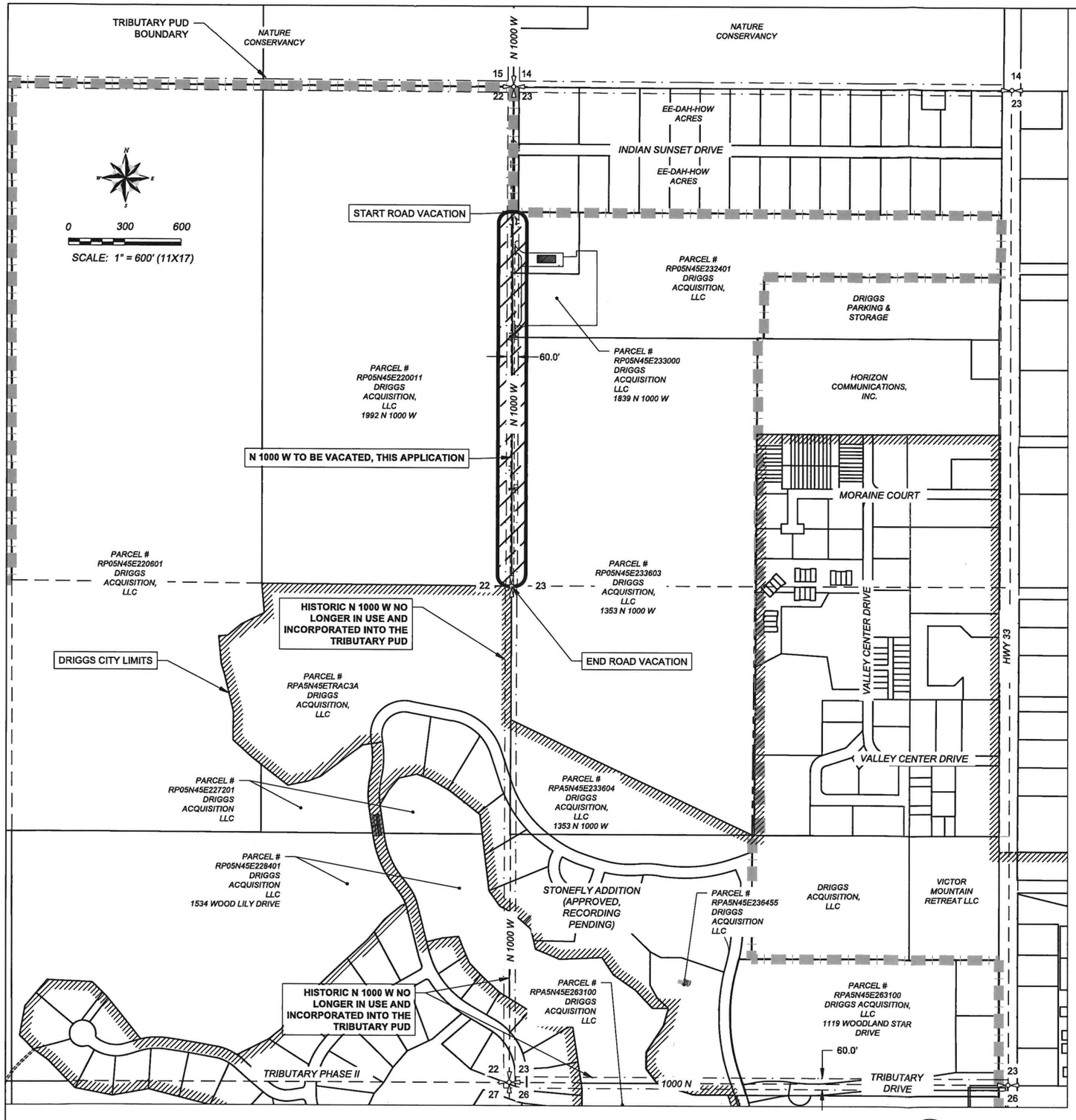
Thank you.

Todd Woolstenhulme
Tributary Construction Manager

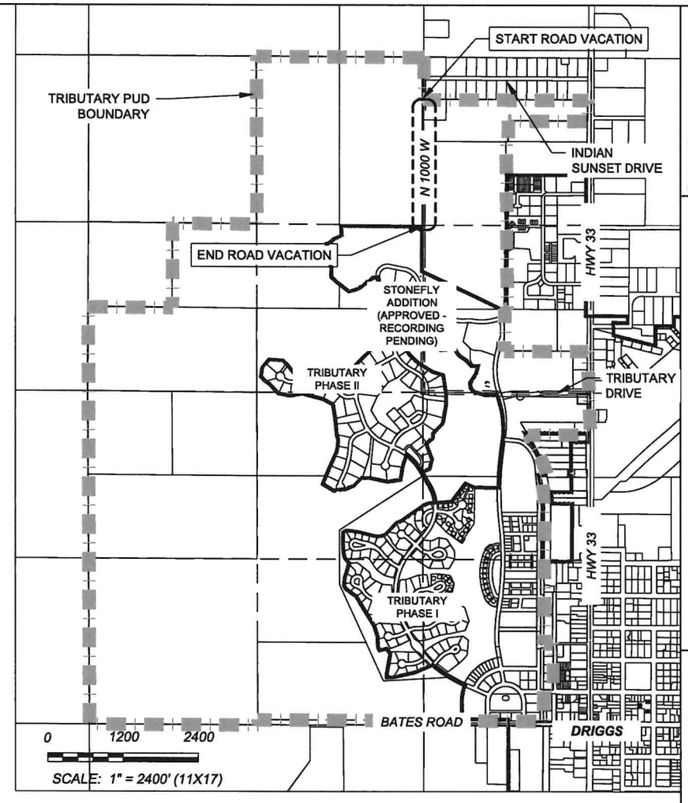
Cc: Darryl Johnson

Attachments:

1) Teton County Road Vacation / Abandonment Application
2) Map showing portion of N 1000 W to be vacated



ROAD VACATION SITE MAP
AS SHOWN
1
C1.0



VICINITY MAP
AS SHOWN
2
C1.0

NOTE: SEE INSTRUMENTS # 256791 AND # 283901 WHICH PRIVATIZE ROADS WITHIN THE TRIBUTARY PUD, ELIMINATING THE USE OF N 1000 W AS A PUBLIC ROAD WITHIN THE PUD AND CITY LIMITS

LEGEND

- SECTION CORNER AS NOTED
- 1/4 SECTION CORNER AS NOTED CORNER
- CITY OF DRIGGS BOUNDARY 2023
- TRIBUTARY P.U.D. BOUNDARY
- 1/4 SECTION
- SECTION LINE
- COUNTY ROAD RIGHT-OF-WAY (ROW)
- ROAD VACATION LOCATION

Drawing Name: C:\Users\JoAnnHoff\Documents\0-MY STUFF\RDZ-SERVER\Data-OEM\18-004.18_1000West\D.Design\DWG 1000W\2024-1000W-VACATION-SITE.dwg

Prepared By: JFH
Date: 4/2/2025
Rev. Date:

RENDEZVOUS ENGINEERING, P.C.
P.O. BOX 4958 JACKSON, WYOMING 83001
25 SOUTH GROS VENTRE STREET
PHONE - 307.733.5252 FAX - 307.733.2334

DRAWING TITLE: N 1000 W ROAD VACATION SITE PLAN

PROJECT TITLE: N 1000 W ROAD VACATION TRIBUTARY TETON COUNTY, IDAHO

PROJECT NUMBER: 18-004.17

DRAWING NUMBER: C1.0



Teton County Engineering & Public Works 150 Courthouse Drive	**ROAD VALIDATION/VACATION** N 1000 W	Scale: Not to Scale Prepared by: TJK Date: 5-13-25

Idaho Statutes

TITLE 40
HIGHWAYS AND BRIDGES
CHAPTER 2
GENERAL PROVISIONS

40-203A. VALIDATION OF COUNTY OR HIGHWAY DISTRICT SYSTEM HIGHWAY OR PUBLIC RIGHT-OF-WAY. (1) Any resident or property holder within a county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may petition the board of county or highway district commissioners, whichever shall have jurisdiction of the highway system, to initiate public proceedings to validate a highway or public right-of-way, including those which furnish public access to state and federal public lands and waters, provided that the petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings, or the commissioners may initiate validation proceedings on their own resolution, if any of the following conditions exist:

(a) If, through omission or defect, doubt exists as to the legal establishment or evidence of establishment of a highway or public right-of-way;

(b) If the location of the highway or public right-of-way cannot be accurately determined due to numerous alterations of the highway or public right-of-way, a defective survey of the highway, public right-of-way or adjacent property, or loss or destruction of the original survey of the highways or public rights-of-way; or

(c) If the highway or public right-of-way as traveled and used does not generally conform to the location of a highway or public right-of-way described on the official highway system map or in the public records.

(2) If proceedings for validation of a highway or public right-of-way are initiated, the commissioners shall follow the procedure set forth in section 40-203, Idaho Code, and shall:

(a) If the commissioners determine it is necessary, cause the highway or public right-of-way to be surveyed;

(b) Cause a report to be prepared, including consideration of any survey and any other information required by the commissioners;

(c) Establish a hearing date on the proceedings for validation;

(d) Cause notice of the proceedings to be provided in the same manner as for abandonment and vacation proceedings; and

(e) At the hearing, the commissioners shall consider all information relating to the proceedings and shall accept testimony from persons having an interest in the proposed validation.

(3) Upon completion of the proceedings, the commissioners shall determine whether validation of the highway or public right-of-way is in the public interest and shall enter an order validating the highway or public right-of-way as public or declaring it not to be public.

(4) From any such decision, any resident or property holder within a county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appeal to

the district court of the county in which the highway or public right-of-way is located pursuant to section 40-208, Idaho Code.

(5) When a board of commissioners validates a highway or public right-of-way, it shall cause the order validating the highway or public right-of-way, and if surveyed, cause the survey to be recorded in the county records and shall amend the official highway system map of the respective county or highway district.

(6) The commissioners shall proceed to determine and provide just compensation for the removal of any structure that, prior to creation of the highway or public right-of-way, encroached upon a highway or public right-of-way that is the subject of a validation proceeding, or if such is not practical, the commissioners may acquire property to alter the highway or public right-of-way being validated.

(7) This section does not apply to the validation of any highway, public street or public right-of-way which is to be accepted as part of a platted subdivision pursuant to chapter 13, title 50, Idaho Code.

History:

[40-203A, added 1986, ch. 206, sec. 4, p. 514; am. 1993, ch. 412, sec. 5, p. 1509; am. 1995, ch. 121, sec. 3, p. 525; am. 2000, ch. 251, sec. 3, p. 713.]

How current is this law?

Search the Idaho Statutes and Constitution

Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 40
HIGHWAYS AND BRIDGES
CHAPTER 2
GENERAL PROVISIONS

40-203. ABANDONMENT AND VACATION OF COUNTY AND HIGHWAY DISTRICT SYSTEM HIGHWAYS OR PUBLIC RIGHTS-OF-WAY. (1) A board of county or highway district commissioners, whichever shall have jurisdiction of the highway system, shall use the following procedure to abandon and vacate any highway or public right-of-way in the county or highway district system including those which furnish public access to state and federal public lands and waters:

(a) The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.

(b) Any resident, or property holder, within a county or highway district system including the state of Idaho, any of its subdivisions, or any agency of the federal government may petition the respective commissioners for abandonment and vacation of any highway or public right-of-way within their highway system. The petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings.

(c) The commissioners shall establish a hearing date or dates on the proposed abandonment and vacation.

(d) The commissioners shall prepare a public notice stating their intention to hold a public hearing to consider the proposed abandonment and vacation of a highway or public right-of-way, which shall be made available to the public not later than thirty (30) days prior to any hearing and mailed to any person requesting a copy not more than three (3) working days after any such request.

(e) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice by United States mail to known owners and operators of an underground facility, as defined in section 55-2202, Idaho Code, that lies within the highway or public right-of-way.

(f) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice to owners of record of land abutting the portion of the highway or public right-of-way proposed to be abandoned and vacated at their addresses as shown on the county assessor’s tax rolls and shall publish notice of the hearing at least two (2) times if in a weekly newspaper or three (3) times if in a daily newspaper, the last notice to be published at least five (5) days and not more than twenty-one (21) days before the hearing.

(g) At the hearing, the commissioners shall accept all information relating to the proceedings. Any person, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appear and give testimony for or against abandonment.

(h) After completion of the proceedings and consideration of all related information, the commissioners shall decide whether the abandonment and vacation of the highway or public right-of-way is in the public interest of the highway jurisdiction affected by the abandonment or vacation. The decision whether or not to abandon and vacate the highway or public right-of-way shall be written and shall be supported by findings of fact and conclusions of law.

(i) If the commissioners determine that a highway or public right-of-way parcel to be abandoned and vacated in accordance with the provisions of this section has a fair market value of two thousand five hundred dollars ($2,500) or more, a charge may be imposed upon the acquiring entity, not in excess of the fair market value of the parcel, as a condition of the abandonment and vacation; provided, however, no such charge shall be imposed on the landowner who originally dedicated such parcel to the public for use as a highway or public right-of-way; and provided further, that if the highway or public right-of-way was originally a federal land right-of-way, said highway or public right-of-way shall revert to a federal land right-of-way.

(j) The commissioners shall cause any order or resolution to be recorded in the county records and the official map of the highway system to be amended as affected by the abandonment and vacation.

(k) From any such decision, a resident or property holder within the county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appeal to the district court of the county in which the highway or public right-of-way is located pursuant to section 40-208, Idaho Code.

(2) No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

(3) In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

(4) (a) When a county or highway district is to consider the abandonment or vacation of any highway, public street or public right-of-way that was accepted as part of a recorded platted subdivision, such abandonment shall be accomplished pursuant to the provisions of this section.

(b) When a county or highway district is to consider the abandonment or vacation of any highway, public street, or public right-of-way that was accepted as part of a platted subdivision that has never been improved or developed, such vacation or abandonment may be approved through the dedication of a new highway, public street, or public

right-of-way without compensation as set forth in subsection (1)(i) of this section.

(c) When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision, said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code.

(5) In any proceeding under this section or section 40-203A, Idaho Code, or in any judicial proceeding determining the public status or width of a highway or public right-of-way, a highway or public right-of-way shall be deemed abandoned if the evidence shows:

(a) That said highway or public right-of-way was created solely by a particular type of common law dedication, such as a dedication based upon a plat or other document that was not recorded in the official records of an Idaho county;

(b) That said highway or public right-of-way is not located on land owned by the United States or the state of Idaho nor on land entirely surrounded by land owned by the United States or the state of Idaho nor does it provide the only means of access to such public lands; and

(c)(i) That said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years; or

(ii) Said highway or right-of-way was never constructed and at least twenty (20) years have elapsed since the common law dedication.

(6) All other highways or public rights-of-way may be abandoned and vacated only upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest, and such other highways or public rights-of-way may be validated or judicially determined at any time notwithstanding any other provision of law. Provided that any abandonment under this section shall be subject to and limited by the provisions of subsections (2) and (3) of this section.

History:

[40-203, added 1985, ch. 253, sec. 2, p. 594; am. 1986, ch. 206, sec. 3, p. 513; am. 1986, ch. 328, sec. 4, p. 804; am. 1992, ch. 323, sec. 1, p. 959; am. 1993, ch. 412, sec. 4, p. 1507; am. 1995, ch. 121, sec. 2, p. 523; am. 2000, ch. 251, sec. 2, p. 711; am. 2013, ch. 239, sec. 4, p. 562; am. 2014, ch. 137, sec. 1, p. 372; am. 2021, ch. 179, sec. 1, p. 494.]

How current is this law?

Search the Idaho Statutes and Constitution

PUBLIC NOTICE
BOARD OF COUNTY COMMISSIONERS
TETON COUNTY, IDAHO
July 14, 2025

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Teton County Board of County Commissioners will hold a public hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive in Driggs, Idaho on **Monday July 14, 2025** beginning at **9:00 am.**

9:00 am PUBLIC HEARING: Road Vacation/Abandonment/Addition Application: Driggs Acquisition LLC applied for a Road Vacation/Abandonment/Addition Application to vacate N 1000 W. A map of this proposed vacation is available on the Teton County website.

Location: Section 22 & 23 T5N R45E

ADJOURN

Documents and information on the proposal are available for public viewing in the Teton County Public Works Director's Office at the Courthouse between the hours of 9 a.m. and 5 p.m., Monday through Friday, and online at www.tetoncountyidaho.gov. To view these items, go to Departments & Services and select Public Works. Then select the "N 1000 W Vacation" item in the Additional Information Side Bar. For further information, contact Darryl Johnson at (208) 776-8222, djohnson@co.teton.id.us, or 150 Courthouse Drive, Driggs, ID 83422.

Written comments may be dropped off at 150 Courthouse Drive, Rm. 107 (Engineer's Office), Driggs Idaho 83422; faxed to (208) 776-6519; or emailed to djohnson@co.teton.id.us. Written comments must be received by **5:00 p.m., July 9, 2025** to be incorporated into the packet of information provided to the Board prior to the hearing. Public comments at this hearing are welcome.

First Publication June 11, 2025
Second Publication July 2, 2025

AGENDA ACTION ITEM

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Darryl Johnson, Public Works Director

ITEM TITLE: **9:00 AM MT Action Item – Packsaddle Bench & Neville Springs Road Vacation/Addition Affirmation Public Hearing**

Summary:

On December 30, 2020 the Board of County Commissioners approved to adopt a new road alignment for the Packsaddle Bench and Neville Springs roads and vacate portions of existing roads. Written findings of facts of conclusions of law has yet to be recorded. Because the current board is different from the approving board, this action item is to confirm the current BoCC is in agreement with the motion approved on 12/30/2020. See attached Staff Report for details.

Fiscal Impact:

There is no financial impact associated with this action item

Attachments:

Staff Report
December 30, 2020 Packsaddle Road Vacation & Dedication Action Item
December 30, 2020 Agenda
December 30, 2020 Minutes
ROW Vacation
Instrument No. 26331 – Grant Deed
Idaho Code § 40-203A
Idaho Code § 40-203
Legal Notice

SUGGESTED MOTION:

See Staff Report

STAFF REPORT FOR ROAD VACATION/ABANDONMENT/ADDITION UNDER I.C. § 40-203 and 40-203A
SUBJECT ROAD: the road or right-of-way known as Packsaddle Bench Road & Neville Springs Road
PREPARED FOR: BoCC July 14, 2025 Public Hearing

PROCEDURAL BACKGROUND:

Ag Rim LLC, Ron Judy, Michael & Christina Assante, Bainbridge Earl Family Trust, and Joseph & Carol Felger applied for a Road Vacation/Abandonment/Addition Application to vacate/relocate portions of Packsaddle Road (W 4000 N) and Hoopes Road on April 19 of 2016.
A public hearing was held pursuant to that application on December 20, 2020. Upon consideration of the presented facts and testimony at the hearing, the Board granted the petition and vacated and relocated the requested portions of the above-mentioned roads. A map of the proposed vacation/relocation, included in the materials presented in that 2020 hearing, is included.
Written findings of fact and conclusions of law are required to effectuate validation/vacation proceedings under Idaho Code § 42-203. Because written finding of facts of conclusions of law from these previous hearings were inadvertently not recorded, and in light of the fact that no county commissioner taking part in the original decision currently serves on the Board, this hearing is set to present facts, evidence, and testimony to the current Board for issuance of written findings and conclusions.

REQUIREMENTS FOR NOTICE OF PUBLIC HEARING:

In accordance with the requirements of Idaho Code § 40-203(1)(d), (e) and (f), notice of this public hearing was published in the Teton Valley News on June 11, 2025 and July 2, 2025 and notice to adjacent landowners was mailed on May 21, 2025.

OVERVIEW OF ROAD VACATION/ABANDONMENT/ADDITION PROCEEDING:

Because written finding of facts of conclusions of law from these previous hearings have yet to be recorded, and in light of the fact that no county commissioner taking part in the original decision currently serves on the Board, this hearing is set to present facts, evidence, and testimony to the current Board for issuance of written findings and conclusions.

LOCATION AND HISTORY OF ROAD:

The original public hearing for Packsaddle Bench Road & Neville Springs Road was held on June 13, 2016. Through continuations and supplemental hearings, the application was eventually approved on December 30, 2020.

LOCATION: The Road is currently shown on the county GIS Map as Packsaddle Bench Road & Neville Springs Road. It is located in Sections 5, 6, 8 T5N R44E; Section 25 T6N R43E; Sections 30, 31 T6N R44E, Teton County

PUBLIC COMMENT:

No public written comments or exhibits were received as of 5:00 PM, Wednesday, July 9, 2025, the deadline for inclusion in the hearing packet set forth in the notice for this hearing.

STAFF RECOMMENDATION:

Approval of the Vacation/Abandonment/Addition application was approved on December 30, 2020.

Because no county commissioner taking part in the original decision currently serves on the Board, this hearing is set to present facts, evidence, and testimony to the current Board for issuance of written findings and conclusions. Staff recommendation is for the current Board to support the decision to approve in December of 2020.

PROPOSED MOTIONS:

The following motions could be made to recommend vacation/abandonment/addition of the Road:

A. ADVISEMENT
I move this matter be taken under advisement subject to future deliberation on the record.

B. CONTINUATION
I move to continue the hearing for the Vacation of the Road Known as N1000W to a future BoCC agenda in order to obtain additional information on the following issues:
1. …….

C. ROAD VACATION/ABANDONMENT/ADDITION
I move to support the previous board decision on December 30, 2020, approve the same motion made on said date and direct the Public Works Director and Civil Deputy Prosecuting Attorney to prepare a written Findings of Fact and Conclusions of Law and Order for commissioner's approval and recording in accordance with the law.

Prepared by:
Darryl Johnson, Public Works Director

Attachments:

December 30, 2020 Packsaddle Road Vacation & Dedication Action Item
December 30, 2020 Agenda
December 30, 2020 Minutes
ROW Vacation
Instrument Number 266331 – Grant Deed
Idaho Code § 40-203A
Idaho Code § 40-203

AGENDA ACTION ITEM

DATE: December 30, 2020

TO: Board of County Commissioners

FROM: Public Works Director Darryl Johnson

ITEM TITLE: ACTION ITEM: PACKSADDLE ROAD VACATION & DEDICATION

SUMMARY STATEMENT:
In 2015 Ag Rim/Grandview Ranch submitted a Road Vacation Application to Teton County. The landowners proposed vacating the existing county road from the bottom of Kay's Hill up to Susie's Nipple. In exchange for the road vacation, the applicant proposed constructing a new road built to county standards along a corridor farther to the east of the existing corridor. Attached is the Agreement to Vacate and Relocate Road between landowners and County. The applicant has been working on new road construction since 2015. The County has inspected and signed off on portions of the improvements as they were completed. Public Works issued a final acceptance letter on July 31, 2020 noting the Kay's Hill reclamation still needed to be completed. To date, Kay's Hill has not been reclaimed.

Additional conditions to the agreement include a $50,000 cash bond and one-year warranty period. The cash bond is to be held by a mutual agreed upon escrow holder. Both Public Works and the developer are recommending that legal firm Hall Angell & Associates LLP as the escrow holder.

The necessary public hearings for road vacation were noticed and held during negotiations in 2015. It has been agreed upon by staff and Prosecuting Attorney that all state statute requirements have been met and final acceptance only requires an approved motion by the BoCC.

Acceptance will need to be conditioned on the reclamation of Kay's Hill in the spring. I am recommending that a completion date of June 30, 2021 be included in the motion.

Vacation and Dedication exhibits have been attached. Only the dedication documents will be attached to the grant deed. Vacation documents should also be recorded but separate.

Also attached are:

Original agreement and both addendums.

Substantial Completion Letter

Final Acceptance Letter

Escrow Agreement. Paragraph 2 of the Escrow Agreement addresses when the warranty period for Kay's Hill reclamation work begins.

This action item is for approval of the attached Grant Deed and Escrow Agreement

FISCAL NOTES:
Teton County will vacate the existing corridor and, in exchange, the newly constructed road will be dedicated to the County. Teton County will be responsible for maintenance of the new road.

STAFF RECOMMENDATION:

Approve both Grant Deed and Escrow Agreement.

SUGGESTED MOTION:
Approve the Grant Deed as presented for dedication of the new Packsaddle Road Corridor

and

Approve the Escrow Agreement as presented securing a $50,000 cash bond as required in the original Packsaddle Road Agreement to Vacate and Relocate Road.

AGREEMENT TO VACATE AND RELOCATE ROAD

THIS AGREEMENT is made and entered into as of the24th day of May, 2017, by and between AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns (hereafter "Ag Rim"), GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses is 3565 Las Vegas Boulevard South, Suite 705, Las Vegas, Nevada 89109, its successors and/or assigns (collectively Grandview Ranch II, Grandview Ranch, III, Grandview Ranch IV, Grandview Ranch V, and Grandview Ranch VI are hereafter known as "Grandview") (Ag Rim and Grandview are referred to collectively as the "Landowners"), and Teton County Idaho, a political subdivision of the State of Idaho (hereafter "County").

WHEREAS, the County is the local highway authority for purposes of Title 40 of the Idaho Code.

WHEREAS, Ag Rim, and Grandview desire to construct a road and other improvements, shown for the purpose of identification in red on Exhibits "A" and "B" (the "Road");

WHEREAS, Landowners own land that the existing County road traverses, which ownership is shown within Exhibit "B" (the "Ownership Map") free of lien or interest that would need approval from third parties or partial release.

WHEREAS, Ag Rim, Grandview and County have agreed that the Road and the area near or surrounding the road must be enhanced with certain improvements (the "Plan") as further described and agreed upon in this Agreement;

WHEREAS, Landowners have requested that when the Plan has been executed and maintained in accordance with the provisions of this Agreement and the specification the Board of County Commissioners, the County shall abandon and vacate portions of West 4000 North, (sometimes more commonly known as Packsaddle Road and/or Milk Creek Road), identified in magenta on Exhibit "A" and Exhibit "B", pursuant to Idaho Code § 40-203;

WHEREAS, Landowners have requested that when the Plan has been executed in accordance with the provisions of this Agreement and conform to the County Road Standards for Teton County, Idaho, as amended. (Resolution 2013-411B), the County shall, pursuant to Idaho Code § 40-202, adopt and designate the newly aligned Road as a public right-of-way as identified in red on Exhibit "A";

WHEREAS, it is the intent and purpose of the Ag Rim, Grandview, and the County to enter into this Agreement that will guarantee the full and satisfactory completion of the required Improvements on the Property described in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

Conditions of Acceptance

A. The Road Construction: Except as otherwise specified hereafter, and at their sole expense, Ag Rim and Grandview shall construct the Road depicted in Exhibit "A" in conformance with the County Road Standards for Teton County, Idaho, as amended. (Resolution 2013-411B).

B. The Plan Condition: Except as otherwise specified hereafter, and at their sole expense, Ag Rim and Grandview shall carry out and complete the additional improvements which are described below and further identified in Exhibits "A" to this Agreement (the "Plan"). All improvements shall be constructed in a good and workmanlike manner in accordance with the provisions of this Agreement, the County Road Standards for Teton County, Idaho, as amended. (Resolution 2013-411B), and in accordance with the plans and specifications found in Exhibit "C" on or before November 30, 2019.

- Scenic Pullouts – Ag Rim and Grandview will designate and include in the Road scenic pullout rights-of-way for potential future construction and development by the County as located and illustrated on Exhibit "C" and designed suitably to the approximate site as generally shown on Exhibit "C".

- Multi-Use Trail – In addition to constructing the Road, a multi-use trail will be constructed in accordance with Exhibit "B" that will be a shaped, flat, revegetated surface approximately 14 feet wide within a 20-foot easement. This multi-use trail will be placed approximately parallel to the Road, and open to off-road, motorized, traffic between December 1st to March 31st. All other months of the year, the multi-use trail will be closed to motorized use, but remain open for all other types of non-motorized traffic.

- Utilities – The County agrees that any utilities placed in the Road or the Multi-Use Trail will be buried underground and agrees that any right-of-way or easement does not include rights for overhead utilities.

- Traffic Impact Study –Ag Rim and Grandview have submitted a traffic impact study to the Idaho Transportation Department ("ITD"), which has been approved by ITD and is outlined on Exhibit "D".

- BLM Property – The County will take the lead and work with the United States Bureau of Land Management ("BLM") to route the Road right-of-way through BLM property. Ag Rim and Grandview will be responsible for the reclamation and revegetation of the old roadways through the BLM property. If approval for routing the Road through the BLM property is not obtained on or before June 7, 2017, Landowners and County agree, without further review, that the Road will be routed around the BLM property in accordance with Exhibit "A-Alt", which will instead become the new County road. That portion of the existing public right-of-way through the BLM property will be abandoned by the County and all roads through the BLM property will be reclaimed and revegetated in native grasses by Ag Rim and

any claim asserted by BLM arising from reclamation or revegetation for a period of one year after the abandonment of the existing county road and adoption of the Road.

- Reclamation of Abandoned Road – Ag Rim and Grandview shall be responsible for the cost of the revegetation of any portion of the existing County road that is vacated, identified in magenta on Exhibit "A", to natural vegetation or appropriate ground cover for farming. Further, Landowners will warranty the revegetation and provide weed control along the existing County road and Road for one year after the abandonment of the existing County road and adoption of the Road.

- Public Parking Area – Ag Rim agrees to construct and convey to County, via standard grant deed, fee-simple ownership to the public parking area as described in Exhibit "E"..

- Signage – Ag Rim and Grandview will provide and install signage in accordance with Exhibit "F".

- Cattle Guards – Ag Rim agrees to install and/or remove any cattle guards on the Road to control adjacent National Forest Service grazing, if needed. Any cattle guards installed on the Road will provide a minimum width of 16-feet.

- Snowplowing – This Agreement does not create a new obligation on the part of the County to maintain the Road. However, nothing in this Agreement prevents the Landowners, or future landowners, from requesting County snowplowing services or maintenance to the Road in accordance with the County snowplowing and road maintenance policies.

- Norton Conservation Easement Property – Ag Rim will place signs every 300 feet along the boundary alerting the public to the Norton conservation easement property adjacent to the County road as identified in Exhibit "F".

- Road Extension Evaluation – Landowners will provide an engineering evaluation to the County that details the known construction issues (including, but not limited to, existing underground utilities, proposed road relocation, potential easement ownership conflicts, and cost of construction) surrounding extending the Road along that portion of the road commonly known as the Milk Creek Road to Highway 33.

- Bainbridge/Felger/Assante Easement – Ag Rim will dedicate a 60-foot easement across its property located at the southeast corner of the Ag Rim boundary as presented in Exhibit "G" for access to the adjacent properties presently owned by Michael Joseph Asante, Joseph W. Felger and Earl Bainbridge Family Trust (the "Adjacent Properties")or a substantially similar easement mutually agreed to by Ag Rim, and the owners of the Adjacent Properties. The owners of the Adjacent Properties have represented to the County that they will enter into a private contract for mutual access from Ag Rim to their properties. If the owners of the Adjacent Properties are unable to execute an agreement and create mutual access to all three properties on or before November 30, 2018, then existing road will not be vacated below the north boundary of parcel RP05N44E082700. In accordance with Exhibit "F", Ag Rim agrees to pay for and put up signs for traffic control and a private drive at the intersection of the new Road and the access easement identified in Exhibit "G" for the Adjacent Properties.

- The Road(s) will not be accepted until the County Engineer issues a "Final Certificate" indicating that the Road(s), and Public Parking Area and Plan are complete and meet the specifications of the County Road Standards for Teton County, Idaho, as amended. (Resolution 2013-411B).

Ag Rim and Grandview shall maintain the Road until the issuance of the Final Certificate. Within forty-five (45) days of receipt of written application from Ag Rim and Grandview, the County shall inspect the Road and where necessary provide Ag Rim and Grandview with a definitive list in writing of any remedial works required to be carried out before the issuance of the Final Certificate. Ag Rim and Grandview will warranty the Road improved by this Agreement for one year from the date the Final Certificate is issued. Further, Landowners shall provide a cash bond of Fifty Thousand Dollars ($50,000.00) to be held by a mutual agreed upon escrow holder for the benefit of the County. The parties agree that the aforementioned bond will only be used, if necessary, solely for reparative work, described and agreed to in this Agreement, for the Road, road reclamation, and/or weed control along the Road or associated with the existing County road reclamation during the warranty period. The monies remaining in escrow, if any, will be released to the Landowners at the conclusion of the warranty period.

Road Designation

Upon the satisfactory completion of the Road in accordance with the specifications of the County Road Standards for Teton County, Idaho, as amended. (Resolution 2013-411B), (or satisfactory completion of the partial sections thereof identified by the station markers below), and issuance of the Final Certificate for the Road, the Board of County Commissioners agree that the completed Road (identified in red on Exhibit "B"), or partial section thereof, Landowners will grant the necessary deeds of easement and the Road (or sections thereof as identified below) will become the new County right-of-way. The Road shall be commonly known and identified as follows, subject to County GIS approval:

1) Packsaddle Road – from station marker 1+00.00 to station marker 86+64.79;

and

3) Grandview Road – from station marker 242+61.36 to station marker 401+50.00.

4) Packsaddle Lake Road – existing.

Vacation of Old Road

Upon the issuance of the Final Certificate for the Road, or partial section thereof, the Board of County Commissioners agree that those portions of West 4000 North identified in magenta on Exhibit "A" and Exhibit "B" are abandoned as a County right-of-way. Final Certificate and vacation of the Road may be obtained for the Road as a whole, or for Packsaddle Road, Packsaddle Bench Road, and Grandview Road as a separate section of the Road. However, the issuance of Final Certificate and vacating of a separate section of the Road does not eliminate the obligation of the Ag Rim and Grandview to complete the remaining sections of the Road in accordance with this Agreement.

Binding upon Successors

This Agreement shall be binding upon and inure to the benefit of the parties' their respective heirs, successors, assigns, personal representatives, and the County in perpetuity. Nothing herein shall in any way prevent the sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners of the Ag Rim and Grandview properties shall be both benefited and bound solely by the realignment of the Road and the vacation of the West 4000 North as expressed herein.

Integration

This is the parties complete agreement and supersedes all prior negotiations, representations and agreements between the parties regarding the subject hereof.

Notices

All notices in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee when delivered in person on a business day at the address set forth below or on the third day after being deposited in the United States mail, for delivery by properly addressed, postage prepaid, certified or registered mail, return receipt requested, to the address set forth below.

Notices to the County shall be addressed to, or delivered at, the following address:

Teton County Board of County Commissioners
ATTN: Public Works Director
150 Courthouse Drive, Rm. 107
Driggs, Idaho 83422

with copies to:
Teton County Prosecuting Attorney
230 N Main St
Driggs, ID 83422

Notices to the Landowners shall be addressed to, or delivered at, the following addresses:

Ag Rim
c/o Tammie Smith
P.O. Box 50130
Idaho Falls, Idaho 83405

Grandview
c/o Ron Judy
P.O. Box 750
Rancho Santa Fe, CA 92067

with copies to:
Sean R. Moulton
P.O. Box 631
Driggs, ID 83422

By notice complying with the requirements of this Section, each party shall have the right to change the address for all future notices, but no notice of a change of address shall be effective until received as provided above.

Amendments or Alterations

All changes, amendments, omissions, or additions to this Agreement shall be in writing and shall be signed by each party.

Governing Law

This Agreement shall be construed and governed according to the laws of the State of Idaho. The venue for any action arising out of this Agreement shall be exclusively in the District Court of the Seventh Judicial District of the State of Idaho, Teton County, or in the United States District Court for the District of Idaho. The parties agree to submit to personal jurisdiction in these exclusive venues.

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple counterparts on the day and year set forth above.

BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, IDAHO

Mark R Ricks

Mark Ricks, Chairman

Ag Rim, LLC

Tammie Smith

Tammie Smith, Manager

Grandview Ranch II, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch III, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch IV, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch V, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Ag Rim, LLC

Tammie Smith, Manager

Grandview Ranch II, LP

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch III, LP

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch IV, LP

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch V, LP

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

Grandview Ranch VI, LP

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

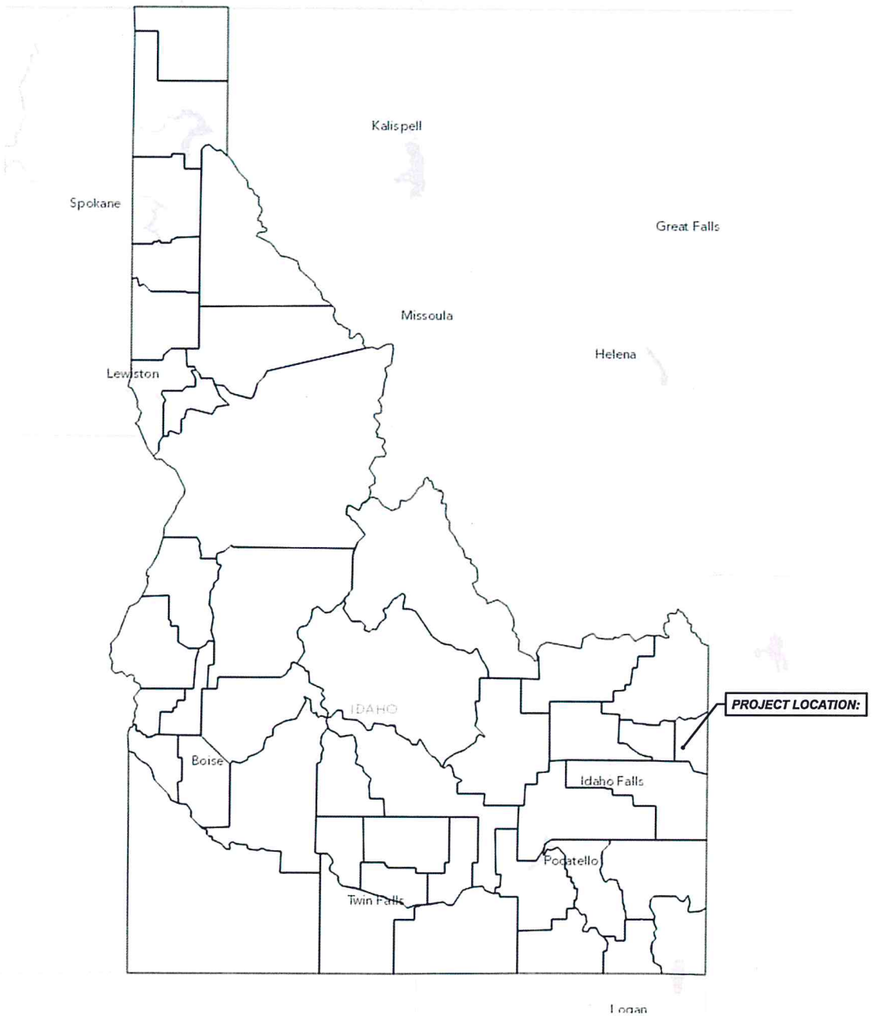
BENCHMARK
LAND SURVEYING

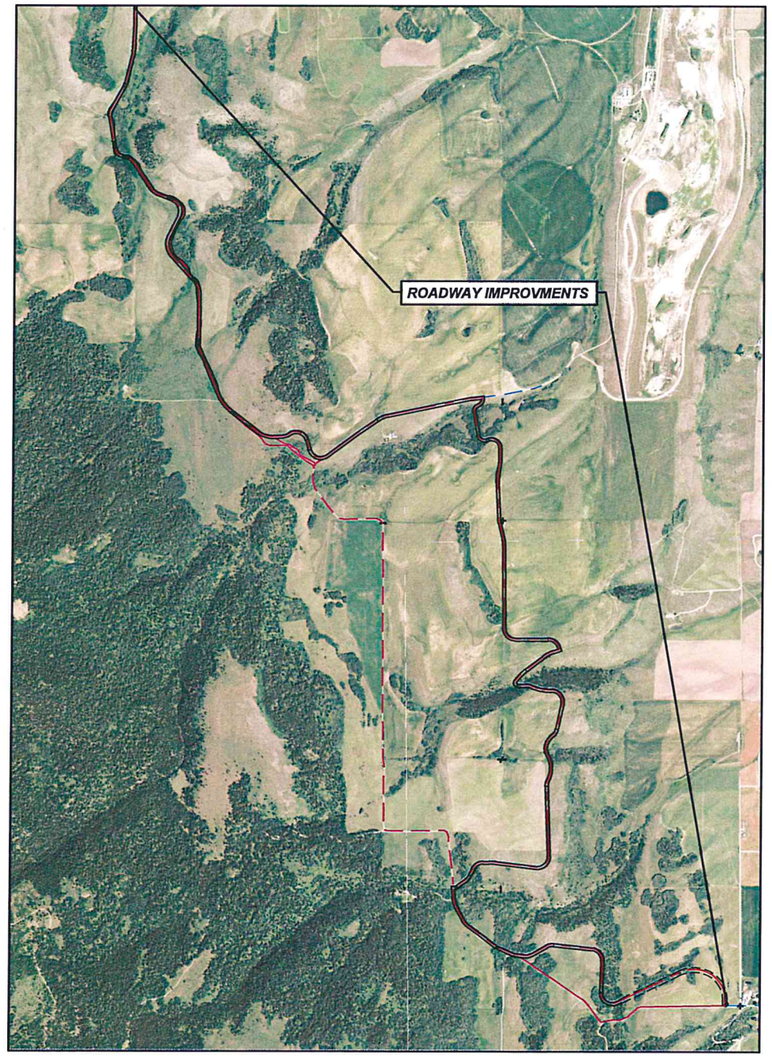
drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit A

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD

PRELIMINARY REALIGNMENT





PROFESSIONAL ENGINEER
LICENSED
16701
5/23/17
STATE OF IDAHO
T. DREW MEPPEN

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

VERTICAL SCALE
(22x34) 1"=100'
(11x17) 1"=200'
0 100' 200'

SHEET INDEX	
2	TYPICAL SECTION & CULVERT TABLE
3 -10	ROADWAY PLANS

BENCHMARK LAND SURVEYING

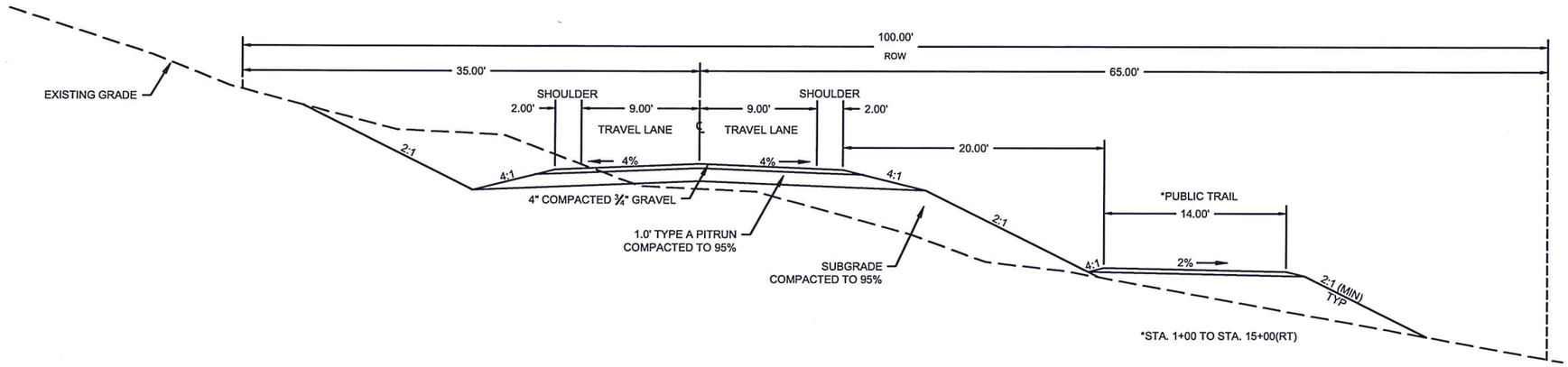
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

DATE:	5-28-2014
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	14078
REVISION:	

5.23.17_Roadway.dwg

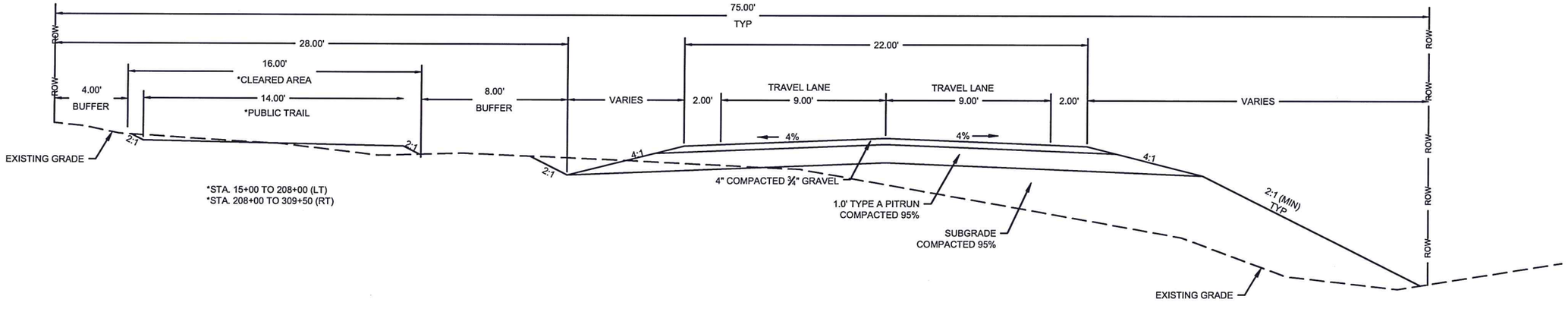
TYPICAL SECTION

STA. 1+00 TO 30+49



TYPICAL SECTION

STA. 30+49 to 401+02



*Seeding should be done with certified seed as follows: 25% of mix Western Wheatgrass at a full Pure Live Seed (PLS) rate of 3lbs/acre, Mountain Brome 25% of mix at a PLS of 2 lbs/acre, Slender Wheatgrass 25% of mix at PLS of 2 lbs/acre, Idaho Fescue 25% of mix at PLS of 10 lbs/acre. Included seeding/planting plan should be completed and included for review and approval by Teton County Weeds.

5.23.17_Roadway.dwg

COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE
PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

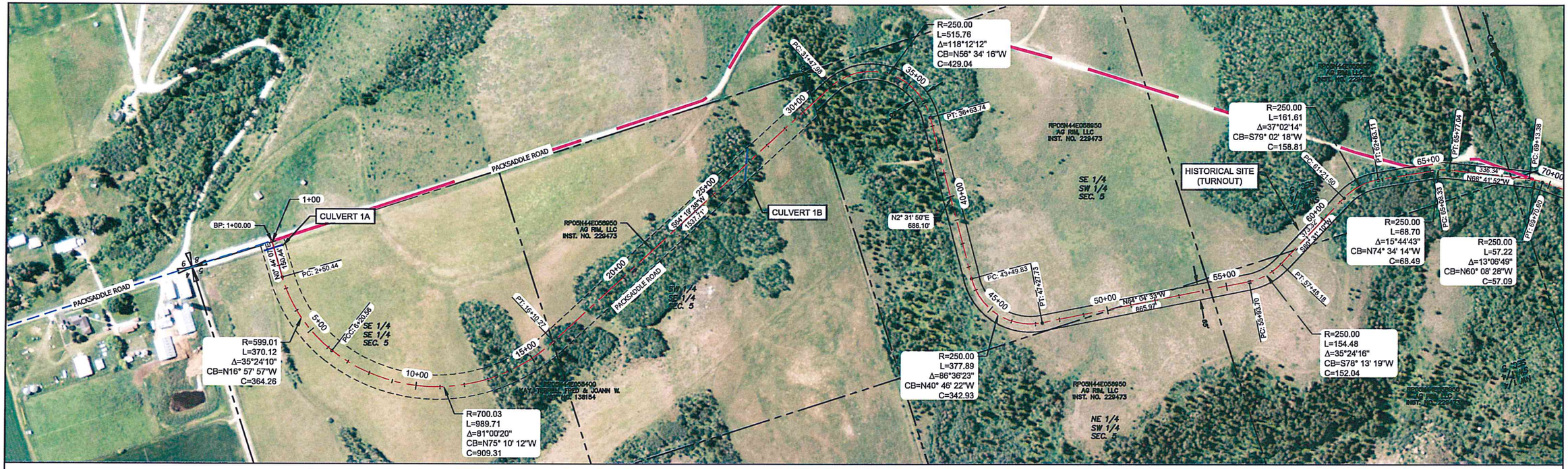
PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

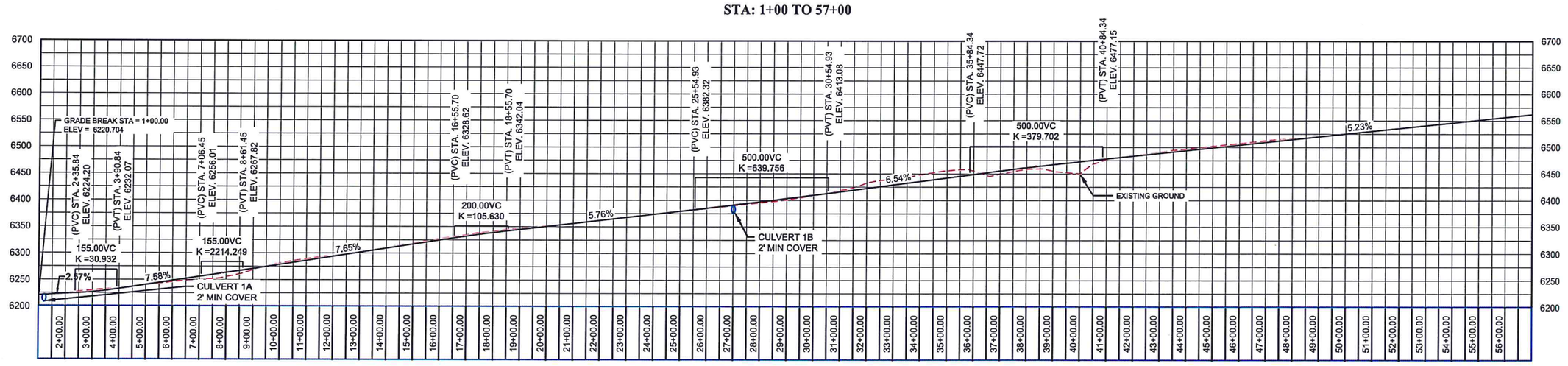
SHEET 2 OF 10

DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14076
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
5/23/17
STATE OF IDAHO
T. DREW MEPPEN





COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
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0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 3 OF 10

DATE:	5-28-2014
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	14078
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
STATE OF IDAHO
T. DREW MEPPEN

5.23.17_Roadway.dwg

5.23.17_Roadway.dwg

CULVERT 2A

CULVERT 2

CULVERT 3

PC: 82+07.01
PT: 84+66.07
PI: 86+64.79
N88° 00' 38"E 58.95'
PT: 87+57.91
N27° 50' 55"W 275.61'
N48° 51' 09"E 89.33'
N3° 06' 38"W 198.72'
PI: 88+47.24
N57° 11' 29"E 119.04'
PC: 87+23.74
N25° 03' 10"E 154.44'
PT: 79+31.40
PC: 77+06.61
PC: 89+66.28
PT: 91+34.56
PC: 92+88.09
PT: 95+66.50
PC: 97+01.01
PT: 98+43.92
PC: 69+13.38
PT: 69+70.60
PT: 65+77.04
PC: 65+08.33
PT: 62+83.11
PC: 61+21.50
PT: 57+48.18
PC: 55+93.70
PC: 107+48.52
PT: 111+80.77
PC: 126+55.58
PRC: 134+31.16
N2° 13' 26"W 1544.78'
N63° 35' 00"W 736.27'
N68° 41' 52"W 386.34'
S83° 09' 38"E 304.61'
N88° 39' 38"E 434.41'
S20° 37' 10"W 97.22'

R=500.00
L=224.59
Δ=25°44'08"
CB=N40° 42' 59"W
C=222.70

R=600.00
L=259.06
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CB=N15° 28' 47"W
C=257.05

R=50.00
L=34.17
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CB=N68° 25' 53"E
C=33.51

R=300.00
L=168.28
Δ=32°08'20"
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C=166.08

R=250.00
L=277.51
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R=1000.00
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R=250.00
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RP05N44E058850
AG RIM, LLC
INST. NO. 229473

RP05N44E269000
SCOTT, CORWIN J
INST. NO. 146245

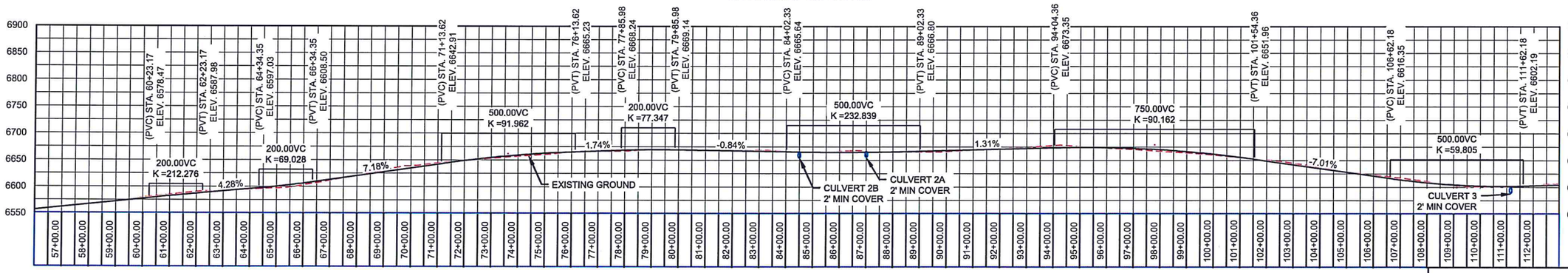
LOT 4
SEC. 5

SW 1/4
NW 1/4
SEC. 5

SE 1/4
NE 1/4
SEC. 6

SE 1/4
SEC. 6

STA: 56+00 TO 113+00



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EXISTING COUNTY ROAD
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HORIZONTAL SCALE
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PLAN & PROFILE

PRELIMINARY PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

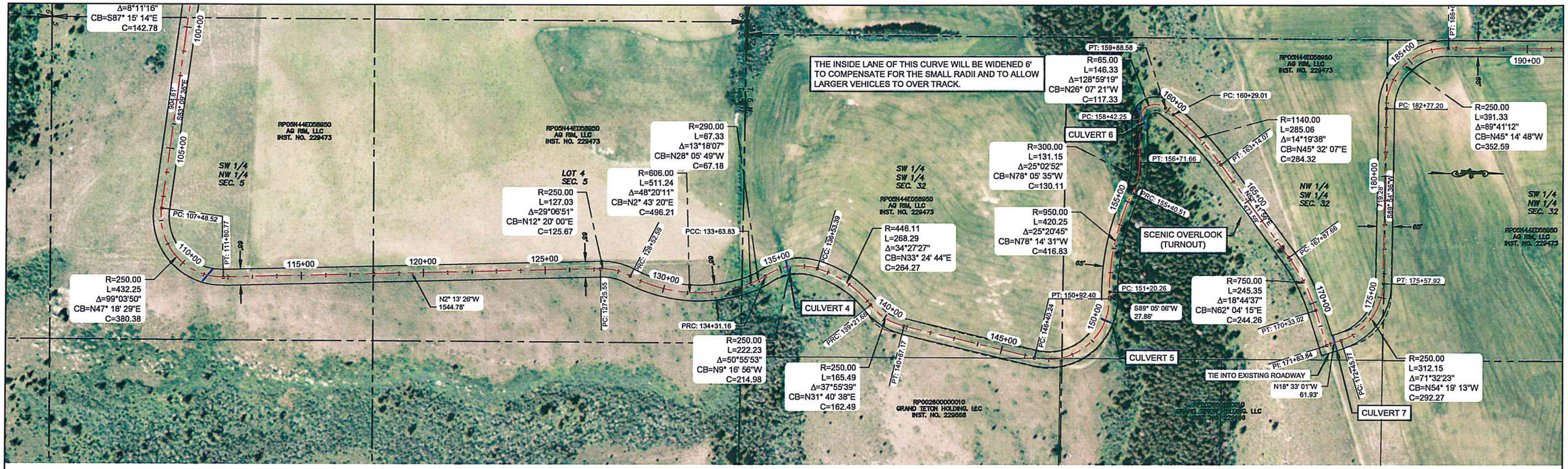
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T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 4 OF 10

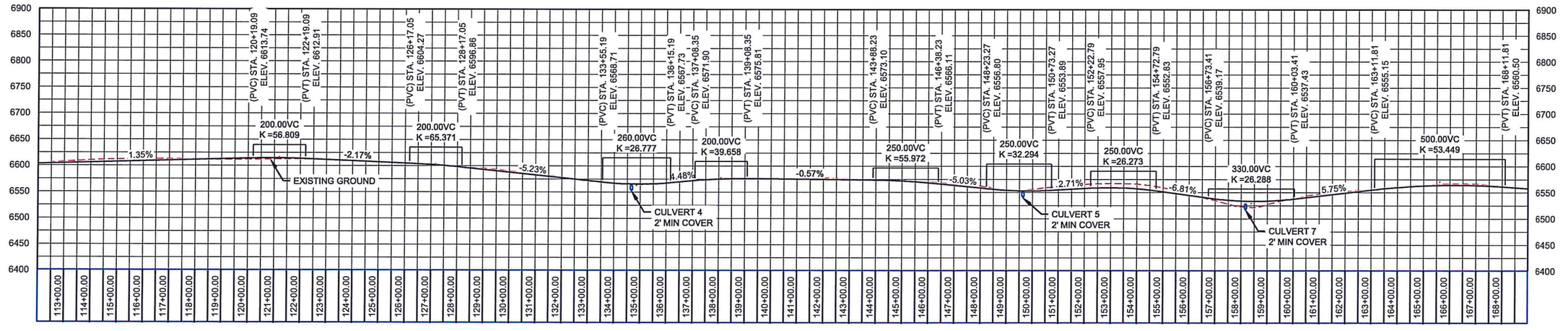
DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14076
REVISIONS:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
5/25/17
STATE OF IDAHO
T. DREW MEPPEN



STA: 112+00 TO 169+00



COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
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PROJECT NO. 14078
REVISION:

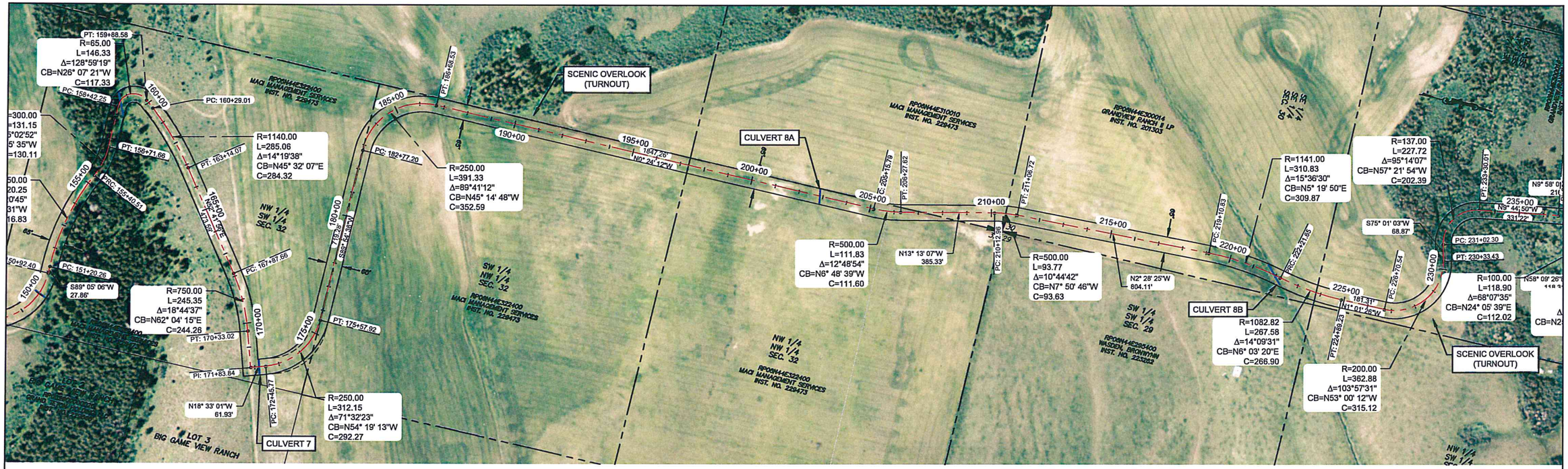
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 5 OF 10

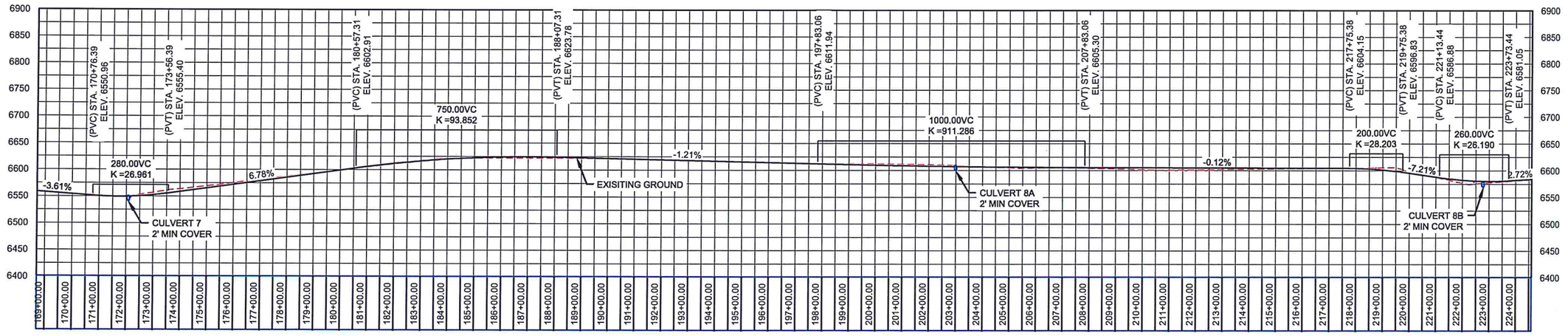
PROFESSIONAL ENGINEER
LICENSED
16701
5/23/17
STATE OF IDAHO
T. DREW MEPPEN

5.23.17_Roadway.dwg

5.23.17_Roadway.dwg



STA: 168+70 TO 224+60



COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK
LAND SURVEYING

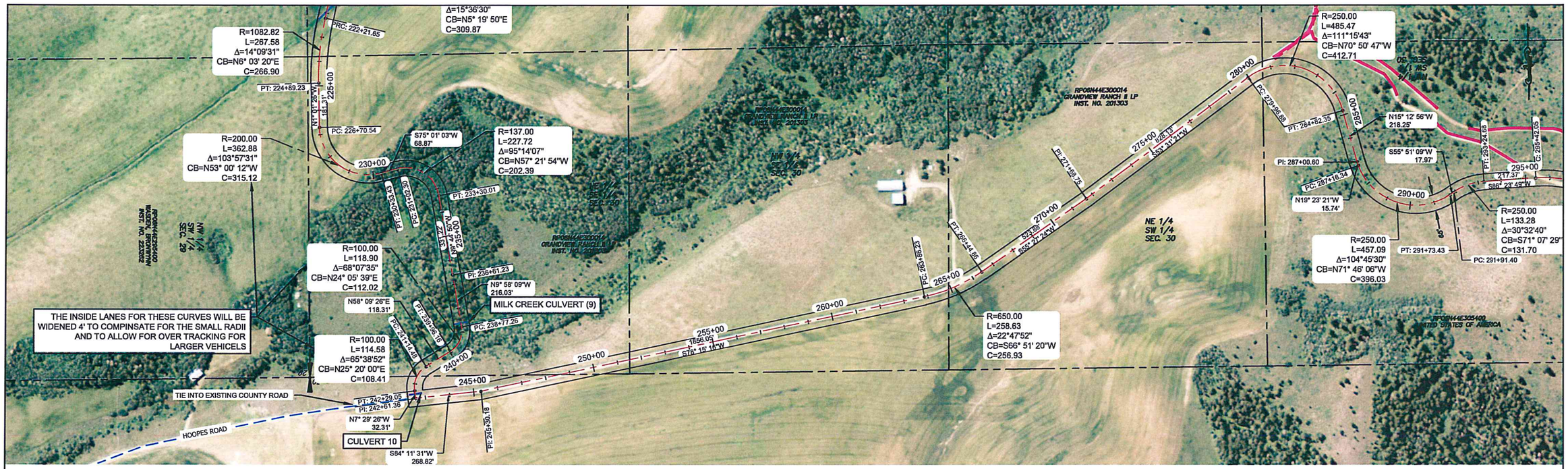
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T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

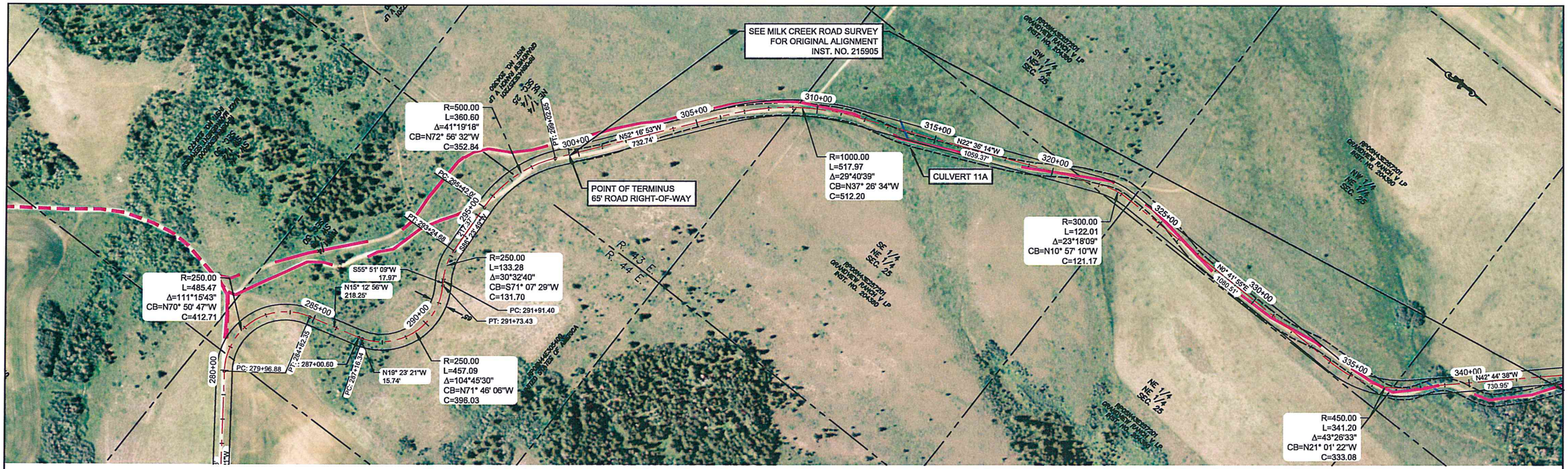
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DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14078
REVISIONS:

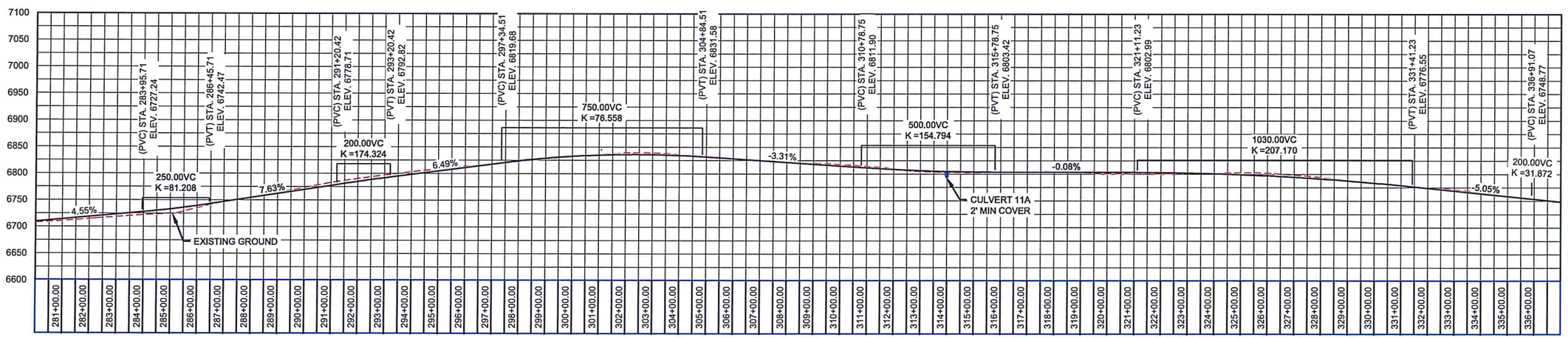
789 NORTH 450 EAST
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tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
5/25/17
STATE OF IDAHO
T. DREW MEPPEN


R=1082.82
L=267.58
Δ=14°09'31"
CB=N6° 03' 20"E
C=266.90
PRC: 222+21.65
PT: 224+89.23
N1° 01' 26"W
161.33'
225+00
PC: 226+70.54
Δ=15°36'30"
CB=N5° 19' 50"E
C=309.87
R=200.00
L=362.88
Δ=103°57'31"
CB=N53° 00' 12"W
C=315.12
S75° 01' 03"W
68.87'
R=137.00
L=227.72
Δ=95°14'07"
CB=N57° 21' 54"W
C=202.39
230+00
PT: 233+30.01
PC: 231+02.30
N44° 44' 18"W
235.27'
240+00
R=100.00
L=118.90
Δ=68°07'35"
CB=N24° 05' 39"E
C=112.02
PI: 236+61.23
N9° 58' 09"W
216.03'
N58° 09' 26"E
118.31'
MILK CREEK CULVERT (9)
PT: 239+86.16
PC: 238+77.26
PC: 241+14.48
R=100.00
L=114.58
Δ=65°38'52"
CB=N25° 20' 00"E
C=108.41
THE INSIDE LANES FOR THESE CURVES WILL BE WIDENED 4' TO COMPINSATE FOR THE SMALL RADII AND TO ALLOW FOR OVER TRACKING FOR LARGER VEHICELS
TIE INTO EXISTING COUNTY ROAD
PT: 242+29.05
PI: 242+61.36
N7° 29' 26"W
32.31'
HOOPES ROAD
CULVERT 10
S84° 11' 31"W
268.82'
PI: 245+30.18
245+00
250+00
255+00
N56° 31' 21"W
185.05'
S78° 15' 16"W
260+00
265+00
R=650.00
L=258.63
Δ=22°47'52"
CB=S66° 51' 20"W
C=256.93
PC: 263+86.23
PI: 261+69.75
270+00
S53° 38' 39"W
825.13'
S55° 31' 21"W
275+00
280+00
PC: 279+98.89
R=250.00
L=485.47
Δ=111°15'43"
CB=N70° 50' 47"W
C=412.71
PT: 284+82.35
285+00
N15° 12' 56"W
218.25'
PI: 287+00.60
PC: 287+16.34
N19° 23' 21"W
15.74'
290+00
S55° 51' 09"W
17.97'
295+00
217.37'
S86° 23' 49"W
R=250.00
L=457.09
Δ=104°45'30"
CB=N71° 46' 06"W
C=396.03
PT: 291+73.43
PC: 291+91.40
R=250.00
L=133.28
Δ=30°32'40"
CB=S71° 07' 29"
C=131.70
PT: 289+24.63
C: 285+42.05
RP09N44E300014
GRANDVIEW RANCH II LP
INST. NO. 201303
RP09N44E300014
GRANDVIEW RANCH II LP
INST. NO. 201303
RP09N44E300014
GRANDVIEW RANCH II LP
INST. NO. 201303
RP09N44E295400
WALDEN, BROWNTON
INST. NO. 223282
RP09N44E305400
UNITED STATES OF AMERICA
NW 1/4
SW 1/4
SEC. 30
NE 1/4
SW 1/4
SEC. 30
NW 1/4
SW 1/4
SEC. 29
NE 1/4
SW 1/4
SEC. 30
NE 1/4
SW 1/4
SEC. 30
NE 1/4
SW 1/4
SEC. 30



STA: 280+00 TO 337+00



COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

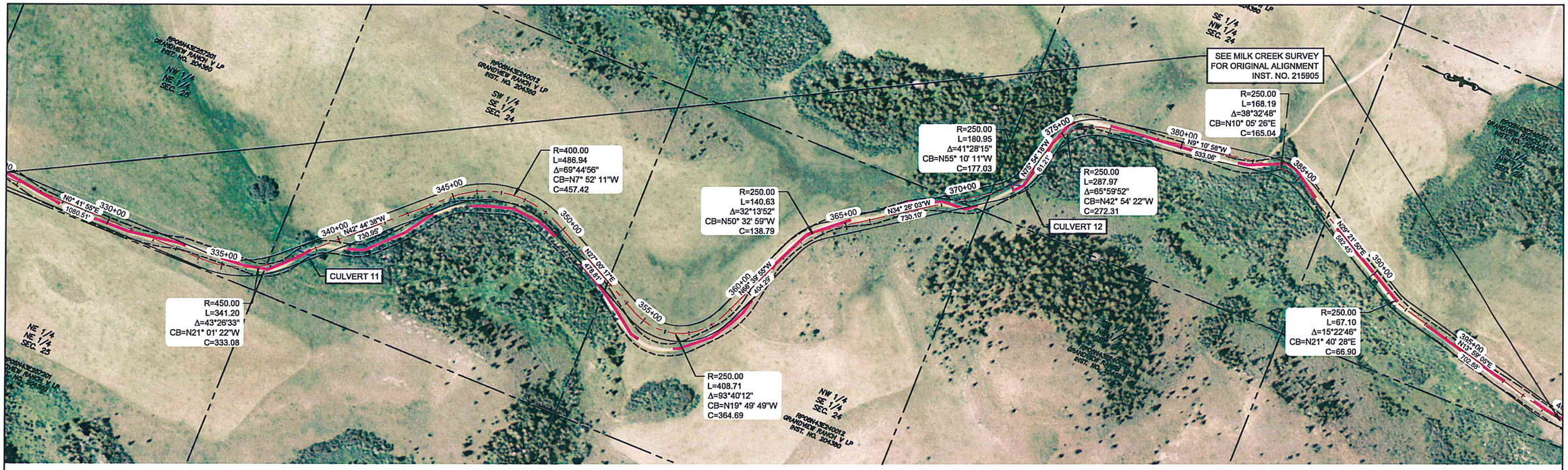
SHEET 8 OF 10

DATE: 5-28-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14078
REVISION:

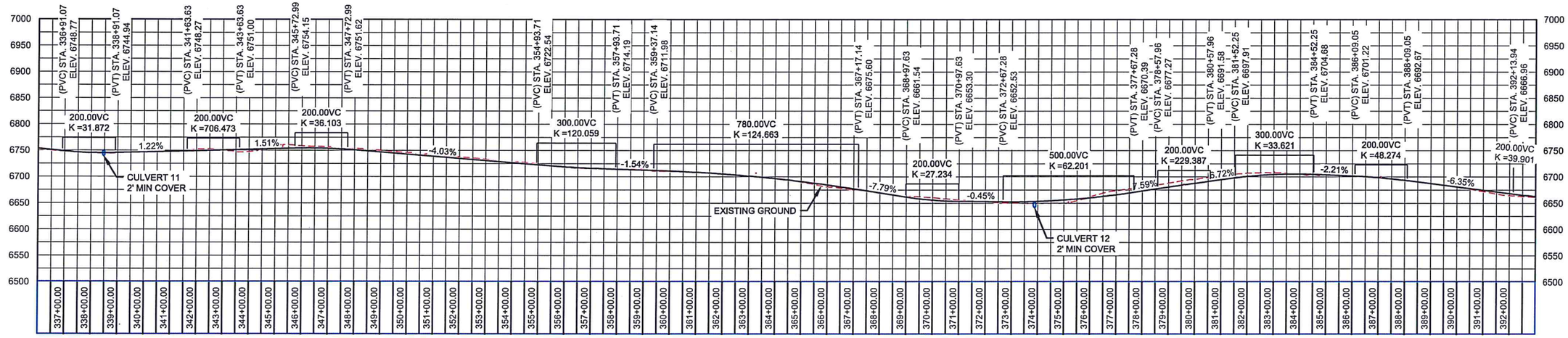
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
5/23/17
STATE OF IDAHO
T. DREW MEPPEN

5.23.17_Roadway.dwg



STA: 336+00 TO 393+00



COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

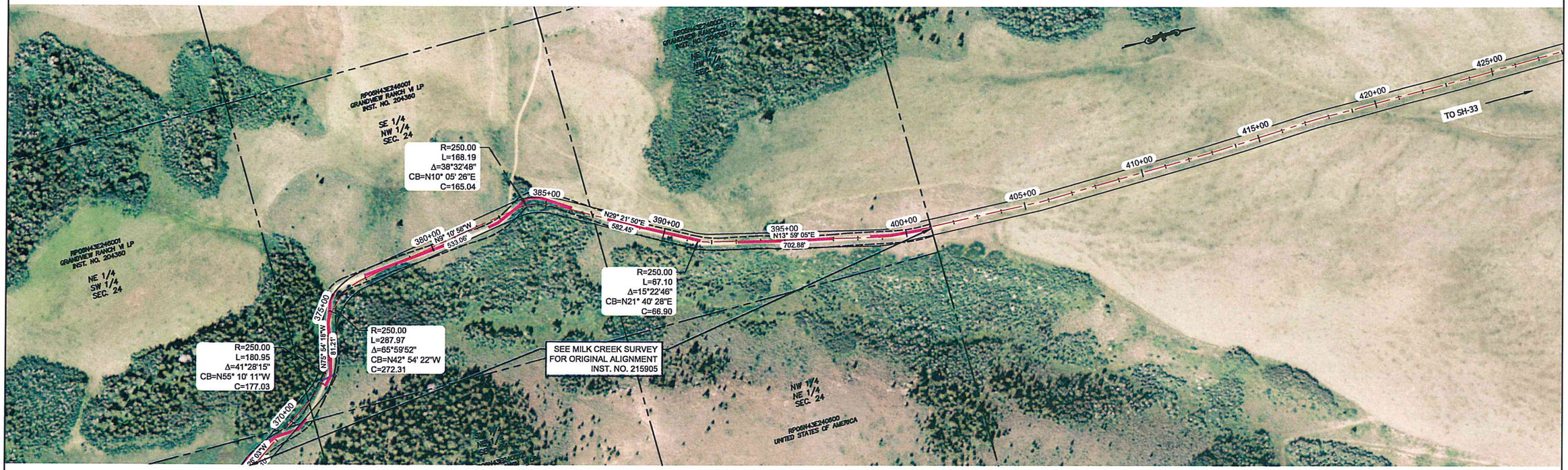
SHEET 9 OF 10

DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14078
REVISION:

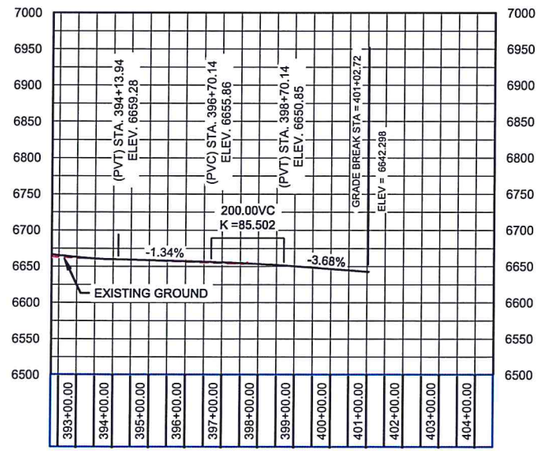
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER
LICENSED
16701
STATE OF IDAHO
T. DREW MEPPEN

5.23.17_Roadway.dwg



STA: 392+30 TO 404+50



COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 10 OF 10

DATE: 5-26-2014
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 14076
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

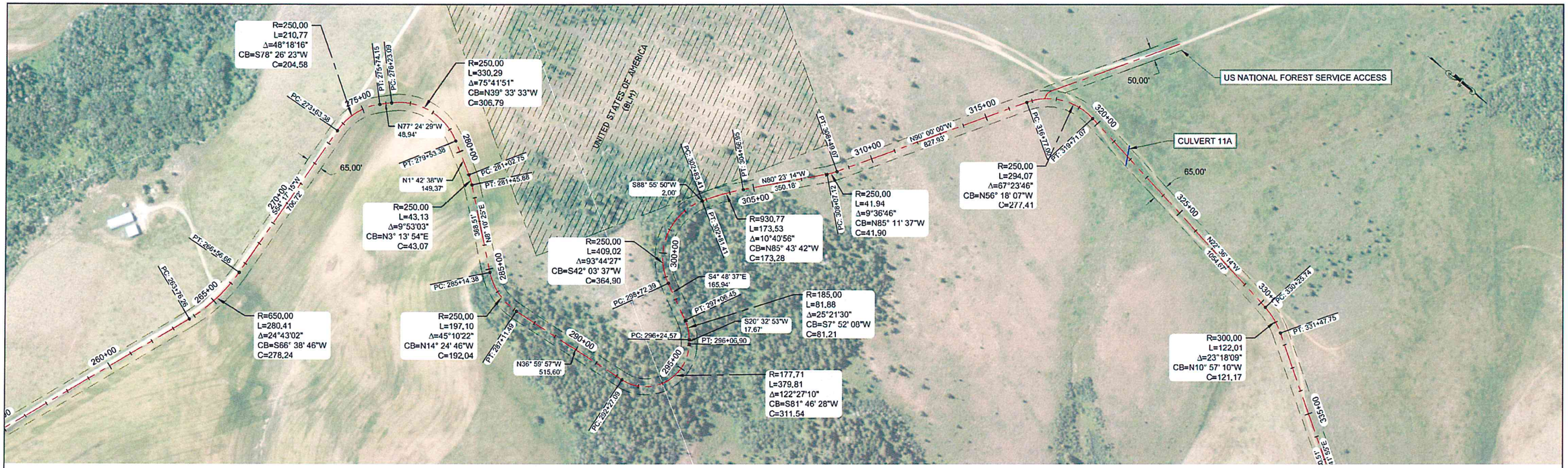
PROFESSIONAL ENGINEER
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16701
STATE OF IDAHO
DREW MEPPEN
5/25/17

5.23.17_Roadway.dwg

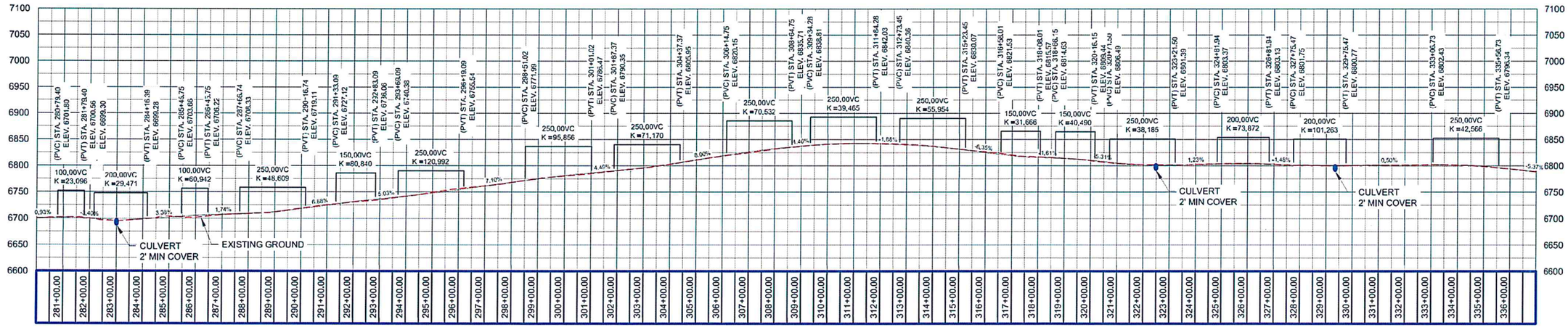
BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit A-Alt



STA: 280+00 TO 337+00



8.1.16_New FP around BLM.dwg

COUNTY ROAD TO BE REALIGNED
EXISTING COUNTY ROAD
TETON VALLEY SCENIC PARKWAY

HORIZONTAL SCALE
(22x34) 1"=200'
(11x17) 1"=400'
0 200' 400'

PLAN & PROFILE

PRELIMINARY
PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE ROAD
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

DATE: 5-28-2014
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PROJECT NO. 14070
REVISION:

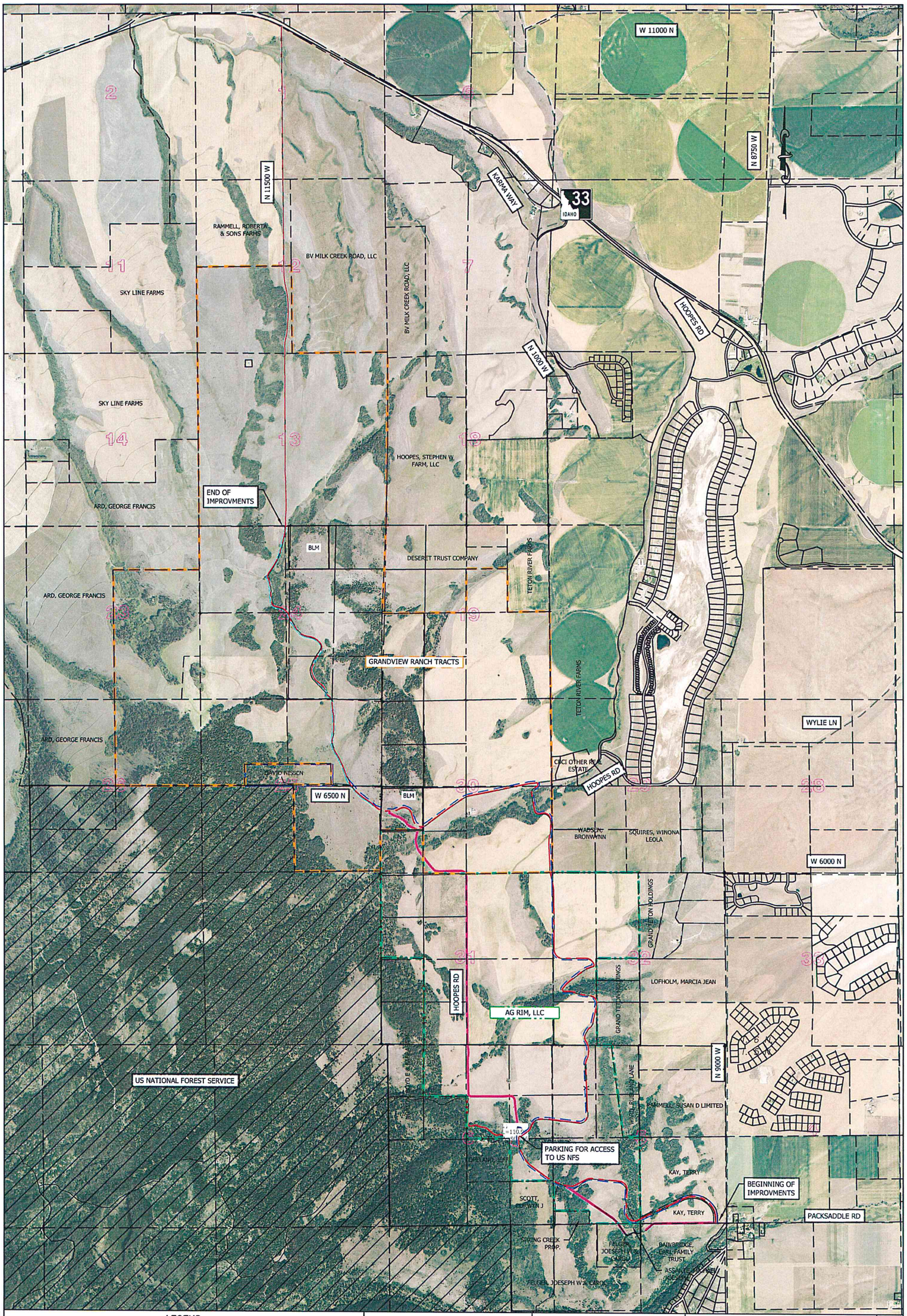
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 8 OF 10

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit B



LEGEND

- PACKSADDLE ROAD
- US NATIONAL FOREST SERVICE ROAD
- PACKSADDLE PUBLIC TRAIL
- AG RIM, LLC
- EXISTING COUNTY ROAD
- SECTION OF COUNTY ROAD TO BE RELOCATED

PROJECT OVERVIEW MAP

HORIZONTAL SCALE

0 250 500

(22x34) 1"=1300'
(11x17) 1"=2600'

BENCHMARK LAND SURVEYING

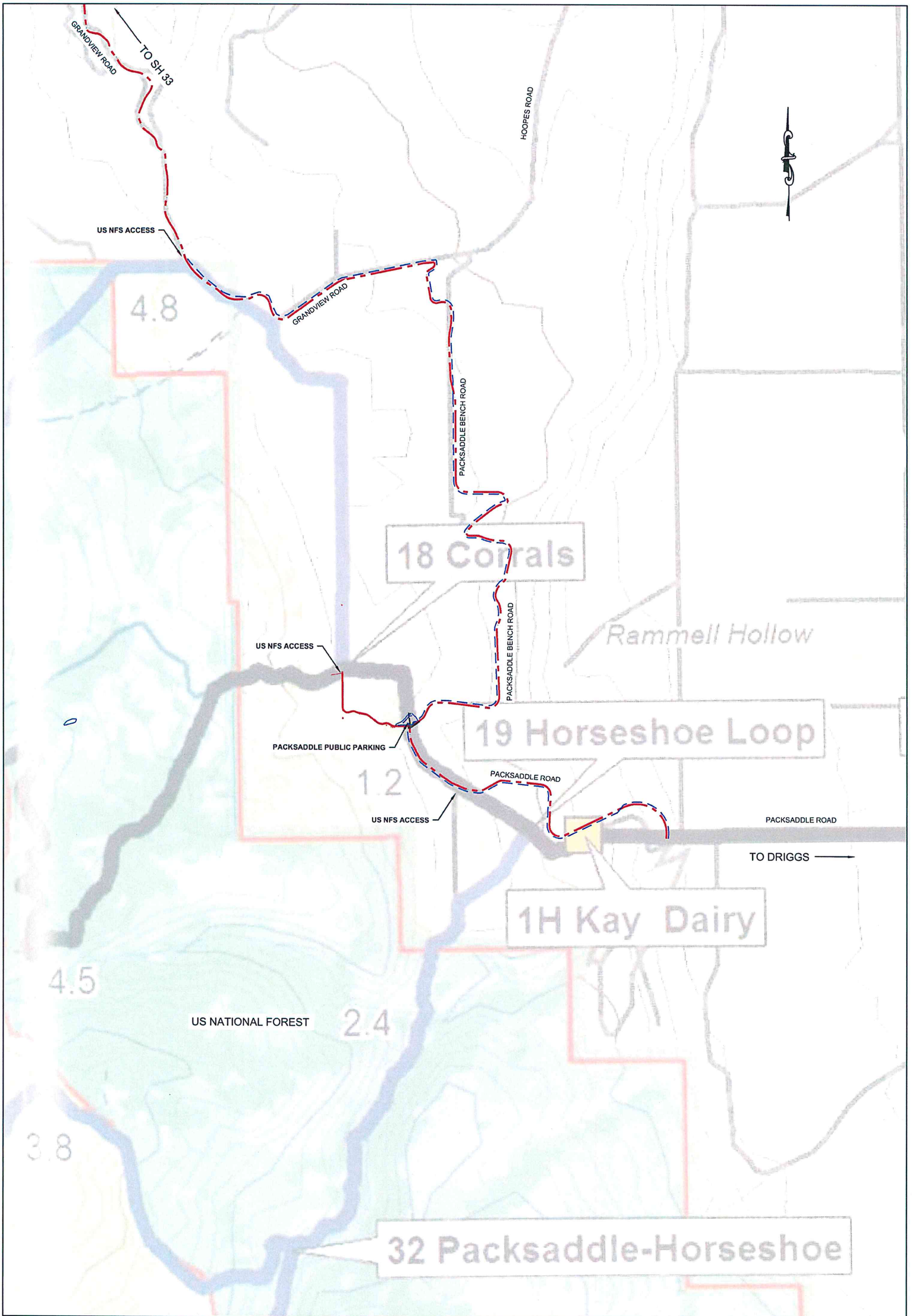
PACKSADDLE BENCH

T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 1 OF 1

DATE:
DESIGN:
DRAWN:
PROJECT NO.
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com



LEGEND

PACKSADDLE WEST BENCH TRAIL

PACKSADDLE WEST BENCH ROAD

HORIZONTAL SCALE

0 1000 2000 Feet

(22x34) 1"=1000'
(11x17) 1"=2000'

BENCHMARK LAND SURVEYING

PACKSADDLE TRAIL MAP

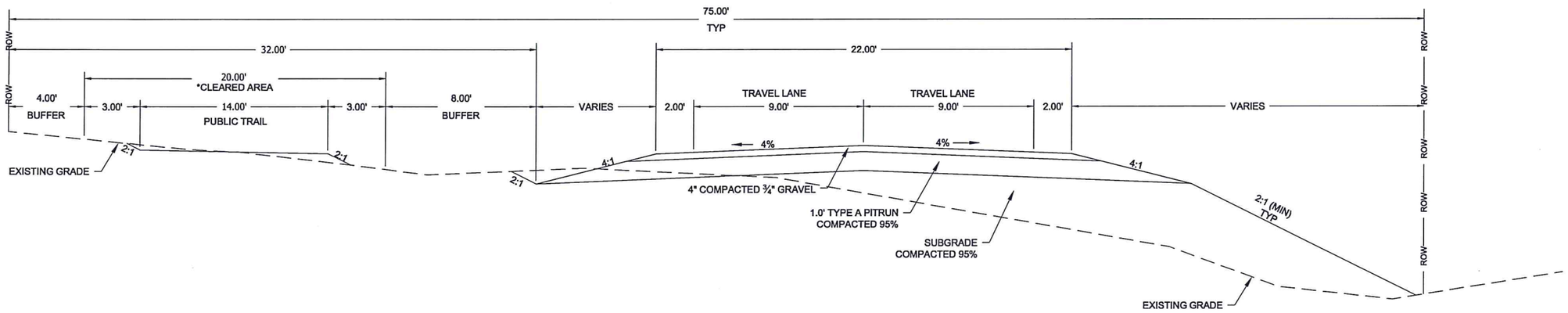
T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 1 OF 1

DATE:
DESIGN:
DRAWN:
PROJECT NO.
REVISIONS:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

TYPICAL SECTION



*Seeding should be done with certified seed as follows: 25% of mix Western Wheatgrass at a full Pure Live Seed (PLS) rate of 3lbs/acre, Mountain Brome 25% of mix at a PLS of 2 lbs/acre, Slender Wheatgrass 25% of mix at PLS of 2 lbs/acre, Idaho Fescue 25% of mix at PLS of 10 lbs/acre. Included seeding/planting plan should be completed and included for review and approval by Teton County Weeds.

HORIZONTAL SCALE

(11x17) 1"=3'

0 3 6 Feet

TYPICAL SECTION

PROPOSED CL ALIGNMENT

BENCHMARK LAND SURVEYING

PACKSADDLE RD, PACKSADDLE BENCH RD, & GRANDVIEW RD

T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

SHEET 1 OF 1

DATE: 5-28-2014
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PROJECT NO. 14076
REVISION:

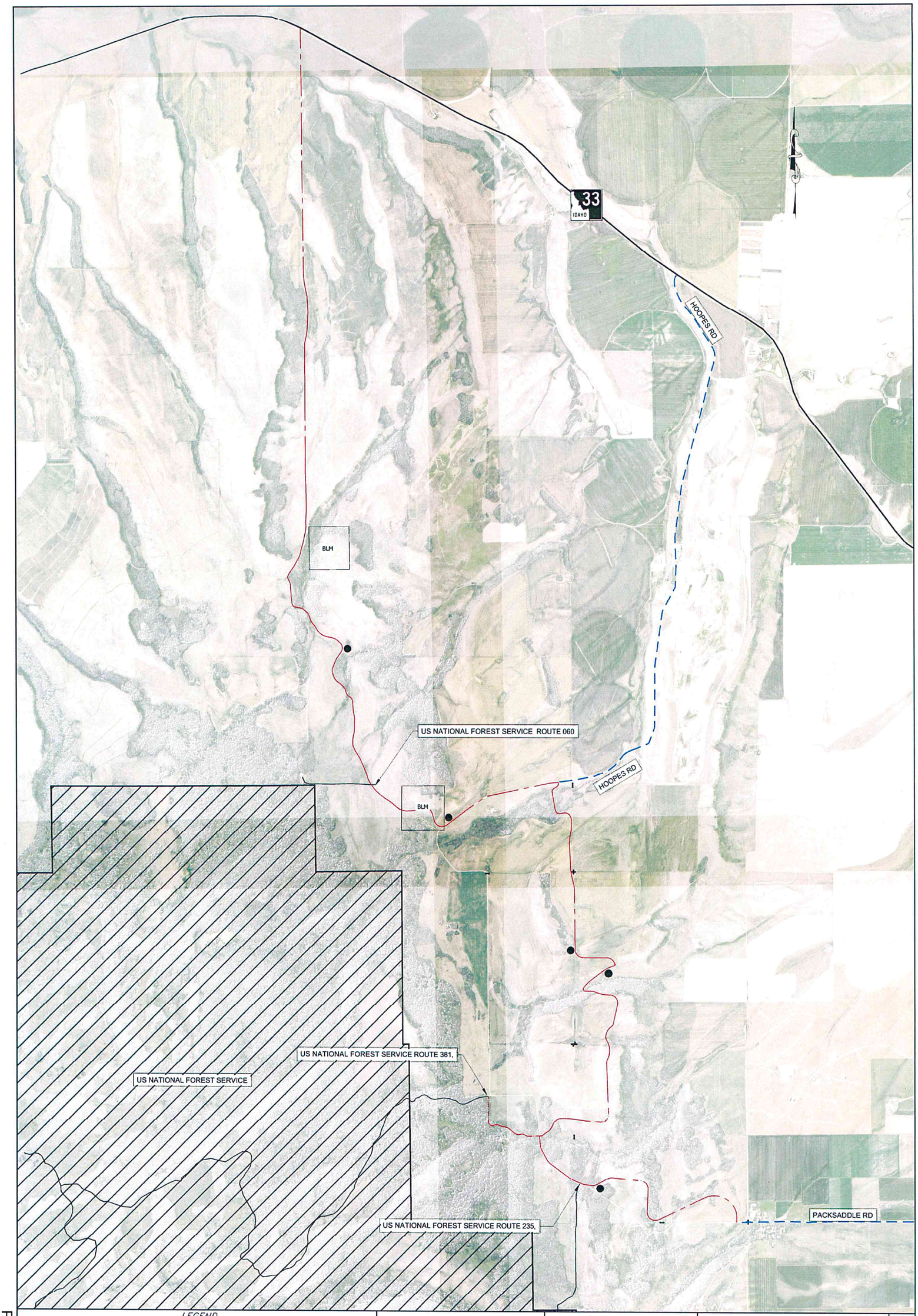
789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PROFESSIONAL ENGINEER LICENSED 16701 STATE OF IDAHO T. DREW MEPPEN

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit C



LEGEND

EXISTING COUNTY ROAD
PACKSADDLE ROAD
US NATIONAL FOREST SERVICE ROAD
PULLOVERS

PROJECT OVERVIEW MAP

HORIZONTAL SCALE

0 325 650 1300

(22x34) 1"=1300'
(11x17) 1"=2600'

BENCHMARK LAND SURVEYING

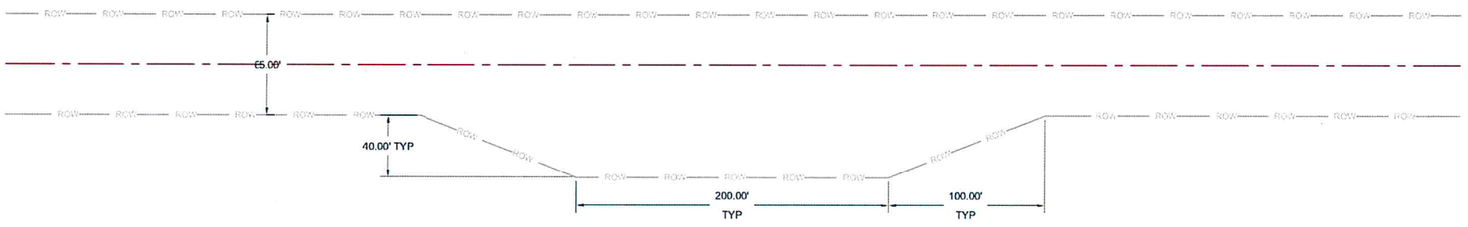
PACKSADDLE ROAD

T. 5N. & 6N., R. 44 E.B.M. AND T. 6 N., R. 43 E.B.M.

DATE: 5-28-2014
DESIGN: T.D.M./E.R.M.
DRAWN: T.D.M./E.R.M.
PROJECT NO.: 14076
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 OF 1


ROW
ROW
ROW

BENCHMARK
LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit D



Packsaddle Road

Traffic Impact Study

7.11.16

AG Rim, LLC & Grandview Ranch LLC

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

7.11.2016

Attn:
Ben Burke
Traffic Engineer
Idaho Transportation Department

The intent of this letter is to inform you of improvements made to Teton County's Packsaddle Road (W 4000 N) and Milk Creek Road (W 11500 W) and to address impacts to traffic that it may have at the intersection of Milk Creek Road and SH-33 at Mile Post 121.99. Currently these improvements end 2.83 miles South of SH-33. Part of the purposed agreement in accepting these improvements is that the remaining 2.83 miles be brought up to County standards.

Background

Ag Rim, LLC and Grandview Ranch, LLC have constructed a private road and improved sections of the existing Teton County's Packsaddle Road and Milk Creek Road to meet county standards. In this area Packsaddle and Milk Creek Road intersect with SH-33 at M.P. 137.27 and M.P. 121.99 respectively. The purpose for the construction and improvements of this road was to allow better access to the parcels owned by the said parties above (see attached Exhibit A).

Impacts

It has been proposed that portions of the existing Packsaddle Road be vacated and the new constructed road be adopted in its new location as Packsaddle Road. A public hearing has been held and is currently open pending the final agreement between Teton County BOCC and Ag Rim, LLC and Grandview Ranch, LLC. There have been some concerns that these improvements will significantly increase the ADT in this area.

Packsaddle Road in this area serves those wanting access to the US National Forest, 3 residents, and 4 other agricultural land owners. Future planned development would be 6,000 acres divided into 11 separate ranches. In order to address these concerns I have made some assumptions that will help provide an educated factual opinion.

The current condition of packsaddle road in this area is a unmaintained 2 track road with limited to no drainage. The new constructed road is built to Teton County's Standard Specifications which will allow the traveling public to maneuver the roadway easier and more safely. With easier access to these areas, especially the US National Forest, it is anticipated that an increase of ADT will occur. Packsaddle road is not the only county road that services access to the US NFS. Hoops Road also is a popular route to access the US NFS and is the shortest route from SH-33 M.P. 124.63 to the US NFS. Packsaddle allows access from the North and from the East. That is a total of 3 routes.

The acreage of US NFS that is served by these routes in Teton County is 9,664 Acres (see Figure 1 Site Layout).

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

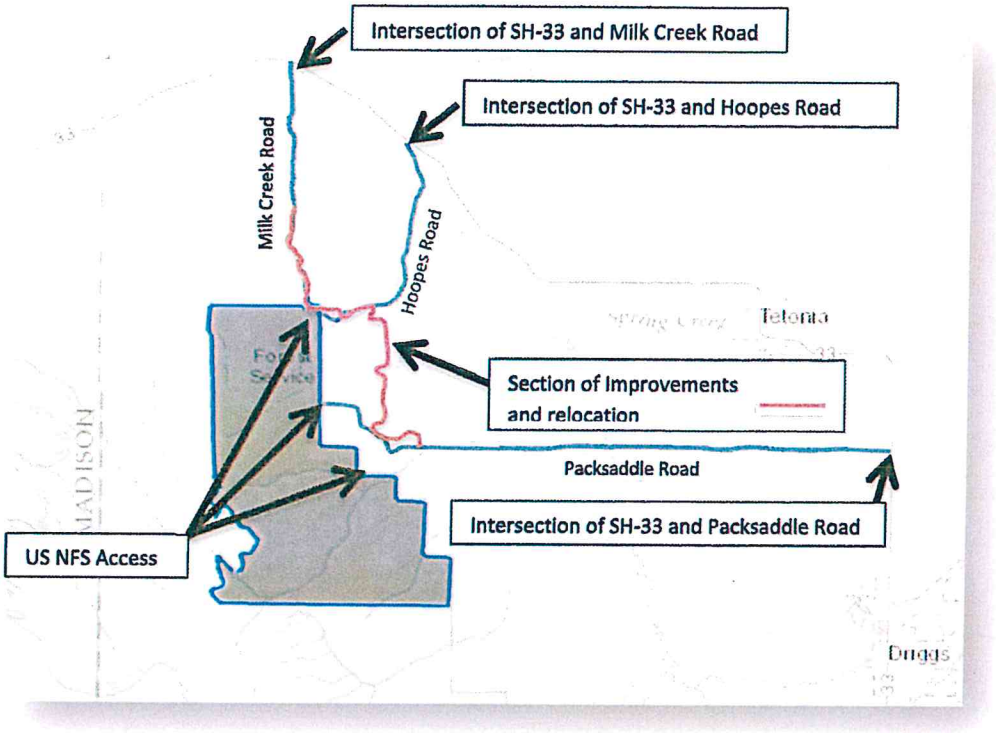


Figure 1 Site Layout

To estimate the number of trips I used the trip generation that a state park would generate.

Land Use	Base Unit	ADT	Trip Generation
State Park	9,664 Acres	.10 per acre	966.4
Recreational Home	11 dwelling units	3.00 per dwelling unit	33
Single Family Home	3 dwelling units	4.31	12.93
		Total	**1,012.33**

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Currently 2 of the 3 residents us Packsaddle road off of SH-33 to access their homes. The other resident uses Hoopes Road of SH-33.

If we divided the ADT from the state park and the future 11 ranches equally between the 3 routes they would have 333.13 ADT.

Conclusion

The relocation and upgrades to packsaddle road will provide safer access to the US NFS and adjoining properties. There will be no development that has not already been there historically to cause an increase in ADT. The improvements will make it easier to access US NFS and probably result in an increase in ADT. Taking the findings above, it is my conclusion that a TIS will not be needed due to the improvements made to Packsaddle road.

Thanks

T. Drew Meppen

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 97
Rigby, ID 83442-0097

(208) 745-7781
itd.idaho.gov

April 3, 2017

Drew Meppen
3860 Deer Stream
Idaho Falls, ID 83401

Mr. Meppen,

Thank you for giving me an opportunity to review your proposed improvements to the county road system.

There is no defined method to determine the increase in traffic due to road improvements. ITE's Trip Generation Manual does not have a method to determine the increase in traffic if the roadway itself is improved from one standard to the next. The increase in traffic will have to be assumed by using your engineer judgment.

You made some assumptions about the current trips coming and going to the National Forest area. Since the ITE Trip Generation Manual does not have a land use for National Forest, I concur with your estimate of trips using the State Park land use. I feel that most of the traffic that is coming to the area and leaving the area will use Packsaddle Road since it is more improved than Hoopes Road or Milk Creek Road. The intersection of Packsaddle Road with State Highway 33 has already been upgraded and now has dedicated left and right turn lanes. I feel that based on your improvements to the county roads, no mitigation measures are required at the intersection of Packsaddle Road and State Highway 33.

The remaining additional traffic that does not use Packsaddle Road will be using Hoopes Road or Milk Creek Road. I feel that based on your improvements to the county roads, no mitigation measures are required at the intersections on State Highway 33 with Hoopes Road or MilkCreek Road.

If you have any further questions, please contact me at (208)745-5630.

Sincerely,

Ben Burke
District Six Traffic Engineer

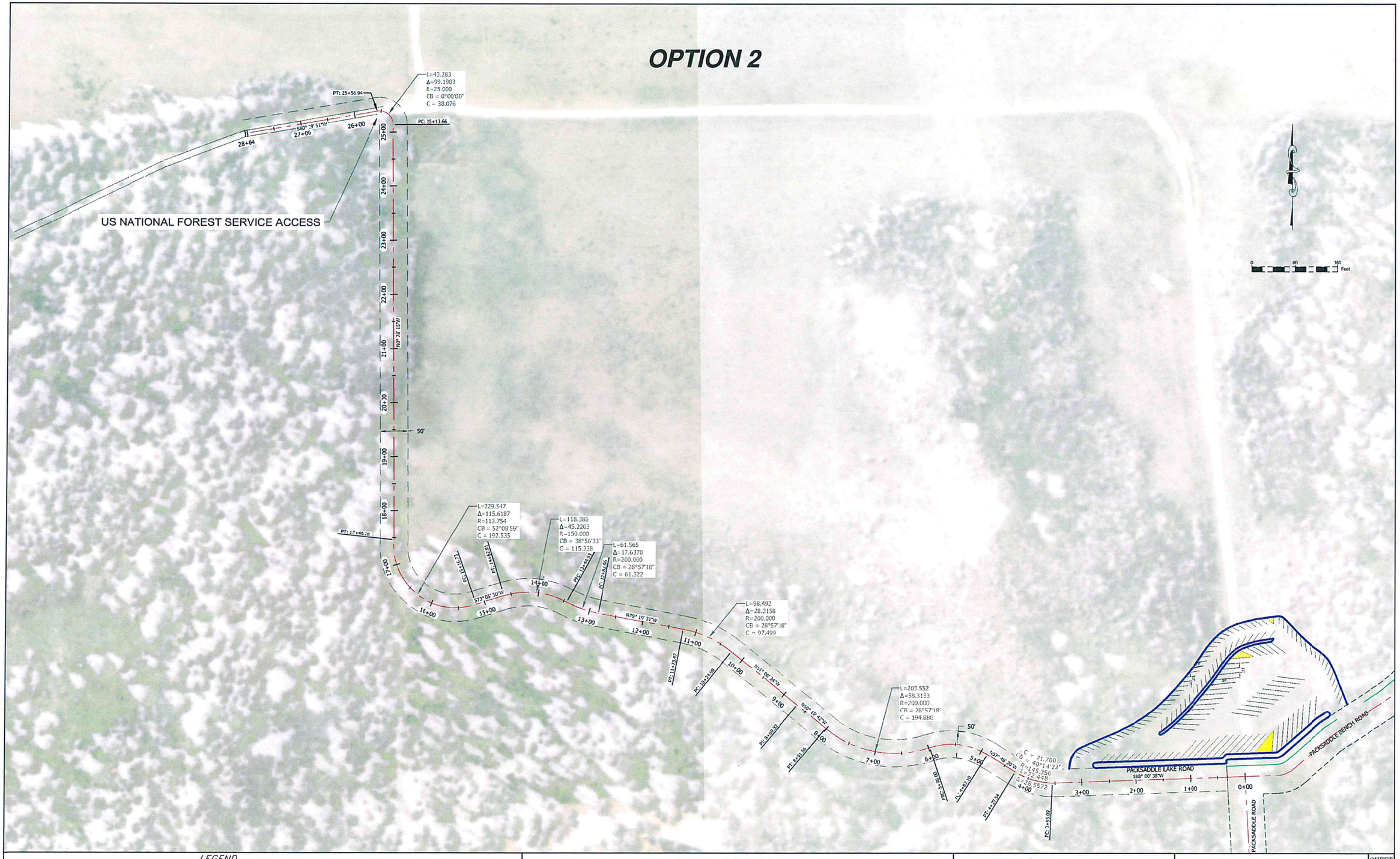
BB:ab

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit E

OPTION 2



LEGEND

- ROAD TO BE RELOCATED
- EXISTING COUNTY ROAD
- PACKSADDLE ROAD
- US NATIONAL FOREST SERVICE ROAD

HORIZONTAL SCALE

(22x34) 1"=80'

(11x17) 1"=160'

PLAN AND PROFILE

PACKSADDLE LAKE ROAD & PUBLIC PARKING

BENCHMARK LAND SURVEYING

PACKSADDLE PUBLIC PARKING

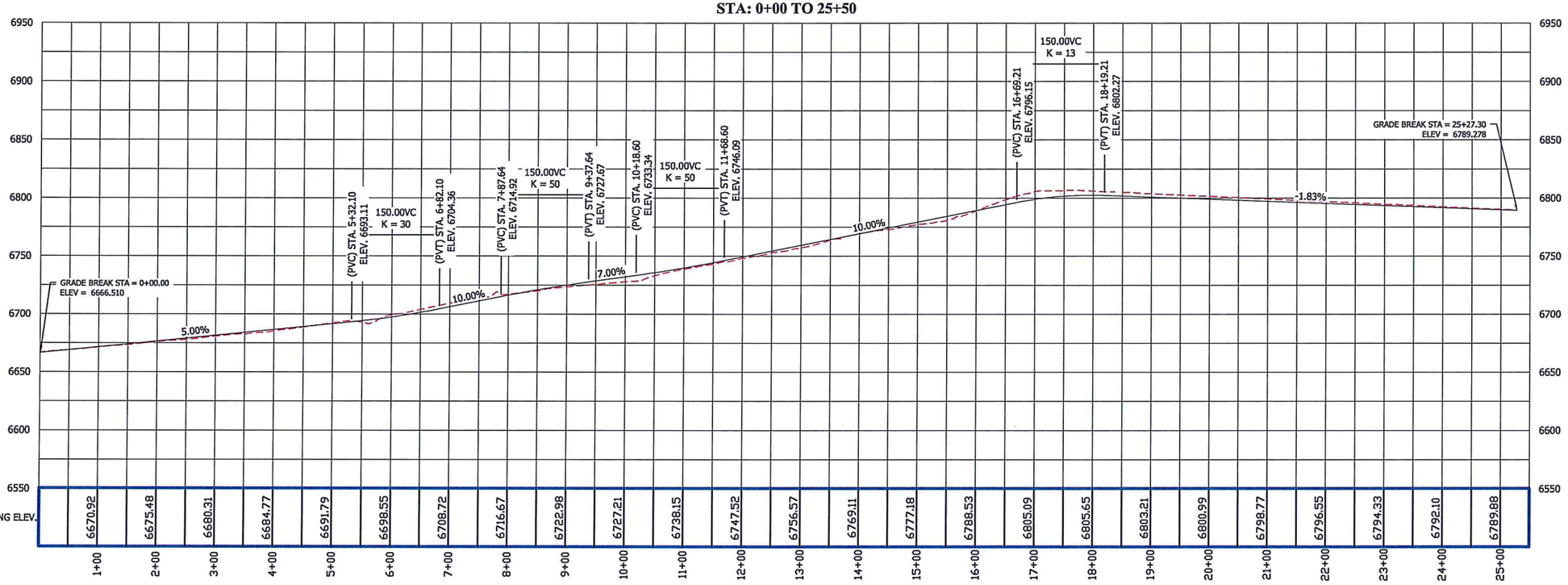
SHEET 1 OF 2

DATE: 5-5-2015
DESIGN: T.D.M/T.R.M.
DRAWN: T.D.M/T.R.M.
PROJECT NO. 14076
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

OPTION 2

STA: 0+00 TO 25+50



LEGEND

- ROAD TO BE RELOCATED
- EXISTING COUNTY ROAD
- PACKSADDLE ROAD
- US NATIONAL FOREST SERVICE ROAD

HORIZONTAL & VERTICAL SCALE

(22x34) 1"=100'
(11x17) 1"=200'

PLAN AND PROFILE

PACKSADDLE LAKE ROAD
& PUBLIC PARKING

BENCHMARK LAND SURVEYING

PACKSADDLE PUBLIC PARKING

SHEET 2

DATE:	5-5-2015
DESIGN:	T.D.N/T.R.M.
DRAWN:	T.D.N/T.R.M.
PROJECT NO.	14076
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

OF 8

OPTION 2

PACKSADDLE PUBLIC PARKING
(72) CAR STALLS
(47) TRUCK AND TRAILER STALLS
1.75 ACRES OF PARKING

US NATIONAL FOREST SERVICE ACCESS

L=110.907
Δ=50.8362
R=125.000
CB = 47°09'23"
C = 107.305

L=72.448
Δ=28.5572
R=145.356
CB = 40°14'22"
C = 71.700

N37° 48' 20"W

PC 4+87.10

PT 4+23.54

5+00

4+00

3+00

2+00

1+00

0+00

-50'

PACKSADDLE LAKE ROAD

S88° 00' 38"W

PC 3+55.09

PACKSADDLE ROAD

PACKSADDLE BENCH ROAD

20'

12'

12'

50'

65'

0 30 60 Feet

LEGEND

- ROAD TO BE RELOCATED
- EXISTING COUNTY ROAD
- PACKSADDLE ROAD
- US NATIONAL FOREST SERVICE ROAD

HORIZONTAL SCALE
(22x34) 1"=80'
(11x17) 1"=160'

PLAN AND PROFILE

PACKSADDLE LAKE ROAD
& PUBLIC PARKING

BENCHMARK LAND SURVEYING

PACKSADDLE PUBLIC PARKING

SHEET 1 OF 2

DATE:	5-5-2015
DESIGN:	T.D.M/T.R.M.
DRAWN:	T.D.M/T.R.M.
PROJECT NO.	14076
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit F

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Proposed Signage for Packsaddle Road

Station	Side of Road	Sign Number	Sign Description	Sign Color	Sign Size
*	Right	W1-1R	Right Turn	Yellow/Black	36x36
*	Right	W13-1P	5 MPH	Yellow/Black	24x30
0+00	At 90° Turn	W1-6	Arrow	Yellow/Black	48x24
	At 90° Turn	W1-6	Arrow	Yellow/Black	48x24
1+00	Left	W1-1L	Left Turn	Yellow/Black	36x36
	Left	W13-1P	5 MPH	Yellow/Black	24x30
13+00	Right	W11-15	Trail Crossing	Yellow/Black	30x30
	Right	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15
16+00	Left	W11-15	Trail Crossing	Yellow/Black	30x30
	Left	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15
66+77	Access Road	R1-1	Stop	Red/White	36x36
	Access Road	Special Sign	Route 235	Brown/White	Variablex9
85+00	Right	W1-1R	Right Turn	Yellow/Black	36x36
	Right	W13-1P	5 MPH	Yellow/Black	24x30
86+65	At 90° turn	W1-6	Arrow	Yellow/Black	48x24
	At 90° turn	W1-6	Arrow	Yellow/Black	48x24
	At 90° turn	Special Sign	To Route 381	Brown/White	Variablex9
	Access Road	R1-1	Stop	Red/White	36x36
	Access Road	Special Sign	Packsaddle Lake Road	Brown/White	Variablex9
	Access Road	Special Sign	Packsaddle Bench Road	Brown/White	Variablex9
	Access Road	Special Sign	Packsaddle Road	Brown/White	Variablex9
88+00	Left	W1-1L	Left Turn	Yellow/Black	36x36
	Left	W13-1P	5 MPH	Yellow/Black	24x30
157+00	Right	W1-11R	Curve to Right	Yellow/Black	30x30
	Right	W13-1P	10 MPH	Yellow/Black	24x30
**	Left	W1-8	Chevrons	Yellow/Black	18x24
161+50	Left	W1-11L	Curve to Left	Yellow/Black	36x36
	Left	W13-1P	10 MPH	Yellow/Black	24x30
170+50	Right	W1-1R	Right Turn	Yellow/Black	36x36
	Right	W13-1P	5 MPH	Yellow/Black	24x30
171+84	At 90° turn	W1-6	Arrow	Yellow/Black	48x24
	At 90° turn	W1-6	Arrow	Yellow/Black	48x24
173+00	Left	W1-1L	Left Turn	Yellow/Black	36x36
	Left	W13-1P	5 MPH	Yellow/Black	24x30
207+00	Right	W11-15	Trail Crossing	Yellow/Black	30x30
	Right	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15
209+00	Left	W11-15	Trail Crossing	Yellow/Black	30x30

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drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

	Left	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15
225+50	Right	W1-2L	Left Curve	Yellow/Black	36x36
	Right	W13-1P	15 MPH	Yellow/Black	24x30
230+50	Left	W1-2R	Right Curve	Yellow/Black	36x36
	Left	W13-1P	15 MPH	Yellow/Black	24x30
230+50	Right	W1-2R	Right Curve	Yellow/Black	36x36
	Right	W13-1P	15 MPH	Yellow/Black	24x30
234+50	Left	W1-2L	Left Curve	Yellow/Black	36x36
	Left	W13-1P	15 MPH	Yellow/Black	24x30
237+00	Right	W1-2R	Right Curve	Yellow/Black	36x36
	Right	W13-1P	15MPH	Yellow/Black	24x30
241+00	Left	W1-2 L	Left Curve	Yellow/Black	36x36
	Left	W13-1P	15 MPH	Yellow/Black	24x30
241+00	Right	W3-1	Stop Ahead	Yellow/Black	30x30
242+29	Right	R1-1	Stop	Red/White	36x36
	Access Road	Special Sign	Packsaddle Bench Road	Brown/White	Variablex9
	Access Road	Special Sign	Grandview Road	Brown/White	Variablex9
	Access Road	Special Sign	Hoopes Road	Brown/White	Variablex9
308+00	Right	W11-15	Trail Crossing	Yellow/Black	30x30
	Right	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15
309+50	Access Road	R1-1	Stop	Red/White	36x36
	Access Road	Special Sign	To Route 060	Brown/White	Variablex9
310+50	Left	W11-15	Trail Crossing	Yellow/Black	30x30
	Left	W11-15P	Trail Crossing Plaque	Yellow/Black	24x15

*Place Sign 100' before station 0+00 on Packsaddle Road.

**Place 8 chevrons around curve, spacing between chevron groups is 40 feet. (See Figure 2C-2 MUTCD 2009 Edition for configuration)

***25 MPH speed limit signs (R2-1, 30x36) will be placed at the beginning of the project and throughout the project on both sides of each access road.

Packsaddle Lake Road and Parking Signage

Quantity	Sign	Location
15	Private Conservation Property – No Trespassing	Parallel to Packsaddle Lake Road and Norton Property
1	Information Kiosk	Packsaddle Lake Parking

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Exhibit G

BENCHMARK
LAND SURVEYING
(208) 313-2458
789 NORTH 450 EAST
FIRTH, IDAHO 83236

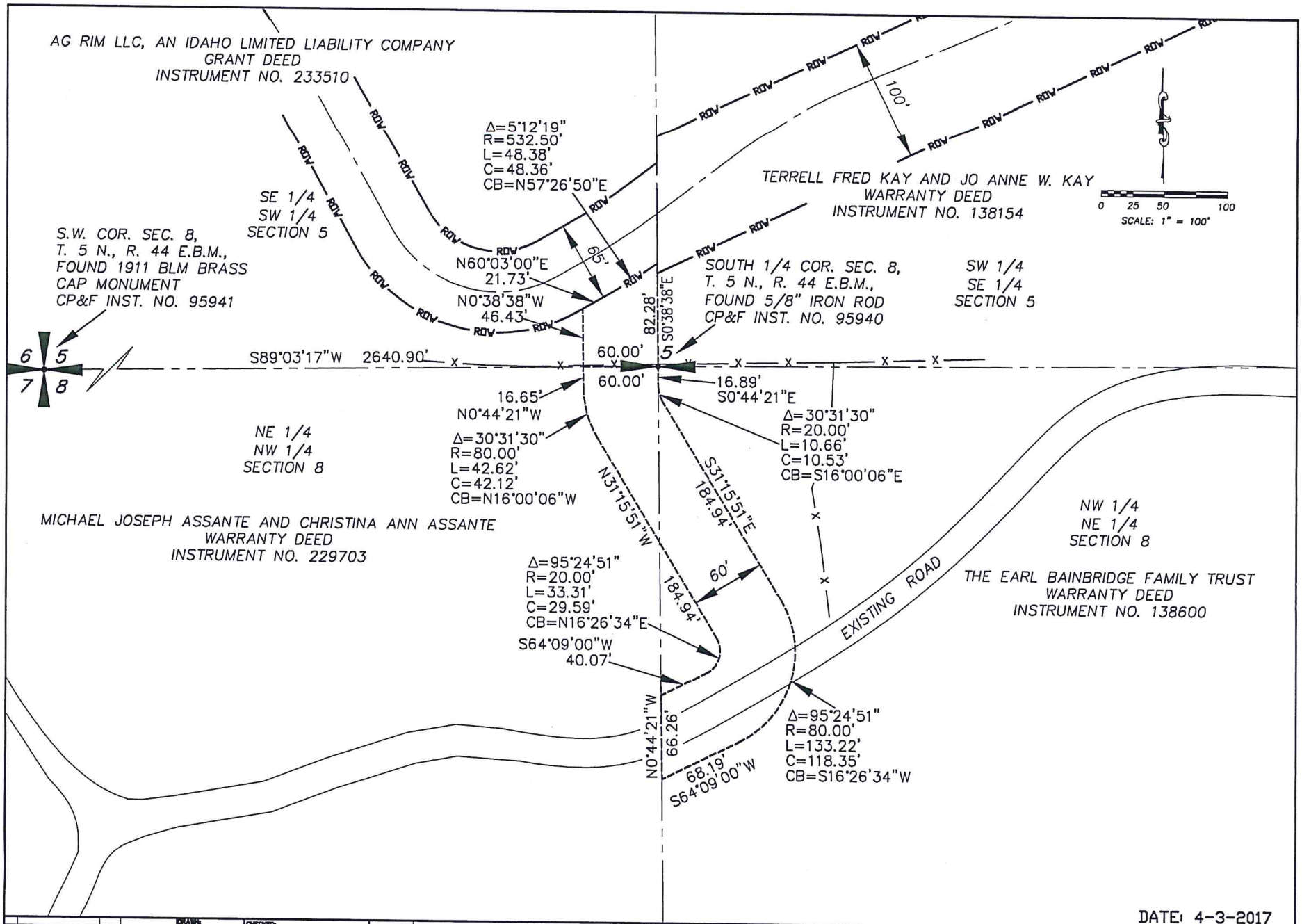
Job No. 14076-8
3-28-2017
T.R.M.

LEGAL DESCRIPTION

(60 FOOT ACCESS EASEMENT – ASSANTE, FELGER, & BAINBRIDGE)

Beginning at the Quarter corner common to Sections 5 and 8, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S.00°44'21"E. 16.89 feet along the north-south centerline through Section 8 to a point of curve; thence 10.65 feet along said curve to the left, Curve Data: Delta = 30°31'30", Radius = 20.00 feet, Chord bearing = S.16°00'06"E. 10.53 feet; thence S.31°15'51"E. 184.94 feet to a point of curve; thence 133.22 feet along said curve to the right, Curve Data: Delta = 95°24'51", Radius = 80.00 feet, Chord bearing = S.16°26'34"W. 118.35 feet; thence S.64°09'00"W. 68.19 feet to the north-south centerline through Section 8; thence N.00°44'21"W. 66.26 feet along said north-south centerline through Section 8; thence N.64°09'00"E. 40.07 feet to a point of curve; thence 33.31 feet along said curve to the left, Curve Data: Delta = 95°24'51", Radius = 20.00 feet, Chord bearing = N.16°26'34"E. 29.59 feet; thence N.31°15'51"W. 184.94 feet to a point of curve; thence 42.62 feet along said curve to the right, Curve Data: Delta = 30°31'30", Radius = 80.00 feet, Chord bearing = N.16°00'06"W. 42.12 feet; thence N.00°44'21"W. 16.65 feet to the north line of said Section 8; thence continuing N.00°38'40"W. 46.43 feet in Section 5, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho to the southerly right-of-way line of a proposed roadway; thence along the southerly right-of-way line of proposed roadway the following two courses: (1) N.60°03'00"E. 21.73 feet to a point of curve; thence (2) 48.38 feet along said curve to the left, Curve Data: Delta = 5°12' 19", Radius = 532.50 feet, Chord bearing = N57°26'50"E. 48.36 feet to the north-south centerline through said Section 5; thence S.00°38'38"E. 82.28 feet to the point of beginning.

Easement contains 0.592 acres.



DATE: 4-3-2017

NO.	REVISIONS	BY	DATE

DRAWN: TRM	CHECKED: TRM		
DESIGNED: TRM	APPROVED: TRM		
CAD NAME: 14076-8	HORZ. SCALE: 1"=100'	VERT. SCALE: N/A	

(208) 313-2458
BENCHMARK LAND SURVEYING
789 N 450 E, FIRTH, IDAHO 83236
tmeppen@gmail.com

PROPERTY SURVEY
FOR
TETON VALLEY SCENIC PARKWAY

TETON COUNTY

60 FOOT ACCESS EASEMENT

PROJECT NO. 14076-8

SHEET NO. 1

AGENDA ACTION ITEM

DATE: December 9, 2019

TO: Board of County Commissioners

FROM: Public Works Director Darryl Johnson

ITEM TITLE: ACTION ITEM: FIRST AMENDMENT TO AGREEMENT TO VACATE AND RELOCATE PACKSADDLE ROAD; AMENDED PARKING LOT DESIGN

SUMMARY STATEMENT:
Ag Rim LLC submitted a proposed change to the Packsaddle Lake Parking Lot. The proposal was tabled at the 10/25 BoCC meeting, at the 11/11 meeting with the request to add details to the exhibit and then the BoCC got distracted at the 11/22 meeting by discussion about winter grooming. Attached is a proposed First Amendment with revised exhibit prepared by our County Attorney. Original narrative from the 10/25 meeting is as follows:

Ag Rim LLC has submitted a proposed change to the parking lot configuration associated with the Packsaddle Road Vacation Agreement. Attached is the initial configuration and the alternate design being proposed. The initial parking lot encompassed 1.75 acres of parking that would accommodate 72 vehicles and 47 vehicle with trailer units. Clearing the area and prepping for the proposed parking lot has led the landowner to realize the original design was too big and, if built as designed, would be out of character for the site. Attached is the revised layout being proposed. The proposed alternate is large enough to accommodate up to 11 vehicle with trailer units and 13 vehicles. The proposed layout provides for a landscaped area that could accommodate future parking expansion if necessary. Public Works is in support of this proposed change.

Also attached is the proposed First Amendment to Agreement to Vacate and Relocate Road. This has been reviewed and approved by Ag Rim legal counsel.

FISCAL NOTES:
There are no financial implications associated with this design change

STAFF RECOMMENDATION: Approve

SUGGESTED MOTION:
Approve the proposed First Amendment to Agreement to Vacate and Relocate Road reconfiguring the Packsaddle Parking lot as proposed.

FIRST AMENDMENT TO
AGREEMENT TO VACATE AND RELOCATE ROAD

THIS AMENDMENT TO THE AGREEMENT TO VACATE AND RELOCATE ROAD is made and entered into as of October 28, 2019, by and between AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns (hereafter "Ag Rim"), GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses is 3565 Las Vegas Boulevard South, Suite 705, Las Vegas, Nevada 89109, its successors and/or assigns (collectively Grandview Ranch II, Grandview Ranch, III, Grandview Ranch IV, Grandview Ranch V, and Grandview Ranch VI are hereafter known as "Grandview") (Ag Rim and Grandview are referred to collectively as the "Landowners"), and Teton County, an Idaho body corporate and politic (hereafter "County").

WHEREAS, Ag Rim, Grandview and County entered the Agreement to Vacate and Relocate Road effective May 24, 2017 (the "Agreement"); and

WHEREAS, Ag Rim, Grandview, and the County mutually desire to amend the Agreement by changing the public parking lot;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree that the document attached as Exhibit E-1 to this Amendment shall be substituted for and replace Exhibit E to the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple counterparts on the day and year set forth above.

TETON COUNTY

_____
By Cindy Riegel
Chairman of its Board of County Commissioners

AG RIM, LLC

_____
By Tammie Smith
Its Manager

GRANDVIEW RANCH II, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH IV, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH V, LP

_____

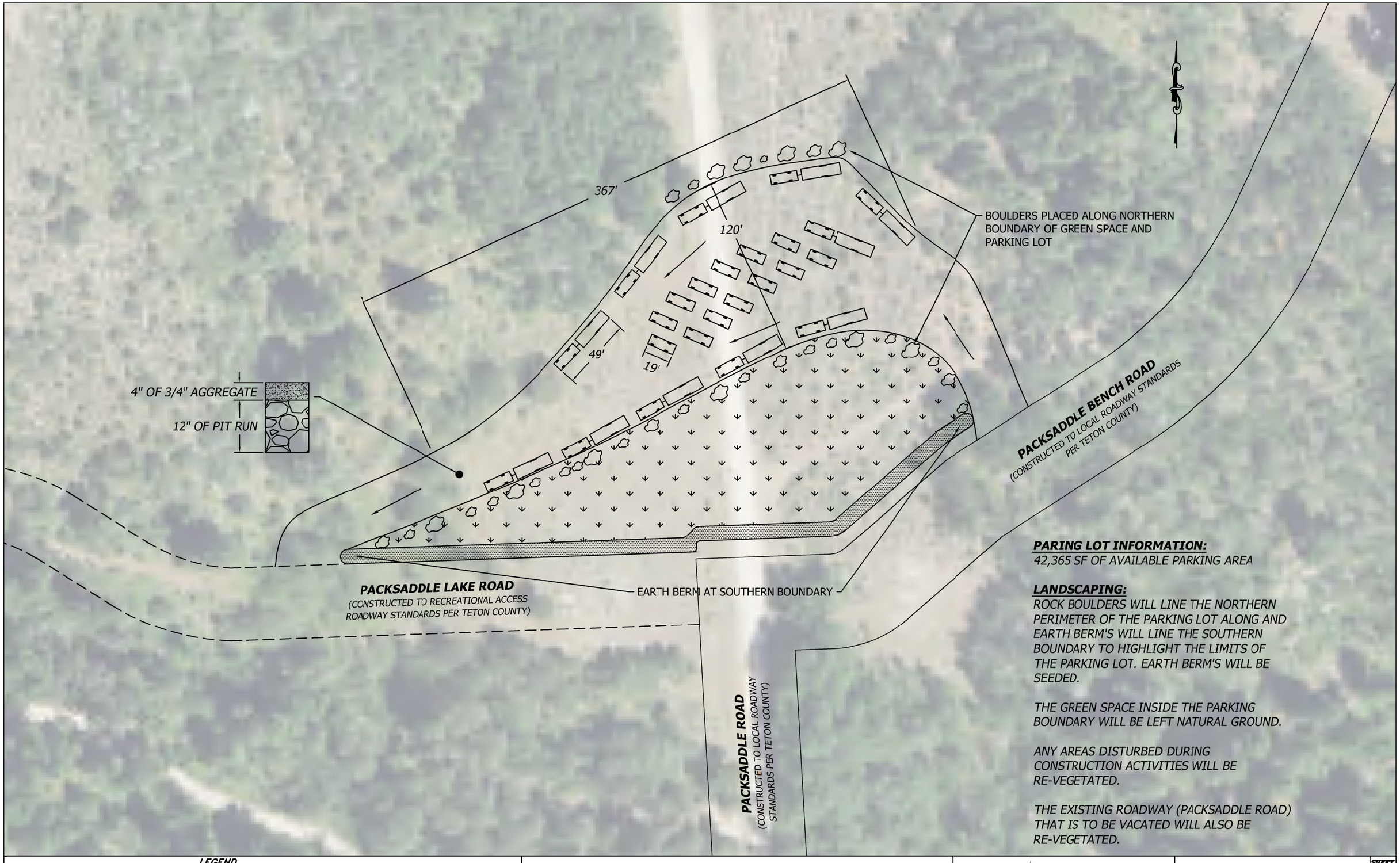
By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH VI, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

EXHIBIT E-1



PARING LOT INFORMATION:

42,365 SF OF AVAILABLE PARKING AREA

LANDSCAPING:

ROCK BOULDERS WILL LINE THE NORTHERN PERIMETER OF THE PARKING LOT ALONG AND EARTH BERM'S WILL LINE THE SOUTHERN BOUNDARY TO HIGHLIGHT THE LIMITS OF THE PARKING LOT. EARTH BERM'S WILL BE SEEDED.

THE GREEN SPACE INSIDE THE PARKING BOUNDARY WILL BE LEFT NATURAL GROUND.

ANY AREAS DISTURBED DURING CONSTRUCTION ACTIVITIES WILL BE RE-VEGETATED.

THE EXISTING ROADWAY (PACKSADDLE ROAD) THAT IS TO BE VACATED WILL ALSO BE RE-VEGETATED.

LEGEND

- ROAD TO BE RELOCATED
- EXISTING COUNTY ROAD
- PACKSADDLE ROAD
- US NATIONAL FOREST SERVICE ROAD

HORIZONTAL SCALE

(22x34) 1"=30'
(11x17) 1"=60'

PARKING LAYOUT

PACKSADDLE LAKE PARKING

BENCHMARK LAND SURVEYING

SITUATION & LAYOUT

SHEET 1 OF 1

DATE:	5-5-2015
DESIGN:	T.D.M/T.R.M.
DRAWN:	T.D.M/T.R.M.
PROJECT NO.	14076
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

AGENDA ACTION ITEM

DATE: December 9, 2019

TO: Board of County Commissioners

FROM: Public Works Director Darryl Johnson

ITEM TITLE: ACTION ITEM: PACKSADDDLE ROAD; COUNTY AGREEMENT TO VACATE AND RELOCATE ROAD EXTENSION REQUEST

SUMMARY STATEMENT:
The Agreement to Vacate and Relocate Road for Packsaddle Road expired on November 30, 2019. The original agreement was signed in May of 2017. Attached is a request to extend that agreement deadline to October 1, 2020.

FISCAL NOTES:
There are no financial impacts related to the extension.

STAFF RECOMMENDATION: Approve

SUGGESTED MOTION:
Approve the Second Amendment to Agreement to Vacate and Relocate Road extending the contract completion date to October 1, 2020 as requested.

SECOND AMENDMENT TO
AGREEMENT TO VACATE AND RELOCATE ROAD

THIS AMENDMENT TO THE AGREEMENT TO VACATE AND RELOCATE ROAD is made and entered into as of December 9, 2019, by and between AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns (hereafter "Ag Rim"), GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses is 3565 Las Vegas Boulevard South, Suite 705, Las Vegas, Nevada 89109, its successors and/or assigns (collectively Grandview Ranch II, Grandview Ranch, III, Grandview Ranch IV, Grandview Ranch V, and Grandview Ranch VI are hereafter known as "Grandview") (Ag Rim and Grandview are referred to collectively as the "Landowners"), and Teton County, an Idaho body corporate and politic (hereafter "County").

WHEREAS, Ag Rim, Grandview and County entered the Agreement to Vacate and Relocate Road effective May 24, 2017 (the "Agreement") with a completion date of November 30, 2019;

WHEREAS, Ag Rim and Grandview made substantial efforts to complete their obligations under the agreement, but, due to complications and delays during construction, were not able to meet the completion deadline; and

WHEREAS, Ag Rim, Grandview and the County believe that an extension of the completion date will be to the benefit of all parties and the community;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree that the deadline of November 30, 2019 contained on page 2 paragraph B of the Agreement shall be amended to October 1, 2020.

IN WITNESS WHEREOF, the parties have executed this Amendment in multiple counterparts effective as of the day and year set forth above.

TETON COUNTY

_____

By Cindy Riegel
Chairman of its Board of County Commissioners

AG RIM, LLC

_____

By Tammie Smith
Its Manager

GRANDVIEW RANCH II, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH IV, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH V, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH VI, LP

_____

By Ronald J. Judy, Manager
For RJJ International, LLC, General Partner



Teton County

Request for Agreement Extension

11.26.2019

AG Rim, LLC & Grandview Ranch LLP

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

11.26.2019

Teton County Board of County Commissioners
ATTN: Public Works Director

This letter is to request an extension of the *County Agreement to Vacate and Relocate Road* dated the 24th of May, 2017.

The intent and purpose of the above agreement was that the construction of the new roadway and items under the agreement were to be completed on or before the 30th of November, 2019. Due to complications and delays during construction over the last (3) years, we recognize that this deadline will not be accomplished.

Ag Rim LLC and Grandview Ranch LLP strongly believe that the agreement made and entered into with the County as of the 24th of May, 2017 provides a substantial benefit to both parties and the local community.

A substantial amount of time and resources have been spent toward the completion of the agreement:

- A significant portion of the roadway, drainage features, and signage have been constructed per *County Road Standards for Teton County.*
- The new Packsaddle Lake Parking lot has been constructed and awaits the natural aesthetic features and boundaries for completion.
- The new Packsaddle Lake access road has been constructed.
- Portions of the Packsaddle Trail network have been roughed in and needs to be finalized.

On 11th of November, 2019 a letter requesting Final Certificate of Acceptance on portions of the roadway was submitted. Darryl Johnson has informed me that the County will provide a punch list of items needed for Final Acceptance. As we work through the punch list items needed for Acceptance, Ag Rim LLC and Grandview Ranch LLP hereby request an extension to the agreement so that the landowners can complete the punch list and complete the balance of the remaining roadwork. The remaining roadwork and likely punch list items can be finalized within an additional construction season. To the end, Ag Rim LLC and Grandview Ranch LLP respectfully request an amendment to the agreement and a new completion date of **October 1st, 2020**.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 789 N. 450 E. Firth, Idaho, 83236 208.313.4267

Ag Rim LLC and Grandview Ranch LLP have every intent to complete the roadway improvements stated in the agreement and appreciate your time and consideration with reviewing this request. Please let me know if you have any questions or concerns.

Thanks,

T. Drew Meppen

Certificate of Substantial Completion

Project: Packsaddle Road, Packsaddle Bench Road & Grandview Road Realignment	
Owner: Teton County	Owner's Contract No.: 15007
Contractor: Ag Rim, Grandview	Engineer's Project No.: 15007

This Certificate of Substantial Completion applies to:

☐ All Work under the Contract Documents: ■ The following specified portions of the Work:

Packsaddle Road

Packsaddle Lake Road

Packsaddle Lake Parking Lot

Packsaddle Bench Road

July 24, 2020

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

☐ Amended Responsibilities ■ Not Amended

Owner's Amended Responsibilities:

Contractor's Amended Responsibilities:

The following documents are attached to and made part of this Certificate:

Packsaddle Substantial Completion Request Letter

Teton County Substantial Completion Punch List

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Executed by Engineer	7-24-20 Date
Accepted by Contractor	7.30.20 Date
Accepted by Owner	Date

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Thursday, July 16, 2020

Teton County Public Works Director
Darryl Johnson,

Thank you for your cooperation with the Packsaddle Road project. We have reached a point that all roadway items, signing, culverts, and Punch List Items listed in the letter dated 11/20/2019 have been completed for the following:

- *Packsaddle Road*
- *Packsaddle Lake Road*
- *Packsaddle Lake Parking Lot*
- *Packsaddle Bench Road*

We would like to request the following:

Request No. 1

We would like to formally request Substantial Completion on *Packsaddle Road, Packsaddle Lake Road*, and *Packsaddle Bench Road.*

Request No. 2

We are requesting to move forward with reclamation of the existing Packsaddle Road from Milk Creek, South to the new Packsaddle Parking Lot.

Request No. 3

We are requesting to close and detour Packsaddle Road at the bottom of Kay's Hill west to approximately Horse Shoe approach on Monday, July 20th 2020.

Request No. 4

Upon closing and detouring Packsaddle Road in Request No. 3, we would like to request moving forward with reclamation on the portion of Packsaddle Road mentioned in Request No. 3.

Request No. 5

We would like to formally request that Final Certificate of Acceptance be issued for *Packsaddle Road, Packsaddle Lake Road*, and *Packsaddle Bench Road* with the following exceptions:

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

- Seeding to be done early Fall (Completion is insured and warranted through Bond set in agreement).
- Reclamation of existing Packsaddle Road (Completion is insured and warranted through Bond set in agreement).
- Final Grading for handoff (Completion is insured and warranted through Bond set in agreement).

Request No. 6

Upon issuance of Final Certificate of Acceptance, the dedication process will begin for the new roadway easement. We would request that the submission for the dedication be required no more than 60 days from Final Certificate of Acceptance. We understand that upon the recording of the dedication of easement, the abandonment and vacation is effective immediately. Please provide any necessary clarification of this process.

We appreciate your consideration with these items. Let me know if you have any questions or concerns.

Thanks,

T. Drew Meppen

Public Works Department

July 24, 2020

Mr. Drew Meppen
Benchmark Land Surveying
789 N. 450E Firth, Idaho 83236

Delivered via e-mail to drewmep@gmail.com

RE: Substantial Completion Punch List for Packsaddle Road, Packsaddle Lake Road, Packsaddle Lake Parking Lot & Packsaddle Bench Road

Dear Mr. Meppen;

This letter is a punch list identifying items needing attention in response to your request for substantial completion of Packsaddle Road, Packsaddle Lake Road, Packsaddle Lake Parking Lot and Packsaddle Bench Road dated July 16, 2020. This punch list is an attachment to the Certificate of Substantial Completion dated July 24, 2020.

Items requiring additional attention are as follows:

- Remove debris from all new culverts installed
- Culvert at Sta 172+83 requires shoulder work. Inside curve needs re-shaped
- Consider culvert across pathway at 158+42 or some other type of erosion protection through drainage section
- Cut extra post material off top of signs
- The large tree on Packsaddle Lake Road is in the clear zone; Consider removing
- If Copeland existing driveway is to remain, it will need a culvert
- Culvert No. 2 is missing
- Culvert No. 10 is missing
- Consider culvert across driveway just west of Horseshoe Road
- Culvert No. 8B is shown as 36" diameter in drainage design. A 24" diameter culvert was installed
- All Roads need final grading
- Missing W1-6 Arrow sign at 0+00 (bottom of Kay's Hill)

Your Substantial Completion request identifies the following exceptions:

- Seeding to be done early Fall
- Reclamation of existing Packsaddle Road
- Final Grading for handoff
- Install Parking Lot Kiosk

Phone: 208-354-0245 • 150 Courthouse Drive, Driggs, Idaho 83422 • Fax: 208-354-8778
djohnson@co.teton.id.us

Certificate of Substantial Completion Punch List

Per the Agreement between Teton County and Ag Rim, reclamation of existing County Roads may begin upon receipt of Substantial Completion.

Final Completion will require addressing all items on punch list and other items discovered incomplete prior to final acceptance. Final Acceptance requires record documents to be prepared and submitted to the Board of County Commissioners for approval. A fifty thousand dollar bond is also required at the time of Final Acceptance.

Sincerely:

Darryl Johnson, P.E., P.L.S.
Public Works Director

Director of Public Works
Phone: 208-354-0245 • 150 Courthouse Drive, Driggs, Idaho 83422 • Fax: 208-354-8778
www.tetoncountyidaho.com

Public Works Department

July 31, 2020

Mr. Drew Meppen
Benchmark Land Surveying
789 N. 450E Firth, Idaho 83236

Delivered via e-mail to drewmep@gmail.com

RE: Final Acceptance for Packsaddle Road, Packsaddle Lake Road, Packsaddle Lake Parking Lot & Packsaddle Bench Road

Dear Mr. Meppen;

The purpose of this letter is to inform you that all items on the Punch List dated July 23, 2020 have been satisfactorily addressed for Packsaddle Road, Packsaddle Lake Road, Packsaddle Lake Parking Lot and Packsaddle Bench Road. Exceptions agreed to were early fall seeding and existing road reclamation. Note that Kay's Hill must be included in your reclamation efforts.

Final Acceptance will be provided by the Board of County Commissioners once final record documents have been submitted and approved and a fifty-thousand-dollar bond is in place.

Agreement language sates "*the issuance of Final Certificate and vacating of a separate section of the Road does not eliminate the obligation of the Ag Rim and Grandview to complete the remaining sections of the Road in accordance with this Agreement*". It is assumed ALL Road sections will be complete by the contract extension date of October 1, 2020.

Sincerely:

Darryl Johnson, P.E., P.L.S.
Public Works Director

Phone: 208-354-0245 • 150 Courthouse Drive, Driggs, Idaho 83422 • Fax: 208-354-8778
djohnson@co.teton.id.us

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Sean R. Moulton
Mouton Law Office
P.O. Box 631
Driggs, Idaho 83422

(Space Above For Recorder's Use)

GRANT DEED

For value received, AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns, GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses are 3565 Las Vegas Boulevard South, Suite 705, Las Vegas Nevada 89109, its successors and/or assigns, (collectively as "Grantor"), grants, bargains, sells and conveys to Teton County Idaho, a political subdivision of the State of Idaho ("Grantee"), and its successors and assigns forever, the following described real property situated in Teton County, State of Idaho:

SEE EXHIBIT A

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described.

Grantor covenants that prior to the execution of the Grant Deed, Grantor has not conveyed this real property to any other person, and at the time of execution, the real property is free from encumbrances done, made, or suffered by the Grantor.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ____ day of _____, 2020.

[SIGNATURE PAGES TO FOLLOW]

AG RIM, LLC

_____

By: Tammie Smith
Title: Manager

ACKNOWLEDGMENT

STATE OF IDAHO)
)ss.
County of Teton)

This record was acknowledged before me on day of _____, 2020 by _____as _____ of AG RIM LLC.

_____
Signature of Notary Public
(seal) My commission expires: _____

GRAND TETON HOLDINGS, LLC

_____

By: Jesse Horton as Trustee for Mingo Tribal Preservation Trust
Title: Member

ACKNOWLEDGMENT

STATE OF IDAHO)
)ss.
County of Teton)

This record was acknowledged before me on day of _____, 2020 by _____as _____ of GRAND TETON HOLDINGS, LLC.

_____
Signature of Notary Public
(seal) My commission expires: _____

GRANDVIEW RANCH II, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANVIEW RANCH IV, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH V, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

STATE OF IDAHO)
)ss.
County of Teton)

This record was acknowledged before me on day of _____, 2020 by _____as _____ of GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, and GRANDVIEW RANCH V, LP.

_____
Signature of Notary Public
My commission expires: _____

(seal)

Grantee, as a political subdivision for the State of Idaho, hereby accepts the road located on the Premises for use as a public right-of-way. Grantees' acceptance shall be evidenced by the acceptance and execution of this Agreement. The centerline of said road as constructed is hereby deemed accepted by the Grantor and Grantee as the true centerline of the premises granted.

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY IDAHO

_____

By:
Title:

STATE OF)
)ss.
County of)

This record was acknowledged before me on day of _____, 2020 by _____as _____ of the BOARD OF COUNTY COMMISSIONERS.

_____
Signature of Notary Public

(seal) My commission expires: _____

EXHIBIT A

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Road Right-of-Way, Teton County, Idaho
(Ag Rim, LLC)

Beginning at a point that is S 89°23'02"W 292.82 feet along the section line from the Southeast corner of Section 5, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S 89° 23' 02" W a distance of 99.66 feet; thence N 00° 42' 44" E for a distance of 152.25 feet to the beginning of a curve; thence 341.44 feet along said curve turning to the left through 35° 34' 11", having a radius of 550.00 feet, and whose long chord bears N 17° 04' 21" W for a distance of 335.99 feet to the beginning of a compound curve; thence 917.06 feet along said curve turning to the left through an angle of 80° 50' 10", having a radius of 650.00 feet, and whose long chord bears N 75° 16' 31" W for a distance of 842.87 feet; thence S 64° 18' 23" W for a distance of 1469.79 feet to the east line of the Southwest Quarter of said Section 5, Township 5 North, Range 44 East; thence S 00° 38' 19" E for a distance of 5.88 feet along said east line; thence S 57° 54' 59" W for a distance of 103.63 feet; thence S 89° 03' 22" W for a distance of 134.89 feet; thence N 26° 22' 59" W for a distance of 154.79 feet to the beginning of a curve; thence 108.14 feet along said curve turning to the left through an angle of 06° 30' 31", having a radius of 952.00 feet, and whose long chord bears N 29° 38' 15" W for a distance of 108.09 feet; thence N 32° 53' 30" W for a distance of 11.15 feet to the beginning of a curve; thence 135.59 feet along said curve turning to the right through an angle of 19° 31' 10", having a radius of 398.00 feet, and whose long chord bears N 23° 07' 55" W for a distance of 134.93 feet; thence N 13° 22' 20" W for a distance of 32.54 feet to the beginning of a curve; thence 24.57 feet along said curve turning to the left through an angle of 04° 37' 50", having a radius of 304.00 feet, and whose long chord bears N 15° 41' 15" W for a distance of 24.56 feet; thence N 18° 00' 10" W for a distance of 238.08 feet to the beginning of a curve; thence 210.61 feet along said curve turning to the right through an angle of 30° 37' 39", having a radius of 394.00 feet, and whose long chord bears N 02° 41' 21" W for a distance of 208.12 feet; thence N 12° 37' 29" E for a distance of 91.68 feet to the beginning of a curve; thence 173.43 feet along said curve turning to the left through an angle of 52° 17' 55", having a radius of 190.00 feet, and whose long chord bears N 13° 31' 28" W for a distance of 167.47 feet; thence N 39° 40' 26" W for a distance of 4.99 feet to the beginning of a curve; thence 264.10 feet along said curve turning to the left through an angle of 44° 14' 43", having a radius of 342.00 feet, and whose long chord bears N 61° 47' 47" W for a distance of 257.59 feet; thence N 83° 55' 09" W for a distance of 458.03 feet to the beginning of a curve; thence 282.27 feet along said curve turning to the left through 02° 30' 13", having a radius of 6460.00 feet, and whose long chord bears N 85° 10' 15" W for a distance of 282.25 feet to the beginning of compound curve; thence 201.44 feet along said curve turning to the left through an angle of 43° 33' 13", having a radius of 265.00 feet, and whose long chord bears S 71° 48' 02" W for a distance of 196.63 feet; thence S 50° 01' 26" W for a distance of 285.52 feet; thence S 29° 32' 53" W for a distance of 100.00 feet to the beginning of a curve; thence 200.00 feet along said curve turning to the right through an angle of 44° 04' 25", having a radius of 260.00 feet, and whose long chord bears S 83°

20' 11" W for a distance of 195.11 feet to a point of intersection with a non-tangential line; thence N 43° 04' 59" W for a distance of 100.00 feet to the beginning of a curve; thence 176.84 feet along said curve turning to the left through an angle of 03° 44' 05", having a radius of 2713.00 feet, and whose long chord bears N 66° 07' 33" W for a distance of 176.81 feet; thence N 67° 59' 34" W for a distance of 20.33 feet to the beginning of a curve; thence 89.91 feet along said curve turning to the right through 04° 57' 11", having a radius of 1040.00 feet, and whose long chord bears N 65° 30' 58" W for a distance of 89.88 feet to the beginning of a reverse curve; thence 189.99 feet along said curve turning to the left through an angle of 01° 05' 34", having a radius of 9960.00 feet, and whose long chord bears N 63° 35' 10" W for a distance of 189.98 feet; thence N 64° 07' 57" W for a distance of 19.31 feet; thence N 64° 07' 57" W for a distance of 182.49 feet to the beginning of a curve; thence 210.57 feet along said curve turning to the right through an angle of 11° 36' 23", having a radius of 1039.50 feet, and whose long chord bears N 58° 19' 46" W for a distance of 210.21 feet; thence N 52° 31' 34" W for a distance of 513.64 feet to the beginning of a curve; thence 233.58 feet along said curve turning to the right through an angle of 24° 48' 22", having a radius of 539.50 feet, and whose long chord bears N 40° 07' 23" W for a distance of 231.76 feet; thence N 27° 43' 12" W for a distance of 263.34 feet to the beginning of a curve; thence 273.84 feet along said curve turning to the right through an angle of 24° 32' 05", having a radius of 639.50 feet, and whose long chord bears N 15° 27' 10" W for a distance of 271.75 feet; thence N 03° 11' 07" W for a distance of 155.27 feet; thence N 89° 06' 13" E for a distance of 75.06 feet; thence S 03° 11' 07" E for a distance of 152.27 feet to the beginning of a curve; thence 241.73 feet along said curve turning to the left through an angle of 24° 32' 05", having a radius of 564.50 feet, and whose long chord bears S 15° 27' 10" E for a distance of 239.88 feet; thence S 27° 43' 12" E for a distance of 263.34 feet to the beginning of a curve; thence 201.11 feet along said curve turning to the left through an angle of 24° 48' 22", having a radius of 464.50 feet, and whose long chord bears S 40° 07' 23" E for a distance of 199.54 feet; thence S 52° 31' 34" E for a distance of 513.64 feet to the beginning of a curve; thence 195.38 feet along said curve turning to the left through an angle of 11° 36' 23", having a radius of 964.50 feet, and whose long chord bears S 58° 19' 46" E for a distance of 195.04 feet; thence S 64° 07' 57" E for a distance of 182.49 feet; thence S 64° 07' 57" E for a distance of 19.31 feet to the beginning of a curve; thence 191.42 feet along said curve turning to the right through 01° 05' 34", having a radius of 10035.00 feet, and whose long chord bears S 63° 35' 10" E for a distance of 191.41 feet to the beginning of reverse curve; thence 83.42 feet along said curve turning to the left through an angle of 04° 57' 11", having a radius of 965.00 feet, and whose long chord bears S 65° 30' 58" E for a distance of 83.40 feet; thence S 67° 59' 34" E for a distance of 20.33 feet to the beginning of a curve; thence 165.19 feet along said curve turning to the right through 03° 23' 41", having a radius of 2788.00 feet, and whose long chord bears S 66° 17' 45" E for a distance of 165.17 feet to the beginning of reverse curve; thence 279.56 feet along said curve turning to the left through an angle of 65° 22' 40", having a radius of 245.00 feet, and whose long chord bears N 82° 42' 46" E for a distance of 264.64 feet; thence N 50° 01' 26" E for a distance of 263.43 feet to the beginning of a curve; thence 258.45 feet along said curve turning to the right through 43° 33' 13", having a radius of 340.00 feet, and whose long chord bears N 71° 48' 02" E for a distance of 252.27 feet to the beginning of a compound curve; thence 285.55 feet along said curve turning to the right through an angle of 02° 30' 13", having a radius of 6535.00

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

feet, and whose long chord bears S 85° 10' 15" E for a distance of 285.52 feet; thence S 83° 55' 09" E for a distance of 458.03 feet to the beginning of a curve; thence 322.02 feet along said curve turning to the right through an angle of 44° 14' 43", having a radius of 417.00 feet, and whose long chord bears S 61° 47' 47" E for a distance of 314.08 feet; thence S 39° 40' 26" E for a distance of 4.99 feet to the beginning of a curve; thence 241.89 feet along said curve turning to the right through an angle of 52° 17' 55", having a radius of 265.00 feet, and whose long chord bears S 13° 31' 28" E for a distance of 233.58 feet; thence S 12° 37' 29" W for a distance of 91.68 feet to the beginning of a curve; thence 170.52 feet along said curve turning to the left through an angle of 30° 37' 39", having a radius of 319.00 feet, and whose long chord bears S 02° 41' 21" E for a distance of 168.50 feet; thence S 18° 00' 10" E for a distance of 238.08 feet to the beginning of a curve; thence 30.63 feet along said curve turning to the right through an angle of 04° 37' 50", having a radius of 379.00 feet, and whose long chord bears S 15° 41' 15" E for a distance of 30.62 feet; thence S 13° 22' 20" E for a distance of 32.54 feet to the beginning of a curve; thence 110.04 feet along said curve turning to the left through an angle of 19° 31' 10", having a radius of 323.00 feet, and whose long chord bears S 23° 07' 55" E for a distance of 109.51 feet; thence S 32° 53' 30" E for a distance of 11.15 feet to the beginning of a curve; thence 116.66 feet along said curve turning to the right through an angle of 06° 30' 31", having a radius of 1027.00 feet, and whose long chord bears S 29° 38' 15" E for a distance of 116.60 feet; thence S 26° 22' 59" E for a distance of 64.70 feet to the beginning of a curve; thence 116.92 feet along said curve turning to the left through an angle of 95° 42' 01", having a radius of 70.00 feet, and whose long chord bears S 74° 14' 00" E for a distance of 103.80 feet; thence N 57° 54' 59" E for a distance of 111.71 feet to the west line of the Southeast Quarter of Section 5, Township 5 North, Range 44 East; thence N 00° 38' 19" W for a distance of 28.53 feet along said West line; thence N 64° 18' 23" E for a distance of 1422.63 feet to the beginning of a curve; thence 1058.16 feet along said curve turning to the right through 80° 50' 14", having a radius of 750.00 feet, and whose long chord bears S 75° 16' 31" E for a distance of 972.55 feet to the beginning of a compound curve; thence 403.52 feet along said curve turning to the right through an angle of 35° 34' 09", having a radius of 650.00 feet, and whose long chord bears S 17° 04' 22" E for a distance of 397.07 feet; thence S 00° 42' 44" W for a distance of 149.94 feet to the point of beginning.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Bench Road Right-of-Way, Teton County, Idaho
(Ag Rim, LLC)

Beginning at a point that is S 89°06'13" W 1088.59 feet along the east-west centerline through the section from the East Quarter corner of Section 6, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence N 03° 11' 07" W for a distance of 50.04 feet; thence N 03° 11' 07" W for a distance of 5.71 feet; thence N 68° 32' 24" E for a distance of 76.88 feet to the beginning of a curve; thence 49.33 feet along said curve turning to the left through an angle of 13° 47' 18", having a radius of 205.00 feet, and whose long chord bears N 61° 38' 45" E for a distance of 49.22 feet; thence N 54° 45' 06" E for a distance of 169.10 feet; thence N 36° 08' 21" W for a distance of 27.47 feet; thence N 71° 11' 38" E for a distance of 21.28 feet to the beginning of a curve; thence 135.26 feet along said curve turning to the left through an angle of 51° 40' 01", having a radius of 150.00 feet, and whose long chord bears N 45° 21' 37" E for a distance of 130.73 feet; thence N 19° 31' 37" E for a distance of 136.45 feet to the beginning of a curve; thence 314.09 feet along said curve turning to the right through an angle of 65° 26' 22", having a radius of 275.00 feet, and whose long chord bears N 52° 14' 48" E for a distance of 297.29 feet; thence N 84° 57' 59" E for a distance of 3.21 feet to the beginning of a curve; thence 385.98 feet along said curve turning to the right through an angle of 11° 56' 52", having a radius of 1851.00 feet, and whose long chord bears S 89° 03' 35" E for a distance of 385.28 feet; thence S 83° 05' 09" E for a distance of 860.75 feet to the beginning of a curve; thence 364.23 feet along said curve turning to the left through an angle of 99° 22' 29", having a radius of 210.00 feet, and whose long chord bears N 47° 13' 36" E for a distance of 320.26 feet; thence N 02° 27' 39" W for a distance of 1482.14 feet to the beginning of a curve; thence 222.52 feet along said curve turning to the right through an angle of 21° 14' 58", having a radius of 600.00 feet, and whose long chord bears N 08° 09' 50" E for a distance of 221.25 feet; thence N 18° 47' 19" E for a distance of 73.64 feet to the beginning of a curve; thence 344.76 feet along said curve turning to the left through an angle of 39° 30' 25", having a radius of 500.00 feet, and whose long chord bears N 00° 57' 53" W for a distance of 337.97 feet; thence N 20° 43' 06" W for a distance of 150.81 feet to the beginning of a curve; thence 391.84 feet along said curve turning to the right through an angle of 64° 08' 45", having a radius of 350.00 feet, and whose long chord bears N 11° 21' 16" E for a distance of 371.70 feet; thence N 43° 25' 39" E for a distance of 101.86 feet to the beginning of a curve; thence 186.28 feet along said curve turning to the left through an angle of 30° 29' 38", having a radius of 350.00 feet, and whose long chord bears N 28° 10' 50" E for a distance of 184.09 feet; thence N 12° 56' 01" E for a distance of 463.15 feet to the beginning of a curve; thence 390.64 feet along said curve turning to the left through an angle of 99° 28' 30", having a radius of 225.00 feet, and whose long chord bears N 36° 48' 15" W for a distance of 343.39 feet; thence N 86° 32' 30" W for a distance of 165.36 feet to the beginning of a curve; thence 38.13 feet along said curve turning to the right through an angle of 08° 44' 21", having a radius of 250.00 feet, and whose long chord bears N 82° 10' 19" W for a distance of 38.10 feet; thence N 77° 48' 08" W for a distance of 302.88 feet to the

beginning of a curve; thence 62.33 feet along said curve turning to the left through an angle of 14° 17' 03", having a radius of 250.00 feet, and whose long chord bears N 84° 56' 40" W for a distance of 62.16 feet; thence S 87° 54' 49" W for a distance of 311.06 feet; thence N 02° 34' 57" E for a distance of 111.68 feet to the beginning of a curve; thence 177.58 feet along said curve turning to the right through an angle of 40° 41' 55", having a radius of 250.00 feet, and whose long chord bears N 22° 55' 55" E for a distance of 173.87 feet; thence N 43° 16' 52" E for a distance of 118.81 feet to the beginning of a curve; thence 231.09 feet along said curve turning to the right through an angle of 09° 44' 09", having a radius of 1360.00 feet, and whose long chord bears N 48° 08' 57" E for a distance of 230.82 feet; thence N 53° 01' 01" E for a distance of 462.46 feet to the beginning of a curve; thence 104.46 feet along said curve turning to the right through an angle of 16° 37' 31", having a radius of 360.00 feet, and whose long chord bears N 61° 19' 46" E for a distance of 104.09 feet; thence N 69° 38' 32" E for a distance of 223.27 feet to the beginning of a non-tangential curve; thence 261.45 feet along said curve turning to the left through an angle of 68° 58' 47", having a radius of 217.17 feet, and whose long chord bears N 56° 12' 31" W for a distance of 245.94 feet; thence S 89° 52' 50" W for a distance of 685.80 feet to the beginning of a curve; thence 502.03 feet along said curve turning to the right through an angle of 89° 53' 15", having a radius of 320.00 feet, and whose long chord bears N 45° 10' 33" W for a distance of 452.10 feet; thence N 00° 13' 55" W for a distance of 299.59 feet; thence N 23° 48' 37" W for a distance of 100.00 feet; thence N 00° 13' 55" W for a distance of 202.09 feet; thence N 23° 20' 46" E for a distance of 100.00 feet; thence N 00° 13' 55" W for a distance of 1085.93 feet to the beginning of a curve; thence 124.33 feet along said curve turning to the left through an angle of 12° 43' 15", having a radius of 560.00 feet, and whose long chord bears N 06° 35' 33" W for a distance of 124.08 feet; thence N 12° 57' 10" W for a distance of 367.94 feet to the beginning of a curve; thence 41.04 feet along said curve turning to the right through an angle of 10° 21' 29", having a radius of 227.00 feet, and whose long chord bears N 07° 46' 26" W for a distance of 40.98 feet; thence N 02° 35' 41" W for a distance of 66.34 feet; thence N 88° 47' 29" E for a distance of 75.05 feet to the beginning of a non-tangential curve; thence 163.94 feet along said curve turning to the left through an angle of 09° 53' 15", having a radius of 950.00 feet, and whose long chord bears S 08° 00' 33" E for a distance of 163.74 feet; thence S 12° 57' 10" E for a distance of 295.61 feet to the beginning of a curve; thence 140.98 feet along said curve turning to the right through an angle of 12° 43' 15", having a radius of 635.00 feet, and whose long chord bears S 06° 35' 33" E for a distance of 140.69 feet; thence S 00° 13' 55" E for a distance of 1770.91 feet to the beginning of a curve; thence 384.36 feet along said curve turning to the left through an angle of 89° 53' 15", having a radius of 245.00 feet, and whose long chord bears S 45° 10' 33" E for a distance of 346.14 feet; thence N 89° 52' 50" E for a distance of 685.45 feet to the beginning of a curve; thence 433.96 feet along said curve turning to the right through an angle of 85° 06' 12", having a radius of 292.17 feet, and whose long chord bears S 48° 04' 01" E for a distance of 395.16 feet to a point of intersection with a non-tangential line; thence S 69° 38' 32" W for a distance of 65.85 feet; thence S 46° 03' 50" W for a distance of 100.00 feet; thence S 69° 38' 32" W for a distance of 131.08 feet to the beginning of a curve; thence 69.64 feet along said curve turning to the left through an angle of 16° 37' 31", having a radius of 240.00 feet, and whose long chord bears S 61° 19' 46" W for a distance of 69.40 feet to a point of intersection with a non-tangential line; thence S 76° 35' 43" W for a distance of

100.00 feet; thence S 53° 01' 01" W for a distance of 370.81 feet to the beginning of a curve; thence 217.50 feet along said curve turning to the left through an angle of 09° 44' 09", having a radius of 1280.00 feet, and whose long chord bears S 48° 08' 57" W for a distance of 217.24 feet; thence S 43° 16' 52" W for a distance of 138.47 feet to the beginning of a curve; thence 125.02 feet along said curve turning to the left through an angle of 130° 14' 24", having a radius of 55.00 feet, and whose long chord bears S 21° 50' 20" E for a distance of 99.79 feet; thence S 86° 57' 32" E for a distance of 232.24 feet to the beginning of a curve; thence 63.70 feet along said curve turning to the right through an angle of 16° 35' 23", having a radius of 220.00 feet, and whose long chord bears S 78° 39' 51" E for a distance of 63.48 feet; thence S 70° 22' 10" E for a distance of 139.44 feet to the beginning of a curve; thence 134.07 feet along said curve turning to the left through an angle of 16° 10' 20", having a radius of 475.00 feet, and whose long chord bears S 78° 27' 20" E for a distance of 133.63 feet; thence S 86° 32' 30" E for a distance of 165.37 feet to the beginning of a curve; thence 264.84 feet along said curve turning to the right through an angle of 50° 34' 50", having a radius of 300.00 feet, and whose long chord bears S 61° 15' 05" E for a distance of 256.32 feet to a point of intersection with a non-tangential line; thence S 00° 09' 49" E for a distance of 93.70 feet; thence S 00° 09' 49" E for a distance of 359.81 feet; thence S 12° 56' 01" W for a distance of 247.49 feet to the beginning of a curve; thence 226.19 feet along said curve turning to the right through an angle of 30° 29' 38", having a radius of 425.00 feet, and whose long chord bears S 28° 10' 50" W for a distance of 223.53 feet; thence S 43° 25' 39" W for a distance of 101.86 feet to the beginning of a curve; thence 307.88 feet along said curve turning to the left through an angle of 64° 08' 45", having a radius of 275.00 feet, and whose long chord bears S 11° 21' 16" W for a distance of 292.05 feet; thence S 20° 43' 06" E for a distance of 150.81 feet to the beginning of a curve; thence 396.48 feet along said curve turning to the right through an angle of 39° 30' 25", having a radius of 575.00 feet, and whose long chord bears S 00° 57' 53" E for a distance of 388.67 feet; thence S 18° 47' 19" W for a distance of 73.64 feet to the beginning of a curve; thence 194.71 feet along said curve turning to the left through an angle of 21° 14' 58", having a radius of 525.00 feet, and whose long chord bears S 08° 09' 50" W for a distance of 193.59 feet; thence S 02° 27' 39" E for a distance of 1482.15 feet to the beginning of a curve; thence 494.30 feet along said curve turning to the right through an angle of 99° 22' 24", having a radius of 285.00 feet, and whose long chord bears S 47° 13' 39" W for a distance of 434.64 feet; thence N 83° 05' 09" W for a distance of 860.75 feet to the beginning of a curve; thence 370.34 feet along said curve turning to the left through an angle of 11° 56' 52", having a radius of 1776.00 feet, and whose long chord bears N 89° 03' 35" W for a distance of 369.67 feet; thence S 84° 57' 59" W for a distance of 3.21 feet to the beginning of a curve; thence 228.43 feet along said curve turning to the left through an angle of 65° 26' 22", having a radius of 200.00 feet, and whose long chord bears S 52° 14' 48" W for a distance of 216.21 feet; thence S 19° 31' 37" W for a distance of 122.59 feet to the beginning of a curve; thence 199.81 feet along said curve turning to the right through an angle of 35° 13' 30", having a radius of 325.00 feet, and whose long chord bears S 37° 08' 21" W for a distance of 196.67 feet; thence S 54° 45' 06" W for a distance of 185.79 feet to the beginning of a curve; thence 65.57 feet along said curve turning to the right through an angle of 13° 39' 34", having a radius of 275.05 feet, and whose long chord bears S 61° 42' 35" W for a distance of 65.42 feet; thence S 68°

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32' 24" W for a distance of 21.01 feet; thence S 03° 11' 07" E for a distance of 9.80 feet; thence S 89° 06' 13" W a distance of 75.06 feet to the point of beginning.

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Bench Road Right-of-Way, Teton County, Idaho
(Grand Teton Holdings, Big Game View Ranch, Lot 1)

Beginning at a point that is S 89°58’24” W 1325.35 feet along the section line and N 00°09’49” W 952.69 feet from the South Quarter corner of Section 32, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence N 00° 09' 49" W for a distance of 359.81 feet; thence N 89° 54' 29" E for a distance of 45.33 feet to the beginning of a non-tangential curve; thence 151.34 feet along said curve turning to the right through an angle of 28° 54' 14", having a radius of 300.00 feet, and whose long chord bears S 01° 31' 07" E for a distance of 149.74 feet; thence S 12° 56' 01" W a distance of 215.66 feet to the Point of Beginning.

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Bench Road Right-of-Way, Teton County, Idaho
(Grand Teton Holdings, Big Game View Ranch, Lot 2)

Beginning at a point that is S 89°58’24” W 1325.35 feet along the section line and N 00°09’49” W 1312.50 feet from the South Quarter corner of Section 32, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence N 00° 09' 49" W for a distance of 93.70 feet to the beginning of a non-tangential curve; thence 104.67 feet along said curve turning to the right through an angle of 19° 59' 26", having a radius of 300.00 feet, and whose long chord bears S 25° 57' 57" E for a distance of 104.14 feet to a point of intersection with a non-tangential line; thence S 89° 54' 29" W a distance of 45.33 feet to the Point of Beginning.

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Legal Description for
Packsaddle Bench Road Right-of-Way, Teton County, Idaho
(Grandview, LLC)

Beginning at a point that is S 88°47’29” W 34.41 feet along the section line from the Southeast corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S 88° 47' 29" W for a distance of 75.05 feet; thence N 02° 35' 41" W for a distance of 793.46 feet to the beginning of a curve; thence 269.77 feet along said curve turning to the right through an angle of 11° 37' 17", having a radius of 1330.00 feet, and whose long chord bears N 03° 12' 57" E for a distance of 269.30 feet; thence N 09° 01' 36" E for a distance of 179.63 feet to the beginning of a curve; thence 295.19 feet along said curve turning to the left through an angle of 14° 27' 20", having a radius of 1170.00 feet, and whose long chord bears N 01° 47' 56" E for a distance of 294.41 feet; thence N 05° 25' 45" W for a distance of 40.24 feet to the beginning of a curve; thence 301.84 feet along said curve turning to the left through an angle of 88° 41' 13", having a radius of 195.00 feet, and whose long chord bears N 49° 46' 21" W for a distance of 272.59 feet; thence S 85° 53' 02" W for a distance of 78.87 feet to the beginning of a curve; thence 287.25 feet along said curve turning to the right through an angle of 84° 24' 00", having a radius of 195.00 feet, and whose long chord bears N 51° 54' 58" W for a distance of 261.97 feet; thence N 09° 42' 58" W for a distance of 503.19 feet to the beginning of a curve; thence 135.85 feet along said curve turning to the right through an angle of 53° 40' 48", having a radius of 145.00 feet, and whose long chord bears N 17° 07' 26" E for a distance of 130.94 feet; thence N 43° 57' 50" E for a distance of 50.73 feet to the beginning of a curve; thence 45.39 feet along said curve turning to the right through an angle of 11° 49' 17", having a radius of 220.00 feet, and whose long chord bears N 49° 52' 28" E for a distance of 45.31 feet; thence N 55° 47' 06" E for a distance of 92.34 feet to the beginning of a curve; thence 69.78 feet along said curve turning to the left through an angle of 49° 58' 25", having a radius of 80.00 feet, and whose long chord bears N 30° 47' 54" E for a distance of 67.59 feet to a point of intersection with a non-tangential line; thence N 83° 10' 02" E for a distance of 80.98 feet to the beginning of a non-tangential curve; thence 157.32 feet along said curve turning to the right through an angle of 56° 20' 04", having a radius of 160.00 feet, and whose long chord bears S 27° 37' 04" W for a distance of 151.05 feet; thence S 55° 47' 06" W for a distance of 92.34 feet to the beginning of a curve; thence 28.88 feet along said curve turning to the left through an angle of 11° 49' 17", having a radius of 140.00 feet, and whose long chord bears S 49° 52' 28" W for a distance of 28.83 feet; thence S 43° 57' 50" W for a distance of 56.93 feet to the beginning of a curve; thence 60.90 feet along said curve turning to the left through an angle of 53° 40' 48", having a radius of 65.00 feet, and whose long chord bears S 17° 07' 26" W for a distance of 58.70 feet; thence S 09° 42' 58" E for a distance of 446.98 feet to the beginning of a curve; thence 222.61 feet along said curve turning to the left through an angle of 77° 18' 05", having a radius of 165.00 feet, and whose long chord bears S 48° 22' 01" E for a distance of 206.11 feet; thence S 87° 01' 03" E for a distance of 97.92 feet to the beginning of a curve; thence 377.36

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

feet along said curve turning to the right through an angle of 81° 35' 19", having a radius of 265.00 feet, and whose long chord bears S 46° 13' 24" E for a distance of 346.27 feet; thence S 05° 25' 45" E for a distance of 48.00 feet to the beginning of a curve; thence 314.11 feet along said curve turning to the right through an angle of 14° 27' 20", having a radius of 1245.00 feet, and whose long chord bears S 01° 47' 56" W for a distance of 313.28 feet; thence S 09° 01' 36" W for a distance of 179.63 feet to the beginning of a curve; thence 254.55 feet along said curve turning to the left through an angle of 11° 37' 17", having a radius of 1255.00 feet, and whose long chord bears S 03° 12' 57" W for a distance of 254.12 feet; thence S 02° 35' 41" E for a distance of 787.48 feet to the beginning of a curve; thence 7.80 feet along said curve turning to the left through 00° 28' 14", having a radius of 950.00 feet, and whose long chord bears S 02° 49' 48" E for a distance of 7.80 feet to the point of beginning.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Neville Spring Road Right-of-Way, Teton County, Idaho
(Grandview, LLC Section 1)

Beginning at a point that is S 88°55'56" W 355.41 feet along the east-west centerline through the section and N 01°02'43" W 84.86 feet from the East Quarter corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S 83° 10' 02" W for a distance of 80.98 feet; thence S 83° 10' 02" W for a distance of 282.15 feet to the beginning of a curve; thence 58.24 feet along said curve turning to the left through an angle of 04° 56' 36", having a radius of 675.00 feet, and whose long chord bears S 80° 41' 44" W for a distance of 58.22 feet; thence S 78° 13' 25" W for a distance of 1749.89 feet to the beginning of a curve; thence 311.77 feet along said curve turning to the left through an angle of 23° 02' 56", having a radius of 775.00 feet, and whose long chord bears S 66° 41' 57" W for a distance of 309.67 feet; thence S 55° 10' 29" W for a distance of 492.56 feet to the beginning of a curve; thence 143.32 feet along said curve turning to the left through an angle of 01° 39' 02", having a radius of 4975.00 feet, and whose long chord bears S 54° 20' 58" W for a distance of 143.32 feet; thence S 53° 31' 27" W for a distance of 716.46 feet to the beginning of a curve; thence 68.53 feet along said curve turning to the right through 22° 55' 40", having a radius of 171.25 feet, and whose long chord bears S 64° 59' 17" W for a distance of 68.07 feet to the beginning of a compound curve; thence 6.06 feet along said curve turning to the right through an angle of 01° 14' 25", having a radius of 280.00 feet, and whose long chord bears S 77° 04' 19" W for a distance of 6.06 feet to the West line of the Northeast Quarter of the Southwest Quarter of Section 30, Township 6 North, Range 44 East of the Boise Meridian; thence N 00° 06' 46" E for a distance of 5.12 feet; thence N 00° 06' 46" E for a distance of 67.47 feet; thence N 00° 06' 46" E for a distance of 5.34 feet to the beginning of a curve; thence 25.11 feet along said curve turning to the left through an angle of 14° 56' 41", having a radius of 96.25 feet, and whose long chord bears N 61° 36' 37" E for a distance of 25.03 feet; thence N 29° 56' 46" E for a distance of 99.99 feet; thence N 53° 31' 27" E for a distance of 202.09 feet; thence N 77° 06' 09" E for a distance of 100.00 feet; thence N 53° 31' 27" E for a distance of 332.11 feet to the beginning of a curve; thence 145.48 feet along said curve turning to the right through an angle of 01° 39' 02", having a radius of 5050.00 feet, and whose long chord bears N 54° 20' 58" E for a distance of 145.48 feet; thence N 55° 10' 29" E for a distance of 492.56 feet to the beginning of a curve; thence 341.94 feet along said curve turning to the right through an angle of 23° 02' 56", having a radius of 850.00 feet, and whose long chord bears N 66° 41' 57" E for a distance of 339.64 feet; thence N 78° 13' 25" E for a distance of 1749.89 feet to the beginning of a curve; thence 64.71 feet along said curve turning to the right through an angle of 04° 56' 36", having a radius of 750.00 feet, and whose long chord bears N 80° 41' 44" E for a distance of 64.69 feet; thence N 83° 10' 02" E for a distance of 364.09 feet; thence S 06° 05' 55" E a distance of 75.01 feet to the point of beginning.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Neville Spring Road Right-of-Way, Teton County, Idaho
(Grandview, LLC Section 2)

Beginning at a point that is S 0°32'04" W 617.97 feet along the section line from the West Quarter corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S 00° 32' 04" W for a distance of 5.44 feet; thence S 00° 32' 04" W for a distance of 69.32 feet; thence S 00° 32' 04" W a distance of 5.27 feet to the beginning of a non-tangent curve; thence 8.67 feet along said curve turning to the right through 00° 59' 37", having a radius of 500.00 feet, and whose long chord bears N 70° 46' 59" W for a distance of 8.67 feet to the beginning of a compound curve; thence 114.15 feet along said curve turning to the right through an angle of 21° 01' 49", having a radius of 311.00 feet, and whose long chord bears N 59° 46' 15" W for a distance of 113.51 feet; thence N 49° 15' 21" W for a distance of 103.14 feet to the beginning of a curve; thence 218.00 feet along said curve turning to the left through an angle of 07° 02' 13", having a radius of 1775.00 feet, and whose long chord bears N 52° 46' 27" W for a distance of 217.86 feet; thence N 56° 17' 34" W for a distance of 240.94 feet to the beginning of a curve; thence 94.00 feet along said curve turning to the right through an angle of 05° 15' 15", having a radius of 1025.00 feet, and whose long chord bears N 53° 39' 56" W for a distance of 93.96 feet; thence N 51° 02' 18" W for a distance of 78.16 feet to the beginning of a curve; thence 494.59 feet along said curve turning to the right through an angle of 27° 38' 47", having a radius of 1025.00 feet, and whose long chord bears N 37° 12' 55" W for a distance of 489.80 feet; thence S 66° 36' 29" W for a distance of 12.50 feet; thence N 23° 23' 31" W for a distance of 753.14 feet to the beginning of a curve; thence 155.75 feet along said curve turning to the left through an angle of 09° 16' 17", having a radius of 962.50 feet, and whose long chord bears N 28° 01' 39" W for a distance of 155.58 feet; thence N 32° 39' 48" W for a distance of 68.87 feet to the beginning of a curve; thence 79.85 feet along said curve turning to the right through an angle of 04° 24' 36", having a radius of 1037.50 feet, and whose long chord bears N 30° 27' 30" W for a distance of 79.83 feet; thence N 28° 15' 12" W for a distance of 28.43 feet to the beginning of a curve; thence 306.26 feet along said curve turning to the right through an angle of 33° 54' 29", having a radius of 517.50 feet, and whose long chord bears N 11° 17' 57" W for a distance of 301.81 feet; thence N 05° 39' 17" E for a distance of 13.78 feet to the beginning of a curve; thence 116.55 feet along said curve turning to the right through an angle of 05° 10' 55", having a radius of 1288.72 feet, and whose long chord bears N 08° 52' 31" E for a distance of 116.51 feet; thence N 12° 05' 44" E for a distance of 67.51 feet to the beginning of a curve; thence 154.90 feet along said curve turning to the left through an angle of 11° 38' 23", having a radius of 762.50 feet, and whose long chord bears N 06° 16' 33" E for a distance of 154.64 feet; thence N 00° 27' 21" E for a distance of 292.81 feet to the beginning of a curve; thence 140.25 feet along said curve turning to the left through an angle of 12° 07' 46", having a radius of 662.50 feet, and whose long chord bears N 05° 36' 32" W for a distance of 139.99 feet; thence N 11° 40' 25" W for a distance of 43.28 feet to the beginning of a curve; thence 124.59 feet along said curve turning to the right through an angle of 08° 14' 51",

having a radius of 865.50 feet, and whose long chord bears N 07° 32' 59" W for a distance of 124.48 feet; thence N 03° 25' 33" W for a distance of 191.87 feet to the beginning of a curve; thence 131.56 feet along said curve turning to the left through an angle of 39° 09' 22", having a radius of 192.50 feet, and whose long chord bears N 23° 00' 14" W for a distance of 129.01 feet; thence N 42° 34' 55" W for a distance of 248.19 feet to the beginning of a curve; thence 65.26 feet along said curve turning to the left through an angle of 01° 48' 47", having a radius of 2062.48 feet, and whose long chord bears N 43° 32' 04" W for a distance of 65.26 feet; thence N 44° 29' 14" W for a distance of 390.80 feet to the beginning of a curve; thence 584.27 feet along said curve turning to the right through an angle of 67° 58' 18", having a radius of 492.50 feet, and whose long chord bears N 10° 30' 05" W for a distance of 550.60 feet; thence N 23° 29' 04" E for a distance of 37.61 feet to the beginning of a curve; thence 303.00 feet along said curve turning to the right through an angle of 08° 31' 14", having a radius of 2037.50 feet, and whose long chord bears N 27° 44' 41" E for a distance of 302.72 feet; thence N 32° 00' 18" E for a distance of 213.54 feet to the beginning of a curve; thence 170.87 feet along said curve turning to the left through an angle of 76° 47' 07", having a radius of 127.50 feet, and whose long chord bears N 06° 23' 16" W for a distance of 158.37 feet; thence N 44° 46' 50" W for a distance of 52.62 feet to the beginning of a curve; thence 217.38 feet along said curve turning to the left through an angle of 31° 05' 55", having a radius of 400.50 feet, and whose long chord bears N 60° 19' 47" W for a distance of 214.72 feet; thence N 75° 52' 45" W for a distance of 152.07 feet to the beginning of a curve; thence 415.55 feet along said curve turning to the right through an angle of 43° 29' 14", having a radius of 547.50 feet, and whose long chord bears N 54° 08' 08" W for a distance of 405.65 feet; thence N 32° 23' 31" W for a distance of 125.13 feet to the beginning of a curve; thence 102.11 feet along said curve turning to the right through an angle of 02° 52' 17", having a radius of 2037.50 feet, and whose long chord bears N 30° 57' 22" W for a distance of 102.10 feet; thence N 29° 31' 13" W for a distance of 280.63 feet to the beginning of a curve; thence 284.93 feet along said curve turning to the left through an angle of 45° 02' 09", having a radius of 362.50 feet, and whose long chord bears N 52° 02' 17" W for a distance of 277.65 feet; thence N 74° 33' 22" W for a distance of 110.30 feet to the beginning of a curve; thence 284.39 feet along said curve turning to the right through an angle of 68° 36' 28", having a radius of 237.50 feet, and whose long chord bears N 40° 15' 08" W for a distance of 267.70 feet; thence N 05° 56' 54" W for a distance of 553.62 feet to the beginning of a curve; thence 16.85 feet along said curve turning to the left through an angle of 05° 56' 25", having a radius of 162.50 feet, and whose long chord bears N 08° 55' 06" W for a distance of 16.84 feet; thence N 11° 53' 18" W for a distance of 172.90 feet to the beginning of a curve; thence 191.04 feet along said curve turning to the right through an angle of 46° 05' 11", having a radius of 237.50 feet, and whose long chord bears N 11° 09' 17" E for a distance of 185.93 feet; thence N 34° 11' 52" E for a distance of 116.22 feet to the beginning of a curve; thence 75.99 feet along said curve turning to the left through an angle of 04° 05' 38", having a radius of 1063.45 feet, and whose long chord bears N 32° 09' 03" E for a distance of 75.97 feet; thence N 30° 06' 14" E for a distance of 103.18 feet to the beginning of a curve; thence 591.12 feet along said curve turning to the left through an angle of 17° 15' 28", having a radius of 1962.50 feet, and whose long chord bears N 21° 28' 30" E for a distance of 588.88 feet; thence N 12° 50' 46" E for a distance of 155.92 feet to the beginning of a curve; thence 49.89 feet along said curve turning to the left

through an angle of 02° 58' 11", having a radius of 962.50 feet, and whose long chord bears N 11° 21' 41" E for a distance of 49.88 feet; thence N 09° 52' 35" E for a distance of 65.90 feet to the beginning of a curve; thence 33.45 feet along said curve turning to the right through an angle of 02° 17' 19", having a radius of 837.50 feet, and whose long chord bears N 11° 01' 15" E for a distance of 33.45 feet; thence N 12° 09' 54" E for a distance of 108.74 feet to the beginning of a curve; thence 171.77 feet along said curve turning to the left through an angle of 12° 54' 26", having a radius of 762.50 feet, and whose long chord bears N 05° 42' 41" E for a distance of 171.41 feet; thence N 00° 44' 32" W for a distance of 206.93 feet; thence N 89° 10' 53" E for a distance of 75.00 feet; thence S 00° 44' 32" E for a distance of 207.03 feet to the beginning of a curve; thence 188.67 feet along said curve turning to the right through an angle of 12° 54' 26", having a radius of 837.50 feet, and whose long chord bears S 05° 42' 41" W for a distance of 188.27 feet; thence S 12° 09' 54" W for a distance of 108.74 feet to the beginning of a curve; thence 30.46 feet along said curve turning to the left through an angle of 02° 17' 19", having a radius of 762.50 feet, and whose long chord bears S 11° 01' 15" W for a distance of 30.46 feet; thence S 09° 52' 35" W for a distance of 65.90 feet to the beginning of a curve; thence 53.77 feet along said curve turning to the right through an angle of 02° 58' 11", having a radius of 1037.50 feet, and whose long chord bears S 11° 21' 41" W for a distance of 53.77 feet; thence S 12° 50' 46" W for a distance of 155.92 feet to the beginning of a curve; thence 613.71 feet along said curve turning to the right through an angle of 17° 15' 28", having a radius of 2037.50 feet, and whose long chord bears S 21° 28' 30" W for a distance of 611.39 feet; thence S 30° 06' 14" W for a distance of 103.18 feet to the beginning of a curve; thence 81.35 feet along said curve turning to the right through an angle of 04° 05' 38", having a radius of 1138.45 feet, and whose long chord bears S 32° 09' 03" W for a distance of 81.33 feet; thence S 34° 11' 52" W for a distance of 116.22 feet to the beginning of a curve; thence 130.71 feet along said curve turning to the left through an angle of 46° 05' 11", having a radius of 162.50 feet, and whose long chord bears S 11° 09' 17" W for a distance of 127.21 feet; thence S 11° 53' 18" E for a distance of 172.90 feet to the beginning of a curve; thence 24.62 feet along said curve turning to the right through an angle of 05° 56' 25", having a radius of 237.50 feet, and whose long chord bears S 08° 55' 06" E for a distance of 24.61 feet; thence S 05° 56' 54" E for a distance of 553.62 feet to the beginning of a curve; thence 194.58 feet along said curve turning to the left through an angle of 68° 36' 28", having a radius of 162.50 feet, and whose long chord bears S 40° 15' 08" E for a distance of 183.16 feet; thence S 74° 33' 22" E for a distance of 110.30 feet to the beginning of a curve; thence 343.88 feet along said curve turning to the right through an angle of 45° 02' 09", having a radius of 437.50 feet, and whose long chord bears S 52° 02' 17" E for a distance of 335.10 feet; thence S 29° 31' 13" E for a distance of 280.63 feet to the beginning of a curve; thence 98.36 feet along said curve turning to the left through an angle of 02° 52' 17", having a radius of 1962.50 feet, and whose long chord bears S 30° 57' 22" E for a distance of 98.35 feet; thence S 32° 23' 31" E for a distance of 125.13 feet to the beginning of a curve; thence 358.63 feet along said curve turning to the left through an angle of 43° 29' 14", having a radius of 472.50 feet, and whose long chord bears S 54° 08' 08" E for a distance of 350.08 feet; thence S 75° 52' 45" E for a distance of 152.07 feet to the beginning of a curve; thence 258.09 feet along said curve turning to the right through an angle of 31° 05' 55", having a radius of 475.50 feet, and whose long chord bears S 60° 19' 47" E for a distance of 254.93 feet; thence S 44° 46'

50" E for a distance of 27.73 feet; thence S 61° 36' 56" E for a distance of 100.80 feet to the beginning of a non-tangential curve; thence 213.73 feet along said curve turning to the right through an angle of 50° 29' 55", having a radius of 242.50 feet, and whose long chord bears S 02° 21' 41" E for a distance of 206.88 feet; thence S 53° 35' 04" W for a distance of 100.43 feet; thence S 32° 00' 18" W for a distance of 158.58 feet to the beginning of a curve; thence 291.85 feet along said curve turning to the left through an angle of 08° 31' 14", having a radius of 1962.50 feet, and whose long chord bears S 27° 44' 41" W for a distance of 291.58 feet; thence S 23° 29' 04" W for a distance of 37.61 feet to the beginning of a curve; thence 495.29 feet along said curve turning to the left through an angle of 67° 58' 18", having a radius of 417.50 feet, and whose long chord bears S 10° 30' 05" E for a distance of 466.75 feet; thence S 44° 29' 14" E for a distance of 390.81 feet to the beginning of a curve; thence 67.75 feet along said curve turning to the right through an angle of 01° 48' 37", having a radius of 2144.27 feet, and whose long chord bears S 43° 32' 04" E for a distance of 67.74 feet; thence S 42° 34' 55" E for a distance of 248.19 feet to the beginning of a curve; thence 182.81 feet along said curve turning to the right through an angle of 39° 09' 22", having a radius of 267.50 feet, and whose long chord bears S 23° 00' 14" E for a distance of 179.27 feet; thence S 03° 25' 33" E for a distance of 191.87 feet to the beginning of a curve; thence 113.79 feet along said curve turning to the left through an angle of 08° 14' 51", having a radius of 790.50 feet, and whose long chord bears S 07° 32' 59" E for a distance of 113.69 feet; thence S 11° 40' 25" E for a distance of 43.28 feet to the beginning of a curve; thence 156.13 feet along said curve turning to the right through an angle of 12° 07' 46", having a radius of 737.50 feet, and whose long chord bears S 05° 36' 32" E for a distance of 155.84 feet; thence S 00° 27' 21" W for a distance of 292.81 feet to the beginning of a curve; thence 170.14 feet along said curve turning to the right through an angle of 11° 38' 23", having a radius of 837.50 feet, and whose long chord bears S 06° 16' 33" W for a distance of 169.85 feet; thence S 12° 05' 44" W for a distance of 67.49 feet to the beginning of a curve; thence 108.20 feet along said curve turning to the left through an angle of 06° 26' 27", having a radius of 962.50 feet, and whose long chord bears S 08° 52' 31" W for a distance of 108.14 feet; thence S 05° 39' 17" W for a distance of 13.76 feet to the beginning of a curve; thence 261.88 feet along said curve turning to the left through an angle of 33° 54' 29", having a radius of 442.50 feet, and whose long chord bears S 11° 17' 57" E for a distance of 258.07 feet; thence S 28° 15' 12" E for a distance of 28.43 feet to the beginning of a curve; thence 74.08 feet along said curve turning to the left through an angle of 04° 24' 36", having a radius of 962.50 feet, and whose long chord bears S 30° 27' 30" E for a distance of 74.06 feet; thence S 32° 39' 48" E for a distance of 68.87 feet to the beginning of a curve; thence 167.88 feet along said curve turning to the right through an angle of 09° 16' 17", having a radius of 1037.50 feet, and whose long chord bears S 28° 01' 39" E for a distance of 167.70 feet; thence S 23° 23' 31" E for a distance of 753.14 feet; thence N 66° 36' 29" E for a distance of 12.50 feet to the beginning of a non-tangential curve; thence 458.40 feet along said curve turning to the left through an angle of 27° 38' 47", having a radius of 950.00 feet, and whose long chord bears S 37° 12' 55" E for a distance of 453.96 feet; thence S 51° 02' 18" E for a distance of 78.16 feet to the beginning of a curve; thence 87.12 feet along said curve turning to the left through an angle of 05° 15' 15", having a radius of 950.00 feet, and whose long chord bears S 53° 39' 56" E for a distance of 87.09 feet; thence S 56° 17' 34" E for a distance of 240.94 feet to the beginning of a curve; thence 227.21 feet along said

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

curve turning to the right through an angle of 07° 02' 13", having a radius of 1850.00 feet, and whose long chord bears S 52° 46' 27" E for a distance of 227.07 feet; thence S 49° 15' 21" E for a distance of 103.14 feet to the beginning of a curve; thence 68.99 feet along said curve turning to the left through an angle of 16° 44' 54", having a radius of 236.00 feet, and whose long chord bears S 57° 37' 47" E for a distance of 68.74 feet to the point of beginning.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Lake Road Right-of-Way, Teton County, Idaho
(Ag Rim, LLC)

Beginning at a point that is S 89°06'13" W 1088.59 feet along the east-west centerline through the section from the East Quarter corner of Section 6, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence S 89° 06' 13" W for a distance of 172.54 feet to the beginning of a curve; thence 170.42 feet along said curve turning to the right through an angle of 24° 24' 37", having a radius of 400.00 feet, and whose long chord bears N 78° 41' 28" W for a distance of 169.13 feet; thence N 66° 29' 10" W for a distance of 24.33 feet to the beginning of a curve; thence 154.39 feet along said curve turning to the left through 22° 53' 12", having a radius of 386.50 feet, and whose long chord bears N 77° 55' 46" W for a distance of 153.36 feet; thence N 89° 22' 22" W for a distance of 68.16 feet to the beginning of a curve; thence 177.81 feet along said curve turning to the right through an angle of 33° 57' 35", having a radius of 300.00 feet, and whose long chord bears N 72° 23' 35" W for a distance of 175.22 feet; thence N 55° 24' 48" W for a distance of 228.73 feet to the beginning of a curve; thence 28.50 feet along said curve turning to the left through an angle of 16° 19' 52", having a radius of 100.00 feet, and whose long chord bears N 63° 34' 44" W for a distance of 28.41 feet; thence N 71° 44' 40" W for a distance of 279.40 feet to the beginning of a curve; thence 122.75 feet along said curve turning to the left through an angle of 35° 09' 51", having a radius of 200.00 feet, and whose long chord bears N 89° 19' 35" W for a distance of 120.83 feet; thence S 73° 05' 30" W for a distance of 29.70 feet to the beginning of a curve; thence 257.70 feet along said curve turning to the right through an angle of 106° 25' 00", having a radius of 138.75 feet, and whose long chord bears N 53° 42' 00" W for a distance of 222.23 feet to the West line of the Southwest Quarter of the of the Northeast Quarter of Section 6, Township 5 North, Range 44 East; thence N 00° 29' 30" W for a distance of 810.02 feet to the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 6; thence N 88° 55' 49" E for a distance of 50.00 feet ; thence S 00° 29' 30" E for a distance of 810.53 feet to the beginning of a curve; thence 164.84 feet along said curve turning to the left through an angle of 106° 25' 00", having a radius of 88.75 feet, and whose long chord bears S 53° 42' 00" E for a distance of 142.15 feet; thence N 73° 05' 30" E for a distance of 29.70 feet to the beginning of a curve; thence 153.43 feet along said curve turning to the right through an angle of 35° 09' 51", having a radius of 250.00 feet, and whose long chord bears S 89° 19' 35" E for a distance of 151.04 feet; thence S 71° 44' 40" E for a distance of 279.40 feet to the beginning of a curve; thence 42.75 feet along said curve turning to the right through an angle of 16° 19' 52", having a radius of 150.00 feet, and whose long chord bears S 63° 34' 44" E for a distance of 42.61 feet; thence S 55° 24' 48" E for a distance of 228.73 feet to the beginning of a curve; thence 148.18 feet along said curve turning to the left through an angle of 33° 57' 35", having a radius of 250.00 feet, and whose long chord bears S 72° 23' 35" E for a distance of 146.02 feet; thence S 89° 22' 22" E for a distance of 68.16 feet to the beginning of a curve; thence 174.36 feet along said curve turning to the right through 22° 53' 12", having a radius of 436.50 feet, and whose long chord bears S 77° 55' 46" E

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for a distance of 153.20 feet; thence S 66° 29' 10" E for a distance of 24.33 feet to the beginning of a curve; thence 149.11 feet along said curve turning to the left through an angle of 24° 24' 37", having a radius of 350.00 feet, and whose long chord bears S 78° 41' 28" E for a distance of 147.99 feet; thence N 89° 06' 13" E for a distance of 170.54 feet; thence S 03° 11' 07" E a distance of 50.04 feet to the point of beginning.

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

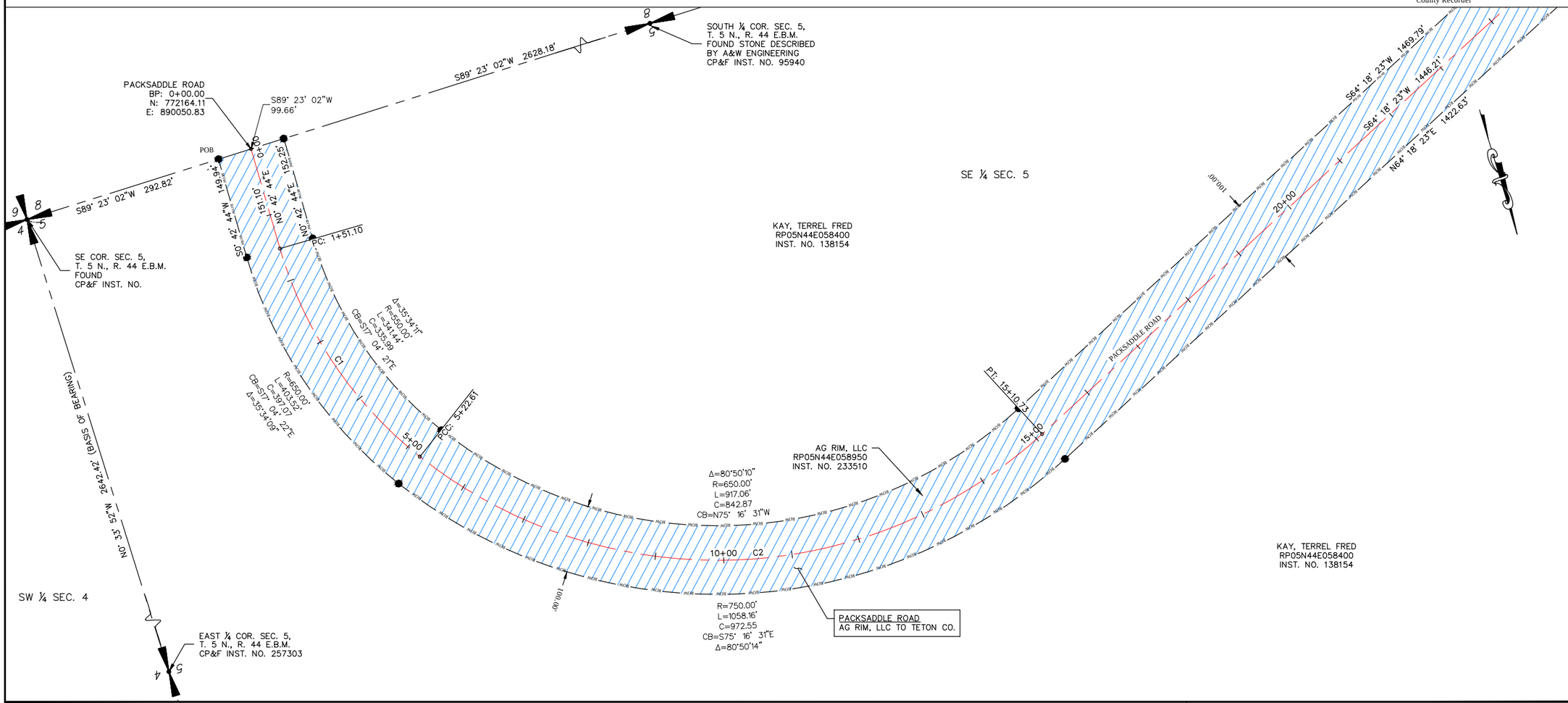
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C1	600.00'	371.51'	N17°05'28"W	365.61'	35°28'36"
C2	700.00'	988.12'	N75°13'19"W	908.10'	80°52'43"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

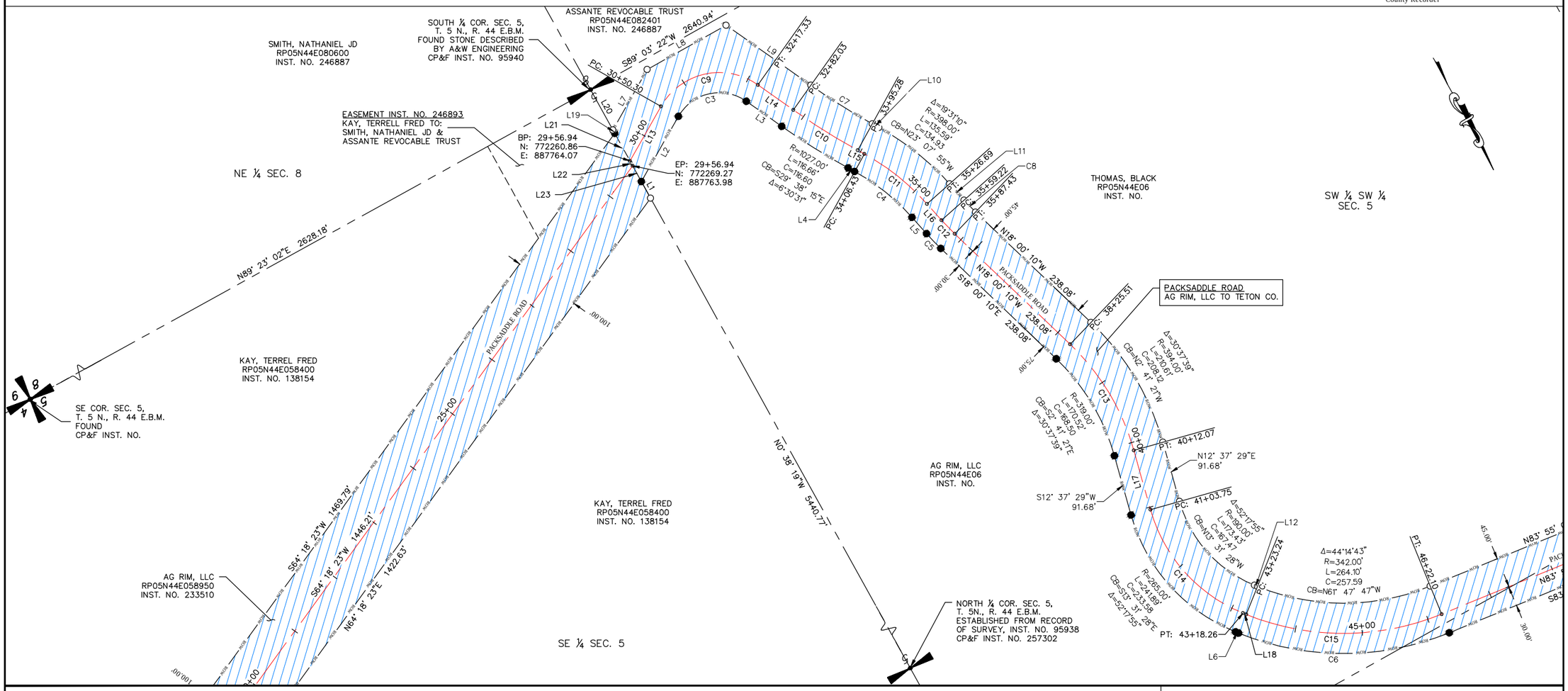
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	28.53'	N0°38'19"W
L2	111.71'	N57°54'59"E
L3	64.70'	S26°22'59"E
L4	11.15'	S32°53'30"E
L5	32.54'	S13°22'20"E
L6	4.99'	S39°40'26"E
L7	103.63'	S57°54'59"W
L8	134.89'	S89°03'22"W
L9	154.79'	N26°22'59"W
L10	11.15'	N32°53'30"W
L11	32.54'	N13°22'20"W
L12	4.99'	N39°40'26"W
L19	5.88'	S0°38'19"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C3	70.00'	116.92'	S74°14'00"E	103.80'	95°42'01"
C4	323.00'	110.04'	S23°07'55"E	109.51'	19°31'10"
C5	379.00'	30.63'	S15°41'15"E	30.62'	4°37'50"
C6	417.00'	322.02'	S61°47'47"E	314.08'	44°14'43"
C7	952.00'	108.14'	N29°38'15"W	108.09'	6°30'31"
C8	304.00'	24.57'	N15°41'15"W	24.56'	4°37'50"

LINE TABLE		
LINE NO.	LENGTH	BEARING
L20	68.59'	N0°38'19"W
L21	46.90'	N0°38'19"W
L22	8.27'	N0°38'19"W
L23	26.90'	N0°38'19"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L13	93.36	S57° 54' 59"W
L14	64.70	N26° 22' 59"W
L15	11.15	N32° 53' 30"W
L16	32.54	N13° 22' 20"W
L17	91.68	S12° 37' 29"W
L18	4.99	N39° 40' 26"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C9	100.00'	167.03'	N74°14'00"W	148.28'	95°42'01"
C10	997.00'	113.26'	N29°38'15"W	113.19'	6°30'31"
C11	353.00'	120.26'	N23°07'55"W	119.68'	19°31'10"
C12	349.00'	28.21'	N15°41'15"W	28.20'	4°37'50"
C13	349.00'	186.56'	N2°41'21"W	184.35'	30°37'39"
C14	235.00'	214.50'	N13°31'28"W	207.13'	52°17'55"
C15	387.00'	298.85'	N61°47'47"W	291.48'	44°14'43"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen — *Date*
License No. 7380

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 2 OF 21

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

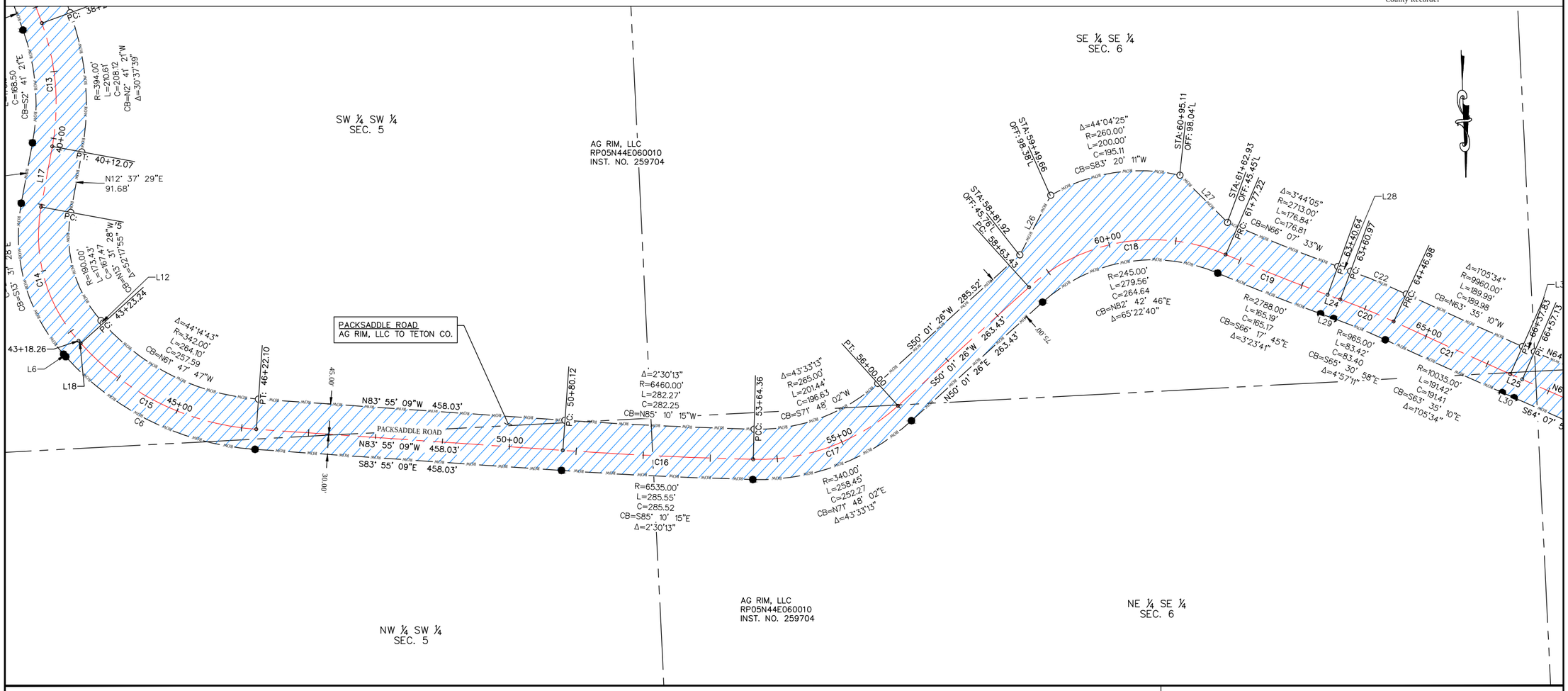
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L26	100.00'	S29°32'53"W
L27	100.00'	N43°04'59"W
L28	20.33'	N67°59'34"W
L29	20.33'	S67°59'34"E
L30	19.31'	S64°07'57"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C22	1040.00'	89.91'	N65°30'58"W	89.88'	4°57'11"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L24	20.33	N67° 59' 34"W
L25	19.31	N64° 07' 57"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C16	6505.00'	284.23'	N85°10'15"W	284.21'	2°30'13"
C17	310.00'	235.65'	S71°48'02"W	230.01'	43°33'13"
C18	275.00'	313.79'	S82°42'46"W	297.04'	65°22'40"
C19	2758.00'	163.41'	N66°17'45"W	163.39'	3°23'41"
C20	995.00'	86.02'	N65°30'58"W	85.99'	4°57'11"
C21	10005.00'	190.84'	N63°35'10"W	190.84'	1°05'34"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 3 OF 21

DATE:	4/21/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

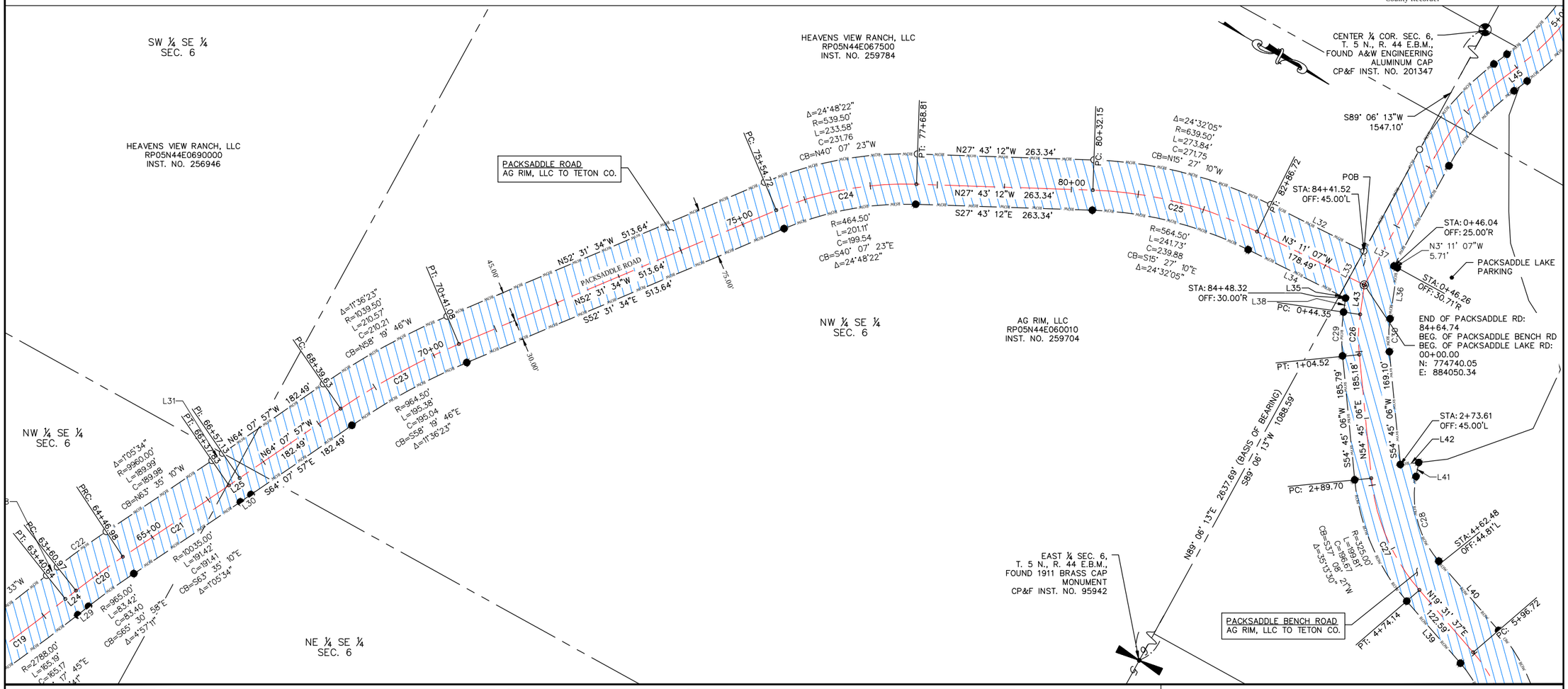
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L31	19.31'	N64°07'57"W
L32	155.27'	N3°11'07"W
L33	75.06'	N89°06'13"E
L34	152.27'	S3°11'07"E
L35	9.80'	N3°11'07"W
L36	76.88'	N68°32'24"E
L37	50.04'	N3°11'07"W
L38	21.01'	S68°32'24"W
L39	122.59'	S19°31'37"W
L40	136.45'	N19°31'37"E
L41	21.28'	N71°11'38"E
L42	27.47'	N36°08'21"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C28	150.00'	135.26'	N45°21'37"E	130.73'	51°40'01"
C29	275.05'	65.57'	S61°42'35"W	65.42'	13°39'34"
C30	205.00'	49.33'	N61°38'45"E	49.22'	13°47'18"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L43	44.35	N68° 32' 24"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C23	994.50'	201.45'	N58°19'46"W	201.11'	11°36'23"
C24	494.50'	214.09'	N40°07'23"W	212.43'	24°48'22"
C25	594.50'	254.57'	N15°27'10"W	252.63'	24°32'05"
C26	250.00'	60.16'	N61°38'45"E	60.02'	13°47'18"
C27	300.00'	184.44'	N37°08'21"E	181.55'	35°13'30"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 4 OF 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

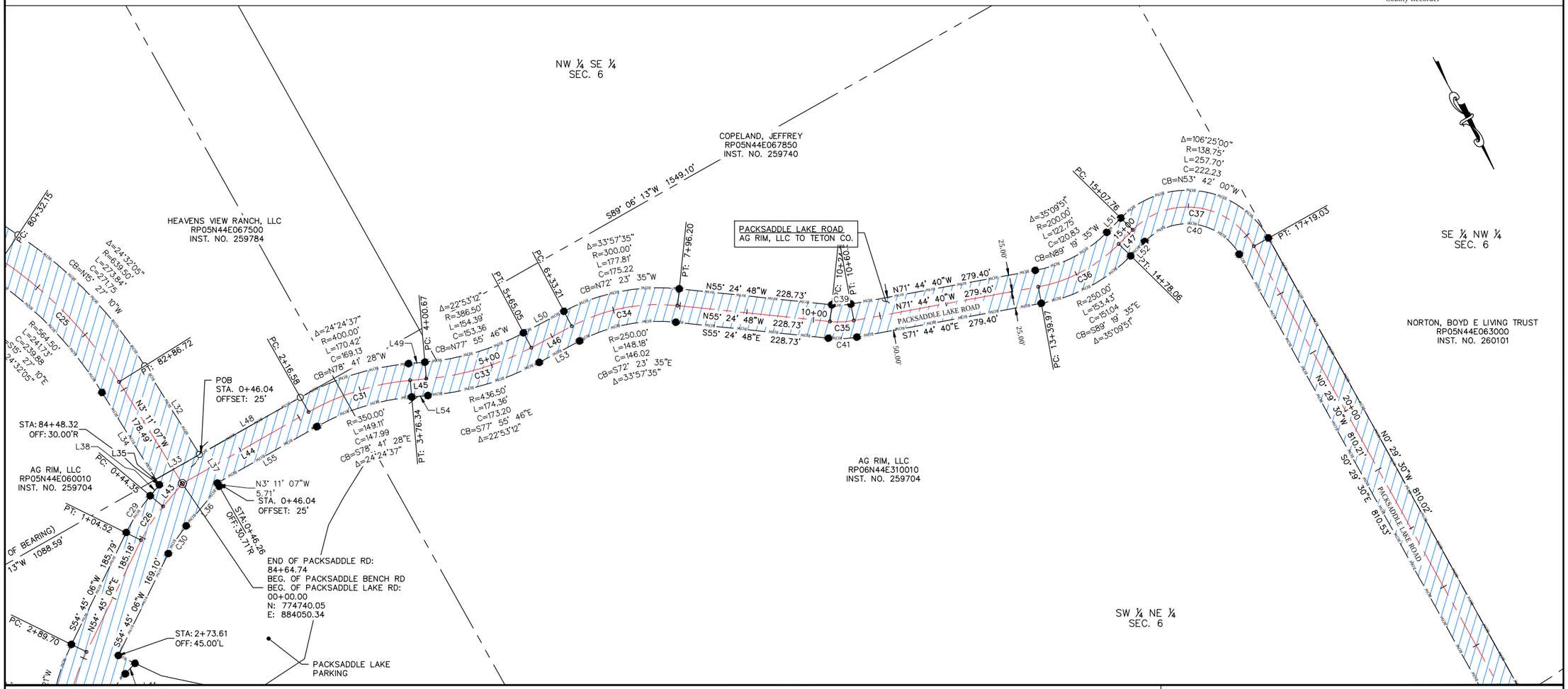
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L48	172.54'	S89°06'13"W
L49	24.33'	N66°29'10"W
L50	68.16'	N89°22'22"W
L51	29.70'	S73°05'30"W
L52	29.70'	N73°05'30"E
L53	68.16'	S89°22'22"E
L54	24.33'	S66°29'10"E
L55	170.54'	N89°06'13"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C39	100.00'	28.50'	N63°34'44"W	28.41'	16°19'52"
C40	88.75'	164.84'	S53°42'00"E	142.15'	106°25'00"
C41	150.00'	42.75'	S63°34'44"E	42.61'	16°19'52"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L44	216.58	S89° 06' 13"W
L45	24.33	N66° 29' 10"W
L46	68.16	N89° 22' 22"W
L47	29.70	S73° 05' 30"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C31	375.00'	159.77'	N78°41'28"W	158.56'	24°24'37"
C33	411.50'	164.37'	N77°55'46"W	163.28'	22°53'12"
C34	275.00'	162.99'	N72°23'35"W	160.62'	33°57'35"
C35	125.00'	35.63'	N63°34'44"W	35.51'	16°19'52"
C36	225.00'	138.09'	N89°19'35"W	135.93'	35°09'51"
C37	113.75'	211.27'	N53°42'00"W	182.19'	106°25'00"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

_____ _____

Terry R. Meppen *Date*
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 5

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

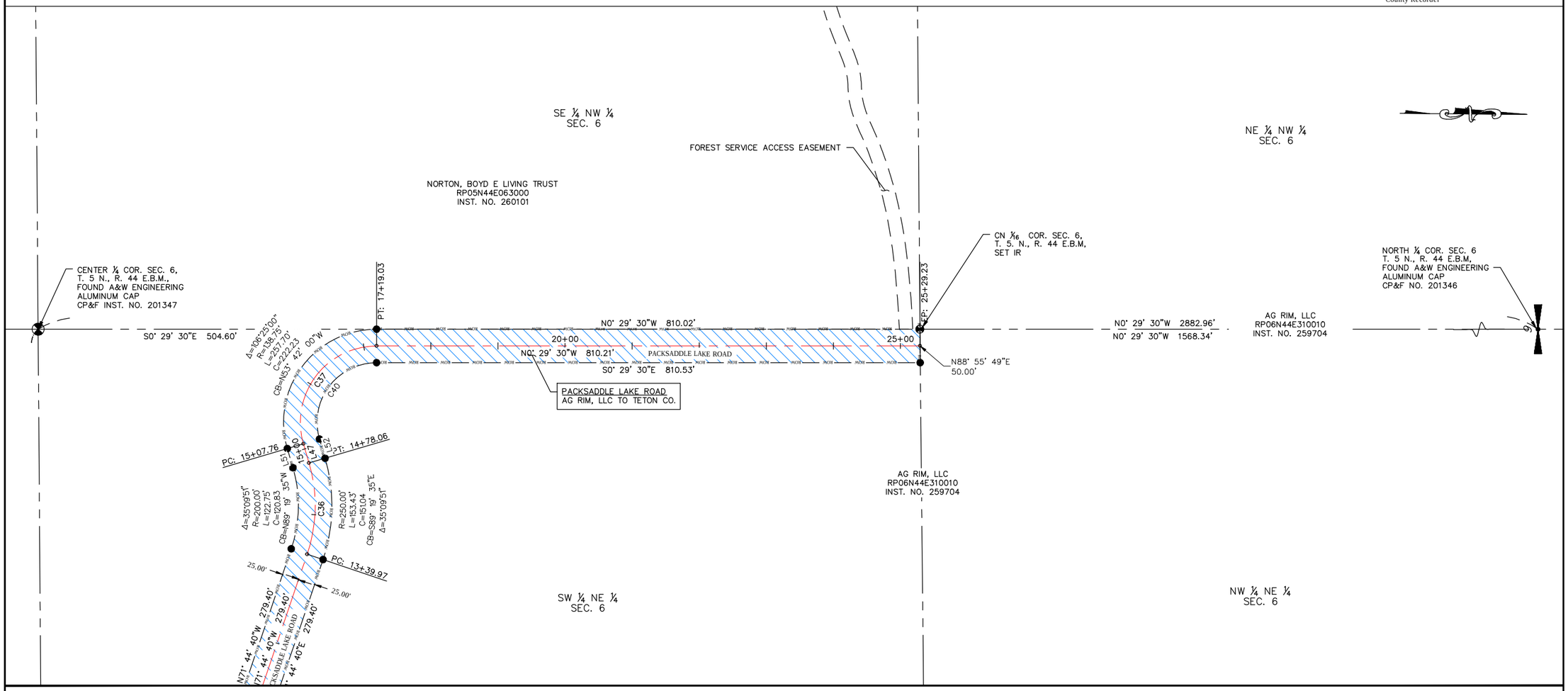
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



SURVEYOR'S CERTIFICATE

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PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen
License No. 7380

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
trmeppen@gmail.com

SHEET 6 OF 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

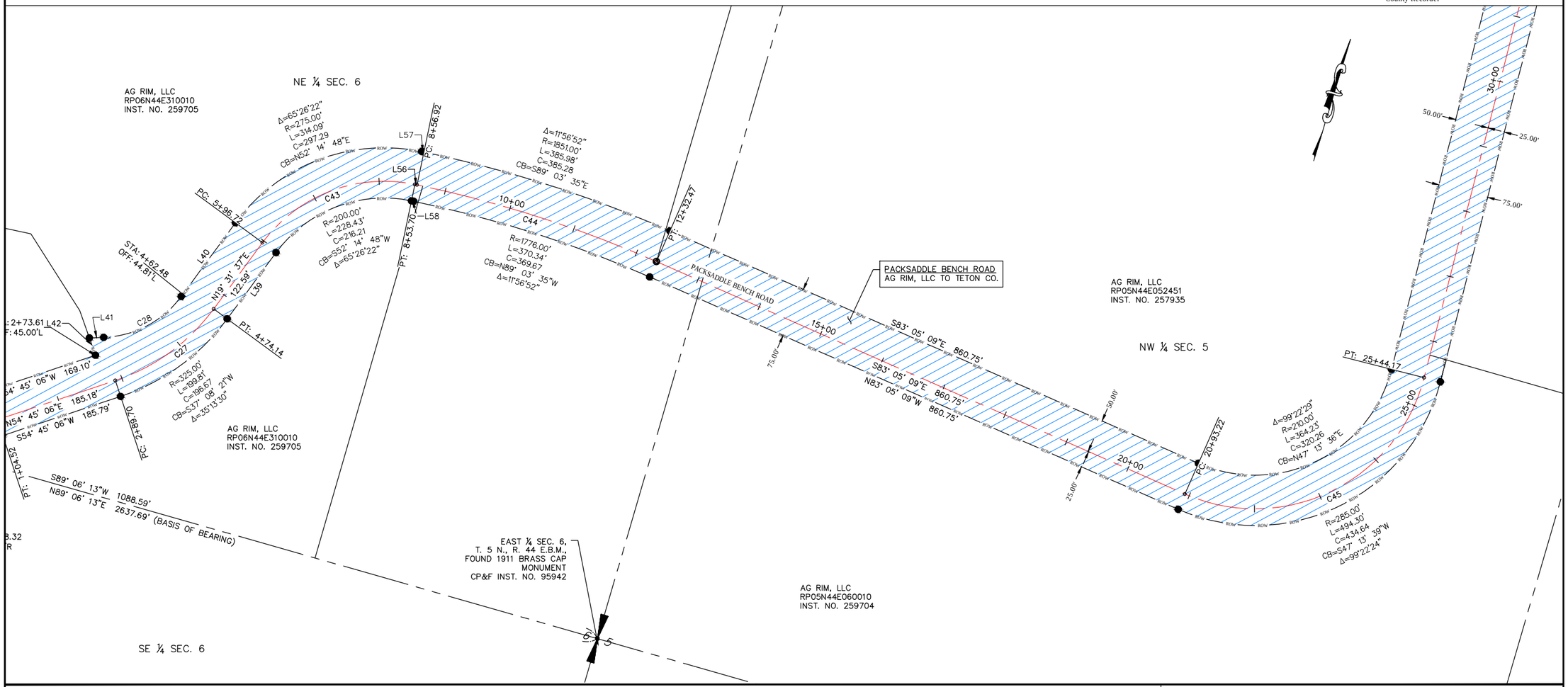
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L57	3.21'	N84°57'59"E
L58	3.21'	S84°57'59"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L56	3.21	N84° 57' 59"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C43	225.00'	256.98'	N52°14'48"E	243.24'	65°26'22"
C44	1801.00'	375.56'	S89°03'35"E	374.88'	11°56'52"
C45	260.00'	450.95'	N47°13'36"E	396.51'	99°22'29"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 7 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

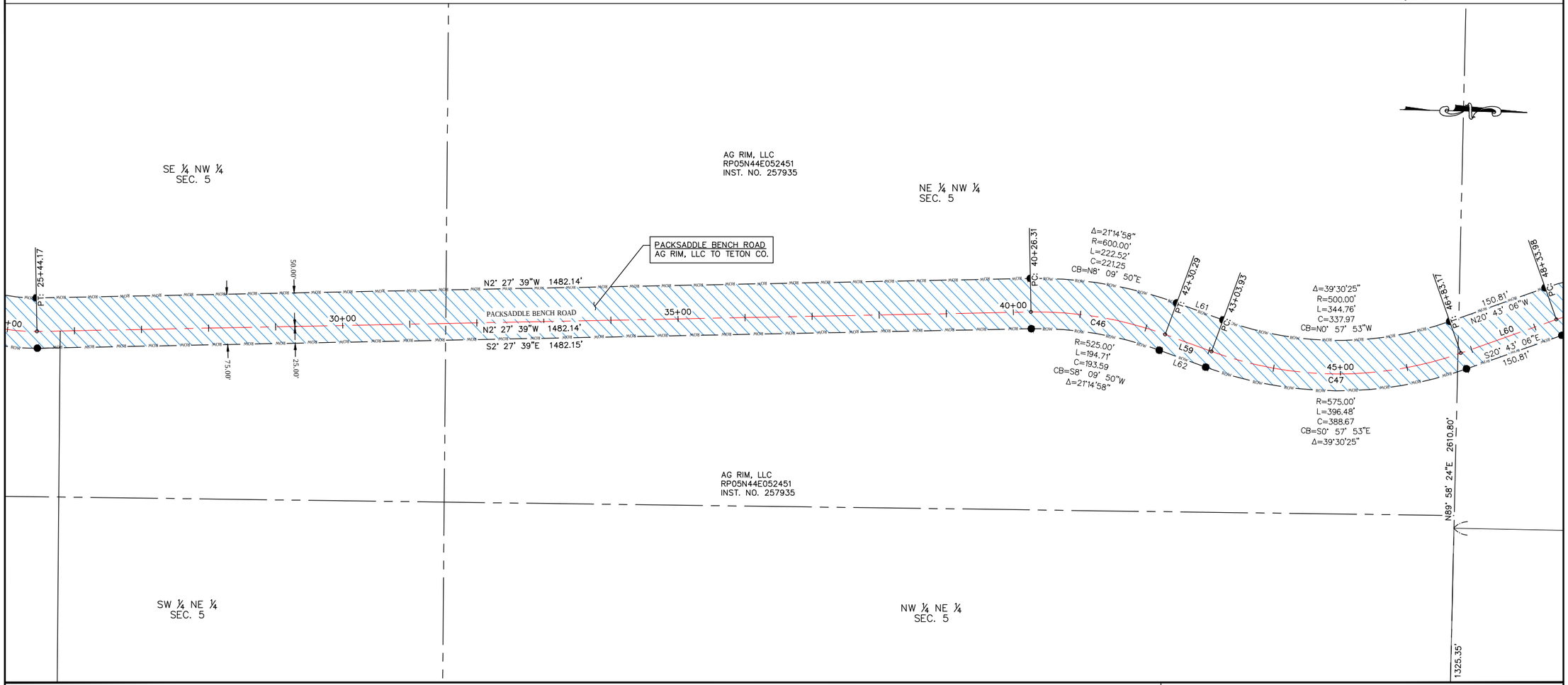
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L61	73.64'	N18°47'19"E
L62	73.64'	S18°47'19"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L59	73.64	N18° 47' 19"E
L60	150.81	N20° 43' 06"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C46	550.00'	203.98'	N8°09'50"E	202.81'	21°14'58"
C47	550.00'	379.24'	N0°57'53"W	371.77'	39°30'25"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 8 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

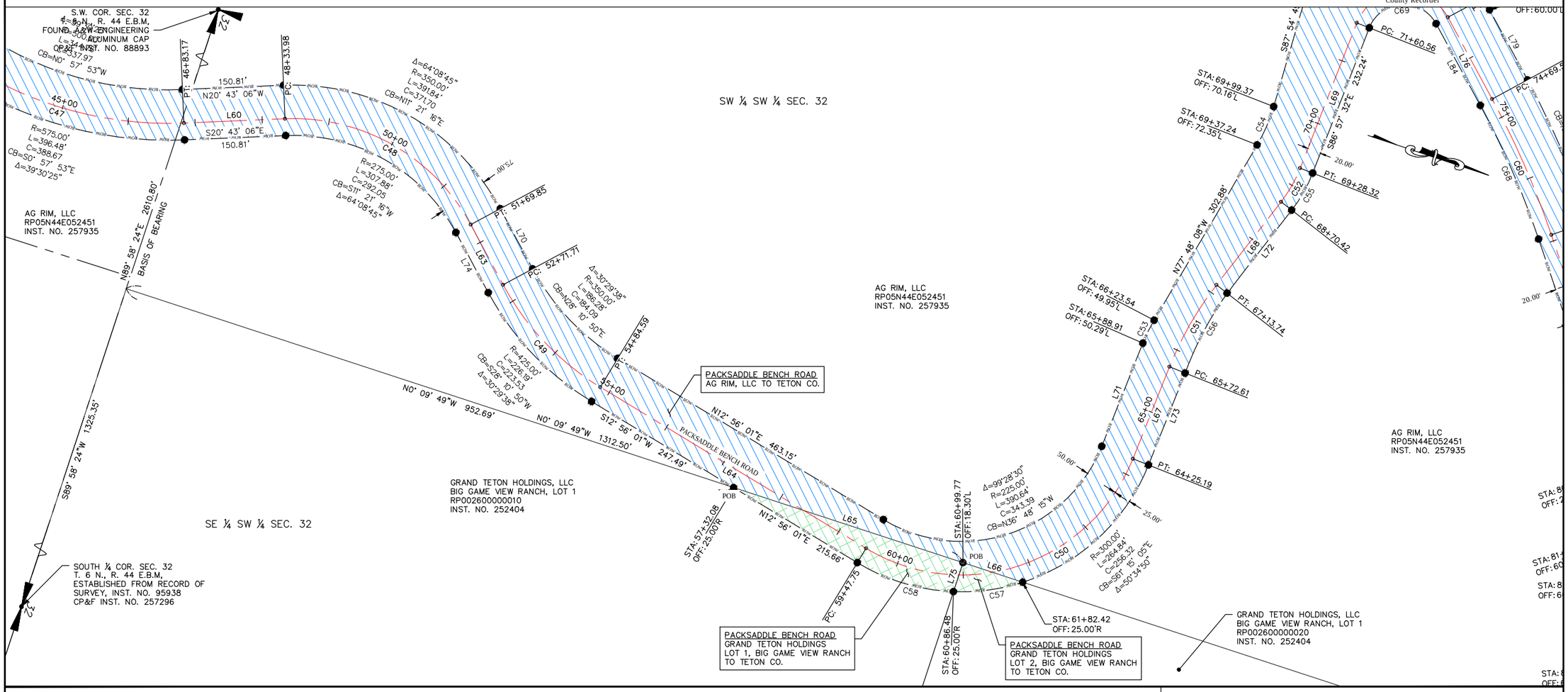
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L65	359.81'	S0°09'49"E
L66	93.70'	S0°09'49"E
L70	101.86'	N43°25'39"E
L71	165.36'	N86°32'30"W
L72	139.44'	S70°22'10"E
L73	165.37'	S86°32'30"E
L74	101.86'	S43°25'39"W
L75	45.33'	S89°54'29"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C53	250.00'	38.13'	N82°10'19"W	38.10'	8°44'21"
C54	250.00'	62.33'	N84°56'40"W	62.16'	14°17'03"
C55	220.00'	63.70'	S78°39'51"E	63.48'	16°35'23"
C56	475.00'	134.07'	S78°27'20"E	133.63'	16°10'20"
C57	300.00'	104.67'	N25°57'57"W	104.14'	19°59'26"
C58	300.00'	151.34'	N1°31'07"W	149.74'	28°54'14"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L63	101.86	N43° 25' 39"E
L64	463.15	N12° 56' 01"E
L67	147.41	N86° 32' 30"W
L68	156.68	N70° 22' 10"W
L69	232.24	N86° 57' 32"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C48	300.00'	335.87'	N11°21'16"E	318.60'	64°08'45"
C49	400.00'	212.89'	N28°10'50"E	210.38'	30°29'38"
C50	275.00'	477.45'	N36°48'15"W	419.70'	99°28'30"
C51	500.00'	141.13'	N78°27'20"W	140.66'	16°10'20"
C52	200.00'	57.91'	N78°39'51"W	57.71'	16°35'23"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR · REGISTERED · 7380 · STATE OF IDAHO · TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 9 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

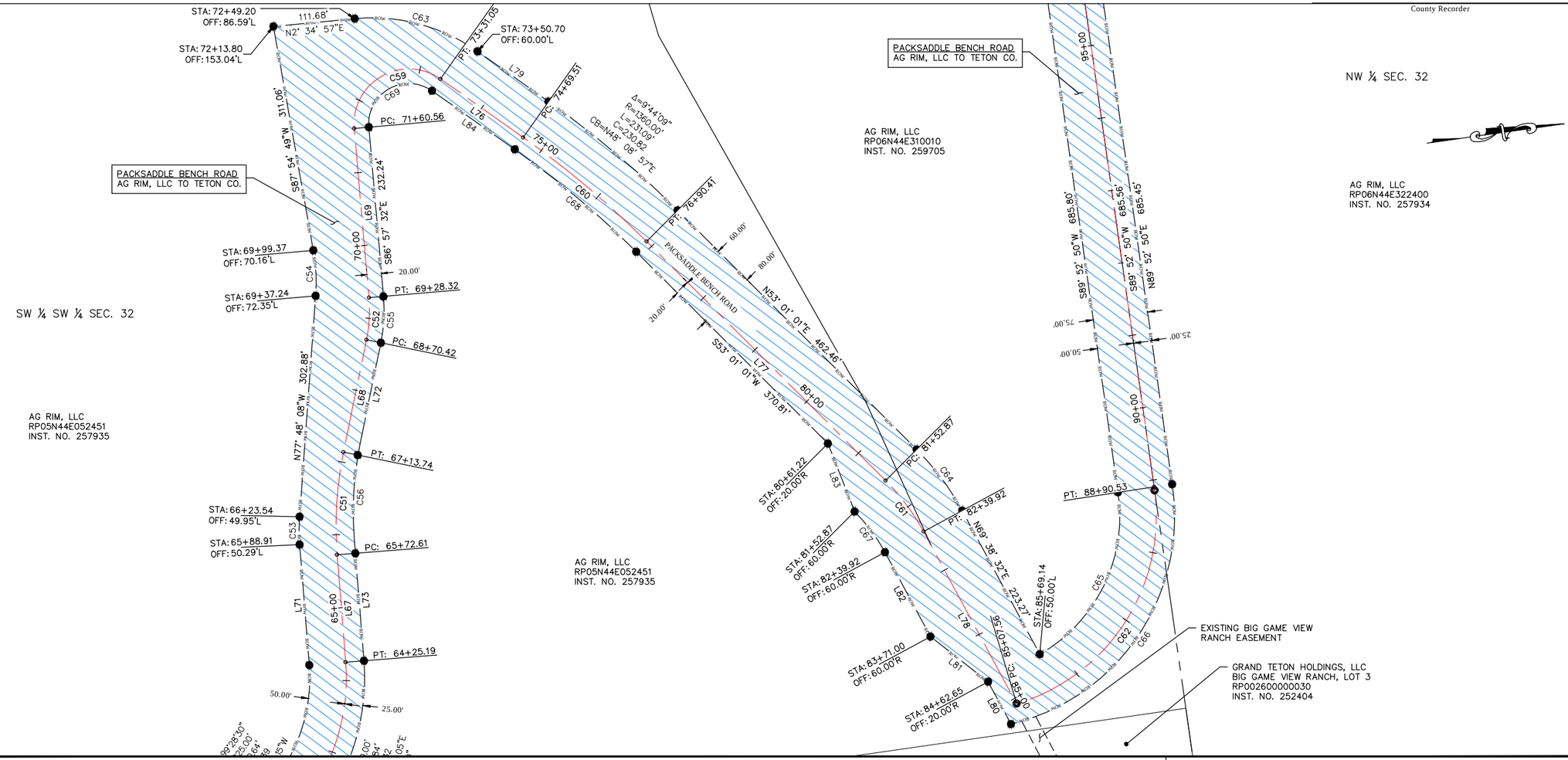
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L79	118.81'	N43°16'52"E
L80	65.85'	S69°38'32"W
L81	100.00'	S46°03'50"W
L82	131.08'	S69°38'32"W
L83	100.00'	S76°35'43"W
L84	138.47'	S43°16'52"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C63	250.00'	177.58'	N22°55'55"E	173.87'	40°41'55"
C64	360.00'	104.46'	N61°19'46"E	104.09'	16°37'31"
C65	217.17'	261.45'	N56°12'31"W	245.94'	68°58'47"
C66	292.17'	433.96'	S48°04'01"E	395.16'	85°06'12"
C67	240.00'	69.64'	S61°19'46"W	69.40'	16°37'31"
C68	1280.00'	217.50'	S48°08'57"W	217.24'	9°44'09"
C69	55.00'	125.02'	S21°50'20"E	99.79'	130°14'24"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L76	138.47	N43° 16' 52"E
L77	462.46	N53° 01' 01"E
L78	267.64	N69° 38' 32"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C59	75.00'	170.48'	N21°50'20"W	136.08'	130°14'24"
C60	1300.00'	220.90'	N48°08'57"E	220.63'	9°44'09"
C61	300.00'	87.05'	N61°19'46"E	86.74'	16°37'31"
C62	267.17'	382.96'	N49°34'36"W	351.01'	82°07'45"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

Section corner control.

Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.

Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.

Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 10 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

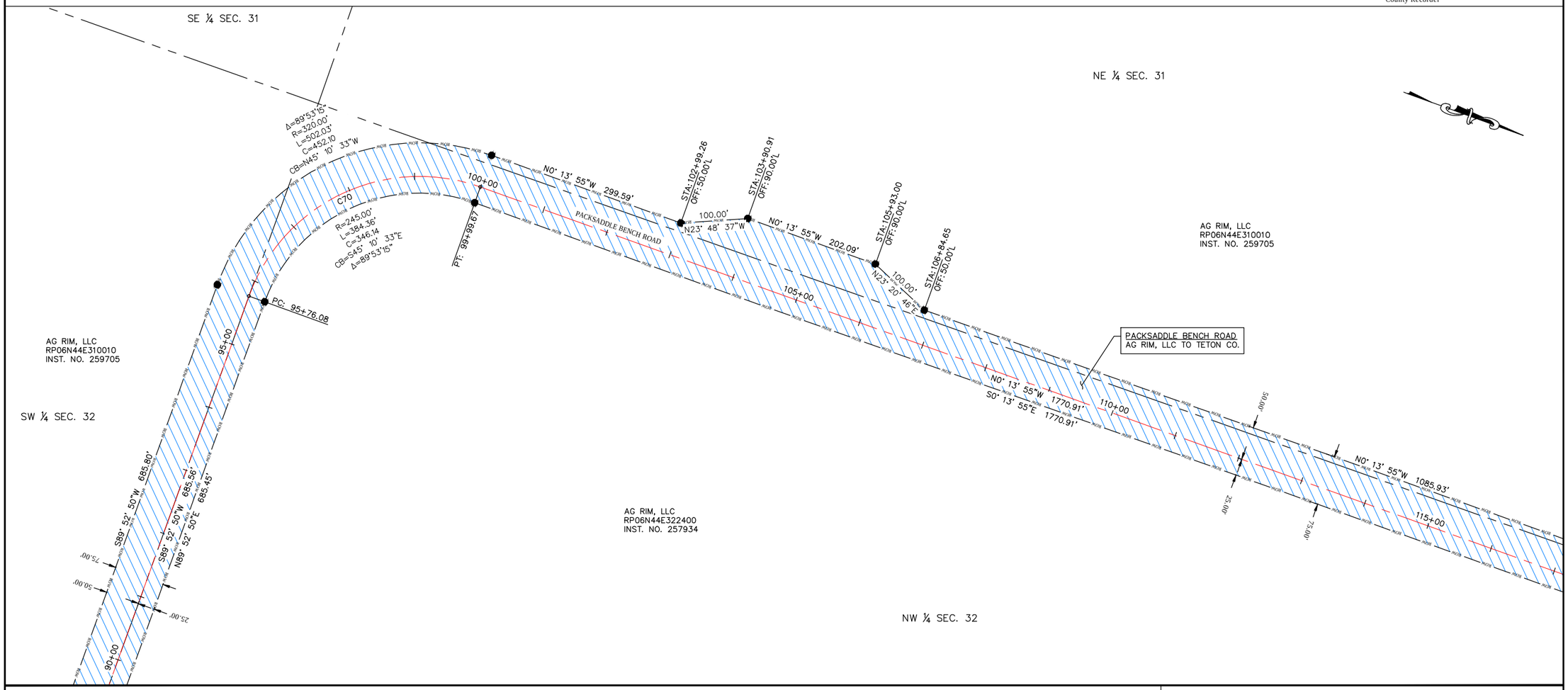
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C70	270.00'	423.58'	N45°10'33"W	381.46'	89°53'15"

SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 11 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

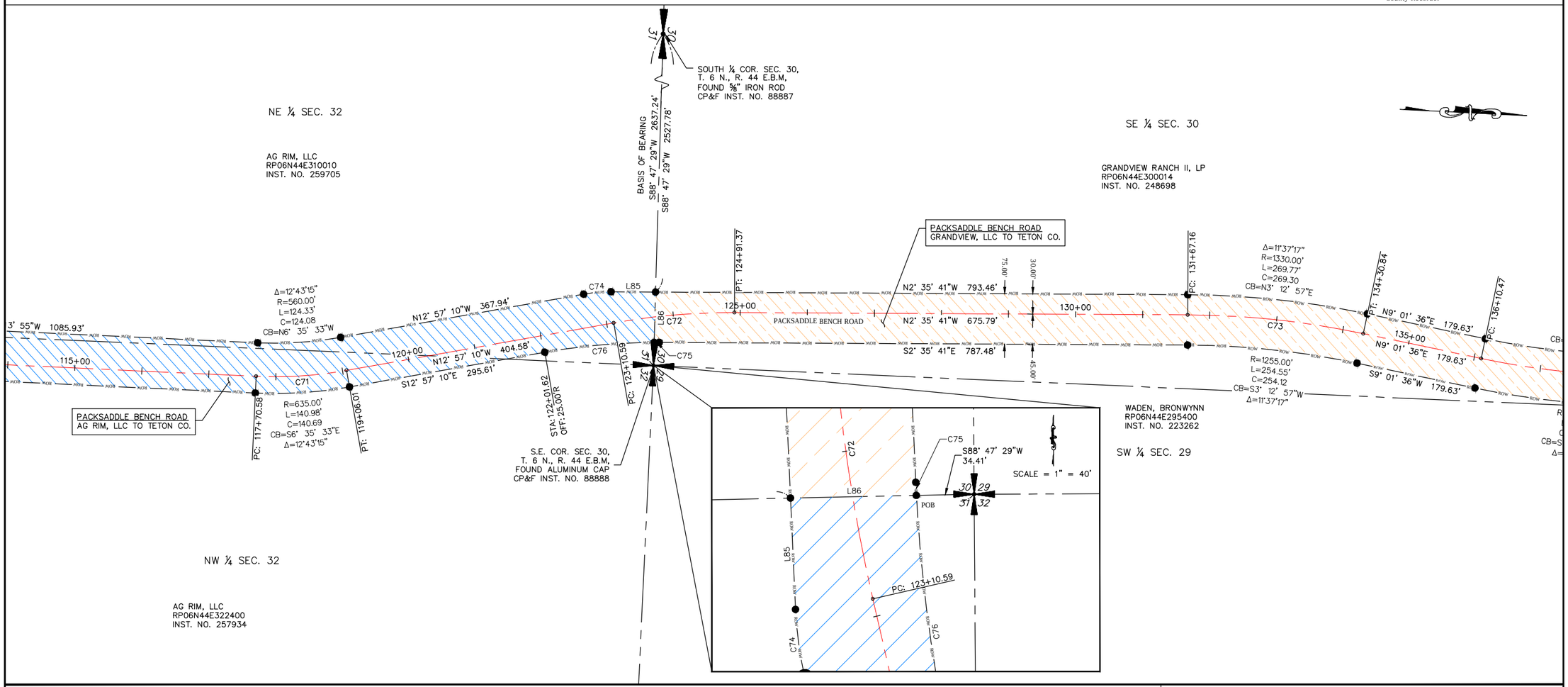
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L85	66.34'	N2°35'41"W
L86	75.05'	N88°47'29"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C74	227.00'	41.04'	N7°46'26"W	40.98'	10°21'29"
C75	950.00'	7.80'	S2°49'48"E	7.80'	0°28'14"
C76	950.00'	163.94'	S8°00'33"E	163.74'	9°53'15"

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C71	610.00'	135.43'	N6°35'33"W	135.15'	12°43'15"
C72	1000.00'	180.78'	N7°46'26"W	180.54'	10°21'29"
C73	1300.00'	263.68'	N3°12'57"E	263.23'	11°37'17"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 12 OF 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

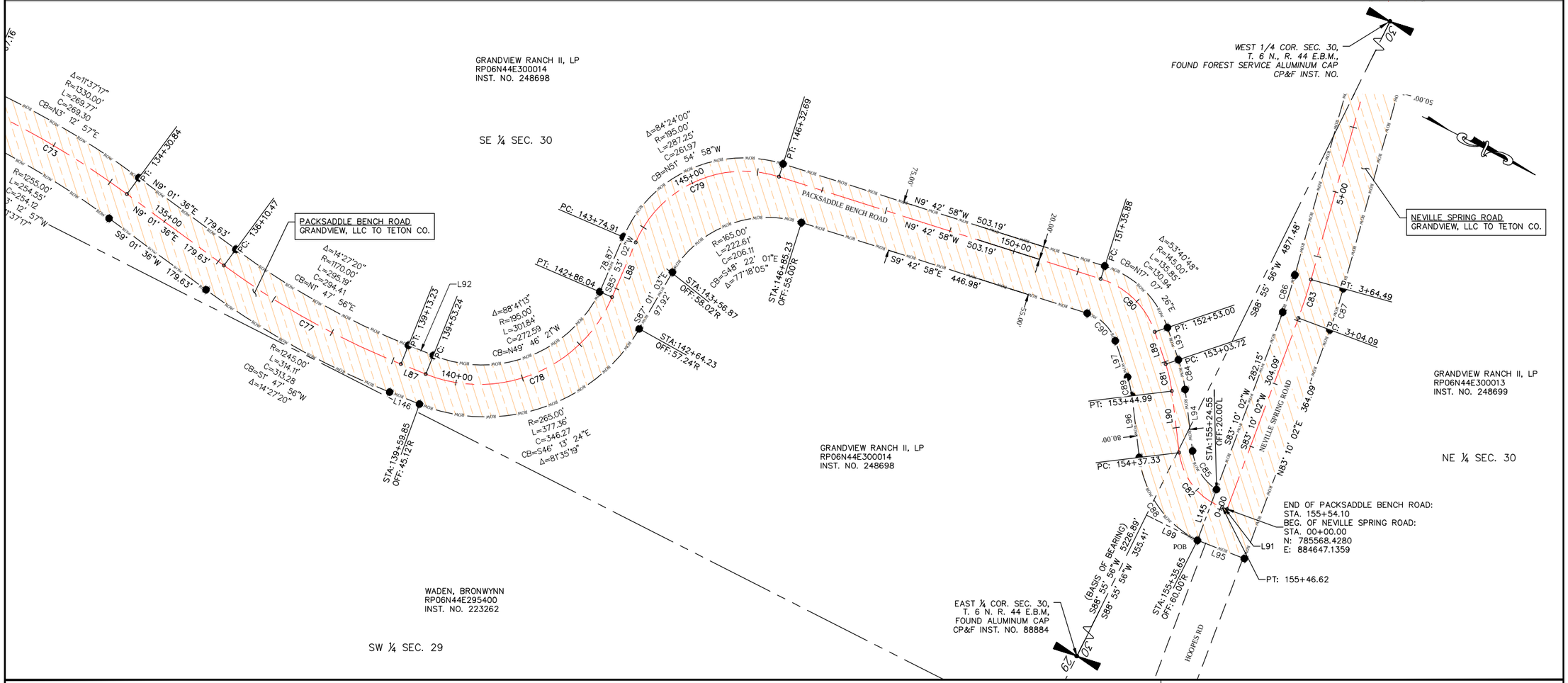
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder


GRANDVIEW RANCH II, LP
RP06N44E300014
INST. NO. 248698
SE ¼ SEC. 30
PACKSADDLE BENCH ROAD
GRANDVIEW, LLC TO TETON CO.
NEVILLE SPRING ROAD
GRANDVIEW, LLC TO TETON CO.
WEST 1/4 COR. SEC. 30,
T. 6 N., R. 44 E.B.M.,
FOUND FOREST SERVICE ALUMINUM CAP
CP&F INST. NO.
GRANDVIEW RANCH II, LP
RP06N44E300013
INST. NO. 248699
NE ¼ SEC. 30
GRANDVIEW RANCH II, LP
RP06N44E300014
INST. NO. 248698
WADEN, BRONWYNN
RP06N44E295400
INST. NO. 223262
SW ¼ SEC. 29
EAST ¼ COR. SEC. 30,
T. 6 N. R. 44 E.B.M,
FOUND ALUMINUM CAP
CP&F INST. NO. 88884
(BASIS OF BEARING)
S88° 55' 56"W
5226.89'
S88° 55' 56"W
355.41'
HOOPES RD
POB
PT: 155+46.62
END OF PACKSADDLE BENCH ROAD:
STA. 155+54.10
BEG. OF NEVILLE SPRING ROAD:
STA. 00+00.00
N: 785568.4280
E: 884647.1359
NEVILLE SPRING ROAD
PACKSADDLE BENCH ROAD
PC: 134+30.84
PC: 136+10.47
PT: 139+13.23
PC: 139+53.24
PT: 142+86.04
PC: 143+74.91
PT: 146+32.69
PC: 151+35.68
PT: 152+53.00
PC: 153+03.72
PT: 153+44.99
PC: 154+37.33
PT: 3+64.49
PC: 3+04.09
PT: 155+24.55
OFF: 20.00'L
STA: 139+59.85
OFF: 45.12'R
STA: 142+64.23
OFF: 57.24'R
STA: 143+56.87
OFF: 58.02'R
STA: 146+85.23
OFF: 55.00'R
STA: 155+35.65
OFF: 60.00'R
Δ=11°37'17"
R=1330.00'
L=269.77'
C=269.30
CB=N3° 12' 57"E
Δ=14°27'20"
R=1255.00'
L=254.55'
C=254.12
CB=N1° 47' 56"E
Δ=14°27'20"
R=1170.00'
L=295.18'
C=294.41
CB=N1° 47' 56"E
Δ=14°27'20"
R=1245.00'
L=314.11'
C=313.28
CB=S1° 47' 56"W
Δ=88°41'13"
R=195.00'
L=301.84'
C=272.59
CB=N49° 46' 21"W
Δ=84°24'00"
R=196.00'
L=287.25'
C=261.97
CB=N51° 54' 58"W
R=265.00'
L=377.36'
C=346.27
CB=S46° 13' 24"E
Δ=87°35'19"
R=165.00'
L=222.61'
C=206.11
CB=S48° 22' 01"E
Δ=77°18'05"
Δ=53°40'48"
R=145.00'
L=135.85'
C=130.94
CB=N17° 07' 26"E
Δ=14°27'20"
R=1200.00'
L=302.76'
C=301.96'
CB=N1° 47' 56"E
Δ=11°37'17"
R=1330.00'
L=269.77'
C=269.30
CB=N3° 12' 57"E
Δ=4°56'36"
R=700.00'
L=60.40'
C=60.38'
CB=S80° 41' 44"W
Δ=4°56'36"
R=750.00'
L=64.71'
C=64.69'
CB=N80° 41' 44"E
Δ=56°20'04"
R=160.00'
L=157.32'
C=151.05'
CB=S27° 37' 04"W
Δ=11°49'17"
R=140.00'
L=28.88'
C=28.83'
CB=S49° 52' 28"W
Δ=62°37'04"
R=65.00'
L=60.90'
C=58.70'
CB=S17° 07' 26"W
Δ=53°40'48"
R=65.00'
L=60.90'
C=58.70'
CB=S17° 07' 26"W
Δ=4°56'36"
R=700.00'
L=60.40'
C=60.38'
CB=S80° 41' 44"W
Δ=4°56'36"
R=750.00'
L=64.71'
C=64.69'
CB=N80° 41' 44"E
Δ=11°49'17"
R=1000.00'
L=206.36'
C=205.99'
CB=N49° 52' 28"E
Δ=11°49'17"
R=1000.00'
L=206.36'
C=205.99'
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Δ=53°40'48"
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Δ=4°56'36"
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Δ=4°56'36"
R=700.00'
L=60.40'
C=60.38'
CB=S80° 41' 44"W
Δ=4°56'36"
R=700.00'
L=60.40'
C=60.38'
CB=S80° 41' 44"W

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

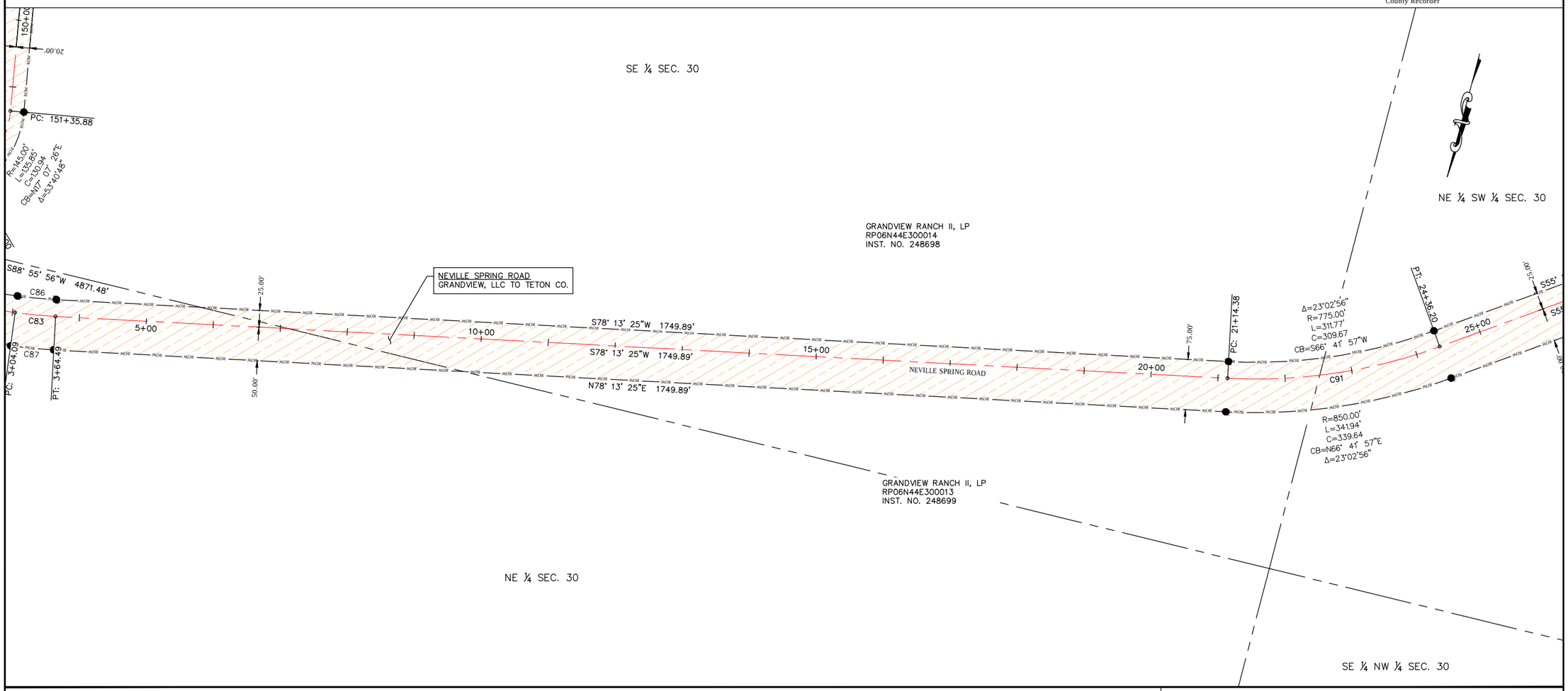
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C91	800.00'	321.82'	S66°41'57"W	319.66'	23°02'56"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 14 of 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

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Instrument No. _____

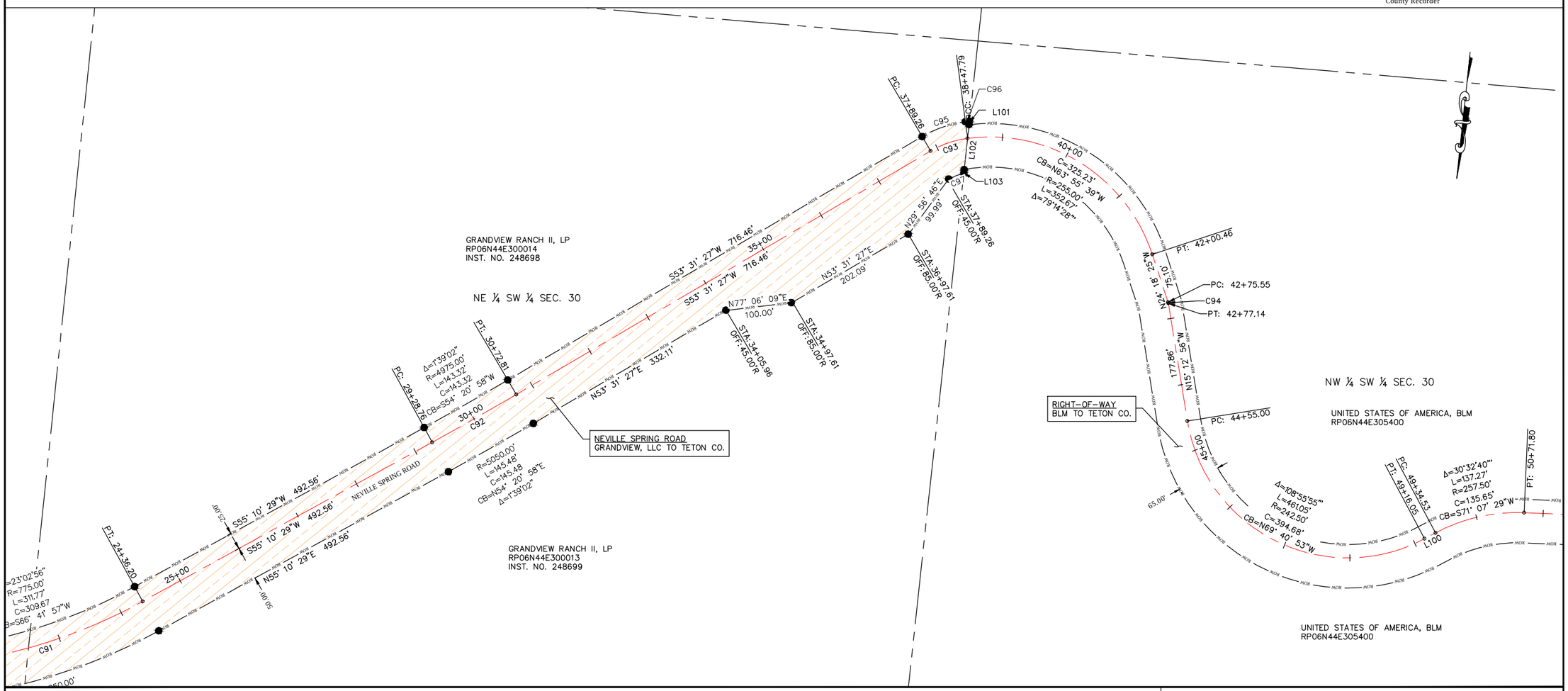
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L101	5.12'	S0°06'46"W
L102	67.47'	S0°06'46"W
L103	5.34'	S0°06'46"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C95	171.25'	68.53'	S64°59'17"W	68.07'	22°55'40"
C96	280.00'	6.06'	S77°04'19"W	6.06'	1°14'25"
C97	96.25'	25.11'	N61°36'37"E	25.03'	14°56'41"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L100	18.48	S55° 51' 09"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C92	5000.00'	144.04'	S54°20'58"W	144.04'	1°39'02"
C93	146.25'	58.52'	S64°59'17"W	58.13'	22°55'40"
C94	10.00'	1.59'	N19°45'41"W	1.59'	9°05'30"

SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
15
of
21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

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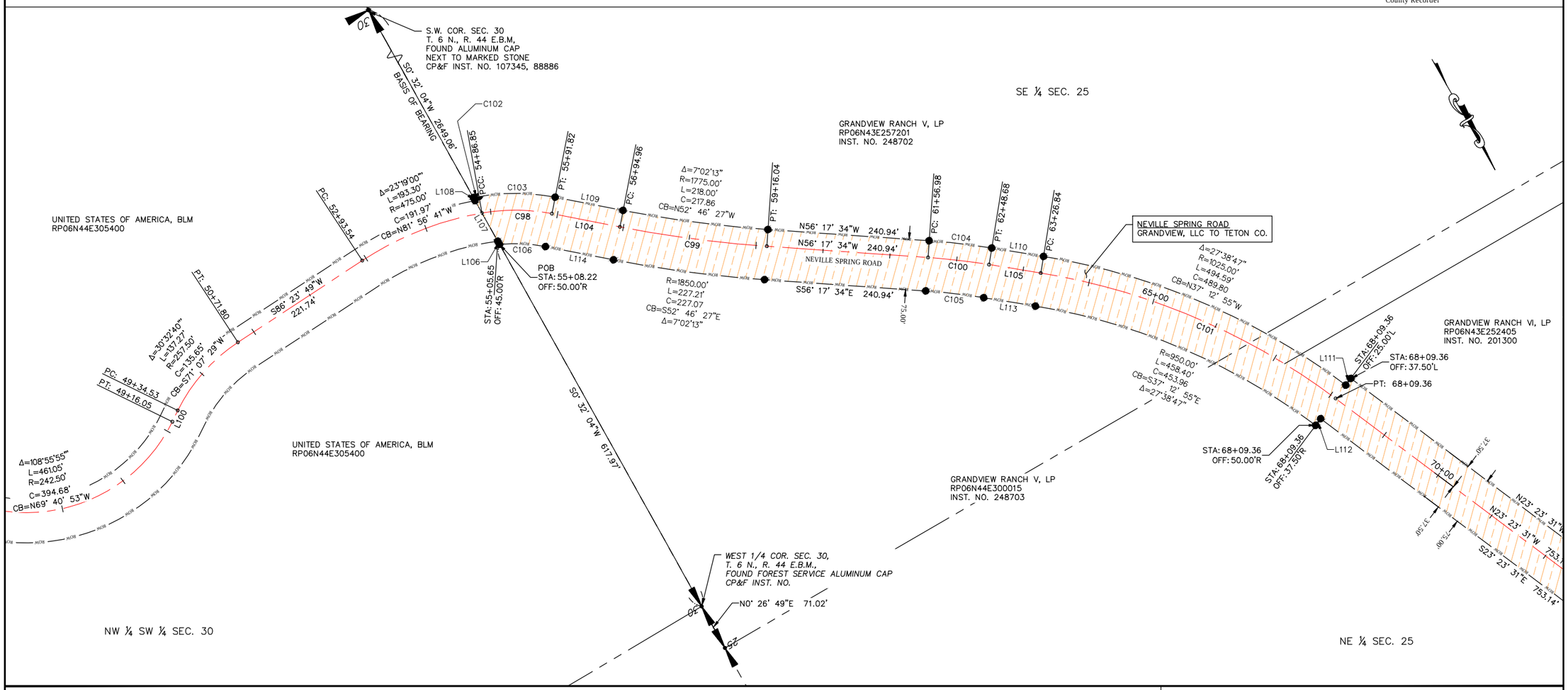
Time of Day _____

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County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L106	5.44'	S0°32'04"W
L107	69.32'	S0°32'04"W
L108	5.27'	S0°32'04"W
L109	103.14'	N49°15'21"W
L110	78.16'	N51°02'18"W
L111	12.50'	S66°36'29"W
L112	12.50'	N66°36'29"E
L113	78.16'	S51°02'18"E
L114	103.14'	S49°15'21"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C102	500.00'	8.67'	N70°46'59"W	8.67'	0°59'37"
C103	311.00'	114.15'	N59°46'15"W	113.51'	21°01'49"
C104	1025.00'	94.00'	N53°39'56"W	93.96'	5°15'15"
C105	950.00'	87.12'	S53°39'56"E	87.09'	5°15'15"
C106	236.00'	68.99'	S57°37'47"E	68.74'	16°44'54"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L104	103.14	N49° 15' 21"W
L105	78.16	N51° 02' 18"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C98	286.00'	104.97'	N59°46'15"W	104.39'	21°01'49"
C99	1800.00'	221.07'	N52°46'27"W	220.93'	7°02'13"
C100	1000.00'	91.70'	N53°39'56"W	91.67'	5°15'15"
C101	1000.00'	482.52'	N37°12'55"W	477.85'	27°38'47"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen
License No. 7380

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 16

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

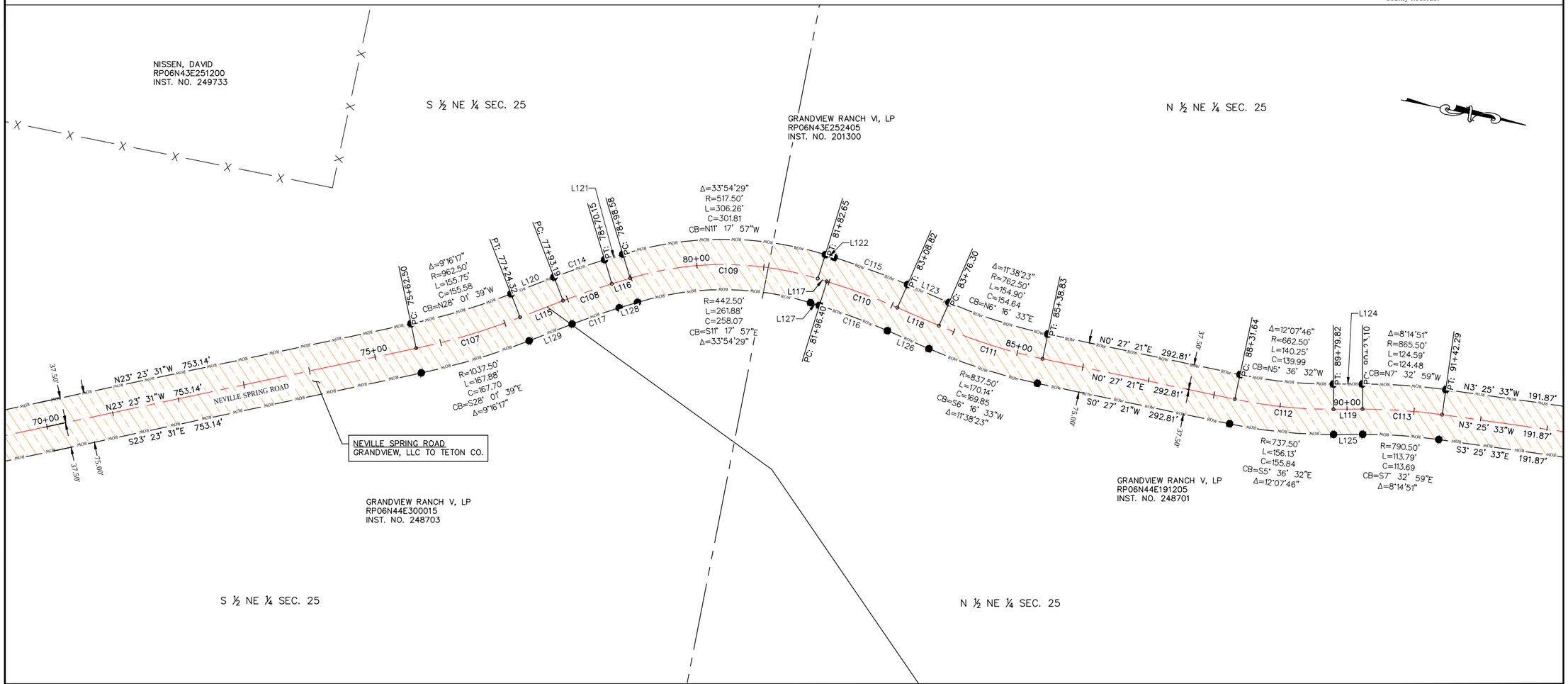
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L120	68.87'	N32°39'48"W
L121	28.43'	N28°15'12"W
L122	13.78'	N5°39'17"E
L123	67.51'	N12°05'44"E
L124	43.28'	N11°40'25"W
L125	43.28'	S11°40'25"E
L126	67.49'	S12°05'44"W
L127	13.76'	S5°39'17"W
L128	28.43'	S28°15'12"E
L129	68.87'	S32°39'48"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C114	1037.50'	79.85'	N30°27'30"W	79.83'	4°24'36"
C115	1288.72'	116.55'	N8°52'31"E	116.51'	5°10'55"
C116	962.50'	108.20'	S8°52'31"W	108.14'	6°26'27"
C117	962.50'	74.08'	S30°27'30"E	74.06'	4°24'36"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L115	68.87	N32° 39' 48"W
L116	28.43	N28° 15' 12"W
L117	13.76	N5° 39' 17"E
L118	67.49	N12° 05' 44"E
L119	43.28	N11° 40' 25"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C107	1000.00'	161.81'	N28°01'39"W	161.64'	9°16'17"
C108	1000.00'	76.97'	N30°27'30"W	76.95'	4°24'36"
C109	480.00'	284.07'	N11°17'57"W	279.94'	33°54'29"
C110	1000.00'	112.41'	N8°52'31"E	112.35'	6°26'27"
C111	800.00'	162.52'	N6°16'33"E	162.24'	11°38'23"
C112	700.00'	148.19'	N5°36'32"W	147.91'	12°07'46"
C113	828.00'	119.19'	N7°32'59"W	119.09'	8°14'51"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen
License No. 7380

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 17 OF 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

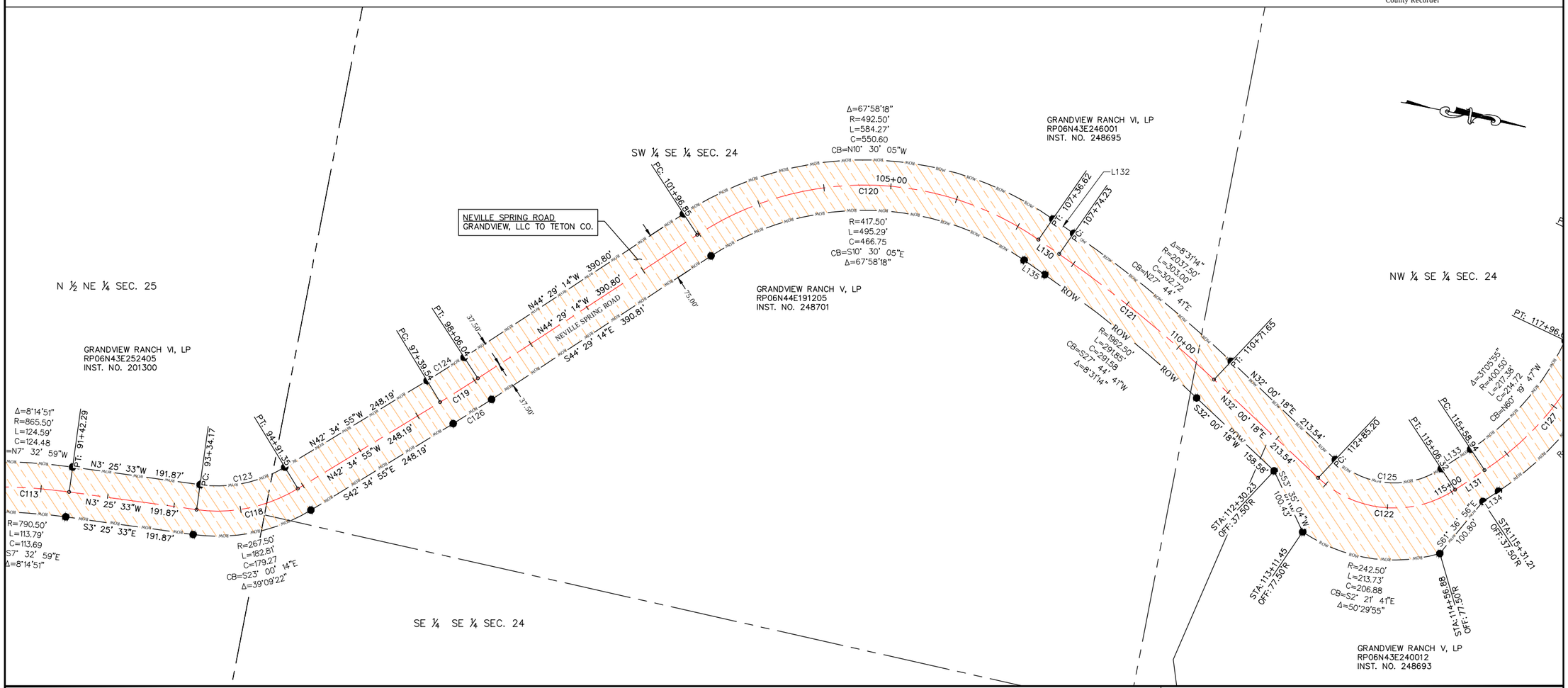
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L132	37.61'	N23°29'04"E
L133	52.62'	N44°46'50"W
L134	27.73'	S44°46'50"E
L135	37.61'	S23°29'04"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C123	192.50'	131.56'	N23°00'14"W	129.01'	39°09'22"
C124	2062.48'	65.26'	N43°32'04"W	65.26'	1°48'47"
C125	127.50'	170.87'	N6°23'16"W	158.37'	76°47'07"
C126	2144.27'	67.75'	S43°32'04"E	67.74'	1°48'37"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L130	37.61	N23° 29' 04"E
L131	52.62	N44° 46' 50"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C118	230.00'	157.18'	N23°00'14"W	154.14'	39°09'22"
C119	2000.00'	66.50'	N43°32'05"W	66.50'	1°54'19"
C120	455.00'	539.78'	N10°30'05"W	508.68'	67°58'18"
C121	2000.00'	297.42'	N27°44'41"E	297.15'	8°31'14"
C122	165.00'	221.13'	N6°23'16"W	204.95'	76°47'07"

SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 18

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

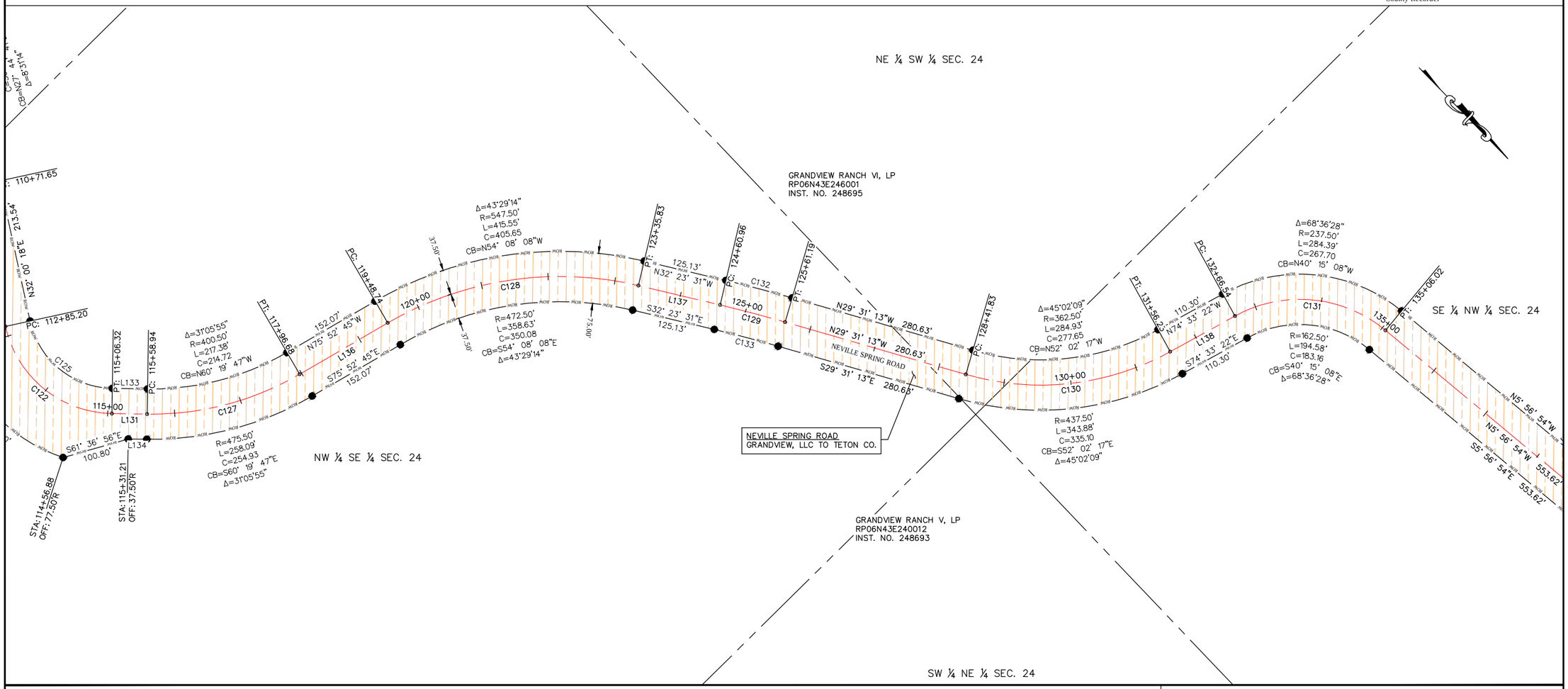
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C132	2037.50'	102.11'	N30°57'22"W	102.10'	2°52'17"
C133	1962.50'	98.36'	S30°57'22"E	98.35'	2°52'17"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L136	152.07	N75° 52' 45"W
L137	125.13	N32° 23' 31"W
L138	110.30	N74° 33' 22"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C127	438.00'	237.73'	N60°19'47"W	234.83'	31°05'55"
C128	510.00'	387.09'	N54°08'08"W	377.86'	43°29'14"
C129	2000.00'	100.23'	N30°57'22"W	100.22'	2°52'17"
C130	400.00'	314.41'	N52°02'17"W	306.38'	45°02'09"
C131	200.00'	239.49'	N40°15'08"W	225.43'	68°36'28"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 19 OF 21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

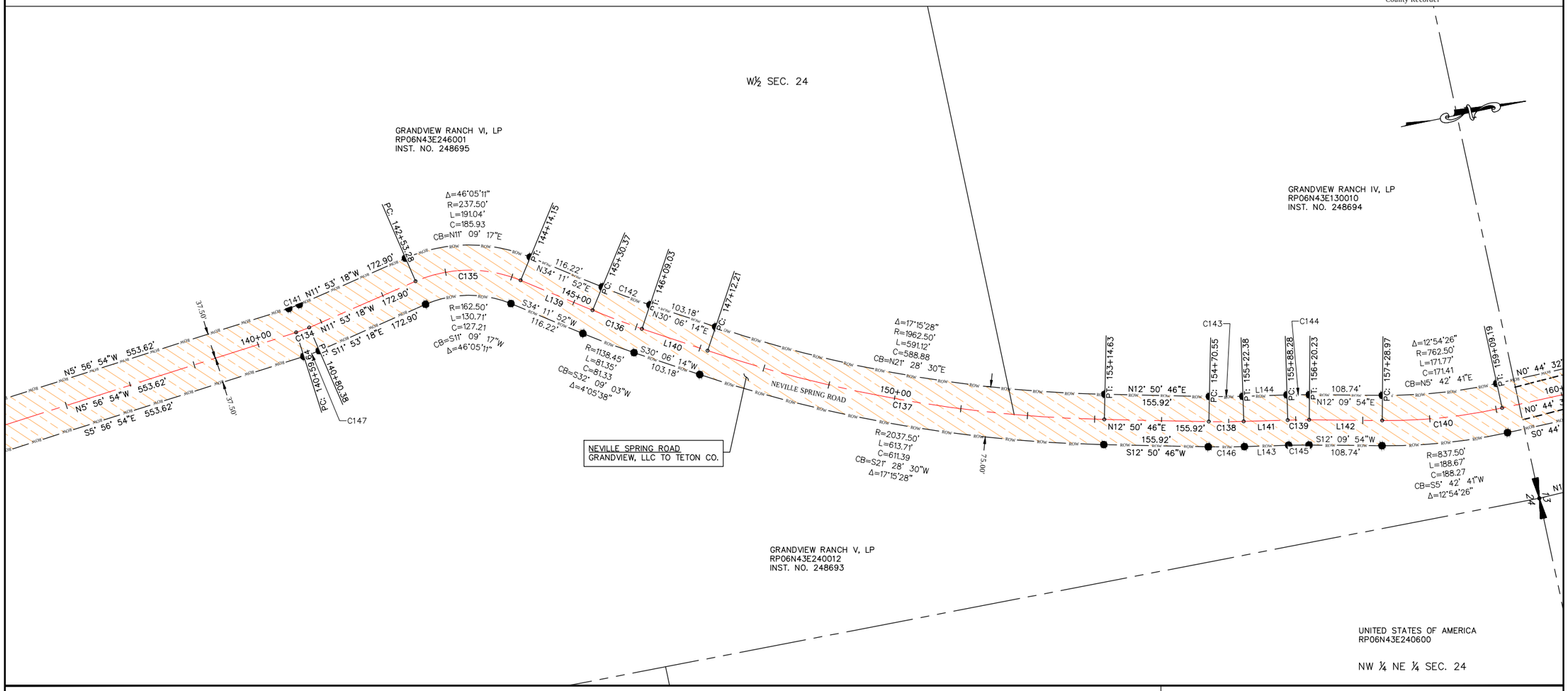
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L143	65.90'	S9°52'35"W
L144	65.90'	N9°52'35"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C141	162.50'	16.85'	N8°55'06"W	16.84'	5°56'25"
C142	1063.45'	75.99'	N32°09'03"E	75.97'	4°05'38"
C143	962.50'	49.89'	N11°21'41"E	49.88'	2°58'11"
C144	837.50'	33.45'	N11°01'15"E	33.45'	2°17'19"
C145	762.50'	30.46'	S11°01'15"W	30.46'	2°17'19"
C146	1037.50'	53.77'	S11°21'41"W	53.77'	2°58'11"
C147	237.50'	24.62'	S8°55'06"E	24.61'	5°56'25"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L139	116.22	N34° 11' 52"E
L140	103.18	N30° 06' 14"E
L141	65.90	N9° 52' 35"E
L142	108.74	N12° 09' 54"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C134	200.00'	20.74'	N8°55'06"W	20.73'	5°56'25"
C135	200.00'	160.87'	N11°09'17"E	156.57'	46°05'11"
C136	1100.95'	78.67'	N32°09'03"E	78.65'	4°05'38"
C137	2000.00'	602.41'	N21°28'30"E	600.14'	17°15'28"
C138	1000.00'	51.83'	N11°21'41"E	51.83'	2°58'11"
C139	800.00'	31.96'	N11°01'15"E	31.95'	2°17'19"
C140	800.00'	180.22'	N5°42'41"E	179.84'	12°54'26"

SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
20
21

12.8.20_packsaddle row(100 ft & 75 ft)

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

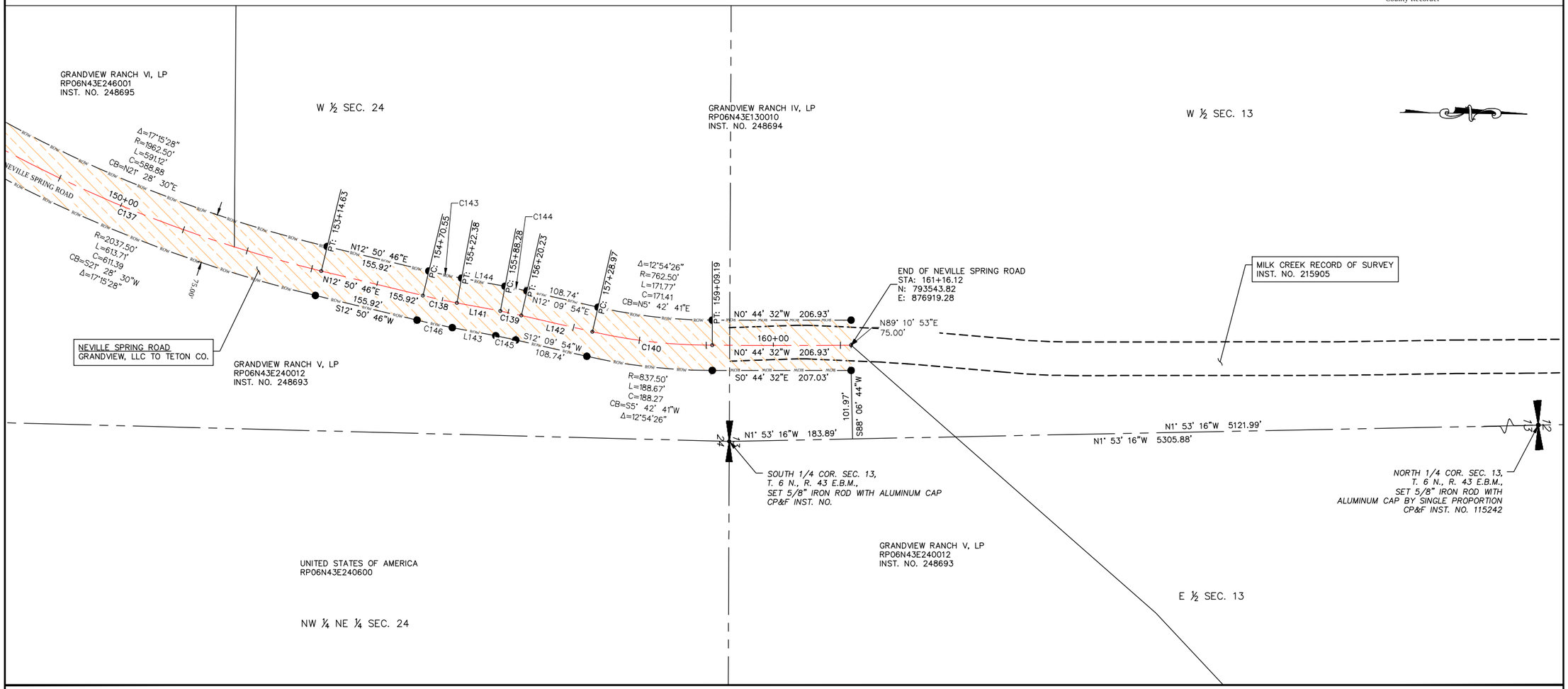
Time of Day _____

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Recorded in Teton County, Idaho

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County Recorder



SURVEYOR'S CERTIFICATE

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License No. 7380

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Date

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0 100 200 Feet

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RIGHT OF WAY DRAWINGS

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BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
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PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 21

12.8.20_packsaddle row(100 ft & 75 ft)

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Legal Description for
Packsaddle Lake Parking Lot, Teton County, Idaho
(Ag Rim, LLC)

Beginning at a point on the north right-of-way line of Packsaddle Lake Road that is S 89°06’13” W 1088.59 feet along the east-west centerline through the section and N 03°11’07” W 50.04 feet from the East Quarter corner of Section 6, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the north Right-of-Way line of said Packsaddle Lake Road the following three courses: (1) S89° 06' 13"W 170.54 feet to a point of curve, (2) thence 149.11 feet along said curve to the right, Curve Data: Radius = 350.00 feet, Delta = 24°24'37”, Chord Bearing = N78° 41' 28"W 147.99 feet, (3) thence N66° 29' 10"W 9.65 feet, thence N80° 04' 37"E 44.43 feet; thence N60° 36' 12"E 144.16 feet; thence N57° 02' 54"E 47.24 feet; thence N42° 50' 42"E 89.94 feet; thence N27° 47' 04"E 49.64 feet; thence N41° 33' 02"E 64.21 feet; thence N85° 19' 01"E 97.04 feet; thence S49° 21' 31"E 135.47 feet; thence S36° 08' 21"E 43.26 feet to a point on the Packsaddle Bench Road Right-of-Way; thence along north said Right-of-Way five courses; (1) S36° 08' 21"E 27.47 feet; (2) thence S54° 45' 06"W 169.10 feet to a point of curve; (3) thence 49.33 feet along said curve to the right, Curve Data: Radius = 205.00 feet, Delta = 13°47'18”, Chord Bearing S61° 38' 45"W 49.22 feet; (4) thence S68° 32' 24"W 76.88 feet; (5) thence S3° 11' 07"E 5.71 feet to the true point of beginning.

Parcel contains 1.97 Acres.

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder

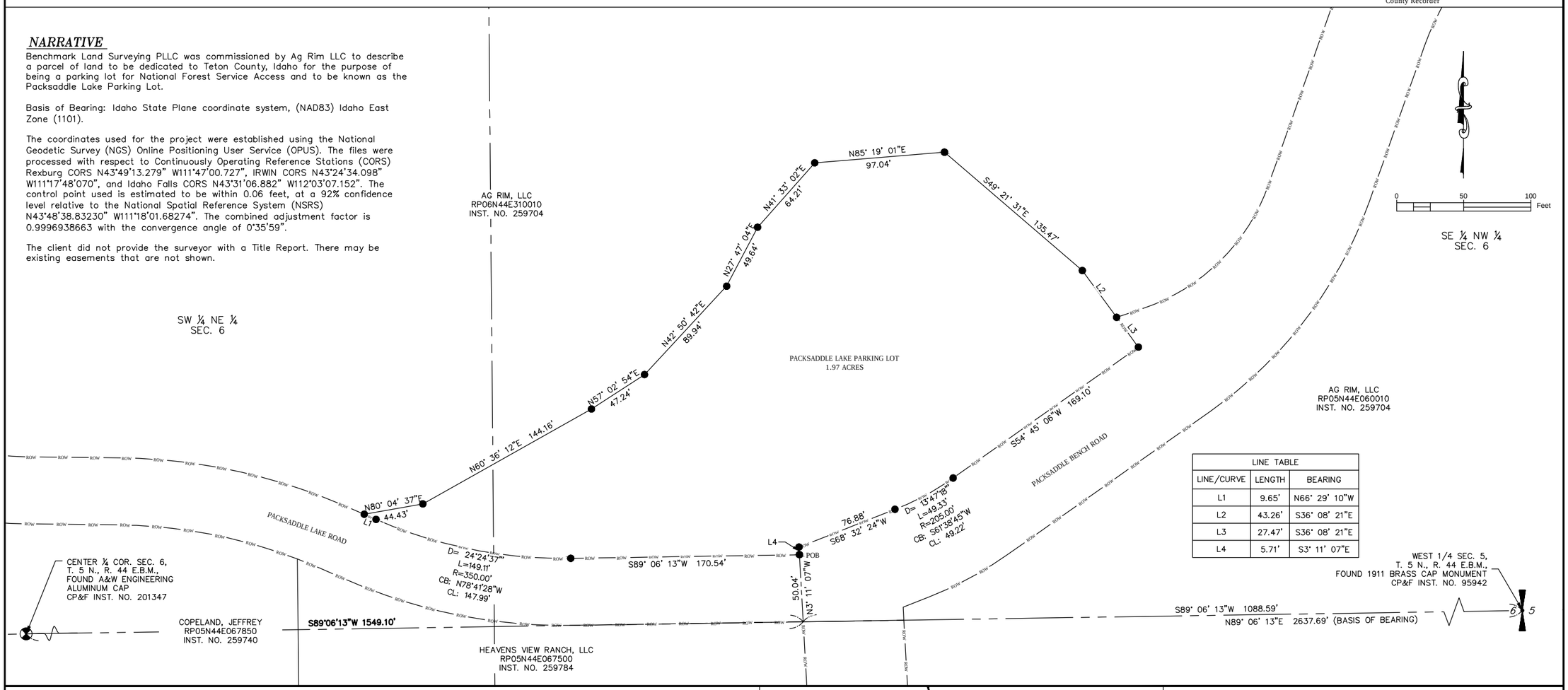
NARRATIVE

Benchmark Land Surveying PLLC was commissioned by Ag Rim LLC to describe a parcel of land to be dedicated to Teton County, Idaho for the purpose of being a parking lot for National Forest Service Access and to be known as the Packsaddle Lake Parking Lot.

Basis of Bearing: Idaho State Plane coordinate system, (NAD83) Idaho East Zone (1101).

The coordinates used for the project were established using the National Geodetic Survey (NGS) Online Positioning User Service (OPUS). The files were processed with respect to Continuously Operating Reference Stations (CORS) Rexburg CORS N43°49'13.279" W111°47'00.727", IRWIN CORS N43°24'34.098" W111°17'48'070", and Idaho Falls CORS N43°31'06.882" W112°03'07.152". The control point used is estimated to be within 0.06 feet, at a 92% confidence level relative to the National Spatial Reference System (NSRS) N43°48'38.83230" W111°18'01.68274". The combined adjustment factor is 0.9996938663 with the convergence angle of 0°35'59".

The client did not provide the surveyor with a Title Report. There may be existing easements that are not shown.



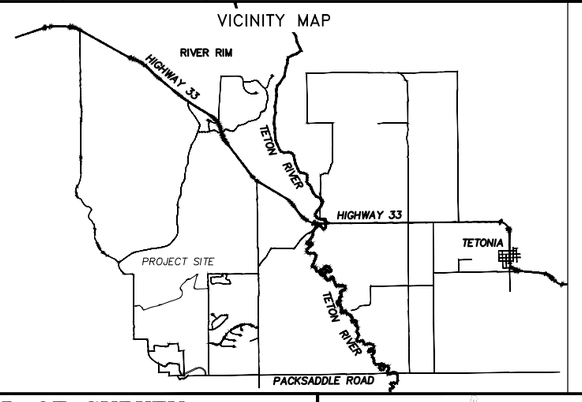
LINE TABLE		
LINE/CURVE	LENGTH	BEARING
L1	9.65'	N66° 29' 10"W
L2	43.26'	S36° 08' 21"E
L3	27.47'	S36° 08' 21"E
L4	5.71'	S3° 11' 07"E

PACKSADDLE LAKE PARKING LOT (1.97 ACRES)

Beginning at a point on the north right-of-way line of Packsaddle Lake Road that is S 89°06'13" W 1088.59 feet along the east-west centerline through the section and N 03°11'07" W 50.04 feet from the East Quarter corner of Section 6, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the north Right-of-Way line of said Packsaddle Lake Road the following three courses: (1) S89° 06' 13"W 170.54 feet to a point of curve, (2) thence 149.11 feet along said curve to the right, Curve Data: Radius = 350.00 feet, Delta = 24°24'37", Chord Bearing = N78° 41' 28"W 147.99 feet, (3) thence N66° 29' 10"W 9.65 feet, thence N80° 04' 37"E 44.43 feet; thence N60° 36' 12"E 144.16 feet; thence N57° 02' 54"E 47.24 feet; thence N42° 50' 42"E 89.94 feet; thence N27° 47' 04"E 49.64 feet; thence N41° 33' 02"E 64.21 feet; thence N85° 19' 01"E 97.04 feet; thence S49° 21' 31"E 135.47 feet; thence S36° 08' 21"E 43.26 feet to a point on the Packsaddle Bench Road Right-of-Way; thence along north said Right-of-Way five courses; (1) S36° 08' 21"E 27.47 feet; (2) thence S54° 45' 06"W 169.10 feet to a point of curve; (3) thence 49.33 feet along said curve to the right, Curve Data: Radius = 205.00 feet, Delta = 13°47'18", Chord Bearing S61° 38' 45"W 49.22 feet; (4) thence S68° 32' 24"W 76.88 feet; (5) thence S3° 11' 07"E 5.71 feet to the true point of beginning.

Parcel contains 1.97 Acres.

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- X — Indicates existing fence lines.

RECORD OF SURVEY

PACKSADDLE LAKE PARKING LOT

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 of 1

12.8.20_packsaddle row(100 ft & 75 ft)

ESCROW AGREEMENT

This Escrow Agreement ("Agreement") is made this ____ day of December, 2020, by and among AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns, GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses are 3565 Las Vegas Boulevard South, Suite 705, Las Vegas Nevada 89109, its successors and/or assigns, (collectively as "Landowners"), and Teton County Idaho, a political subdivision of the State of Idaho ("Teton County").

RECITALS

WHEREAS, the Landowners and Teton County entered into that certain Agreement to Vacate and Relocate Road dated May 24, 2017 (the "2017 Agreement"), which, among other things, provided for the construction of a road and other improvements over and across the Landowner's lands in return for the abandonment and vacation of portions of West 4000 North, commonly known as Packsaddle Road and/or Milk Creek Road which also traverses Grantors' lands;

WHEREAS, within the 2017 Agreement, the Landowners agreed to carry out and complete additional improvements identified within the 2017 Agreement and its associated "Exhibit A";

WHEREAS, to ensure that funds are available for reparative work, described and agreed to within the warranty period identified in the 2017 Agreement, the parties agreed that the Landowners would provide a cash bond of Fifty Thousand Dollars ($50,000) to be held by a mutual agreed upon escrow holder for the benefit of Teton County;

WHEREAS, the cash bond to be provided by the Landowners for the benefit of Teton County shall only be used, if necessary, solely for reparative work, described and agreed to within the 2017 Agreement, during the warranty period; and

WHEREAS, the warranty period under the 2017 Agreement is defined as one year following the issuance of the Final Certificate, dated July 31, 2020, defined as a certificate issued by Teton County's Engineer indicating that the Road(s), and Public Parking Area and Plan are complete and meet the specifications of the County Road Standards for Teton County, Idaho, as amended.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. Escrow and Agent. The Landowners shall cause that the sum of FIFTY THOUSAND DOLLARS ($50,000) be transferred and held in a non-interest-bearing escrow ("Escrow Deposit"), by Hall Angell & Associates, LLC c/o Blake Hall ("Escrow Agent"), in trust, and disbursed only in accordance with the terms of this Agreement.

2. Duration and Release. The Escrow Deposit shall be held in escrow for a period of one (1) year following the issuance of the Final Certificate, dated July 31, 2020, as defined within the 2017 Agreement which is hereby incorporated by reference. Upon expiration of the aforementioned one (1) year term, the Escrow Agent shall release the Escrow Deposit to the Landowners, less any issued disbursements to Teton County as outlined in Section 3. Without waiving the foregoing, the warranty period for road reclamation for that portion of Packsaddle Road known as Kay's Hill will begin when the reclamation is completed.

3. Requests for Disbursement by Teton County. Pursuant to the 2017 Agreement, Teton County may request a disbursement of portions of the Escrow Deposit to cover any necessary reparative work on the Road(s), described and agreed to within the 2017 Agreement, during the warranty period. If Teton County requests such a disbursement, it must first provide thirty (30) days' notice to the Landowners and the Escrow Agent of its request for disbursement of portions of the Escrow Deposit ("Request for Disbursement"). The Request for Disbursement shall include sufficient detail and justification for the amounts sought to be released from the Escrow Deposit. Upon receipt of a Request for Disbursement, the Landowners may provide a written objection to said request to both Teton County and the Escrow Agent outlining the Landowner's objections to Teton County's request. If no objection is made by the Landowners within thirty (30) days following receipt of the Request for Disbursement, or if the parties agree to the disbursement in writing, the Escrow Agent shall release the requested portions of the Escrow Deposit to Teton County.

4. Conflicting Demands or Claims. Should the Escrow Agent receive or become aware of any conflicting demands or claims with respect to this Agreement, the Escrow Agent shall have the right to discontinue any or all further acts contemplated by this Agreement until such conflict is resolved to the Escrow Agent's satisfaction. Furthermore, the Escrow Agent shall have the further right to commence or defend any action or proceedings for the determination of such conflict. Such conflicting demands shall include, but are not limited to, conflicting demands or disputed claims relating to any requested disbursement by Teton County provided in Section 3.

5. Attorneys Fees, Cost/Suit in Interpleader. The parties hereto jointly and severally agree to pay all costs, damages, judgments, and expenses, including reasonable attorney's fees suffered or incurred by the Escrow Agent in connection with, or arising out of this escrow, including, but without limiting the generality of the foregoing, as suit in interpleader brought by the Escrow Agent. The parties expressly agree that the Escrow Agent, as escrow holder, shall have the absolute right, at the Escrow Agent's election, to file an action in interpleader. The parties further authorize the Escrow Agent to deposit with the Clerk of Court all documents and funds held in this escrow.

6. Indemnification of Escrow Agent. The parties agree to indemnify and save harmless the Escrow Agent from the consequences of the unavailability of the escrow funds on any given date due to circumstances beyond the control of Escrow Agent, or from any penalty which may be imposed by the bank or depository institution for early withdrawal or arising from the failure of or insolvency of the depository institution, or from the dishonor of the check representing the escrow fund.

7. Notices. All notices required under this Agreement shall be sent to the parties at the following address, by Certified Mail, Return Receipt Required:

LANDOWNERS

Ag Rim
c/o Tammie Smith
P.O. Box 50130
Idaho Falls, ID 83405

Grandview
c/o Ron Judy
P.O. Box 750
Rancho Santa Fe, CA 92067

With a copy to

Moulton Law Office
c/o Sean R. Moulton
P.O. Box 631
Driggs, ID 83422

TETON COUNTY

Teton County Board of County Commissioners
ATTN: Public Works Director
150 Courthouse Drive, Rm. 107
Driggs, ID 83422

ESCROW AGENT

Hall Angell & Associates, LLP
c/o Blake Hall
1075 S. Utah Ave.
Idaho Falls, ID 83402

8. Amendments. Any amendments of and/or supplements to this Agreement shall be in writing, signed by both parties.

9. Governing Law. This Agreement shall be construed and governed in according to the laws of the State of Idaho. The venue for any such action arising out of this Agreement shall

be exclusively in the District Court of the Seventh Judicial District of the State of Idaho, Teton County, or in the United States District Court for the District of Idaho. The parties agree to submit to personal jurisdiction in these exclusive venues.

10. Counterparts. This Agreement may be executed in any number of counterparts and by the parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the parties and Escrow Agent have executed this Agreement in multiple counterparts on the day and year set forth above.

[SIGNATURES ON FOLLOWING PAGES]

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY IDAHO

_____

By:
Title:

AG RIM, LLC

_____

By: Tammie Smith
Title: Manager

GRANDVIEW RANCH II, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANVIEW RANCH IV, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH V, LP

_____

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

ESCROW AGENT

_____

Blake Hall
Hall Angels & Associates, LLP

ESCROW AGREEMENT

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RECITALS

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WHEREAS, within the 2017 Agreement, the Landowners agreed to carry out and complete additional improvements identified within the 2017 Agreement and its associated "Exhibit A";

WHEREAS, to ensure that funds are available for reparative work, described and agreed to within the warranty period identified in the 2017 Agreement, the parties agreed that the Landowners would provide a cash bond of Fifty Thousand Dollars ($50,000) to be held by a mutual agreed upon escrow holder for the benefit of Teton County;

WHEREAS, the cash bond to be provided by the Landowners for the benefit of Teton County shall only be used, if necessary, solely for reparative work, described and agreed to within the 2017 Agreement, during the warranty period; and

WHEREAS, the warranty period under the 2017 Agreement is defined as one year following the issuance of the Final Certificate, dated July 31, 2020, defined as a certificate issued by Teton County's Engineer indicating that the Road(s), and Public Parking Area and Plan are complete and meet the specifications of the County Road Standards for Teton County, Idaho, as amended.

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2. Duration and Release. The Escrow Deposit shall be held in escrow for a period of one (1) year following the issuance of the Final Certificate, dated July 31, 2020, as defined within the 2017 Agreement which is hereby incorporated by reference. Upon expiration of the aforementioned one (1) year term, the Escrow Agent shall release the Escrow Deposit to the Landowners, less any issued disbursements to Teton County as outlined in Section 3. Without waiving the foregoing, the warranty period for road reclamation for that portion of Packsaddle Road known as Kay's Hill will begin when the reclamation is completed, and proportionate share of the Escrow Deposit will be retained in escrow until the Kay's Hill reclamation warranty period expires. Further, reclamation of that portion of Kay's Hill will be completed no later than June 30, 2021.

3. Requests for Disbursement by Teton County. Pursuant to the 2017 Agreement, Teton County may request a disbursement of portions of the Escrow Deposit to cover any necessary reparative work on the Road(s), described and agreed to within the 2017 Agreement, during the warranty period. If Teton County requests such a disbursement, it must first provide thirty (30) days' notice to the Landowners and the Escrow Agent of its request for disbursement of portions of the Escrow Deposit ("Request for Disbursement"). The Request for Disbursement shall include sufficient detail and justification for the amounts sought to be released from the Escrow Deposit. Upon receipt of a Request for Disbursement, the Landowners may provide a written objection to said request to both Teton County and the Escrow Agent outlining the Landowner's objections to Teton County's request. If no objection is made by the Landowners within thirty (30) days following receipt of the Request for Disbursement, or if the parties agree to the disbursement in writing, the Escrow Agent shall release the requested portions of the Escrow Deposit to Teton County.

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Ag Rim
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Idaho Falls, ID 83405

Grandview
c/o Ron Judy
P.O. Box 750
Rancho Santa Fe, CA 92067

With a copy to

Moulton Law Office
c/o Sean R. Moulton
P.O. Box 631
Driggs, ID 83422

TETON COUNTY

Teton County Board of County Commissioners
ATTN: Public Works Director
150 Courthouse Drive, Rm. 107
Driggs, ID 83422

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Hall Angell & Associates, LLP
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[SIGNATURES ON FOLLOWING PAGES]

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY IDAHO

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By:
Title:

AG RIM, LLC

_____

By: Tammie Smith
Title: Manager

GRANDVIEW RANCH II, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANVIEW RANCH IV, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

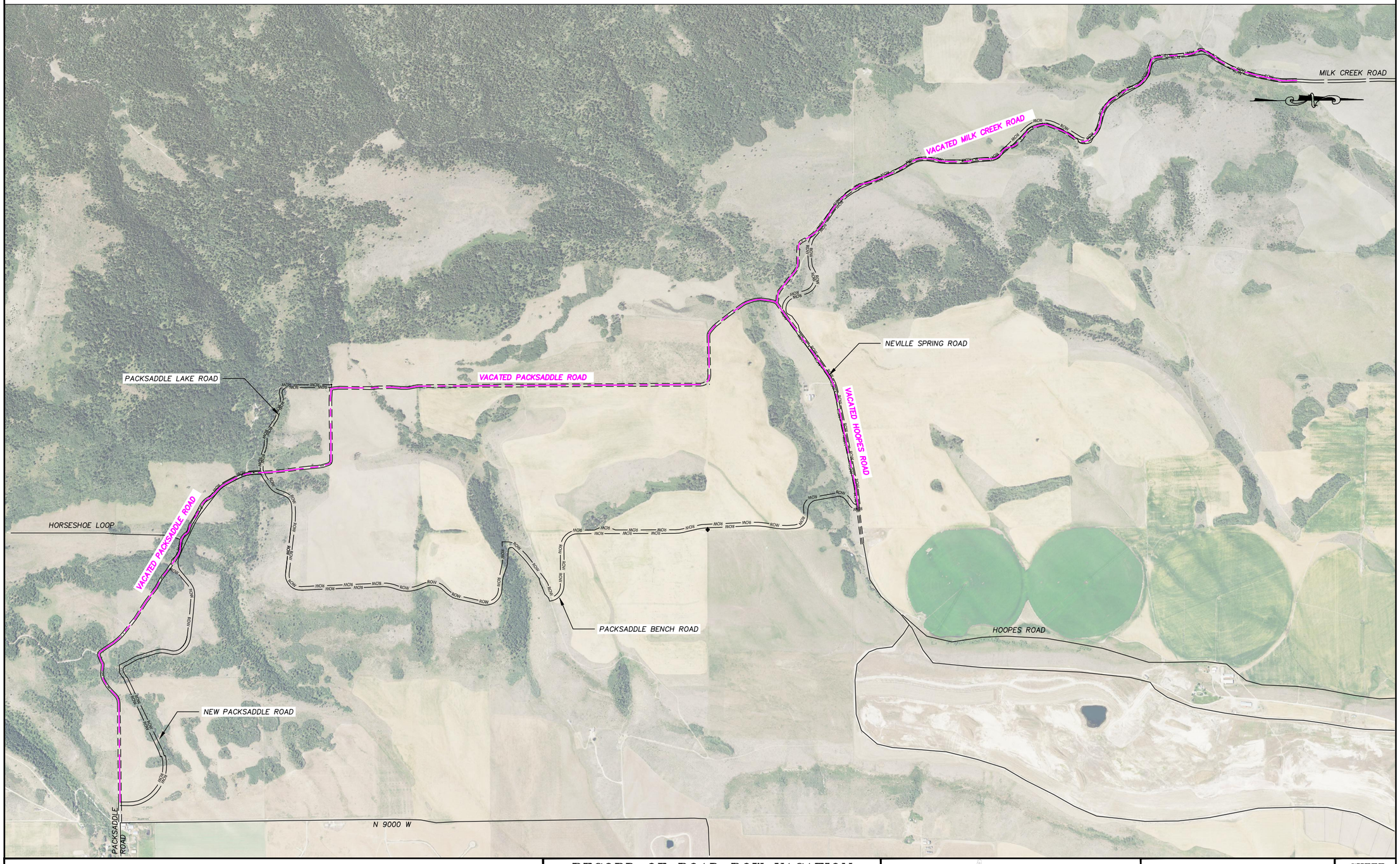
GRANDVIEW RANCH V, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

ESCROW AGENT

Blake Hall
Hall Angels & Associates, LLP

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

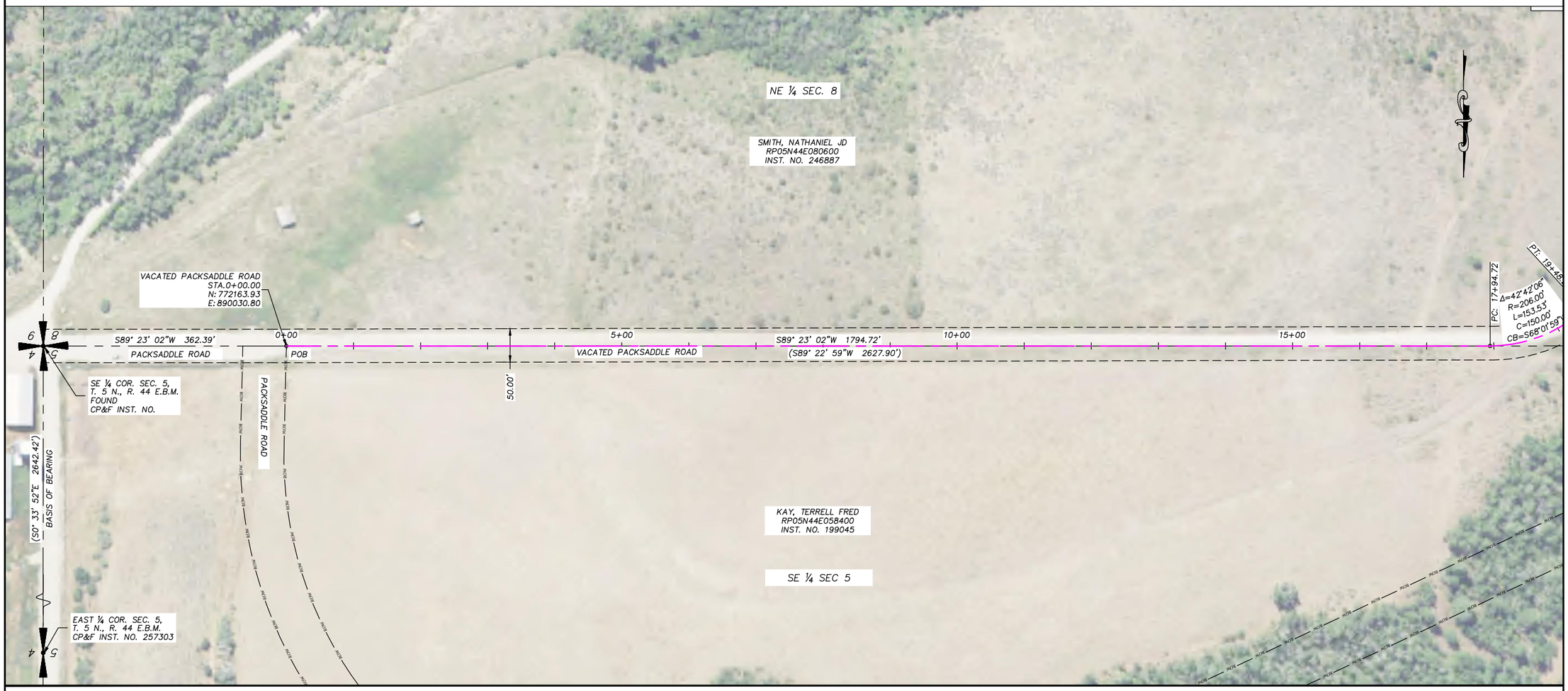
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 OF 1

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Packsaddle Roadway Alignment that is to be vacated and that is S 89° 23' 02" W with a distance of 362.39 feet along the section line from the Southeast corner of Section 5, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 89° 23' 02" W a distance of 1794.72 feet to Station 17+94.72 being a point of curve; thence 153.53 feet along said curve turning to the left through an angle of 42° 42' 06", having a radius of 206.00 feet, and whose long chord bears S 68° 01' 59" W for a distance of 150.00 feet to a point of intersection with a tangential line; thence along a tangent line S 46° 40' 56" W a distance of 180.26 feet to Station 21+28.51; thence 33.21 feet along said curve turning to the right through an angle of 09° 30' 49", having a radius of 200.00 feet, and whose long chord bears S 51° 26' 20" W for a distance of 33.17 feet to a point of intersection with a tangential line; thence along a tangent line S 56° 11' 45" W a distance of 98.66 feet to Station 22+60.38; thence 134.28 feet along said curve turning to the right through an angle of 26° 20' 57", having a radius of 292.00 feet, and whose long chord bears S 69° 22' 13" W for a distance of 133.10 feet to a point of intersection with a tangential line; thence along a tangent line S 82° 32' 42" W a distance of 27.41 feet to Station 24+22.08; thence 48.64 feet along said curve turning to the right through an angle of 13° 56' 02", having a radius of 200.00 feet, and whose long chord bears S 89° 30' 42" W for a distance of 48.52 feet to a point of intersection with a tangential line; thence along a tangent line N 83° 31' 17" W a distance of 115.33 feet to Station 25+86.05; thence 44.05 feet along said curve turning to the left through an angle of 42° 46' 29", having a radius of 59.00 feet, and whose long chord bears S 75° 05' 29" W for a distance of 43.03 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 42' 14" W a distance of 3.63 feet to Station 26+33.73; thence 56.77 feet along said curve turning to the right through an angle of 16° 15' 43", having a radius of 200.00 feet, and whose long chord bears S 61° 50' 06" W for a distance of 56.57 feet to a point of intersection with a tangential line; thence along a tangent line S 69° 57' 57" W a distance of 83.85 feet to Station 27+74.34; thence 74.88 feet along said curve turning to the right through an angle of 73° 58' 06", having a radius of 58.00 feet, and whose long chord bears N 73° 03' 00" W for a distance of 69.78 feet to a point of intersection with a tangential line; thence along a tangent line N 36° 03' 57" W a distance of 116.15 feet to Station 29+65.36; thence along a tangent line N 33° 26' 13" W a distance of 167.69 feet to Station 31+33.05; thence 21.47 feet along said curve turning to the left through an angle of 06° 09' 00", having a radius of 200.00 feet, and whose long chord bears N 36° 30' 43" W for a distance of 21.46 feet to a point of intersection with a tangential line; thence along a tangent line N 39° 35' 13" W a distance of 104.82 feet to Station 32+59.34; thence 131.57 feet along said curve turning to the left through an angle of 12° 26' 24", having a radius of 606.00 feet, and whose long chord bears N 45° 48' 25" W for a distance of 131.32 feet to a point of intersection with a tangential line; thence along a tangent line N 52° 01' 37" W a distance of 347.94 feet to Station 37+38.85; thence along a tangent line N 57° 16' 09" W a distance of 356.55 feet to Station 40+95.40; thence along a tangent line N 53° 36' 17" W a distance of 306.20 feet to Station 44+01.61; thence 27.70 feet along said curve turning to the left through an angle of 07° 56' 05", having a radius of 200.00 feet, and whose long chord bears N 57° 34' 19" W for a distance of 27.68 feet to a point of intersection with a tangential line; thence along a tangent line N 61° 32' 22" W a distance of 168.10 feet to Station 45+97.40; thence 34.73 feet along said curve turning to the right through an angle of 09° 56' 57", having a radius of 200.00 feet, and whose long chord bears N 56° 33' 53" W for a distance of 34.69 feet to a point of intersection with a tangential line; thence along a tangent line N 51° 35' 24" W a distance of 142.32 feet to Station 47+74.45; thence 13.72 feet along said curve turning to the left through an angle of 03° 55' 54", having a radius of 200.00 feet, and whose long chord bears N 53° 33' 21" W for a distance of 13.72 feet to a point of intersection with a tangential line; thence along a tangent line N 55° 31' 18" W a distance of 343.59 feet to Station 51+31.77; thence 102.18 feet along said curve turning to the left through an angle of 29° 16' 20", having a radius of 200.00 feet, and whose long chord bears N 70° 09' 28" W for a distance of 101.07 feet to a point of intersection with a tangential line;

...CONTINUED ON SHEET 2

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

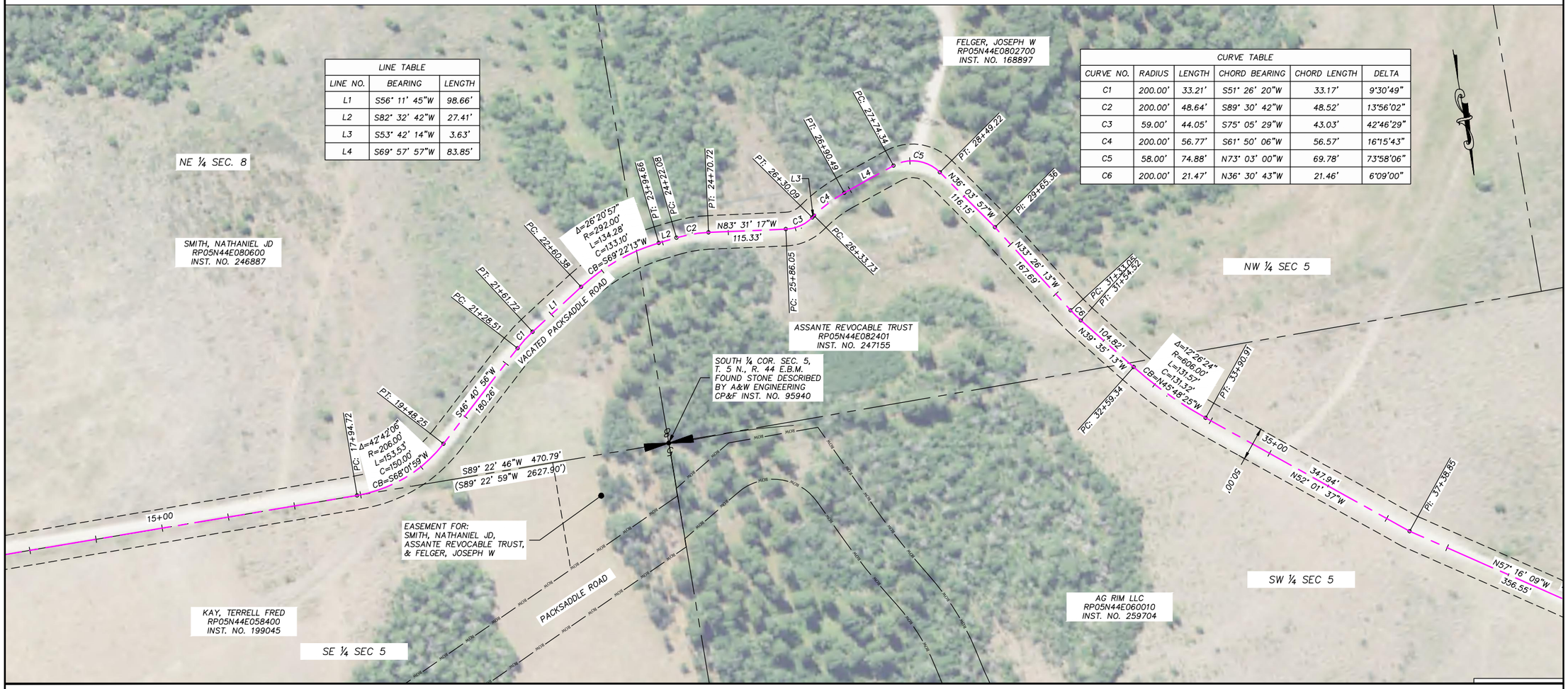
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
1
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 1...

thence along a tangent line N 84° 47' 39" W a distance of 133.57 feet to Station 53+67.51; thence 152.67 feet along said curve turning to the right through an angle of 43° 44' 11", having a radius of 200.00 feet, and whose long chord bears N 62° 55' 33" W for a distance of 148.99 feet to a point of intersection with a tangential line; thence along a tangent line N 41° 03' 28" W a distance of 73.36 feet to Station 55+93.55; thence 47.52 feet along said curve turning to the left through an angle of 37° 17' 41", having a radius of 73.00 feet, and whose long chord bears N 59° 42' 18" W for a distance of 46.68 feet to a point of intersection with a tangential line; thence along a tangent line N 78° 21' 08" W a distance of 46.19 feet to Station 56+87.25; thence 71.69 feet along said curve turning to the right through an angle of 20° 32' 16", having a radius of 200.00 feet, and whose long chord bears N 68° 05' 00" W for a distance of 71.31 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 48' 52" W a distance of 173.07 feet to Station 59+32.01; thence 16.48 feet along said curve turning to the left through an angle of 04° 43' 21", having a radius of 200.00 feet, and whose long chord bears N 60° 10' 33" W for a distance of 16.48 feet to a point of intersection with a tangential line; thence along a tangent line N 62° 32' 13" W a distance of 172.48 feet to Station 61+20.98; thence 17.67 feet along said curve turning to the right through an angle of 05° 03' 41", having a radius of 200.00 feet, and whose long chord bears N 60° 00' 23" W for a distance of 17.66 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 28' 32" W a distance of 61.59 feet to Station 62+00.24; thence 85.11 feet along said curve turning to the right through an angle of 24° 22' 59", having a radius of 200.00 feet, and whose long chord bears N 45° 17' 03" W for a distance of 84.47 feet to a point of intersection with a tangential line; thence along a tangent line N 33° 05' 33" W a distance of 95.80 feet to Station 63+81.15; thence 37.06 feet along said curve turning to the left through an angle of 10° 37' 03", having a radius of 200.00 feet, and whose long chord bears N 38° 24' 05" W for a distance of 37.01 feet to a point of intersection with a tangential line; thence along a tangent line N 43° 42' 36" W a distance of 72.34 feet to Station 64+90.55; thence 17.58 feet along said curve turning to the left through an angle of 05° 02' 07", having a radius of 200.00 feet, and whose long chord bears N 46° 13' 40" W for a distance of 17.57 feet to a point of intersection with a tangential line; thence along a tangent line N 48° 44' 43" W a distance of 76.75 feet to Station 65+84.87; thence 41.69 feet along said curve turning to the right through an angle of 11° 56' 37", having a radius of 200.00 feet, and whose long chord bears N 42° 46' 25" W for a distance of 41.62 feet to a point of intersection with a tangential line;

thence along a tangent line N 36° 48' 07" W a distance of 79.81 feet to Station 67+06.37; thence 27.12 feet along said curve turning to the right through an angle of 07° 46' 10", having a radius of 200.00 feet, and whose long chord bears N 32° 55' 02" W for a distance of 27.10 feet to a point of intersection with a tangential line; thence along a tangent line N 29° 01' 56" W a distance of 170.88 feet to Station 69+04.37; thence 14.50 feet along said curve turning to the right through an angle of 04° 09' 15", having a radius of 200.00 feet, and whose long chord bears N 26° 57' 19" W for a distance of 14.50 feet to a point of intersection with a tangential line; thence along a tangent line N 24° 52' 41" W a distance of 152.63 feet to Station 70+71.50; thence 24.86 feet along said curve turning to the right through an angle of 07° 07' 14", having a radius of 200.00 feet, and whose long chord bears N 21° 19' 04" W for a distance of 24.84 feet to a point of intersection with a tangential line; thence along a tangent line N 17° 45' 27" W a distance of 62.58 feet to Station 71+58.93; thence 36.47 feet along said curve turning to the right through an angle of 10° 26' 51", having a radius of 200.00 feet, and whose long chord bears N 12° 32' 02" W for a distance of 36.42 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 18' 37" W a distance of 92.67 feet to Station 72+88.07; thence 20.51 feet along said curve turning to the right through an angle of 05° 52' 30", having a radius of 200.00 feet, and whose long chord bears N 04° 22' 21" W for a distance of 20.50 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 26' 06" W a distance of 73.37 feet to Station 73+81.94; thence 380.32 feet along said curve turning to the left through an angle of 05° 16' 48", having a radius of 4127.00 feet, and whose long chord bears N 04° 04' 31" W for a distance of 380.19 feet to a point of intersection with a tangential line;

...CONTINUED ON SHEET 3

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

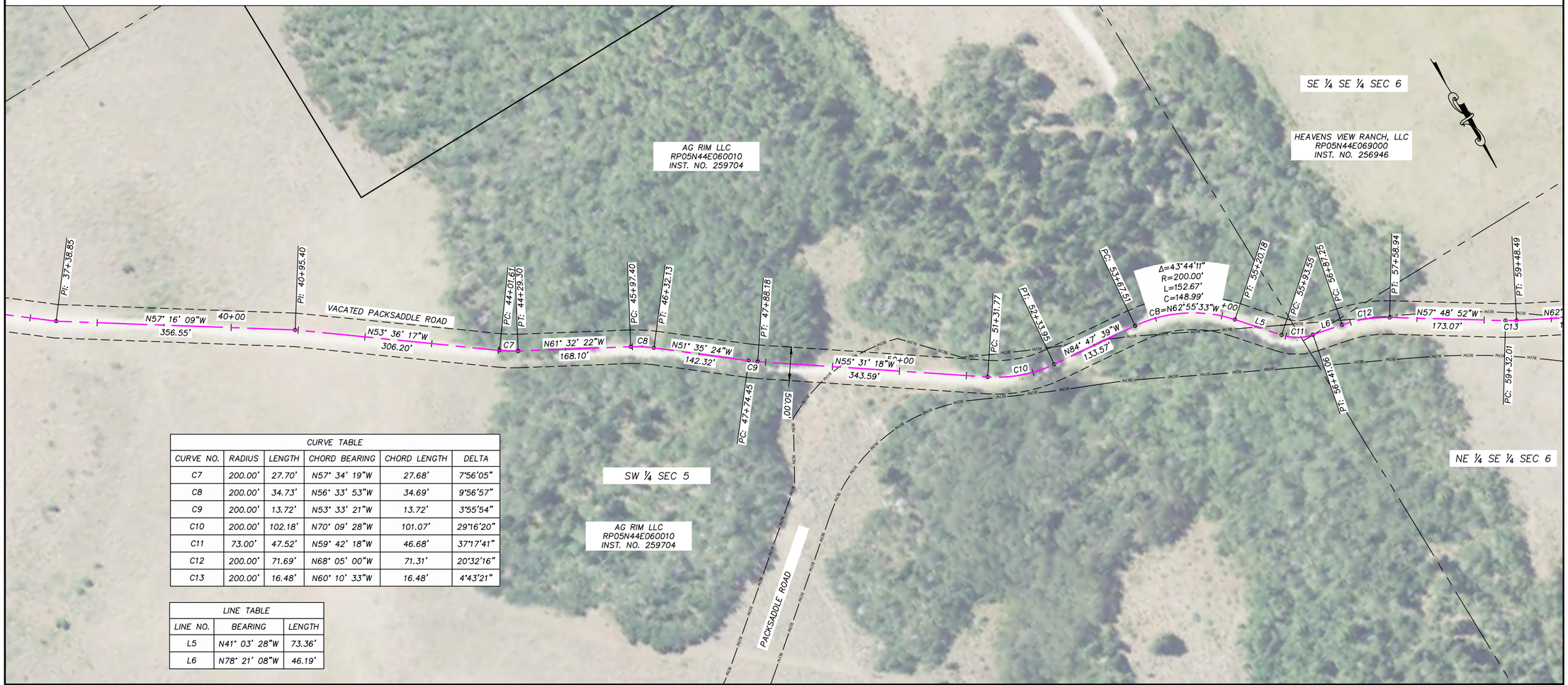
DATE:	4/21/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 2

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C7	200.00'	27.70'	N57° 34' 19"W	27.68'	7°56'05"
C8	200.00'	34.73'	N56° 33' 53"W	34.69'	9°56'57"
C9	200.00'	13.72'	N53° 33' 21"W	13.72'	3°55'54"
C10	200.00'	102.18'	N70° 09' 28"W	101.07'	29°16'20"
C11	73.00'	47.52'	N59° 42' 18"W	46.68'	37°17'41"
C12	200.00'	71.69'	N68° 05' 00"W	71.31'	20°32'16"
C13	200.00'	16.48'	N60° 10' 33"W	16.48'	4°43'21"

LINE TABLE		
LINE NO.	BEARING	LENGTH
L5	N41° 03' 28"W	73.36'
L6	N78° 21' 08"W	46.19'

Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 2...

thence along a tangent line N 06° 42' 55" W a distance of 761.09 feet to Station 85+23.35; thence 45.94 feet along said curve turning to the left through an angle of 11° 51' 26", having a radius of 222.00 feet, and whose long chord bears N 12° 38' 37" W for a distance of 45.86 feet to a point of intersection with a tangential line; thence along a tangent line N 18° 34' 20" W a distance of 100.23 feet to Station 86+69.53; thence 85.49 feet along said curve turning to the left through an angle of 72° 01' 58", having a radius of 68.00 feet, and whose long chord bears N 54° 35' 19" W for a distance of 79.97 feet to a point of intersection with a tangential line; thence along a tangent line S 89° 23' 41" W a distance of 1103.31 feet to Station 98+58.33; thence 17.36 feet along said curve turning to the right through an angle of 04° 58' 19", having a radius of 200.00 feet, and whose long chord bears N 88° 07' 09" W for a distance of 17.35 feet to a point of intersection with a tangential line; thence along a tangent line N 85° 37' 59" W a distance of 184.77 feet to Station 100+60.46; thence along a tangent line N 07° 09' 19" W a distance of 123.73 feet to Station 101+84.18; thence 26.83 feet along said curve turning to the right through an angle of 07° 41' 09", having a radius of 200.00 feet, and whose long chord bears N 03° 18' 44" W for a distance of 26.81 feet to a point of intersection with a tangential line; thence along a tangent line N 00° 31' 50" E a distance of 582.32 feet to Station 107+93.33; thence 27.13 feet along said curve turning to the left through an angle of 07° 46' 20", having a radius of 200.00 feet, and whose long chord bears N 03° 21' 20" W for a distance of 27.11 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 14' 30" W a distance of 70.77 feet to Station 108+91.23; thence 21.18 feet along said curve turning to the right through an angle of 06° 04' 08", having a radius of 200.00 feet, and whose long chord bears N 04° 12' 26" W for a distance of 21.17 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 10' 22" W a distance of 235.96 feet to Station 111+48.38; thence 21.61 feet along said curve turning to the right through an angle of 06° 11' 22", having a radius of 200.00 feet, and whose long chord bears N 01° 55' 19" E for a distance of 21.59 feet to a point of intersection with a tangential line; thence along a tangent line N 05° 01' 00" E a distance of 144.46 feet to Station 113+14.44; thence 15.47 feet along said curve turning to the left through an angle of 04° 25' 54", having a radius of 200.00 feet, and whose long chord bears N 02° 48' 03" E for a distance of 15.47 feet to a point of intersection with a tangential line; thence along a tangent line N 00° 35' 06" E a distance of 111.33 feet to Station 114+41.24; thence 40.92 feet along said curve turning to the left through an angle of 11° 43' 24", having a radius of 200.00 feet, and whose long chord bears N 05° 16' 36" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 11° 08' 18" W a distance of 155.75 feet to Station 116+37.91; thence along a tangent line N 00° 17' 57" W a distance of 5138.49 feet to Station 167+76.40; thence 255.51 feet along said curve turning to the left through an angle of 90° 55' 44", having a radius of 161.00 feet, and whose long chord bears N 45° 45' 48" W for a distance of 229.53 feet to a point of intersection with a tangential line; thence along a tangent line S 88° 46' 20" W a distance of 719.34 feet to Station 177+51.25; thence 84.95 feet along said curve turning to the right through an angle of 40° 33' 35", having a radius of 120.00 feet, and whose long chord bears N 70° 56' 53" W for a distance of 83.19 feet to a point of intersection with a tangential line; thence along a tangent line N 50° 40' 05" W a distance of 109.51 feet to Station 179+45.71; thence 41.67 feet along said curve turning to the right through an angle of 11° 56' 18", having a radius of 200.00 feet, and whose long chord bears N 44° 41' 56" W for a distance of 41.60 feet to a point of intersection with a tangential line; thence along a tangent line N 38° 43' 47" W a distance of 288.65 feet to Station 182+76.03; thence along a tangent line N 36° 08' 25" W a distance of 347.75 feet to Station 186+23.78; thence 58.92 feet along said curve turning to the right through an angle of 16° 52' 49", having a radius of 200.00 feet, and whose long chord bears N 27° 42' 01" W for a distance of 58.71 feet to a point of intersection with a tangential line; thence along a tangent line N 19° 15' 37" W a distance of 105.92 feet to Station 187+88.61;

...CONTINUED ON SHEET 4

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

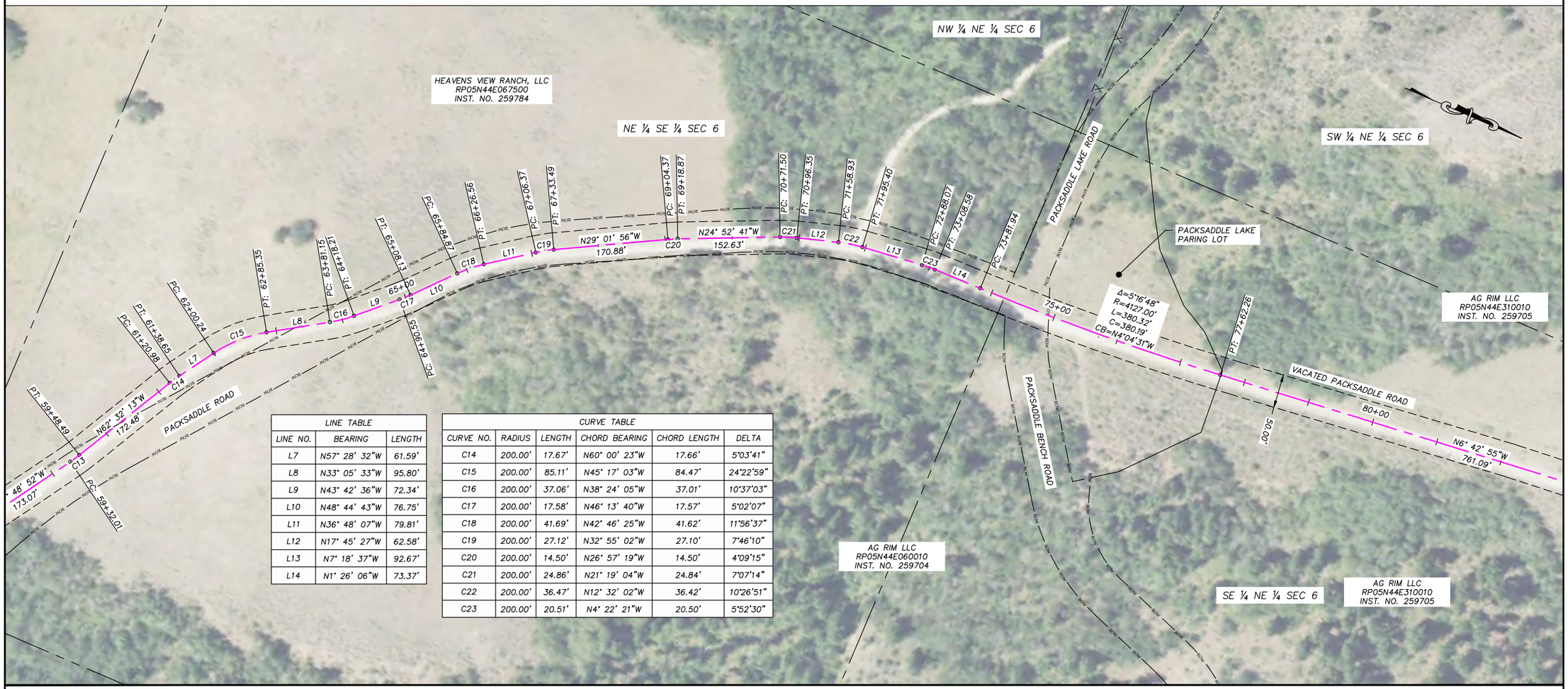
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 3 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



LINE TABLE		
LINE NO.	BEARING	LENGTH
L7	N57° 28' 32"W	61.59'
L8	N33° 05' 33"W	95.80'
L9	N43° 42' 36"W	72.34'
L10	N48° 44' 43"W	76.75'
L11	N36° 48' 07"W	79.81'
L12	N17° 45' 27"W	62.58'
L13	N7° 18' 37"W	92.67'
L14	N1° 26' 06"W	73.37'

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C14	200.00'	17.67'	N60° 00' 23"W	17.66'	5°03'41"
C15	200.00'	85.11'	N45° 17' 03"W	84.47'	24°22'59"
C16	200.00'	37.06'	N38° 24' 05"W	37.01'	10°37'03"
C17	200.00'	17.58'	N46° 13' 40"W	17.57'	5°02'07"
C18	200.00'	41.69'	N42° 46' 25"W	41.62'	11°56'37"
C19	200.00'	27.12'	N32° 55' 02"W	27.10'	7°46'10"
C20	200.00'	14.50'	N26° 57' 19"W	14.50'	4°09'15"
C21	200.00'	24.86'	N21° 19' 04"W	24.84'	7°07'14"
C22	200.00'	36.47'	N12° 32' 02"W	36.42'	10°26'51"
C23	200.00'	20.51'	N4° 22' 21"W	20.50'	5°52'30"

Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 3...

thence 30.20 feet along said curve turning to the right through an angle of 08° 39' 06", having a radius of 200.00 feet, and whose long chord bears N 14° 56' 03" W for a distance of 30.17 feet to a point of intersection with a tangential line; thence along a tangent line N 10° 36' 30" W a distance of 88.51 feet to Station 189+07.33; thence 41.01 feet along said curve turning to the right through an angle of 17° 48' 04", having a radius of 132.00 feet, and whose long chord bears N 01° 42' 28" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 11' 34" E a distance of 165.57 feet to Station 191+13.91; thence 20.82 feet along said curve turning to the right through an angle of 05° 57' 52", having a radius of 200.00 feet, and whose long chord bears N 10° 10' 30" E for a distance of 20.81 feet to a point of intersection with a tangential line; thence along a tangent line N 13° 09' 26" E a distance of 74.88 feet to Station 192+09.61; thence 29.76 feet along said curve turning to the right through an angle of 29° 24' 03", having a radius of 58.00 feet, and whose long chord bears N 27° 51' 28" E for a distance of 29.44 feet to a point of intersection with a tangential line; thence, N 42° 33' 29" E for a distance of 21.74 feet to Station 192+61.11 being the end Station of the portion of Packsaddle Roadway Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR
REGISTERED
7380
STATE OF IDAHO
TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 4 *OF* 15

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



LINE TABLE		
LINE NO.	BEARING	LENGTH
L15	N18° 34' 20"W	100.23'
L16	N7° 14' 30"W	70.77'

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C24	222.00'	45.94'	N12° 38' 37"W	45.86'	11°51'26"
C25	68.00'	85.49'	N54° 35' 19"W	79.97'	72°01'58"
C26	200.00'	17.36'	N88° 07' 09"W	17.35'	4°58'19"
C27	200.00'	26.83'	N3° 18' 44"W	26.81'	7°41'09"
C28	200.00'	27.13'	N3° 21' 20"W	27.11'	7°46'20"
C29	200.00'	21.18'	N4° 12' 26"W	21.17'	6°04'08"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR
REGISTERED
7380
STATE OF IDAHO
TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

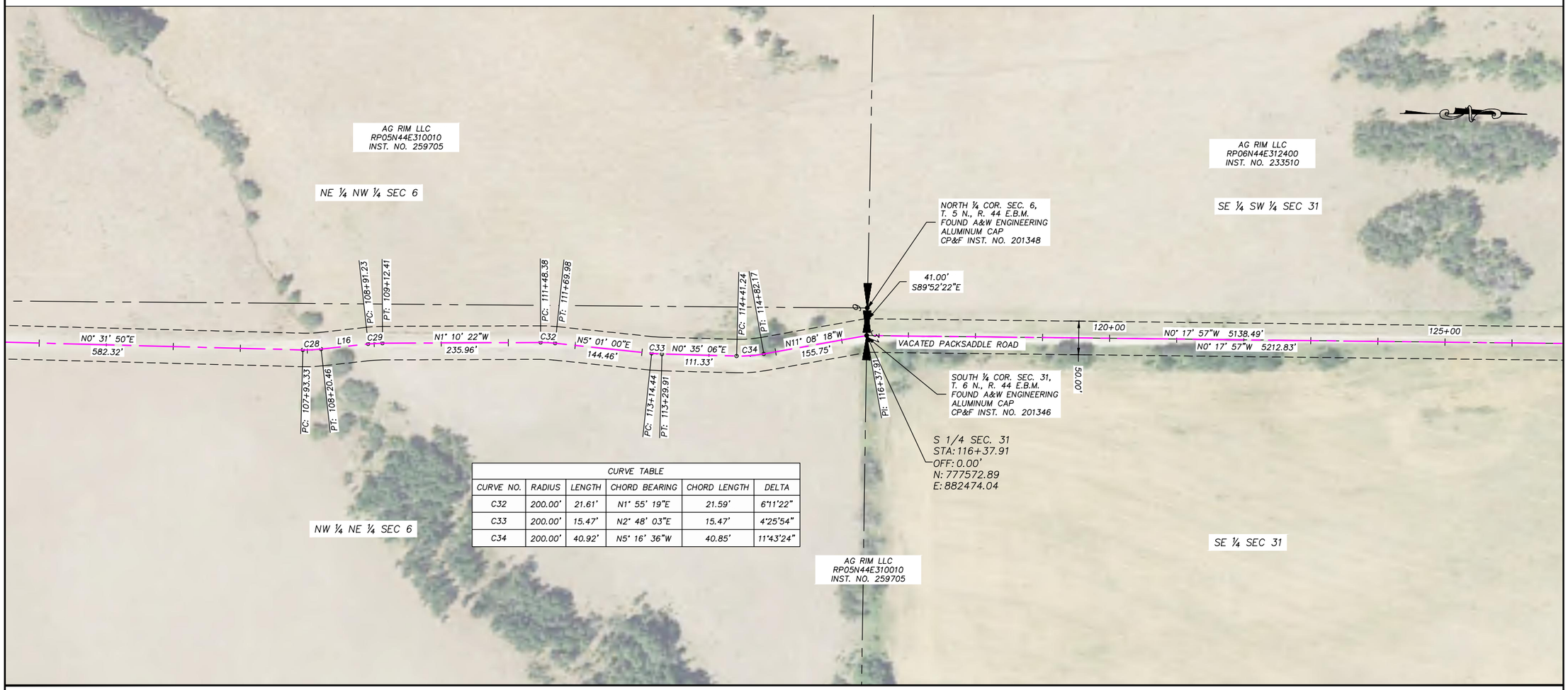
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
5
OF
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C32	200.00'	21.61'	N1° 55' 19"E	21.59'	6°11'22"
C33	200.00'	15.47'	N2° 48' 03"E	15.47'	4°25'54"
C34	200.00'	40.92'	N5° 16' 36"W	40.85'	11°43'24"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
6
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

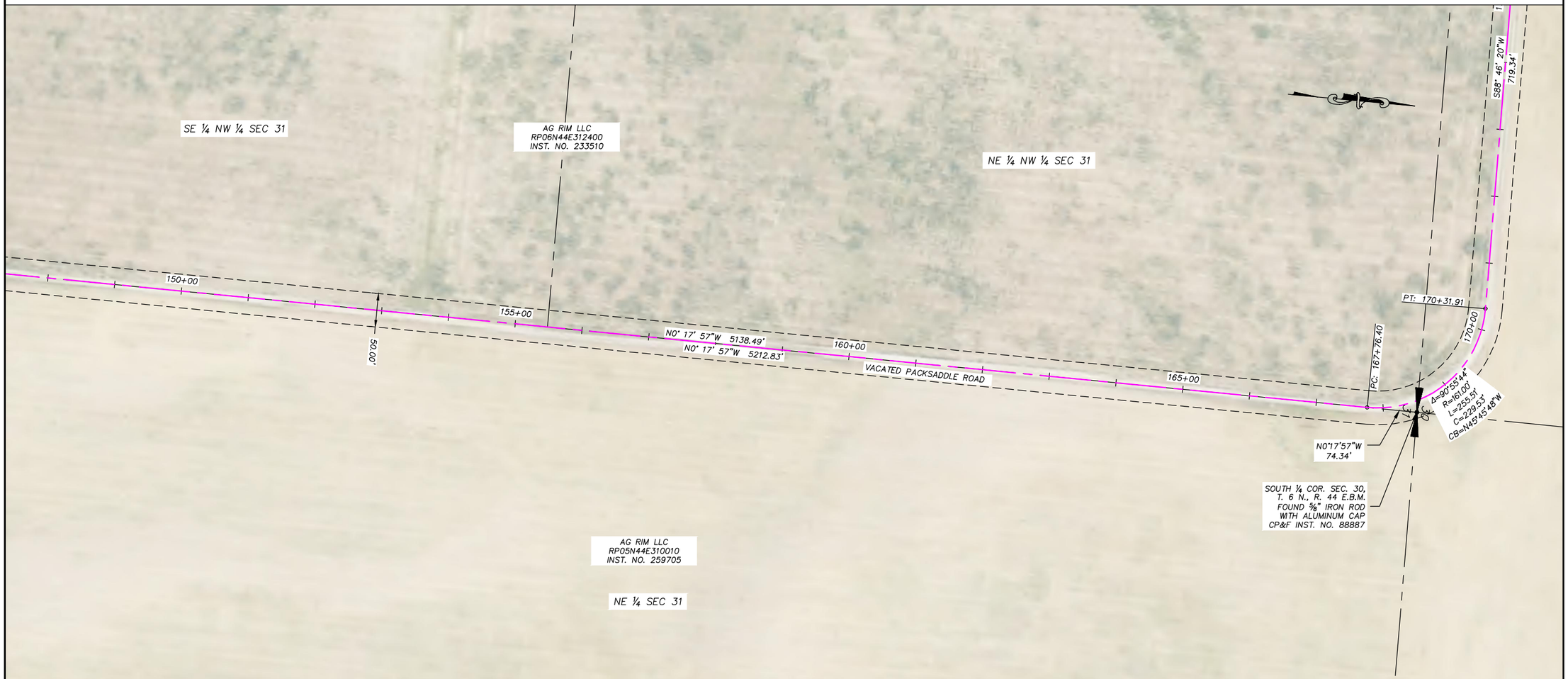
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DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
7
of
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



SURVEYOR'S CERTIFICATE

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PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen
License No. 7380

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

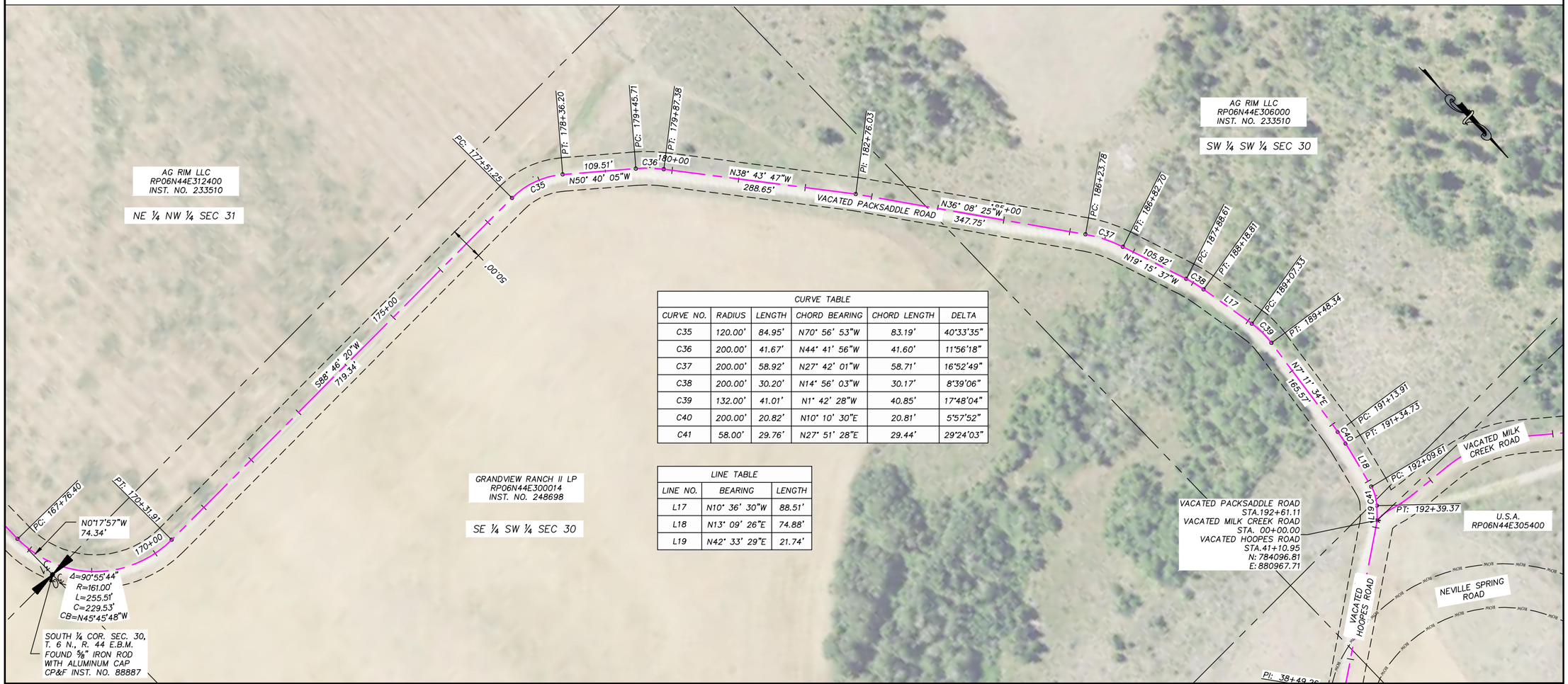
SHEET 8

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
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9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C35	120.00'	84.95'	N70° 56' 53"W	83.19'	40°33'35"
C36	200.00'	41.67'	N44° 41' 56"W	41.60'	11°56'18"
C37	200.00'	58.92'	N27° 42' 01"W	58.71'	16°52'49"
C38	200.00'	30.20'	N14° 56' 03"W	30.17'	8°39'06"
C39	132.00'	41.01'	N1° 42' 28"W	40.85'	17°48'04"
C40	200.00'	20.82'	N10° 10' 30"E	20.81'	5°57'52"
C41	58.00'	29.76'	N27° 51' 28"E	29.44'	29°24'03"

LINE TABLE		
LINE NO.	BEARING	LENGTH
L17	N10° 36' 30"W	88.51'
L18	N13° 09' 26"E	74.88'
L19	N42° 33' 29"E	21.74'

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

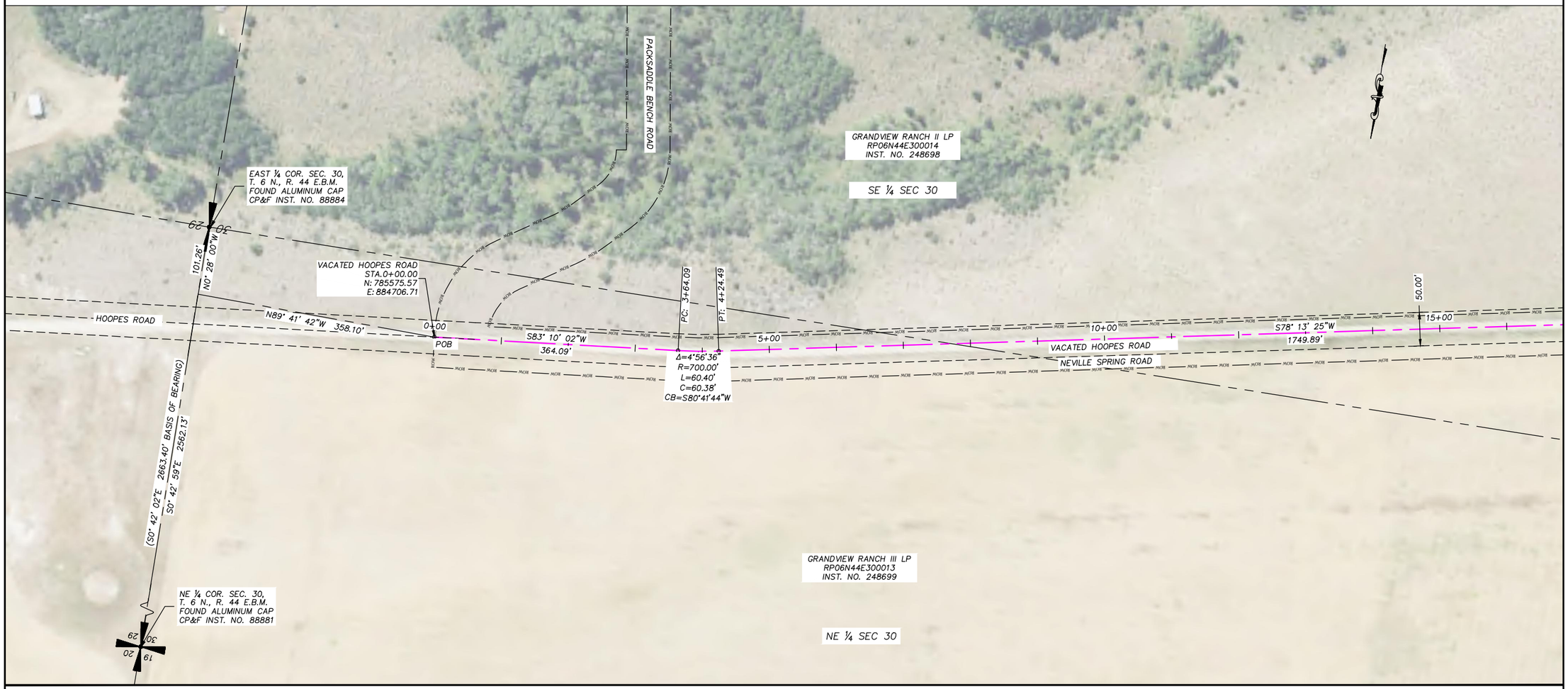
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 9 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Hoopes Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Hoopes Roadway Alignment that is to be vacated that is N 0° 28' 00" W 101.26 feet along the section line and N 89° 41' 42" W 358.10 feet from the East Quarter Corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 83° 10' 02" W a distance of 364.09 feet to Station 3+64.09; thence 60.40 feet along said curve turning to the left through an angle of 04° 56' 36", having a radius of 700.00 feet, and whose long chord bears S 80° 41' 44" W for a distance of 60.38 feet to a point of intersection with a tangential line; thence along a tangent line S 78° 13' 25" W a distance of 1749.89 feet to Station 21+74.38; thence 321.82 feet along said curve turning to the left through an angle of 23° 02' 56", having a radius of 800.00 feet, and whose long chord bears S 66° 41' 57" W for a distance of 319.66 feet to a point of intersection with a tangential line; thence along a tangent line S 55° 10' 29" W a distance of 492.56 feet to Station 29+88.76; thence 144.04 feet along said curve turning to the left through an angle of 01° 39' 02", having a radius of 5000.00 feet, and whose long chord bears S 54° 20' 58" W for a distance of 144.04 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 31' 27" W a distance of 716.46 feet to Station 38+49.26; thence, S 54° 46' 27" W for a distance of 261.69 feet to Station 41+10.95 being the end Station along the centerline of the portion of Hoopes Roadway Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

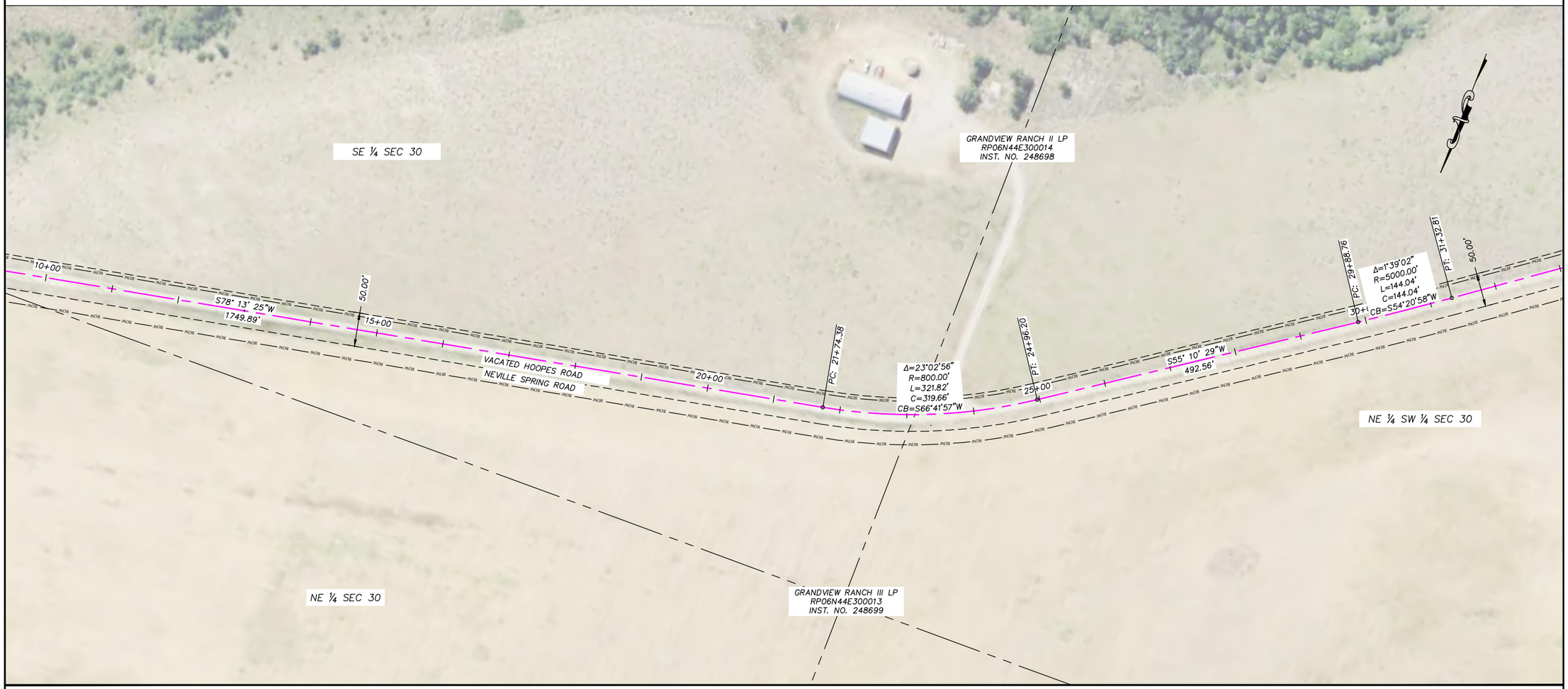
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DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 10 of 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

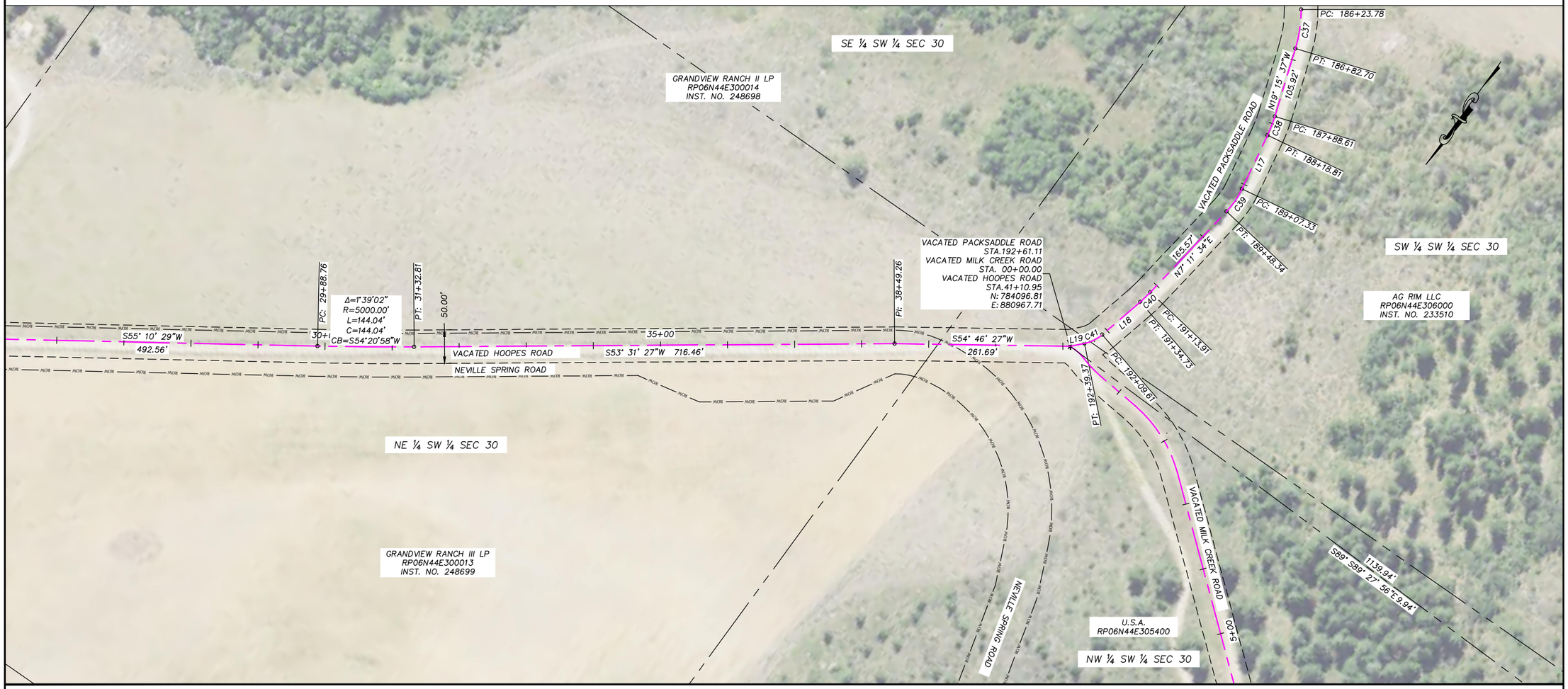
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SHEET 11 of 15

9.30.20_packsaddle vacate

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SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

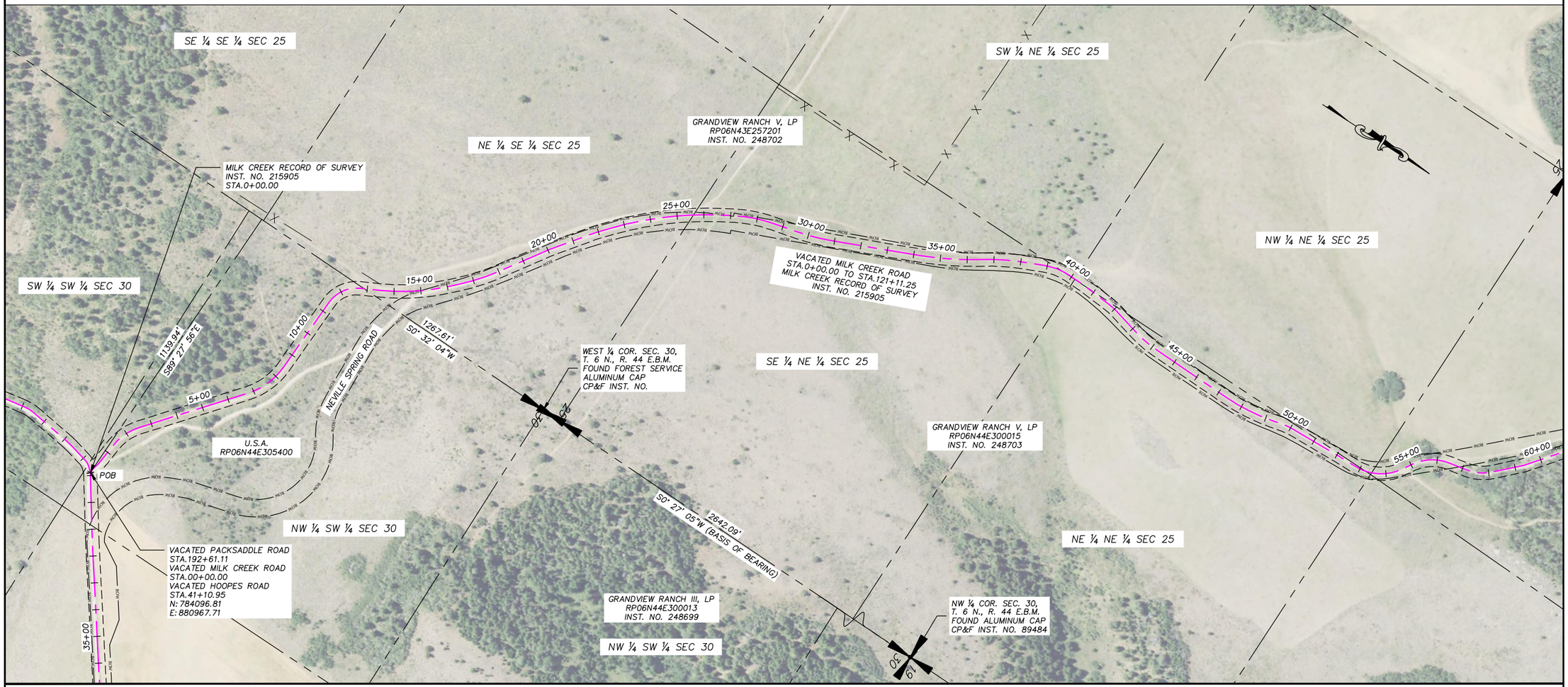
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REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 12 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Milk Creek Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is S 0° 32' 04" W 1267.61 feet along the section line and S 89° 27' 56" E 1139.94 feet from the West Quarter corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

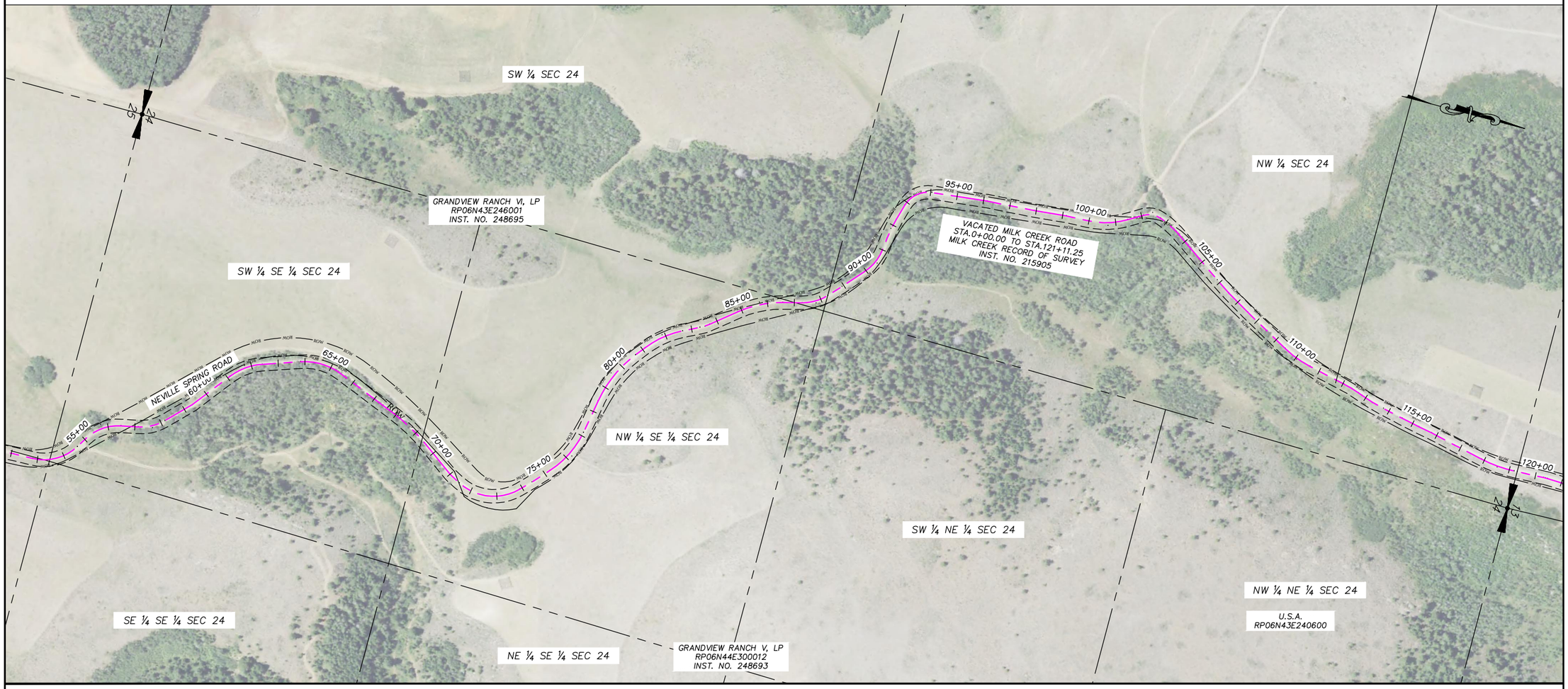
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PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 13 of 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Milk Creek Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is to be vacated and is S 0° 32' 04" W along the west section line of Section 30, Township 6 North, Range 44 East of the Boise Meridian with a distance of 1,267.61 feet; thence S 89° 27' 56" E with a distance 1,139.94 feet to the point of beginning; thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along the said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

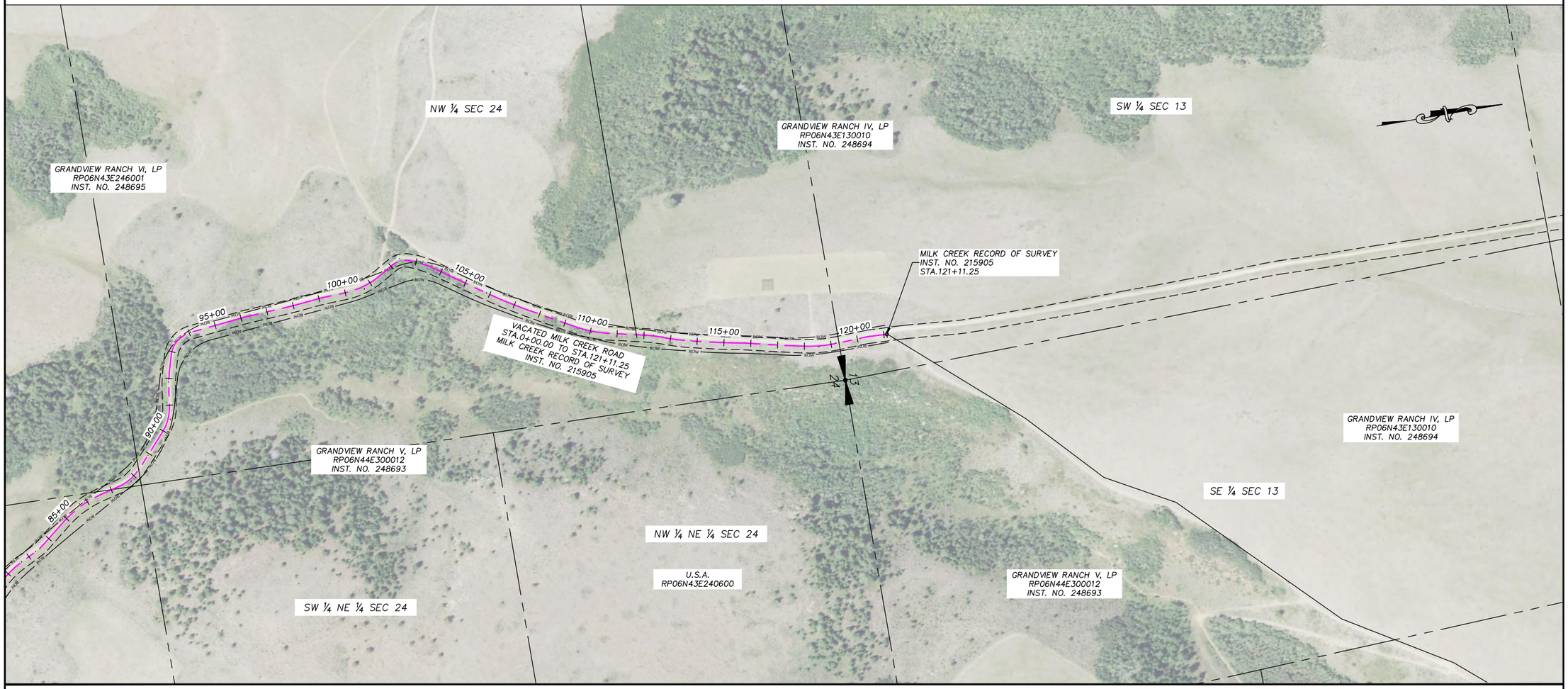
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789 NORTH 450 EAST
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tmeppen@gmail.com

SHEET
14
OF
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Milk Creek Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is to be vacated and is S 0° 32' 04" W along the west section line of Section 30, Township 6 North, Range 44 East of the Boise Meridian with a distance of 1,267.61 feet; thence S 89° 27' 56" E with a distance 1,139.94 feet to the point of beginning; thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along the said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
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TETON COUNTY, IDAHO

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 15

9.30.20_packsaddle vacate

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

A 50-foot prescriptive easement along a county road right-of-way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Packsaddle Roadway Alignment that is to be vacated and that is S 89° 23' 02" W with a distance of 362.39 feet along the section line from the Southeast corner of Section 5, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 89° 23' 02" W a distance of 1794.72 feet to Station 17+94.72 being a point of curve; thence 153.53 feet along said curve turning to the left through an angle of 42° 42' 06", having a radius of 206.00 feet, and whose long chord bears S 68° 01' 59" W for a distance of 150.00 feet to a point of intersection with a tangential line; thence along a tangent line S 46° 40' 56" W a distance of 180.26 feet to Station 21+28.51; thence 33.21 feet along said curve turning to the right through an angle of 09° 30' 49", having a radius of 200.00 feet, and whose long chord bears S 51° 26' 20" W for a distance of 33.17 feet to a point of intersection with a tangential line; thence along a tangent line S 56° 11' 45" W a distance of 98.66 feet to Station 22+60.38; thence 134.28 feet along said curve turning to the right through an angle of 26° 20' 57", having a radius of 292.00 feet, and whose long chord bears S 69° 22' 13" W for a distance of 133.10 feet to a point of intersection with a tangential line; thence along a tangent line S 82° 32' 42" W a distance of 27.41 feet to Station 24+22.08; thence 48.64 feet along said curve turning to the right through an angle of 13° 56' 02", having a radius of 200.00 feet, and whose long chord bears S 89° 30' 42" W for a distance of 48.52 feet to a point of intersection with a tangential line; thence along a tangent line N 83° 31' 17" W a distance of 115.33 feet to Station 25+86.05; thence 44.05 feet along said curve turning to the left through an angle of 42° 46' 29", having a radius of 59.00 feet, and whose long chord bears S 75° 05' 29" W for a distance of 43.03 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 42' 14" W a distance of 3.63 feet to Station 26+33.73; thence 56.77 feet along said curve turning to the right through an angle of 16° 15' 43", having a radius of 200.00 feet, and whose long chord bears S 61° 50' 06" W for a distance of 56.57 feet to a point of intersection with a tangential line; thence along a tangent line S 69° 57' 57" W a distance of 83.85 feet to Station 27+74.34; thence 74.88 feet along said curve turning to the right through an angle of 73° 58' 06", having a radius of 58.00 feet, and whose long chord bears N 73° 03' 00" W for a distance of 69.78 feet to a point of intersection with a tangential line; thence along a tangent line N 36° 03' 57" W a distance of 116.15 feet to Station 29+65.36; thence along a tangent line N 33° 26' 13" W a distance of 167.69 feet to Station 31+33.05; thence 21.47 feet along said curve turning to the left through an angle of 06° 09' 00", having a radius of 200.00 feet, and whose long chord bears N 36° 30' 43" W for a distance of 21.46 feet to a point of intersection with a tangential line; thence along a tangent line N 39° 35' 13" W a distance of 104.82 feet to Station 32+59.34; thence 131.57 feet along said curve turning to the left through an angle of 12° 26' 24", having a radius of 606.00 feet, and whose long chord

bears N 45° 48' 25" W for a distance of 131.32 feet to a point of intersection with a tangential line; thence along a tangent line N 52° 01' 37" W a distance of 347.94 feet to Station 37+38.85; thence along a tangent line N 57° 16' 09" W a distance of 356.55 feet to Station 40+95.40; thence along a tangent line N 53° 36' 17" W a distance of 306.20 feet to Station 44+01.61; thence 27.70 feet along said curve turning to the left through an angle of 07° 56' 05", having a radius of 200.00 feet, and whose long chord bears N 57° 34' 19" W for a distance of 27.68 feet to a point of intersection with a tangential line; thence along a tangent line N 61° 32' 22" W a distance of 168.10 feet to Station 45+97.40; thence 34.73 feet along said curve turning to the right through an angle of 09° 56' 57", having a radius of 200.00 feet, and whose long chord bears N 56° 33' 53" W for a distance of 34.69 feet to a point of intersection with a tangential line; thence along a tangent line N 51° 35' 24" W a distance of 142.32 feet to Station 47+74.45; thence 13.72 feet along said curve turning to the left through an angle of 03° 55' 54", having a radius of 200.00 feet, and whose long chord bears N 53° 33' 21" W for a distance of 13.72 feet to a point of intersection with a tangential line; thence along a tangent line N 55° 31' 18" W a distance of 343.59 feet to Station 51+31.77; thence 102.18 feet along said curve turning to the left through an angle of 29° 16' 20", having a radius of 200.00 feet, and whose long chord bears N 70° 09' 28" W for a distance of 101.07 feet to a point of intersection with a tangential line; thence along a tangent line N 84° 47' 39" W a distance of 133.57 feet to Station 53+67.51; thence 152.67 feet along said curve turning to the right through an angle of 43° 44' 11", having a radius of 200.00 feet, and whose long chord bears N 62° 55' 33" W for a distance of 148.99 feet to a point of intersection with a tangential line; thence along a tangent line N 41° 03' 28" W a distance of 73.36 feet to Station 55+93.55; thence 47.52 feet along said curve turning to the left through an angle of 37° 17' 41", having a radius of 73.00 feet, and whose long chord bears N 59° 42' 18" W for a distance of 46.68 feet to a point of intersection with a tangential line; thence along a tangent line N 78° 21' 08" W a distance of 46.19 feet to Station 56+87.25; thence 71.69 feet along said curve turning to the right through an angle of 20° 32' 16", having a radius of 200.00 feet, and whose long chord bears N 68° 05' 00" W for a distance of 71.31 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 48' 52" W a distance of 173.07 feet to Station 59+32.01; thence 16.48 feet along said curve turning to the left through an angle of 04° 43' 21", having a radius of 200.00 feet, and whose long chord bears N 60° 10' 33" W for a distance of 16.48 feet to a point of intersection with a tangential line; thence along a tangent line N 62° 32' 13" W a distance of 172.48 feet to Station 61+20.98; thence 17.67 feet along said curve turning to the right through an angle of 05° 03' 41", having a radius of 200.00 feet, and whose long chord bears N 60° 00' 23" W for a distance of 17.66 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 28' 32" W a distance of 61.59 feet to Station 62+00.24; thence 85.11 feet along said curve turning to the right through an angle of 24° 22' 59", having a radius of 200.00 feet, and whose long chord bears N 45° 17' 03" W for a distance of 84.47 feet to a point of intersection with a tangential line; thence along a tangent line N 33° 05' 33" W a distance of 95.80 feet to Station 63+81.15; thence 37.06 feet along said curve turning to the left through an angle of 10° 37' 03", having a radius of 200.00 feet, and whose long chord bears N 38° 24' 05" W for a distance of 37.01 feet to a point of intersection with a tangential line; thence along a tangent line N 43° 42' 36" W a distance of 72.34 feet to Station

64+90.55; thence 17.58 feet along said curve turning to the left through an angle of 05° 02' 07", having a radius of 200.00 feet, and whose long chord bears N 46° 13' 40" W for a distance of 17.57 feet to a point of intersection with a tangential line; thence along a tangent line N 48° 44' 43" W a distance of 76.75 feet to Station 65+84.87; thence 41.69 feet along said curve turning to the right through an angle of 11° 56' 37", having a radius of 200.00 feet, and whose long chord bears N 42° 46' 25" W for a distance of 41.62 feet to a point of intersection with a tangential line; thence along a tangent line N 36° 48' 07" W a distance of 79.81 feet to Station 67+06.37; thence 27.12 feet along said curve turning to the right through an angle of 07° 46' 10", having a radius of 200.00 feet, and whose long chord bears N 32° 55' 02" W for a distance of 27.10 feet to a point of intersection with a tangential line; thence along a tangent line N 29° 01' 56" W a distance of 170.88 feet to Station 69+04.37; thence 14.50 feet along said curve turning to the right through an angle of 04° 09' 15", having a radius of 200.00 feet, and whose long chord bears N 26° 57' 19" W for a distance of 14.50 feet to a point of intersection with a tangential line; thence along a tangent line N 24° 52' 41" W a distance of 152.63 feet to Station 70+71.50; thence 24.86 feet along said curve turning to the right through an angle of 07° 07' 14", having a radius of 200.00 feet, and whose long chord bears N 21° 19' 04" W for a distance of 24.84 feet to a point of intersection with a tangential line; thence along a tangent line N 17° 45' 27" W a distance of 62.58 feet to Station 71+58.93;

thence 36.47 feet along said curve turning to the right through an angle of 10° 26' 51", having a radius of 200.00 feet, and whose long chord bears N 12° 32' 02" W for a distance of 36.42 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 18' 37" W a distance of 92.67 feet to Station 72+88.07; thence 20.51 feet along said curve turning to the right through an angle of 05° 52' 30", having a radius of 200.00 feet, and whose long chord bears N 04° 22' 21" W for a distance of 20.50 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 26' 06" W a distance of 73.37 feet to Station 73+81.94; thence 380.32 feet along said curve turning to the left through an angle of 05° 16' 48", having a radius of 4127.00 feet, and whose long chord bears N 04° 04' 31" W for a distance of 380.19 feet to a point of intersection with a tangential line; thence along a tangent line N 06° 42' 55" W a distance of 761.09 feet to Station 85+23.35; thence 45.94 feet along said curve turning to the left through an angle of 11° 51' 26", having a radius of 222.00 feet, and whose long chord bears N 12° 38' 37" W for a distance of 45.86 feet to a point of intersection with a tangential line; thence along a tangent line N 18° 34' 20" W a distance of 100.23 feet to Station 86+69.53; thence 85.49 feet along said curve turning to the left through an angle of 72° 01' 58", having a radius of 68.00 feet, and whose long chord bears N 54° 35' 19" W for a distance of 79.97 feet to a point of intersection with a tangential line; thence along a tangent line S 89° 23' 41" W a distance of 1103.31 feet to Station 98+58.33; thence 17.36 feet along said curve turning to the right through an angle of 04° 58' 19", having a radius of 200.00 feet, and whose long chord bears N 88° 07' 09" W for a distance of 17.35 feet to a point of intersection with a tangential line; thence along a tangent line N 85° 37' 59" W a distance of 184.77 feet to Station 100+60.46; thence along a tangent line N 07° 09' 19" W a distance of 123.73 feet to Station 101+84.18; thence 26.83 feet along said curve turning to the right through an angle of 07° 41' 09", having a radius of 200.00 feet, and whose long chord bears N 03° 18' 44" W for a distance of 26.81 feet to a point of

intersection with a tangential line; thence along a tangent line N 00° 31' 50" E a distance of 582.32 feet to Station 107+93.33; thence 27.13 feet along said curve turning to the left through an angle of 07° 46' 20", having a radius of 200.00 feet, and whose long chord bears N 03° 21' 20" W for a distance of 27.11 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 14' 30" W a distance of 70.77 feet to Station 108+91.23; thence 21.18 feet along said curve turning to the right through an angle of 06° 04' 08", having a radius of 200.00 feet, and whose long chord bears N 04° 12' 26" W for a distance of 21.17 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 10' 22" W a distance of 235.96 feet to Station 111+48.38; thence 21.61 feet along said curve turning to the right through an angle of 06° 11' 22", having a radius of 200.00 feet, and whose long chord bears N 01° 55' 19" E for a distance of 21.59 feet to a point of intersection with a tangential line; thence along a tangent line N 05° 01' 00" E a distance of 144.46 feet to Station 113+14.44; thence 15.47 feet along said curve turning to the left through an angle of 04° 25' 54", having a radius of 200.00 feet, and whose long chord bears N 02° 48' 03" E for a distance of 15.47 feet to a point of intersection with a tangential line; thence along a tangent line N 00° 35' 06" E a distance of 111.33 feet to Station 114+41.24; thence 40.92 feet along said curve turning to the left through an angle of 11° 43' 24", having a radius of 200.00 feet, and whose long chord bears N 05° 16' 36" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 11° 08' 18" W a distance of 155.75 feet to Station 116+37.91; thence along a tangent line N 00° 17' 57" W a distance of 5138.49 feet to Station 167+76.40; thence 255.51 feet along said curve turning to the left through an angle of 90° 55' 44", having a radius of 161.00 feet, and whose long chord bears N 45° 45' 48" W for a distance of 229.53 feet to a point of intersection with a tangential line; thence along a tangent line S 88° 46' 20" W a distance of 719.34 feet to Station 177+51.25; thence 84.95 feet along said curve turning to the right through an angle of 40° 33' 35", having a radius of 120.00 feet, and whose long chord bears N 70° 56' 53" W for a distance of 83.19 feet to a point of intersection with a tangential line; thence along a tangent line N 50° 40' 05" W a distance of 109.51 feet to Station 179+45.71; thence 41.67 feet along said curve turning to the right through an angle of 11° 56' 18", having a radius of 200.00 feet, and whose long chord bears N 44° 41' 56" W for a distance of 41.60 feet to a point of intersection with a tangential line; thence along a tangent line N 38° 43' 47" W a distance of 288.65 feet to Station 182+76.03; thence along a tangent line N 36° 08' 25" W a distance of 347.75 feet to Station 186+23.78; thence 58.92 feet along said curve turning to the right through an angle of 16° 52' 49", having a radius of 200.00 feet, and whose long chord bears N 27° 42' 01" W for a distance of 58.71 feet to a point of intersection with a tangential line; thence along a tangent line N 19° 15' 37" W a distance of 105.92 feet to Station 187+88.61;
thence 30.20 feet along said curve turning to the right through an angle of 08° 39' 06", having a radius of 200.00 feet, and whose long chord bears N 14° 56' 03" W for a distance of 30.17 feet to a point of intersection with a tangential line; thence along a tangent line N 10° 36' 30" W a distance of 88.51 feet to Station 189+07.33; thence 41.01 feet along said curve turning to the right through an angle of 17° 48' 04", having a radius of 132.00 feet, and whose long chord bears N 01° 42' 28" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 11' 34" E a distance of 165.57 feet to Station 191+13.91;

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

thence 20.82 feet along said curve turning to the right through an angle of 05° 57' 52", having a radius of 200.00 feet, and whose long chord bears N 10° 10' 30" E for a distance of 20.81 feet to a point of intersection with a tangential line; thence along a tangent line N 13° 09' 26" E a distance of 74.88 feet to Station 192+09.61; thence 29.76 feet along said curve turning to the right through an angle of 29° 24' 03", having a radius of 58.00 feet, and whose long chord bears N 27° 51' 28" E for a distance of 29.44 feet to a point of intersection with a tangential line; thence, N 42° 33' 29" E for a distance of 21.74 feet to Station 192+61.11 being the end Station of the portion of Packsaddle Roadway Alignment to be vacated.

BENCHMARK LAND SURVEYING

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Roadway Alignment Legal Description
Roadway Vacation of a section of the Hoopes Roadway

A 50-foot prescriptive easement along a county road right-of-way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Hoopes Roadway Alignment that is to be vacated that is N 0° 28’ 00” W 101.26 feet along the section line and N 89° 41' 42" W 358.10 feet from the East Quarter Corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 83° 10' 02" W a distance of 364.09 feet to Station 3+64.09 being a point of curve; thence 60.40 feet along said curve turning to the left through an angle of 04° 56' 36", having a radius of 700.00 feet, and whose long chord bears S 80° 41' 44" W for a distance of 60.38 feet to a point of intersection with a tangential line; thence along a tangent line S 78° 13' 25" W a distance of 1749.89 feet to Station 21+74.38 being a point of curve; thence 321.82 feet along said curve turning to the left through an angle of 23° 02' 56", having a radius of 800.00 feet, and whose long chord bears S 66° 41' 57" W for a distance of 319.66 feet to a point of intersection with a tangential line; thence along a tangent line S 55° 10' 29" W a distance of 492.56 feet to Station 29+88.76 being a point of curve; thence 144.04 feet along said curve turning to the left through an angle of 01° 39' 02", having a radius of 5000.00 feet, and whose long chord bears S 54° 20' 58" W for a distance of 144.04 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 31' 27" W a distance of 716.46 feet to Station 38+49.26; thence, S 54° 46' 27" W for a distance of 261.69 feet to Station 41+10.95 being the end Station along the centerline of the portion of Hoopes Roadway Alignment to be vacated.

drewmep@gmail.com 3860 Deer Stream, Idaho Falls, Idaho 83401 208.313.2458

Roadway Alignment Legal Description
Roadway Vacation of a section of the Milk Creek Roadway

A 50-foot prescriptive easement along a county road right-of-way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is S 0° 32’ 04” W 1267.61 feet along the section line and S 89° 27’ 56” E 1139.94 feet from the West Quarter corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

TETON COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ● DECEMBER 30, 2020

Special Meeting | **1st Floor Meeting Room** | **9:00 AM**

150 Courthouse Dr, Driggs, ID 83422

1. CALL TO ORDER

Approve Agenda

2. AGENDA ACTION ITEMS

1. ACTION ITEM: Packsaddle Road Vacation & Dedication

3. SPECIAL TOPIC

A. ACTION ITEM: Eastern Idaho Regional Solid Waste District Letter of Support

4. EXECUTIVE SESSION ITEMS

1. Executive Session per IC 74-206(b) Personnel

5. ADJOURNMENT

Adjourn

TETON COUNTY

BOARD OF COUNTY COMMISSIONERS

MINUTES ● DECEMBER 30, 2020

Special Meeting | **1st Floor Meeting Room** | **9:00 AM**

150 Courthouse Dr, Driggs, ID 83422

1. CALL TO ORDER

Commissioners Present:
Cindy Riegel
Bob Heneage
Commissioner Harley Wilcox -- **Absent**

Other Elected Officials and Department Heads Present:
Kim Keeley, Clerk
Darryl Johnson, Public Works Director
Amber Pence, Asst to Commisioners

This meeting was held via video conferencing.

MOTION: *Approve Agenda*

RESULT:	ADOPTED [Unanimous]
MOVER:	Bob Heneage **SECONDER:** Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage
ABSENT:	Harley Wilcox

2. AGENDA ACTION ITEMS

1. ACTION ITEM: Packsaddle Road Vacation & Dedication

Public Works Director Darryl Johnson presented the numerous attachments to the agenda item. Mr. Johnson recommended accepting the road dedication to remove the liability for the applicant, and then move forward with the reclamation.

Commissioner Riegel highlighted the changes made to the Escrow Agreement. An additional whereas was added to address the warranty period for reclamation, revegetation and weed control that includes Kay's Hill, to be one year starting from the acceptance of the dedication. The second change was to update paragraph 2 to reflect a completion deadline for the applicant to finish the revegetation by June 30th 2021 or the County can use the $50,000 bond to complete the work.

The bond money will be deposited in the escrow account, held by Blake Hall's firm, once all signatures have been collected.

No questions regarding the Grant Deed document.

MOTION: *Approve the Grant Deed as presented for dedication of the new Packsaddle Road Corridor, with the amended date in paragraph 2.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage **SECONDER:** Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage
ABSENT:	Harley Wilcox

2. MOTION: *See motion below.*

Motion: *Approve the Escrow Agreement as presented securing a $50,000 cash bond as required in the original*
Packsaddle Road Agreement to Vacate and Relocate Road, as presented in item 1H with the following changes.
The addition of a sixth whereas that states WHEREAS, the warranty period for the reclamation, revegetation and weed control
under the 2017 Agreement is defined as one year after the abandonment of the existing County road and the acceptance and adoption of the new County road.
And modification of Paragraph 2 (pg 2) The Escrow Deposit shall be held in escrow for a period of one (1) year following the abandonment of the existing County road and the acceptance and adoption of the new County road dated December 30, 2021, as defined within the 2017 Agreement which is hereby incorporated by reference. All revegetation and reclamation work will be completed before June 30, 2021. If Landowners fail to finalize the revegetation and reclamation by June 30, 2021, the County shall make other arrangements for completion of said work and be entitled to be reimbursed from the Escrow Deposit. Upon expiration of the aforementioned one (1) year term, the Escrow Agent shall release the Escrow Deposit to the Landowners, less any issued disbursements to Teton County as outlined in Section 3.

Commissioner Heneage amended the motion correcting the date in paragraph 2 as December 30th, 2020. Commissioner Riegel accepted the amendment.

RESULT:	ADOPTED [Unanimous]
MOVER:	Cindy Riegel **SECONDER:** Bob Heneage
AYES:	Cindy Riegel, Bob Heneage
ABSENT:	Harley Wilcox

3. SPECIAL TOPIC

A. ACTION ITEM: Eastern Idaho Regional Solid Waste District Letter of Support

The East Idaho Regional Solid Waste District is requesting a letter of support from Teton County for the potential land swap of the so called "Parkinson lands" for a more suitable parcel held by the Idaho Dept. of Lands. Mr. Johnson has included the site maps and initial proposal for the land exchange.

MOTION: *Approve the Eastern Idaho Regional Solid Waste District Letter of Support to the Idaho Department of Lands requesting permission to proceed with their due diligence on property involved in a potential land exchange.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage **SECONDER:** Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage
ABSENT:	Harley Wilcox

4. EXECUTIVE SESSION ITEMS

1. Executive Session per IC 74-206(b) Personnel

Roll call vote:
Commissioner Riegel - aye
Commissioner Heneage - aye

Out of executive session at 10:55 AM.
No action was taken.

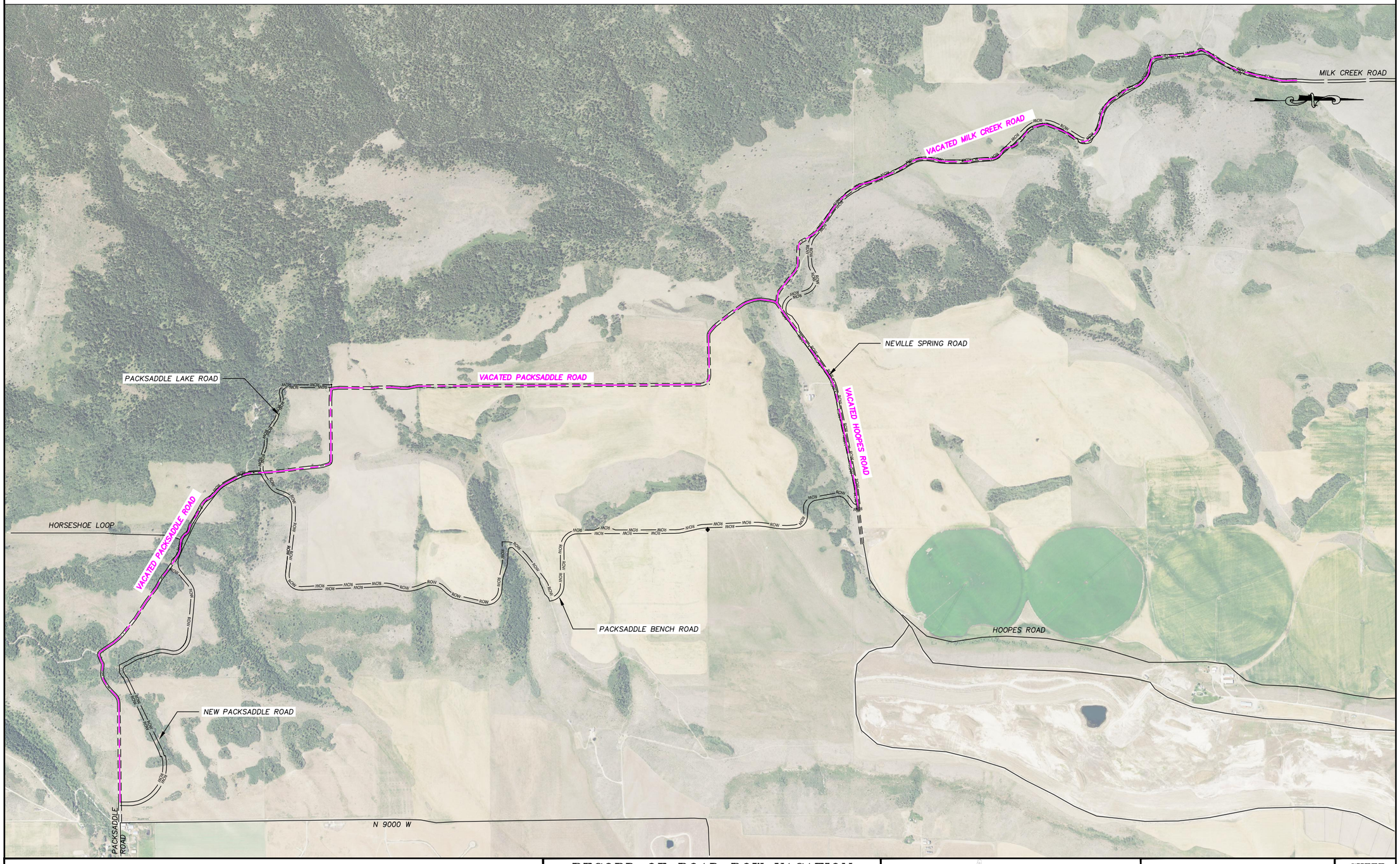
RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel **SECONDER:** Bob Heneage
AYES:	Cindy Riegel, Bob Heneage
ABSENT:	Harley Wilcox

5. ADJOURNMENT

MOTION: *Adjourn at 10:56 AM*

BY: _____ ATTEST: _____
Cindy Riegel Clerk or Deputy Clerk

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

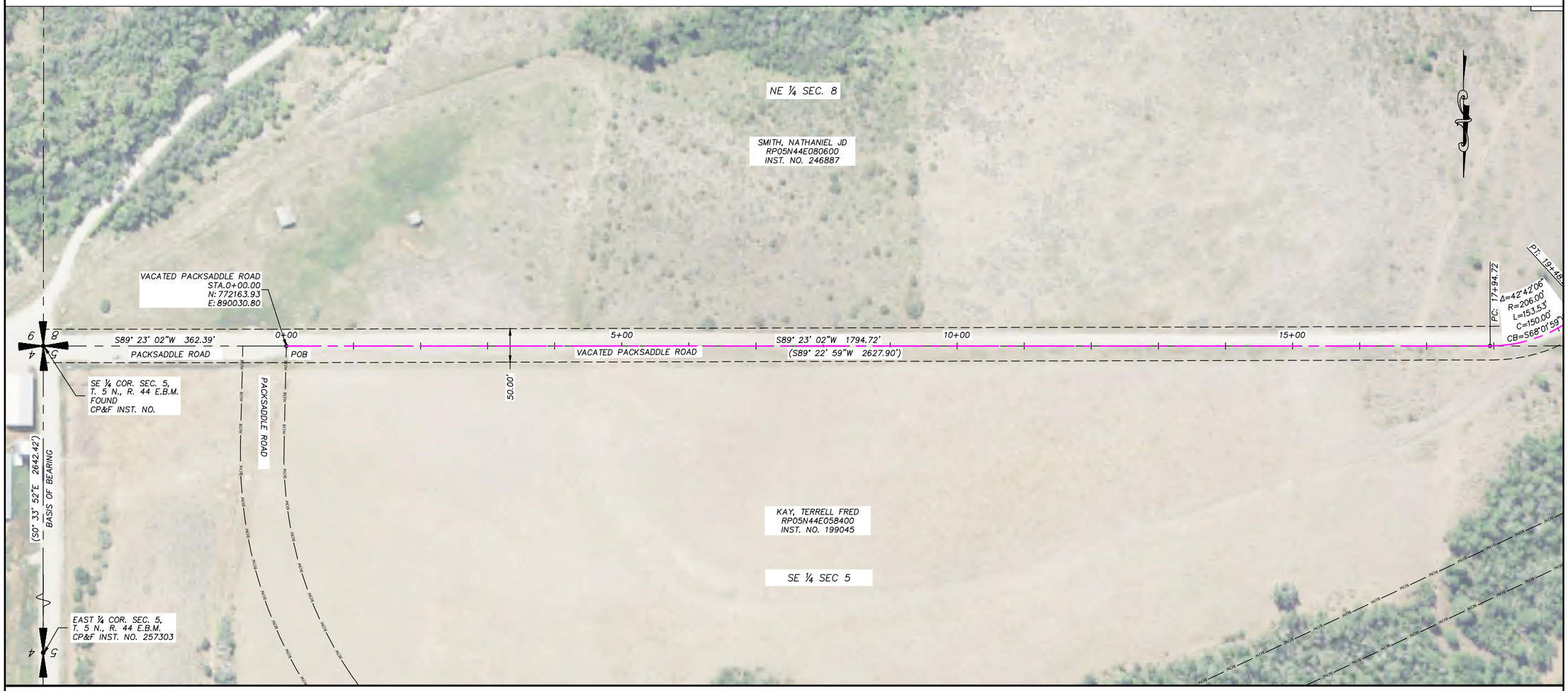
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 OF 1

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Packsaddle Roadway Alignment that is to be vacated and that is S 89° 23' 02" W with a distance of 362.39 feet along the section line from the Southeast corner of Section 5, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 89° 23' 02" W a distance of 1794.72 feet to Station 17+94.72 being a point of curve; thence 153.53 feet along said curve turning to the left through an angle of 42° 42' 06", having a radius of 206.00 feet, and whose long chord bears S 68° 01' 59" W for a distance of 150.00 feet to a point of intersection with a tangential line; thence along a tangent line S 46° 40' 56" W a distance of 180.26 feet to Station 21+28.51; thence 33.21 feet along said curve turning to the right through an angle of 09° 30' 49", having a radius of 200.00 feet, and whose long chord bears S 51° 26' 20" W for a distance of 33.17 feet to a point of intersection with a tangential line; thence along a tangent line S 56° 11' 45" W a distance of 98.66 feet to Station 22+60.38; thence 134.28 feet along said curve turning to the right through an angle of 26° 20' 57", having a radius of 292.00 feet, and whose long chord bears S 69° 22' 13" W for a distance of 133.10 feet to a point of intersection with a tangential line; thence along a tangent line S 82° 32' 42" W a distance of 27.41 feet to Station 24+22.08; thence 48.64 feet along said curve turning to the right through an angle of 13° 56' 02", having a radius of 200.00 feet, and whose long chord bears S 89° 30' 42" W for a distance of 48.52 feet to a point of intersection with a tangential line; thence along a tangent line N 83° 31' 17" W a distance of 115.33 feet to Station 25+86.05; thence 44.05 feet along said curve turning to the left through an angle of 42° 46' 29", having a radius of 59.00 feet, and whose long chord bears S 75° 05' 29" W for a distance of 43.03 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 42' 14" W a distance of 3.63 feet to Station 26+33.73; thence 56.77 feet along said curve turning to the right through an angle of 16° 15' 43", having a radius of 200.00 feet, and whose long chord bears S 61° 50' 06" W for a distance of 56.57 feet to a point of intersection with a tangential line; thence along a tangent line S 69° 57' 57" W a distance of 83.85 feet to Station 27+74.34; thence 74.88 feet along said curve turning to the right through an angle of 73° 58' 06", having a radius of 58.00 feet, and whose long chord bears N 73° 03' 00" W for a distance of 69.78 feet to a point of intersection with a tangential line; thence along a tangent line N 36° 03' 57" W a distance of 116.15 feet to Station 29+65.36; thence along a tangent line N 33° 26' 13" W a distance of 167.69 feet to Station 31+33.05; thence 21.47 feet along said curve turning to the left through an angle of 06° 09' 00", having a radius of 200.00 feet, and whose long chord bears N 36° 30' 43" W for a distance of 21.46 feet to a point of intersection with a tangential line; thence along a tangent line N 39° 35' 13" W a distance of 104.82 feet to Station 32+59.34; thence 131.57 feet along said curve turning to the left through an angle of 12° 26' 24", having a radius of 606.00 feet, and whose long chord bears N 45° 48' 25" W for a distance of 131.32 feet to a point of intersection with a tangential line; thence along a tangent line N 52° 01' 37" W a distance of 347.94 feet to Station 37+38.85; thence along a tangent line N 57° 16' 09" W a distance of 356.55 feet to Station 40+95.40; thence along a tangent line N 53° 36' 17" W a distance of 306.20 feet to Station 44+01.61; thence 27.70 feet along said curve turning to the left through an angle of 07° 56' 05", having a radius of 200.00 feet, and whose long chord bears N 57° 34' 19" W for a distance of 27.68 feet to a point of intersection with a tangential line; thence along a tangent line N 61° 32' 22" W a distance of 168.10 feet to Station 45+97.40; thence 34.73 feet along said curve turning to the right through an angle of 09° 56' 57", having a radius of 200.00 feet, and whose long chord bears N 56° 33' 53" W for a distance of 34.69 feet to a point of intersection with a tangential line; thence along a tangent line N 51° 35' 24" W a distance of 142.32 feet to Station 47+74.45; thence 13.72 feet along said curve turning to the left through an angle of 03° 55' 54", having a radius of 200.00 feet, and whose long chord bears N 53° 33' 21" W for a distance of 13.72 feet to a point of intersection with a tangential line; thence along a tangent line N 55° 31' 18" W a distance of 343.59 feet to Station 51+31.77; thence 102.18 feet along said curve turning to the left through an angle of 29° 16' 20", having a radius of 200.00 feet, and whose long chord bears N 70° 09' 28" W for a distance of 101.07 feet to a point of intersection with a tangential line;

...CONTINUED ON SHEET 2

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

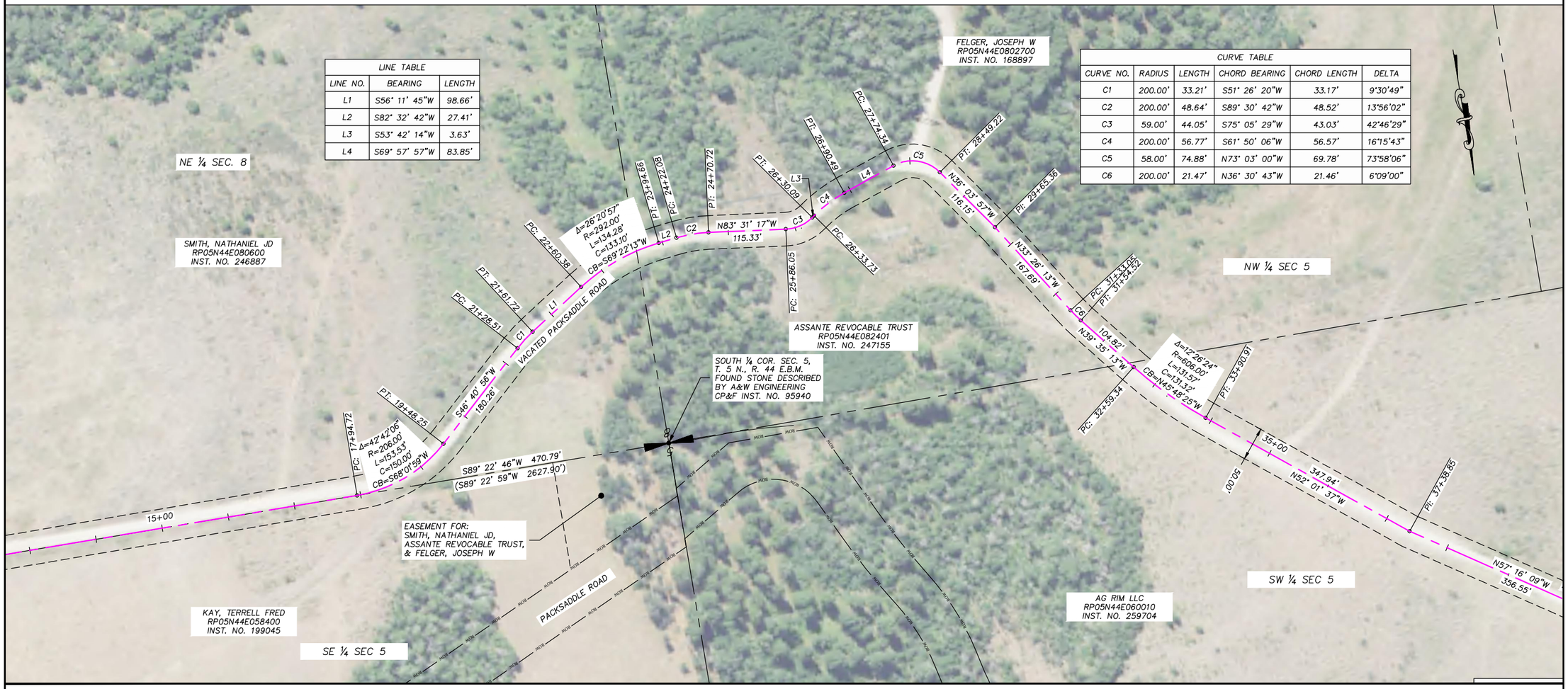
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
1
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 1...

thence along a tangent line N 84° 47' 39" W a distance of 133.57 feet to Station 53+67.51; thence 152.67 feet along said curve turning to the right through an angle of 43° 44' 11", having a radius of 200.00 feet, and whose long chord bears N 62° 55' 33" W for a distance of 148.99 feet to a point of intersection with a tangential line; thence along a tangent line N 41° 03' 28" W a distance of 73.36 feet to Station 55+93.55; thence 47.52 feet along said curve turning to the left through an angle of 37° 17' 41", having a radius of 73.00 feet, and whose long chord bears N 59° 42' 18" W for a distance of 46.68 feet to a point of intersection with a tangential line; thence along a tangent line N 78° 21' 08" W a distance of 46.19 feet to Station 56+87.25; thence 71.69 feet along said curve turning to the right through an angle of 20° 32' 16", having a radius of 200.00 feet, and whose long chord bears N 68° 05' 00" W for a distance of 71.31 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 48' 52" W a distance of 173.07 feet to Station 59+32.01; thence 16.48 feet along said curve turning to the left through an angle of 04° 43' 21", having a radius of 200.00 feet, and whose long chord bears N 60° 10' 33" W for a distance of 16.48 feet to a point of intersection with a tangential line; thence along a tangent line N 62° 32' 13" W a distance of 172.48 feet to Station 61+20.98; thence 17.67 feet along said curve turning to the right through an angle of 05° 03' 41", having a radius of 200.00 feet, and whose long chord bears N 60° 00' 23" W for a distance of 17.66 feet to a point of intersection with a tangential line; thence along a tangent line N 57° 28' 32" W a distance of 61.59 feet to Station 62+00.24; thence 85.11 feet along said curve turning to the right through an angle of 24° 22' 59", having a radius of 200.00 feet, and whose long chord bears N 45° 17' 03" W for a distance of 84.47 feet to a point of intersection with a tangential line; thence along a tangent line N 33° 05' 33" W a distance of 95.80 feet to Station 63+81.15; thence 37.06 feet along said curve turning to the left through an angle of 10° 37' 03", having a radius of 200.00 feet, and whose long chord bears N 38° 24' 05" W for a distance of 37.01 feet to a point of intersection with a tangential line; thence along a tangent line N 43° 42' 36" W a distance of 72.34 feet to Station 64+90.55; thence 17.58 feet along said curve turning to the left through an angle of 05° 02' 07", having a radius of 200.00 feet, and whose long chord bears N 46° 13' 40" W for a distance of 17.57 feet to a point of intersection with a tangential line; thence along a tangent line N 48° 44' 43" W a distance of 76.75 feet to Station 65+84.87; thence 41.69 feet along said curve turning to the right through an angle of 11° 56' 37", having a radius of 200.00 feet, and whose long chord bears N 42° 46' 25" W for a distance of 41.62 feet to a point of intersection with a tangential line;

thence along a tangent line N 36° 48' 07" W a distance of 79.81 feet to Station 67+06.37; thence 27.12 feet along said curve turning to the right through an angle of 07° 46' 10", having a radius of 200.00 feet, and whose long chord bears N 32° 55' 02" W for a distance of 27.10 feet to a point of intersection with a tangential line; thence along a tangent line N 29° 01' 56" W a distance of 170.88 feet to Station 69+04.37; thence 14.50 feet along said curve turning to the right through an angle of 04° 09' 15", having a radius of 200.00 feet, and whose long chord bears N 26° 57' 19" W for a distance of 14.50 feet to a point of intersection with a tangential line; thence along a tangent line N 24° 52' 41" W a distance of 152.63 feet to Station 70+71.50; thence 24.86 feet along said curve turning to the right through an angle of 07° 07' 14", having a radius of 200.00 feet, and whose long chord bears N 21° 19' 04" W for a distance of 24.84 feet to a point of intersection with a tangential line; thence along a tangent line N 17° 45' 27" W a distance of 62.58 feet to Station 71+58.93; thence 36.47 feet along said curve turning to the right through an angle of 10° 26' 51", having a radius of 200.00 feet, and whose long chord bears N 12° 32' 02" W for a distance of 36.42 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 18' 37" W a distance of 92.67 feet to Station 72+88.07; thence 20.51 feet along said curve turning to the right through an angle of 05° 52' 30", having a radius of 200.00 feet, and whose long chord bears N 04° 22' 21" W for a distance of 20.50 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 26' 06" W a distance of 73.37 feet to Station 73+81.94; thence 380.32 feet along said curve turning to the left through an angle of 05° 16' 48", having a radius of 4127.00 feet, and whose long chord bears N 04° 04' 31" W for a distance of 380.19 feet to a point of intersection with a tangential line;

...CONTINUED ON SHEET 3

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR
REGISTERED
7380
STATE OF IDAHO
TERRY R. MEPPEN

Date

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

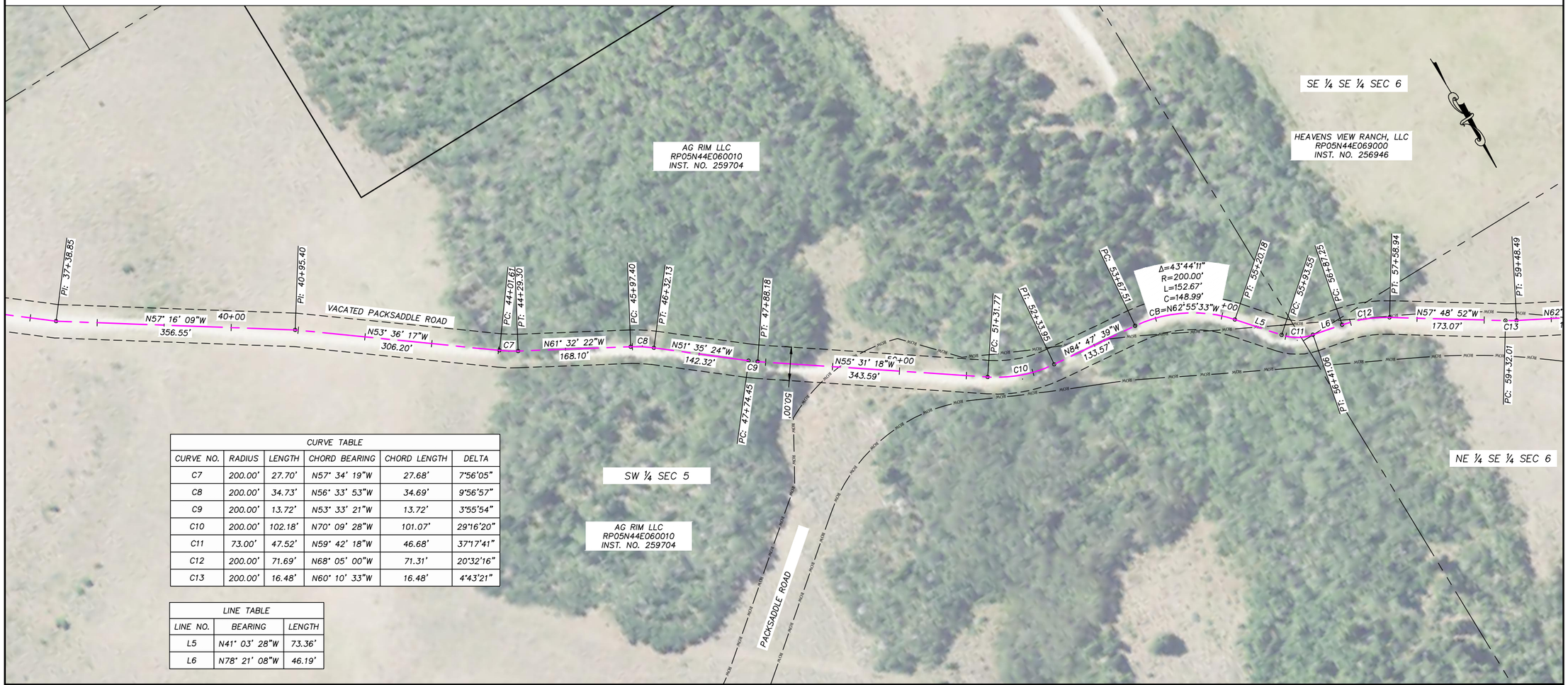
DATE:	4/21/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
2

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C7	200.00'	27.70'	N57° 34' 19"W	27.68'	7°56'05"
C8	200.00'	34.73'	N56° 33' 53"W	34.69'	9°56'57"
C9	200.00'	13.72'	N53° 33' 21"W	13.72'	3°55'54"
C10	200.00'	102.18'	N70° 09' 28"W	101.07'	29°16'20"
C11	73.00'	47.52'	N59° 42' 18"W	46.68'	37°17'41"
C12	200.00'	71.69'	N68° 05' 00"W	71.31'	20°32'16"
C13	200.00'	16.48'	N60° 10' 33"W	16.48'	4°43'21"

LINE TABLE		
LINE NO.	BEARING	LENGTH
L5	N41° 03' 28"W	73.36'
L6	N78° 21' 08"W	46.19'

Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 2...

thence along a tangent line N 06° 42' 55" W a distance of 761.09 feet to Station 85+23.35; thence 45.94 feet along said curve turning to the left through an angle of 11° 51' 26", having a radius of 222.00 feet, and whose long chord bears N 12° 38' 37" W for a distance of 45.86 feet to a point of intersection with a tangential line; thence along a tangent line N 18° 34' 20" W a distance of 100.23 feet to Station 86+69.53; thence 85.49 feet along said curve turning to the left through an angle of 72° 01' 58", having a radius of 68.00 feet, and whose long chord bears N 54° 35' 19" W for a distance of 79.97 feet to a point of intersection with a tangential line; thence along a tangent line S 89° 23' 41" W a distance of 1103.31 feet to Station 98+58.33; thence 17.36 feet along said curve turning to the right through an angle of 04° 58' 19", having a radius of 200.00 feet, and whose long chord bears N 88° 07' 09" W for a distance of 17.35 feet to a point of intersection with a tangential line; thence along a tangent line N 85° 37' 59" W a distance of 184.77 feet to Station 100+60.46; thence along a tangent line N 07° 09' 19" W a distance of 123.73 feet to Station 101+84.18; thence 26.83 feet along said curve turning to the right through an angle of 07° 41' 09", having a radius of 200.00 feet, and whose long chord bears N 03° 18' 44" W for a distance of 26.81 feet to a point of intersection with a tangential line; thence along a tangent line N 00° 31' 50" E a distance of 582.32 feet to Station 107+93.33; thence 27.13 feet along said curve turning to the left through an angle of 07° 46' 20", having a radius of 200.00 feet, and whose long chord bears N 03° 21' 20" W for a distance of 27.11 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 14' 30" W a distance of 70.77 feet to Station 108+91.23; thence 21.18 feet along said curve turning to the right through an angle of 06° 04' 08", having a radius of 200.00 feet, and whose long chord bears N 04° 12' 26" W for a distance of 21.17 feet to a point of intersection with a tangential line; thence along a tangent line N 01° 10' 22" W a distance of 235.96 feet to Station 111+48.38; thence 21.61 feet along said curve turning to the right through an angle of 06° 11' 22", having a radius of 200.00 feet, and whose long chord bears N 01° 55' 19" E for a distance of 21.59 feet to a point of intersection with a tangential line; thence along a tangent line N 05° 01' 00" E a distance of 144.46 feet to Station 113+14.44; thence 15.47 feet along said curve turning to the left through an angle of 04° 25' 54", having a radius of 200.00 feet, and whose long chord bears N 02° 48' 03" E for a distance of 15.47 feet to a point of intersection with a tangential line; thence along a tangent line N 00° 35' 06" E a distance of 111.33 feet to Station 114+41.24; thence 40.92 feet along said curve turning to the left through an angle of 11° 43' 24", having a radius of 200.00 feet, and whose long chord bears N 05° 16' 36" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 11° 08' 18" W a distance of 155.75 feet to Station 116+37.91; thence along a tangent line N 00° 17' 57" W a distance of 5138.49 feet to Station 167+76.40; thence 255.51 feet along said curve turning to the left through an angle of 90° 55' 44", having a radius of 161.00 feet, and whose long chord bears N 45° 45' 48" W for a distance of 229.53 feet to a point of intersection with a tangential line; thence along a tangent line S 88° 46' 20" W a distance of 719.34 feet to Station 177+51.25; thence 84.95 feet along said curve turning to the right through an angle of 40° 33' 35", having a radius of 120.00 feet, and whose long chord bears N 70° 56' 53" W for a distance of 83.19 feet to a point of intersection with a tangential line; thence along a tangent line N 50° 40' 05" W a distance of 109.51 feet to Station 179+45.71; thence 41.67 feet along said curve turning to the right through an angle of 11° 56' 18", having a radius of 200.00 feet, and whose long chord bears N 44° 41' 56" W for a distance of 41.60 feet to a point of intersection with a tangential line; thence along a tangent line N 38° 43' 47" W a distance of 288.65 feet to Station 182+76.03; thence along a tangent line N 36° 08' 25" W a distance of 347.75 feet to Station 186+23.78; thence 58.92 feet along said curve turning to the right through an angle of 16° 52' 49", having a radius of 200.00 feet, and whose long chord bears N 27° 42' 01" W for a distance of 58.71 feet to a point of intersection with a tangential line; thence along a tangent line N 19° 15' 37" W a distance of 105.92 feet to Station 187+88.61;

...CONTINUED ON SHEET 4

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR
REGISTERED
7380
STATE OF IDAHO
TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

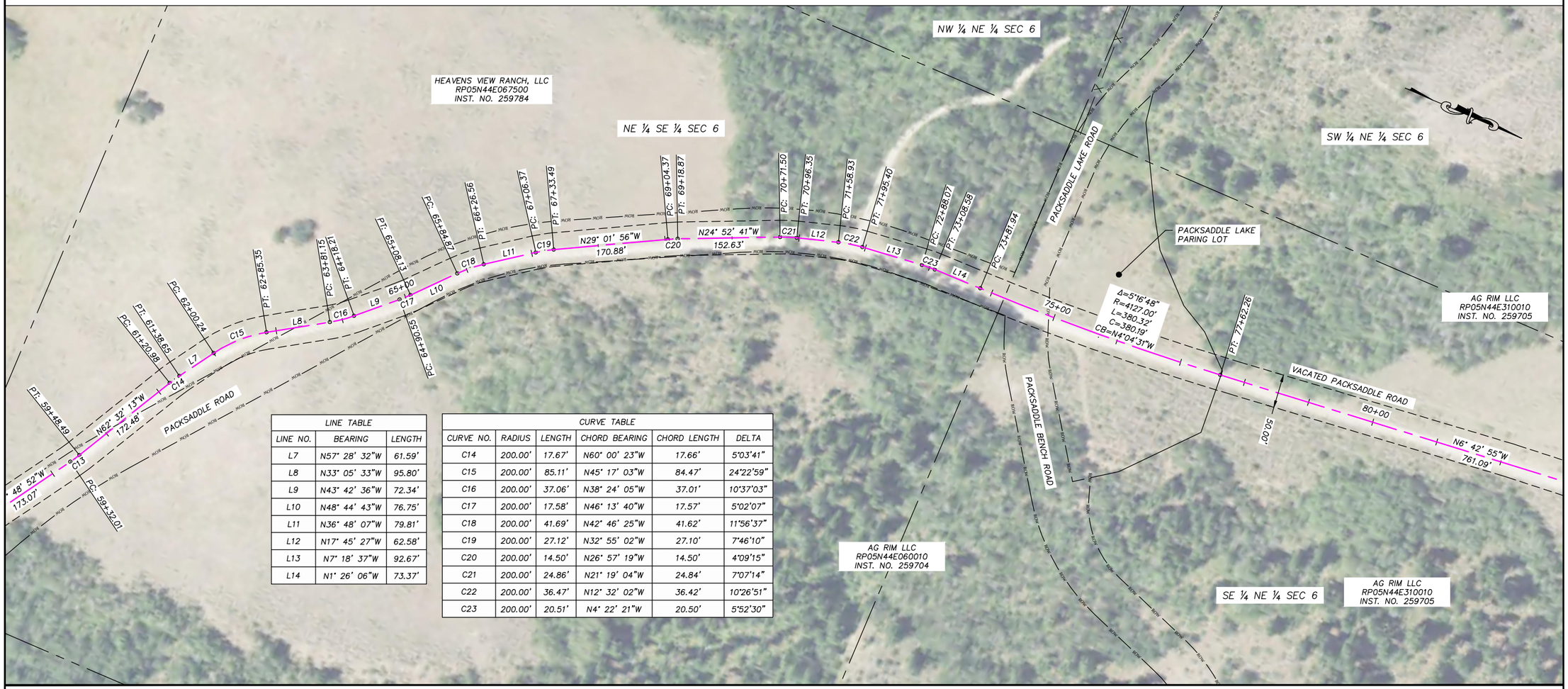
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 3 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



LINE TABLE		
LINE NO.	BEARING	LENGTH
L7	N57° 28' 32"W	61.59'
L8	N33° 05' 33"W	95.80'
L9	N43° 42' 36"W	72.34'
L10	N48° 44' 43"W	76.75'
L11	N36° 48' 07"W	79.81'
L12	N17° 45' 27"W	62.58'
L13	N7° 18' 37"W	92.67'
L14	N1° 26' 06"W	73.37'

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C14	200.00'	17.67'	N60° 00' 23"W	17.66'	5°03'41"
C15	200.00'	85.11'	N45° 17' 03"W	84.47'	24°22'59"
C16	200.00'	37.06'	N38° 24' 05"W	37.01'	10°37'03"
C17	200.00'	17.58'	N46° 13' 40"W	17.57'	5°02'07"
C18	200.00'	41.69'	N42° 46' 25"W	41.62'	11°56'37"
C19	200.00'	27.12'	N32° 55' 02"W	27.10'	7°46'10"
C20	200.00'	14.50'	N26° 57' 19"W	14.50'	4°09'15"
C21	200.00'	24.86'	N21° 19' 04"W	24.84'	7°07'14"
C22	200.00'	36.47'	N12° 32' 02"W	36.42'	10°26'51"
C23	200.00'	20.51'	N4° 22' 21"W	20.50'	5°52'30"

Roadway Alignment Legal Description
Roadway Vacation of a section of the Packsaddle Roadway

CONTINUED FROM SHEET 3...

thence 30.20 feet along said curve turning to the right through an angle of 08° 39' 06", having a radius of 200.00 feet, and whose long chord bears N 14° 56' 03" W for a distance of 30.17 feet to a point of intersection with a tangential line; thence along a tangent line N 10° 36' 30" W a distance of 88.51 feet to Station 189+07.33; thence 41.01 feet along said curve turning to the right through an angle of 17° 48' 04", having a radius of 132.00 feet, and whose long chord bears N 01° 42' 28" W for a distance of 40.85 feet to a point of intersection with a tangential line; thence along a tangent line N 07° 11' 34" E a distance of 165.57 feet to Station 191+13.91; thence 20.82 feet along said curve turning to the right through an angle of 05° 57' 52", having a radius of 200.00 feet, and whose long chord bears N 10° 10' 30" E for a distance of 20.81 feet to a point of intersection with a tangential line; thence along a tangent line N 13° 09' 26" E a distance of 74.88 feet to Station 192+09.61; thence 29.76 feet along said curve turning to the right through an angle of 29° 24' 03", having a radius of 58.00 feet, and whose long chord bears N 27° 51' 28" E for a distance of 29.44 feet to a point of intersection with a tangential line; thence, N 42° 33' 29" E for a distance of 21.74 feet to Station 192+61.11 being the end Station of the portion of Packsaddle Roadway Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR
REGISTERED
7380
STATE OF IDAHO
TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 4 *OF* 15

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO:	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



LINE TABLE		
LINE NO.	BEARING	LENGTH
L15	N18° 34' 20"W	100.23'
L16	N7° 14' 30"W	70.77'

CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C24	222.00'	45.94'	N12° 38' 37"W	45.86'	11°51'26"
C25	68.00'	85.49'	N54° 35' 19"W	79.97'	72°01'58"
C26	200.00'	17.36'	N88° 07' 09"W	17.35'	4°58'19"
C27	200.00'	26.83'	N3° 18' 44"W	26.81'	7°41'09"
C28	200.00'	27.13'	N3° 21' 20"W	27.11'	7°46'20"
C29	200.00'	21.18'	N4° 12' 26"W	21.17'	6°04'08"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

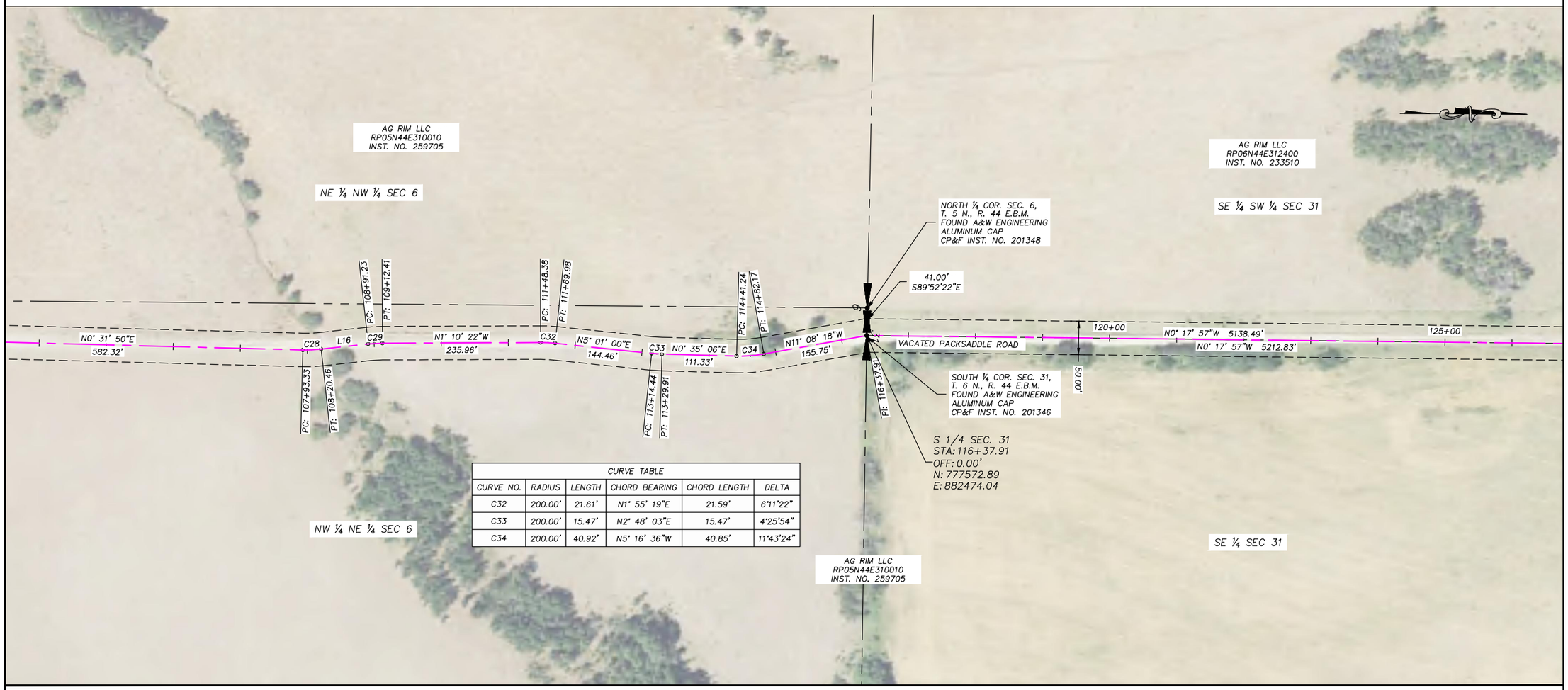
SHEET 5

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

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9.30.20_packsaddle vacate

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CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C32	200.00'	21.61'	N1° 55' 19"E	21.59'	6°11'22"
C33	200.00'	15.47'	N2° 48' 03"E	15.47'	4°25'54"
C34	200.00'	40.92'	N5° 16' 36"W	40.85'	11°43'24"

SURVEYOR'S CERTIFICATE

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PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
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SHEET 6 of 15

9.30.20_packsaddle vacate

PART OF
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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

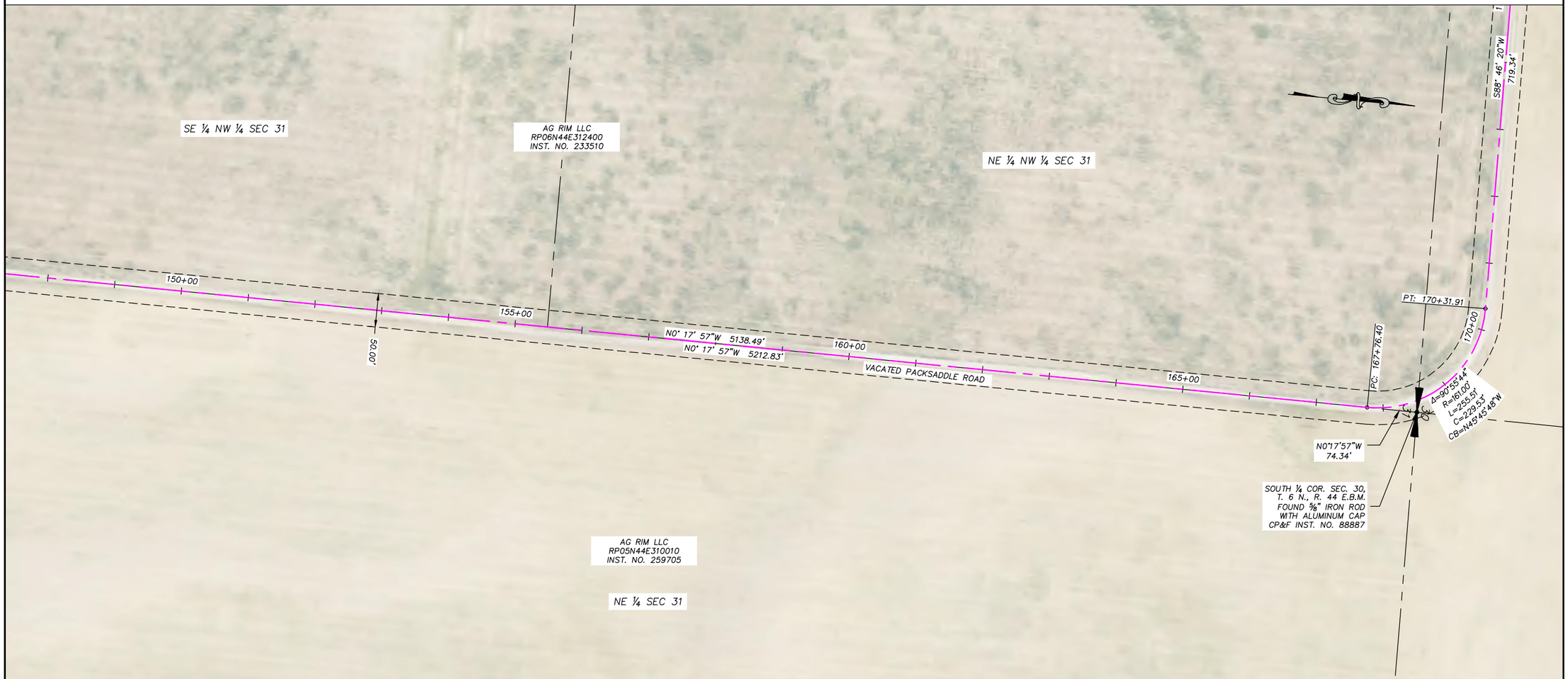
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PROJECT NO.	20003
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SHEET 7 of 15

9.30.20_packsaddle vacate

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PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Terry R. Meppen
License No. 7380

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

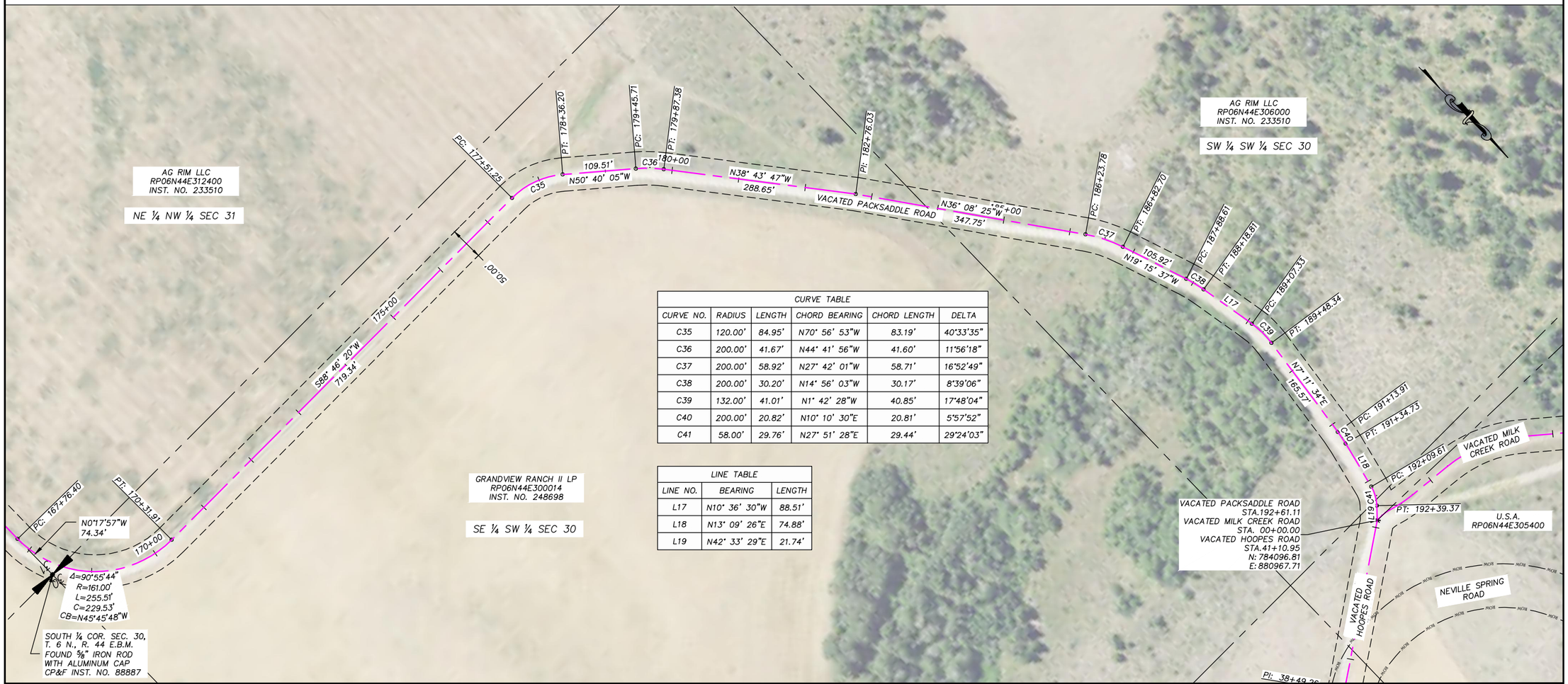
SHEET 8

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C35	120.00'	84.95'	N70° 56' 53"W	83.19'	40°33'35"
C36	200.00'	41.67'	N44° 41' 56"W	41.60'	11°56'18"
C37	200.00'	58.92'	N27° 42' 01"W	58.71'	16°52'49"
C38	200.00'	30.20'	N14° 56' 03"W	30.17'	8°39'06"
C39	132.00'	41.01'	N1° 42' 28"W	40.85'	17°48'04"
C40	200.00'	20.82'	N10° 10' 30"E	20.81'	5°57'52"
C41	58.00'	29.76'	N27° 51' 28"E	29.44'	29°24'03"

LINE TABLE		
LINE NO.	BEARING	LENGTH
L17	N10° 36' 30"W	88.51'
L18	N13° 09' 26"E	74.88'
L19	N42° 33' 29"E	21.74'

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

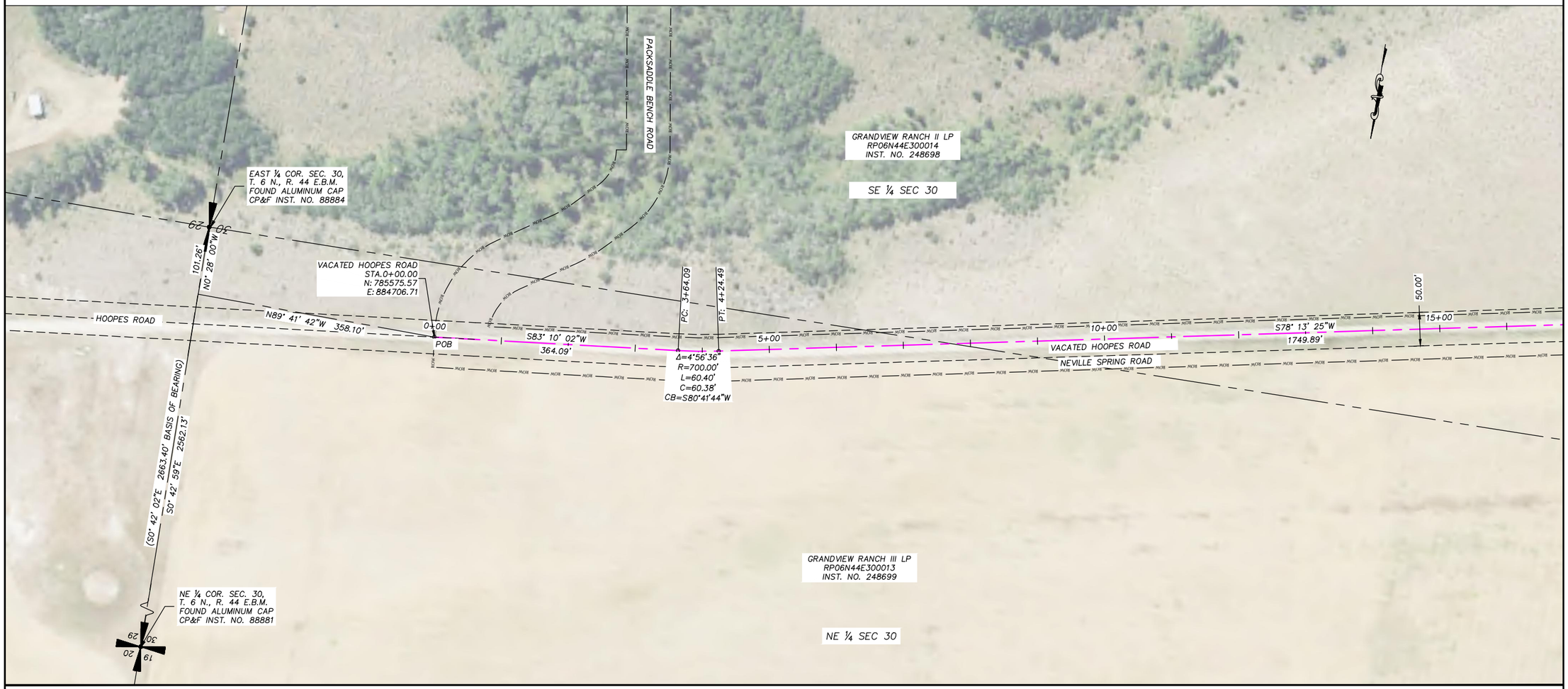
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

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tmeppen@gmail.com

SHEET 9 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Hoopes Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point with a Station of 0+00.00 being the beginning Station of the portion of Hoopes Roadway Alignment that is to be vacated that is N 0° 28' 00" W 101.26 feet along the section line and N 89° 41' 42" W 358.10 feet from the East Quarter Corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along a tangent line S 83° 10' 02" W a distance of 364.09 feet to Station 3+64.09; thence 60.40 feet along said curve turning to the left through an angle of 04° 56' 36", having a radius of 700.00 feet, and whose long chord bears S 80° 41' 44" W for a distance of 60.38 feet to a point of intersection with a tangential line; thence along a tangent line S 78° 13' 25" W a distance of 1749.89 feet to Station 21+74.38; thence 321.82 feet along said curve turning to the left through an angle of 23° 02' 56", having a radius of 800.00 feet, and whose long chord bears S 66° 41' 57" W for a distance of 319.66 feet to a point of intersection with a tangential line; thence along a tangent line S 55° 10' 29" W a distance of 492.56 feet to Station 29+88.76; thence 144.04 feet along said curve turning to the left through an angle of 01° 39' 02", having a radius of 5000.00 feet, and whose long chord bears S 54° 20' 58" W for a distance of 144.04 feet to a point of intersection with a tangential line; thence along a tangent line S 53° 31' 27" W a distance of 716.46 feet to Station 38+49.26; thence, S 54° 46' 27" W for a distance of 261.69 feet to Station 41+10.95 being the end Station along the centerline of the portion of Hoopes Roadway Alignment to be vacated.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

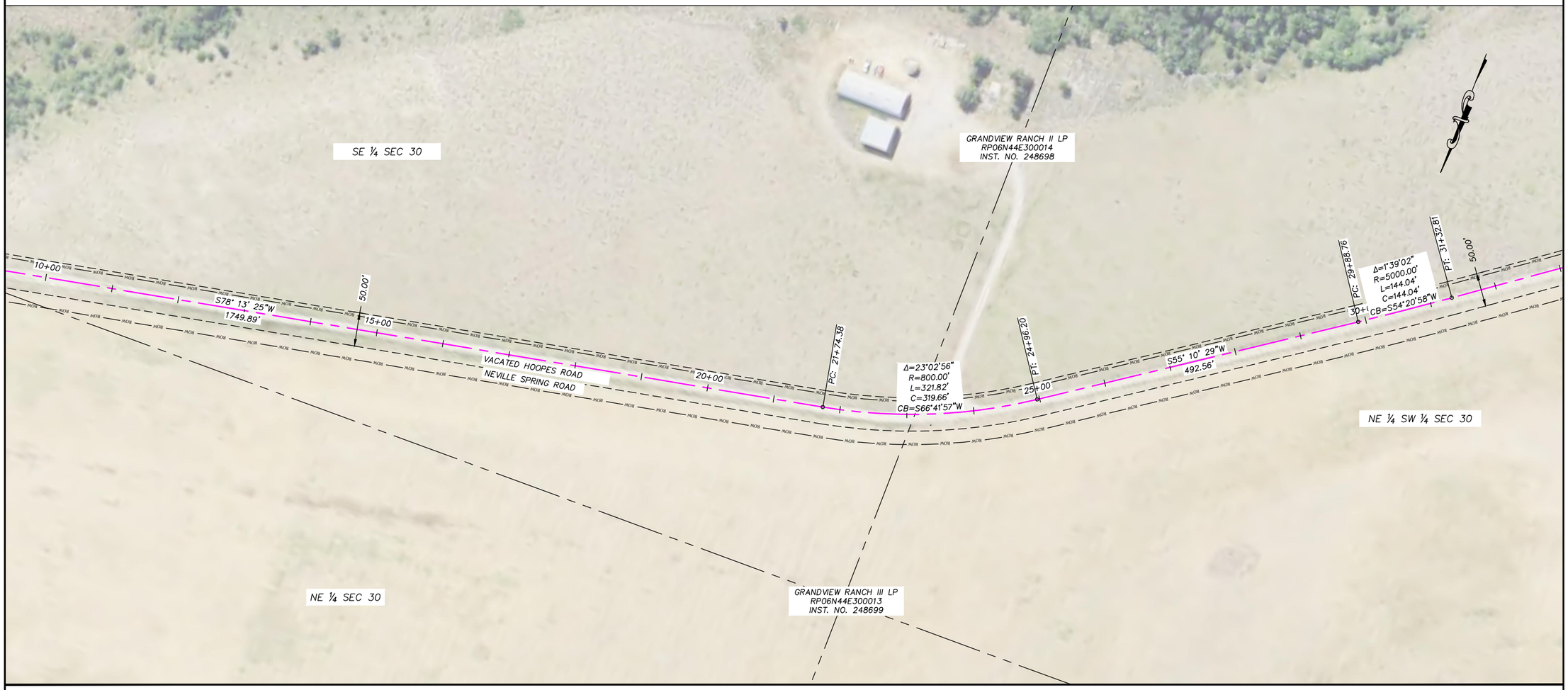
DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 10 of 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

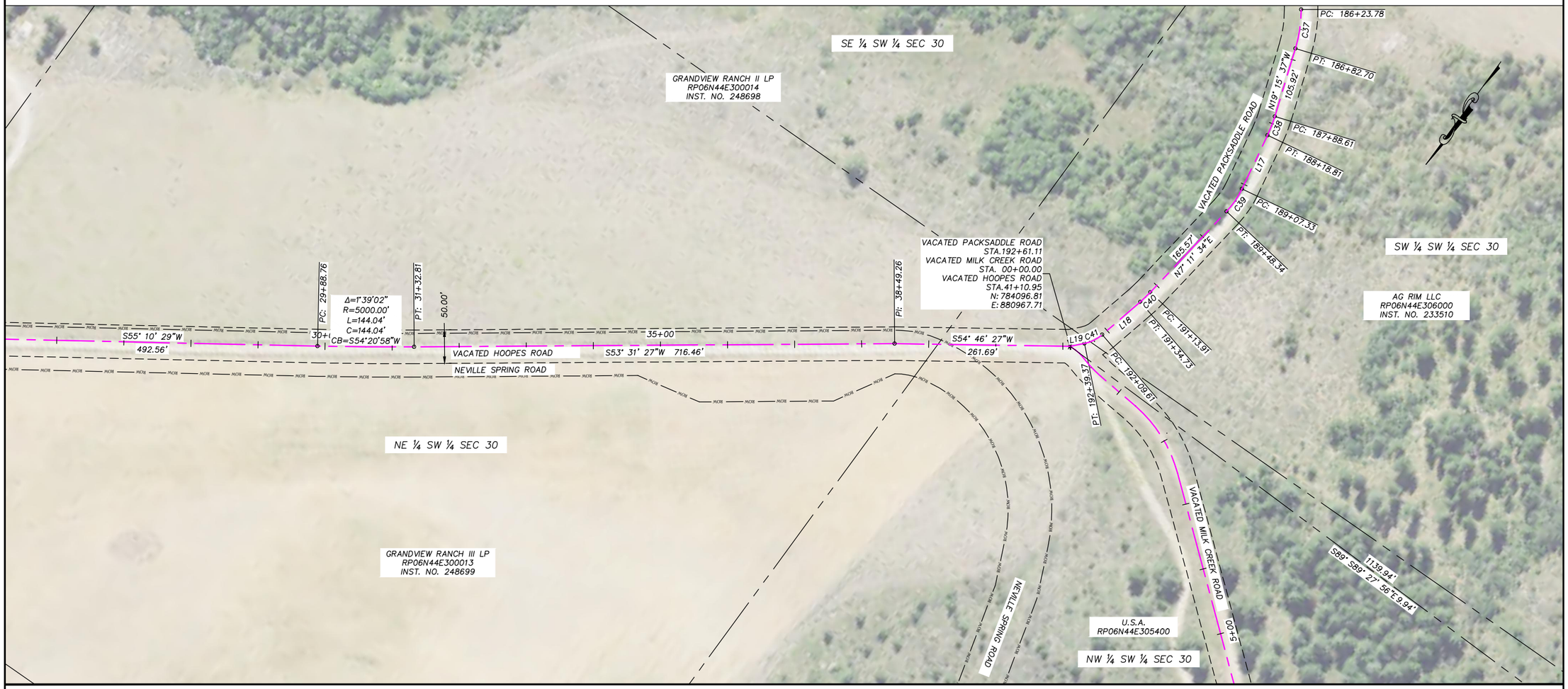
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DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
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SHEET 11

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

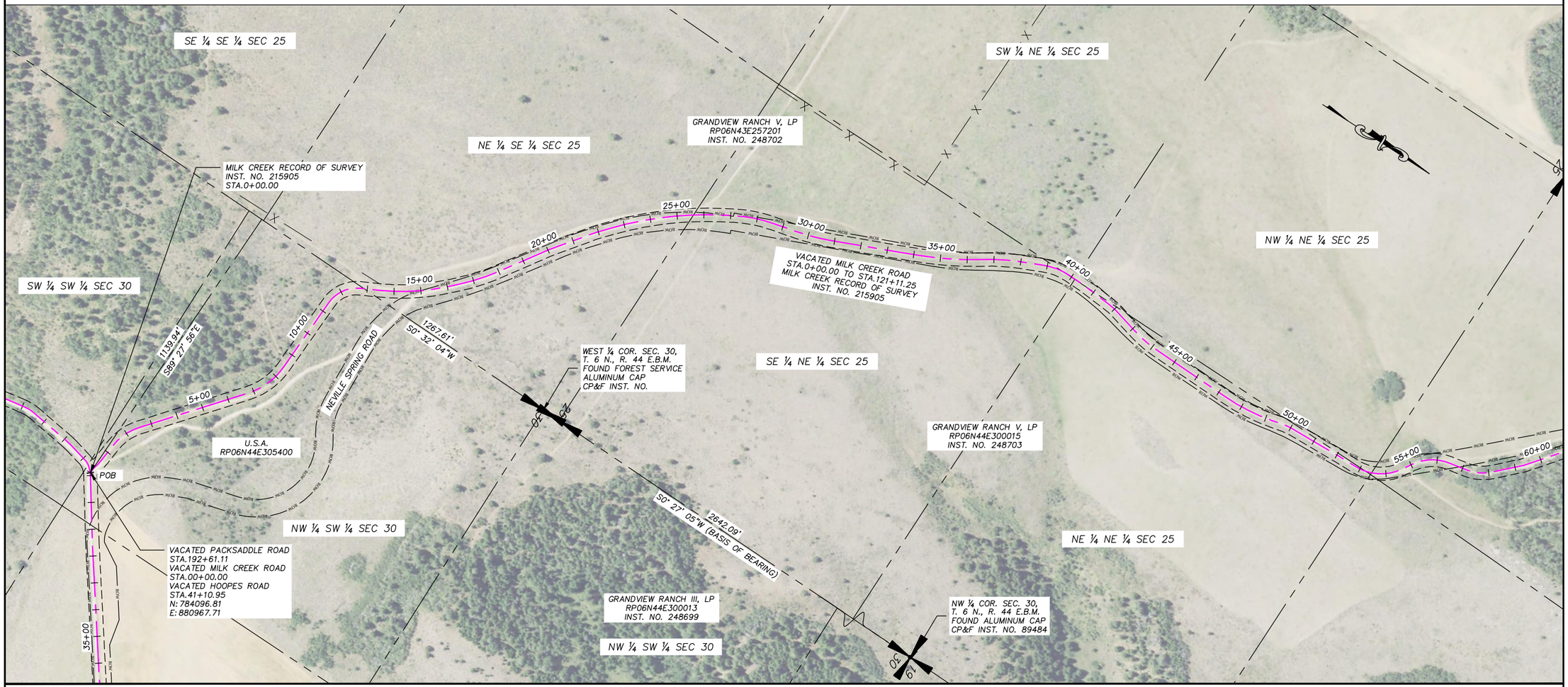
DATE:	8/31/2020
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DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
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tmeppen@gmail.com

SHEET 12 OF 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



Roadway Alignment Legal Description
Roadway Vacation of a section of the Milk Creek Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is S 0° 32' 04" W 1267.61 feet along the section line and S 89° 27' 56" E 1139.94 feet from the West Quarter corner of Section 30, Township 6 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

SURVEYOR'S CERTIFICATE

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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

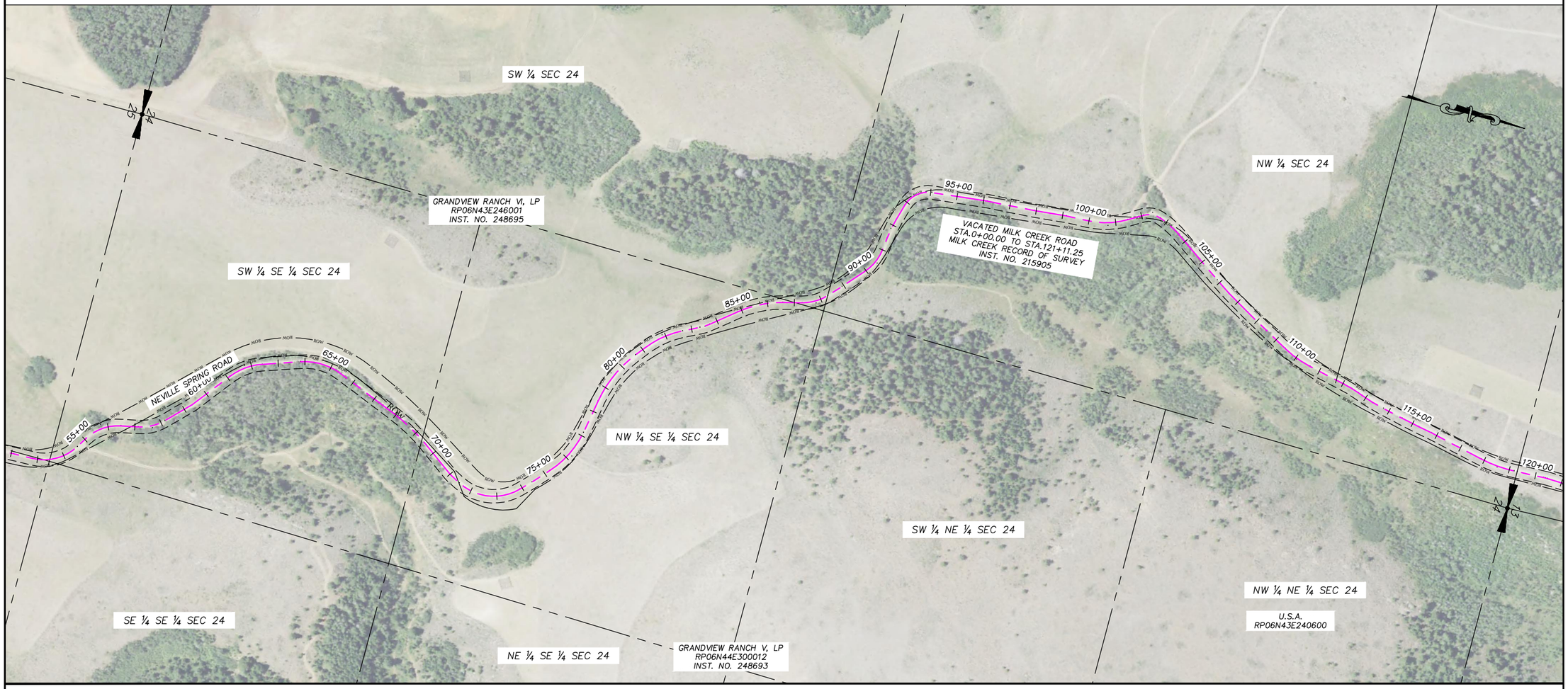
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PROJECT NO.	20003
REVISION:	

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tmeppen@gmail.com

SHEET 13 of 15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO



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Roadway Vacation of a section of the Milk Creek Roadway

A 50–foot prescriptive easement along a county road right–of–way, 25 feet each side of the following described centerline:

Beginning at a point described in the Milk Creek Road Record of Survey recorded in Teton County, Idaho with an Instrument Number 215905 as Station 0+00.00 being the beginning Station of the portion of Milk Creek Roadway Alignment that is to be vacated and is S 0° 32' 04" W along the west section line of Section 30, Township 6 North, Range 44 East of the Boise Meridian with a distance of 1,267.61 feet; thence S 89° 27' 56" E with a distance 1,139.94 feet to the point of beginning; thence along the centerline alignment described in Milk Creek Road Record of Survey to a Station of 121+11.25 being the end Station along the said centerline alignment of the portion of Milk Creek Road Alignment to be vacated.

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Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD,
MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

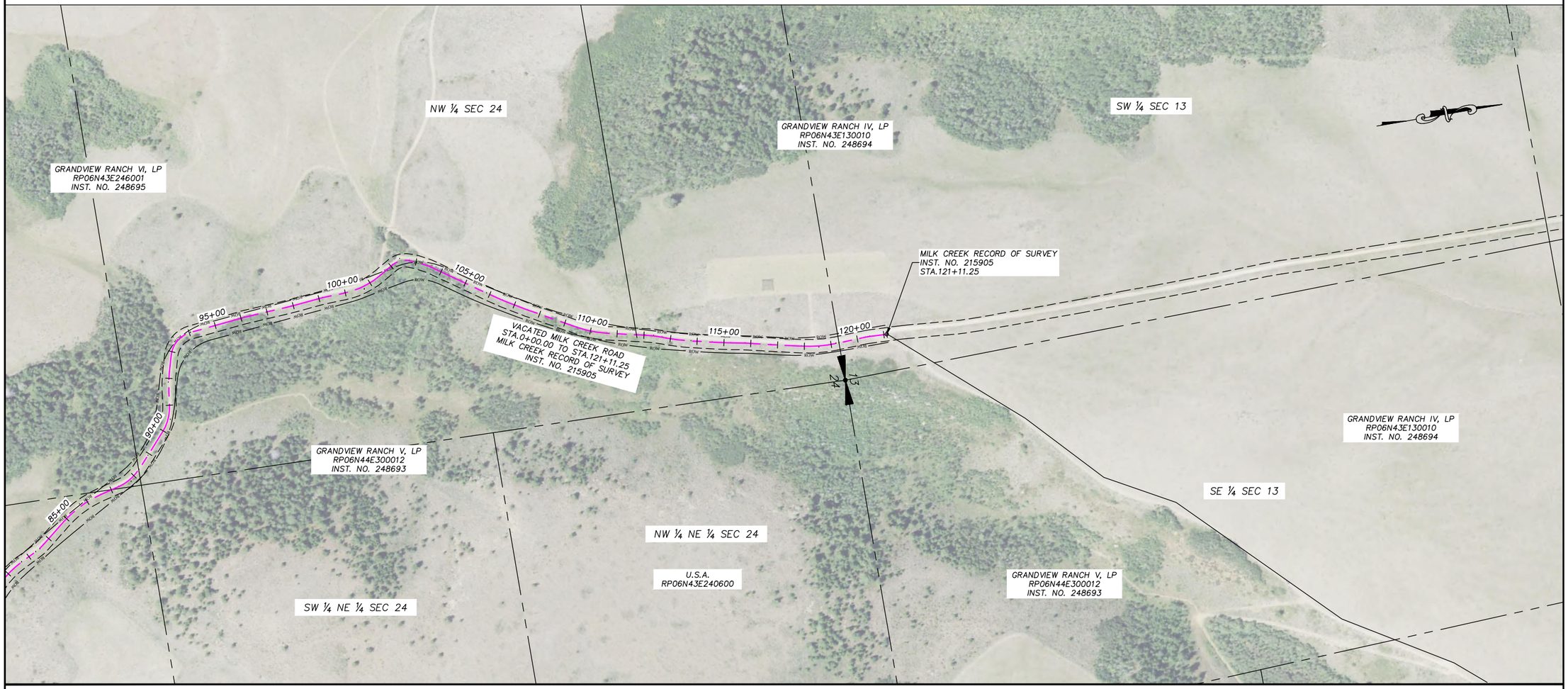
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DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET
14
OF
15

9.30.20_packsaddle vacate

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
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Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

0 100 200 Feet

RECORD OF ROAD ROW VACATION

PARTS OF PACKSADDLE ROAD, MILK CREEK ROAD, & HOOPES ROAD

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 15

9.30.20_packsaddle vacate

Instrument # 266331
TETON COUNTY, IDAHO
2-18-2021 09:03:00 AM No. of Pages: 27
Recorded for : MOULTON LAW OFFICE
KIM KEELEY Fee: 0.00
Ex-Officio Recorder Deputy
Index to: DEED, GRANT

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Sean R. Moulton
Mouton Law Office
P.O. Box 631
Driggs, Idaho 83422

(Space Above For Recorder's Use)

GRANT DEED

For value received, AG RIM, LLC, whose mailing address is P.O. Box 50130, Idaho Falls, Idaho 83405, its successors and/or assigns, GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, GRANDVIEW RANCH V, LP, and GRANDVIEW RANCH VI, LP, each whose mailing addresses are 3565 Las Vegas Boulevard South, Suite 705, Las Vegas Nevada 89109, its successors and/or assigns, (collectively as "Grantor"), grants, bargains, sells and conveys to Teton County Idaho, a political subdivision of the State of Idaho ("Grantee"), and its successors and assigns forever, the following described real property situated in Teton County, State of Idaho:

SEE EXHIBIT A

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described.

Grantor covenants that prior to the execution of the Grant Deed, Grantor has not conveyed this real property to any other person, and at the time of execution, the real property is free from encumbrances done, made, or suffered by the Grantor.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 30 day of December, 2020.

[SIGNATURE PAGES TO FOLLOW]

NOT A LEGAL COPY

AG RIM, LLC

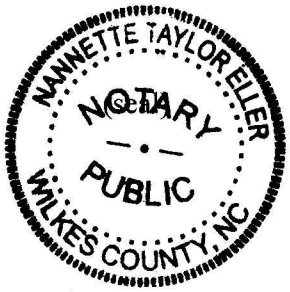
Tammie C Smith

By: Tammie Smith
Title: Manager

ACKNOWLEDGMENT

STATE OF)
)ss.
County of)

This record was acknowledged before me on 22nd day of Jan., 2021 by Tammie C Smith as _____ of AG RIM LLC.



Nannette Taylor Eller

Nannette Taylor Eller

Signature of Notary Public

My commission expires: 5/17/2025

NOT A LEGAL COPY

GRANDVIEW RANCH II, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH III, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANVIEW RANCH IV, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

GRANDVIEW RANCH V, LP

By: Ronald J. Judy
Title: Manager
For RJJ International, LLC, General Partner

STATE OF CALIFORNIA)
)ss.
County of SAN DIEGO)

This record was acknowledged before me on 27th day of January, 2021 by Ronald Joseph Judy as Manager of GRANDVIEW RANCH II, LP, GRANDVIEW RANCH III, LP, GRANDVIEW RANCH IV, LP, and GRANDVIEW RANCH V, LP.

NISH KADAKIA
Notary Public - California
San Diego County
Commission # 2240040
My Comm. Expires Apr 27, 2022

(Seal)

Signature of Notary Public
My commission expires: APRIL 27, 2022

NOT A LEGAL COPY

Grantee, as a political subdivision for the State of Idaho, hereby accepts the road located on the Premises for use as a public right-of-way. Grantees' acceptance shall be evidenced by the acceptance and execution of this Agreement. The centerline of said road as constructed is hereby deemed accepted by the Grantor and Grantee as the true centerline of the premises granted.

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY IDAHO

Cynthia J. Riegel

By: Cynthia J. Riegel
Title: Commissioner Chair

STATE OF)
)ss.
County of)

This record was acknowledged before me on 30th day of December, 2020 by Cynthia J. Riegel as Chair of the BOARD OF COUNTY COMMISSIONERS.

(seal)

Signature of Notary Public
My commission expires: 11/25/2025

NOT A LEGAL COPY

EXHIBIT A

NOT A LEGAL COPY

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

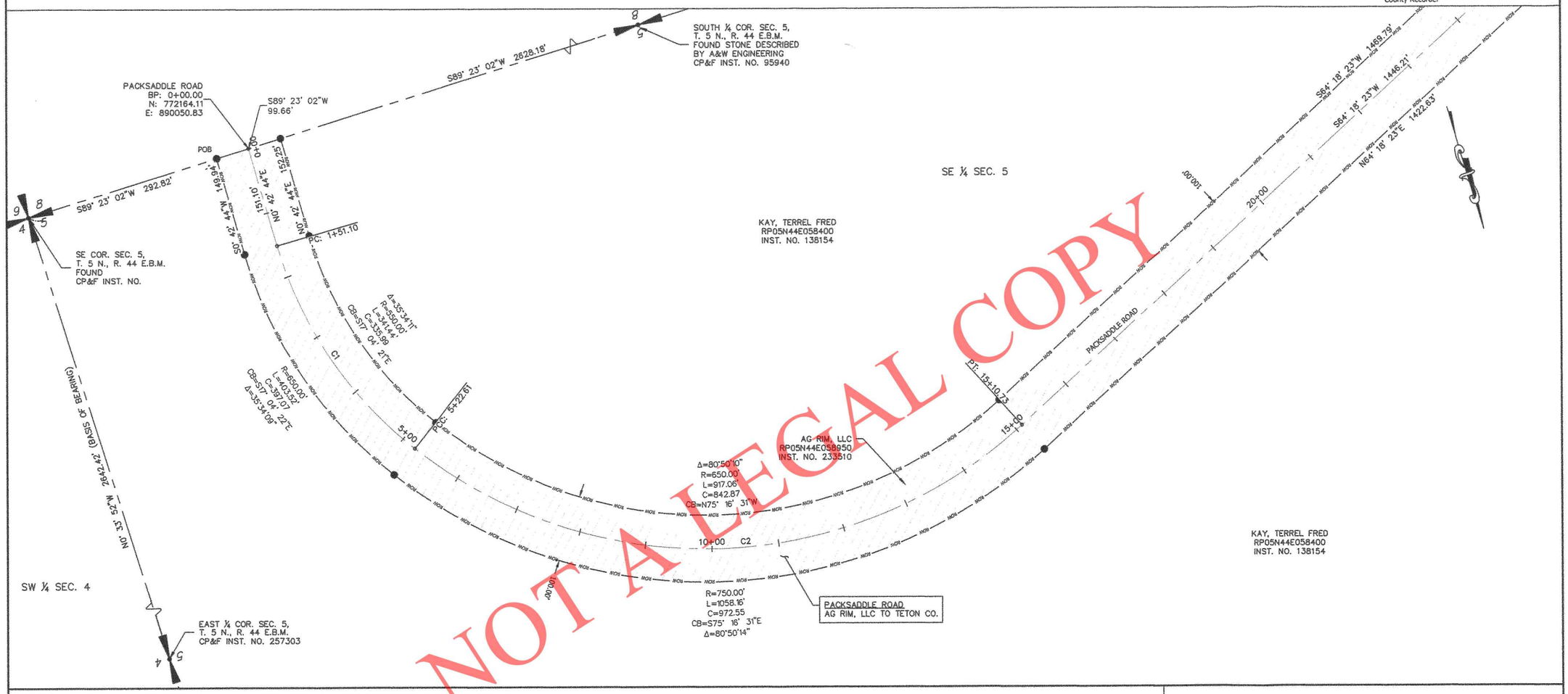
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C1	600.00'	371.51'	N17°05'28"W	365.61'	35°28'36"
C2	700.00'	988.12'	N75°13'19"W	908.10'	80°52'43"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — Date: 2/16/21

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.O.M./T.R.M.
DRAWN:	T.O.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

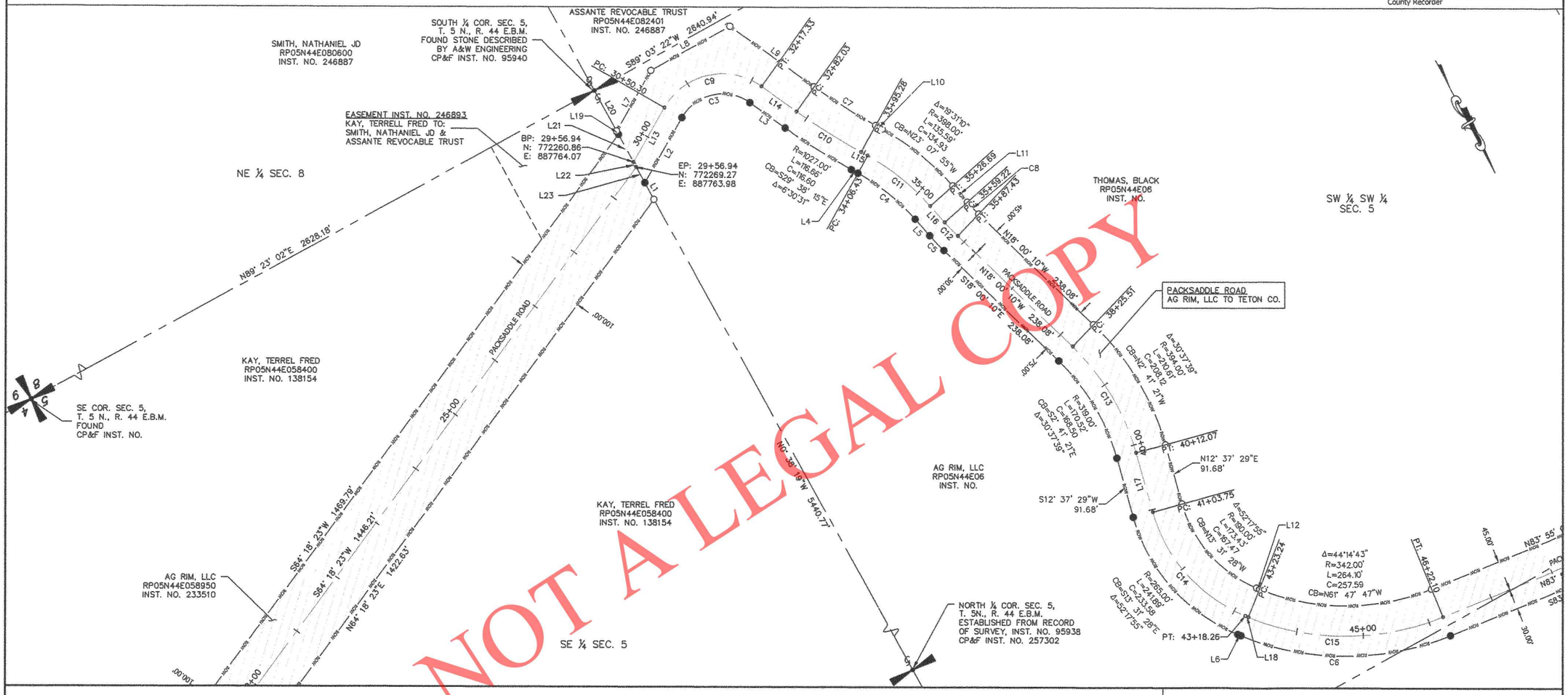
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	28.53'	N0°38'19"W
L2	111.71'	N57°54'59"E
L3	64.70'	S26°22'59"E
L4	11.15'	S32°53'30"E
L5	32.54'	S13°22'20"E
L6	4.99'	S39°40'26"E
L7	103.63'	S57°54'59"W
L8	134.89'	S89°03'22"W
L9	154.79'	N26°22'59"W
L10	11.15'	N32°53'30"W
L11	32.54'	N13°22'20"W
L12	4.99'	N39°40'26"W
L19	5.88'	S0°38'19"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C3	70.00'	116.92'	S74°14'00"E	103.80'	95°42'01"
C4	323.00'	110.04'	S23°07'55"E	109.51'	19°31'10"
C5	379.00'	30.63'	S15°41'15"E	30.62'	4°37'50"
C6	417.00'	322.02'	S61°47'47"E	314.08'	44°14'43"
C7	952.00'	108.14'	N29°38'15"W	108.09'	6°30'31"
C8	304.00'	24.57'	N15°41'15"W	24.56'	4°37'50"

LINE TABLE		
LINE NO.	LENGTH	BEARING
L20	68.59'	N0°38'19"W
L21	46.90'	N0°38'19"W
L22	8.27'	N0°38'19"W
L23	26.90'	N0°38'19"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L13	93.36	S57° 54' 59"W
L14	64.70	N26° 22' 59"W
L15	11.15	N32° 53' 30"W
L16	32.54	N13° 22' 20"W
L17	91.68	S12° 37' 29"W
L18	4.99	N39° 40' 26"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C9	100.00'	167.03'	N74°14'00"W	148.28'	95°42'01"
C10	997.00'	113.26'	N29°38'15"W	113.19'	6°30'31"
C11	353.00'	120.26'	N23°07'55"W	119.68'	19°31'10"
C12	349.00'	28.21'	N15°41'15"W	28.20'	4°37'50"
C13	349.00'	186.56'	N2°41'21"W	184.35'	30°37'39"
C14	235.00'	214.50'	N13°31'28"W	207.13'	52°17'55"
C15	387.00'	298.85'	N61°47'47"W	291.48'	44°14'43"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR — REGISTERED — 7380 — STATE OF IDAHO — TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE: 8/31/2020
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 2 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

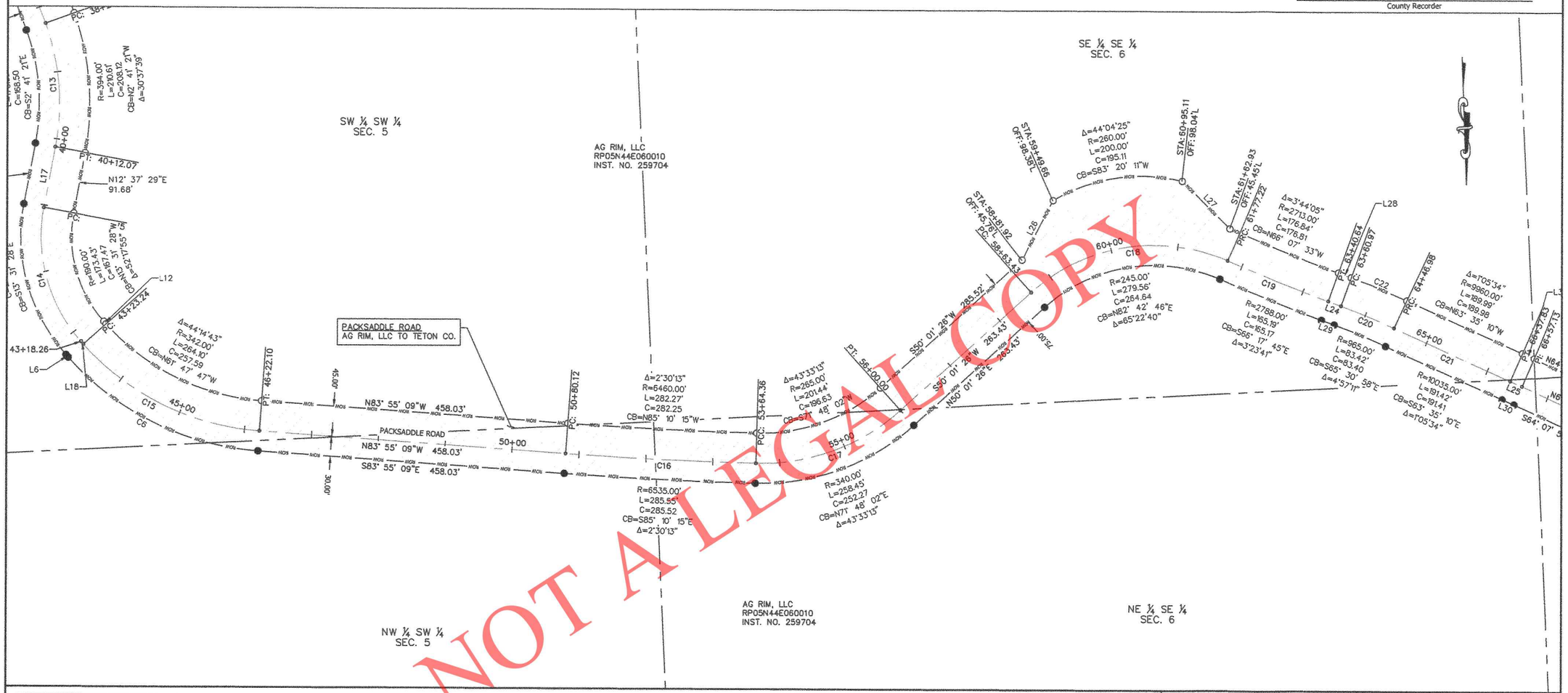
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L26	100.00'	S29°32'53"W
L27	100.00'	N43°04'59"W
L28	20.33'	N67°59'34"W
L29	20.33'	S67°59'34"E
L30	19.31'	S64°07'57"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C22	1040.00'	89.91'	N65°30'58"W	89.88'	4°57'11"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L24	20.33	N67° 59' 34"W
L25	19.31	N64° 07' 57"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C16	6505.00'	284.23'	N85°10'15"W	284.21'	2°30'13"
C17	310.00'	235.65'	S71°48'02"W	230.01'	43°33'13"
C18	275.00'	313.79'	S82°42'46"W	297.04'	65°22'40"
C19	2758.00'	163.41'	N66°17'45"W	163.39'	3°23'41"
C20	995.00'	86.02'	N65°30'58"W	85.99'	4°57'11"
C21	10005.00'	190.84'	N63°35'10"W	190.84'	1°05'34"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — Date 2/16/21

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE: 8/31/2020
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 3 *OF* 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L31	19.31'	N64°07'57"W
L32	155.27'	N3°11'07"W
L33	75.06'	N89°06'13"E
L34	152.27'	S3°11'07"E
L35	9.80'	N3°11'07"W
L36	76.88'	N68°32'24"E
L37	50.04'	N3°11'07"W
L38	21.01'	S68°32'24"W
L39	122.59'	S19°31'37"W
L40	136.45'	N19°31'37"E
L41	21.28'	N71°11'38"E
L42	27.47'	N36°08'21"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C28	150.00'	135.26'	N45°21'37"E	130.73'	51°40'01"
C29	275.05'	65.57'	S61°42'35"W	65.42'	13°39'34"
C30	205.00'	49.33'	N61°38'45"E	49.22'	13°47'18"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L43	44.35	N68° 32' 24"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C23	994.50'	201.45'	N58°19'46"W	201.11'	11°36'23"
C24	494.50'	214.09'	N40°07'23"W	212.43'	24°48'22"
C25	594.50'	254.57'	N15°27'10"W	252.63'	24°32'05"
C26	250.00'	60.16'	N61°38'45"E	60.02'	13°47'18"
C27	300.00'	184.44'	N37°08'21"E	181.55'	35°13'30"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 4 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

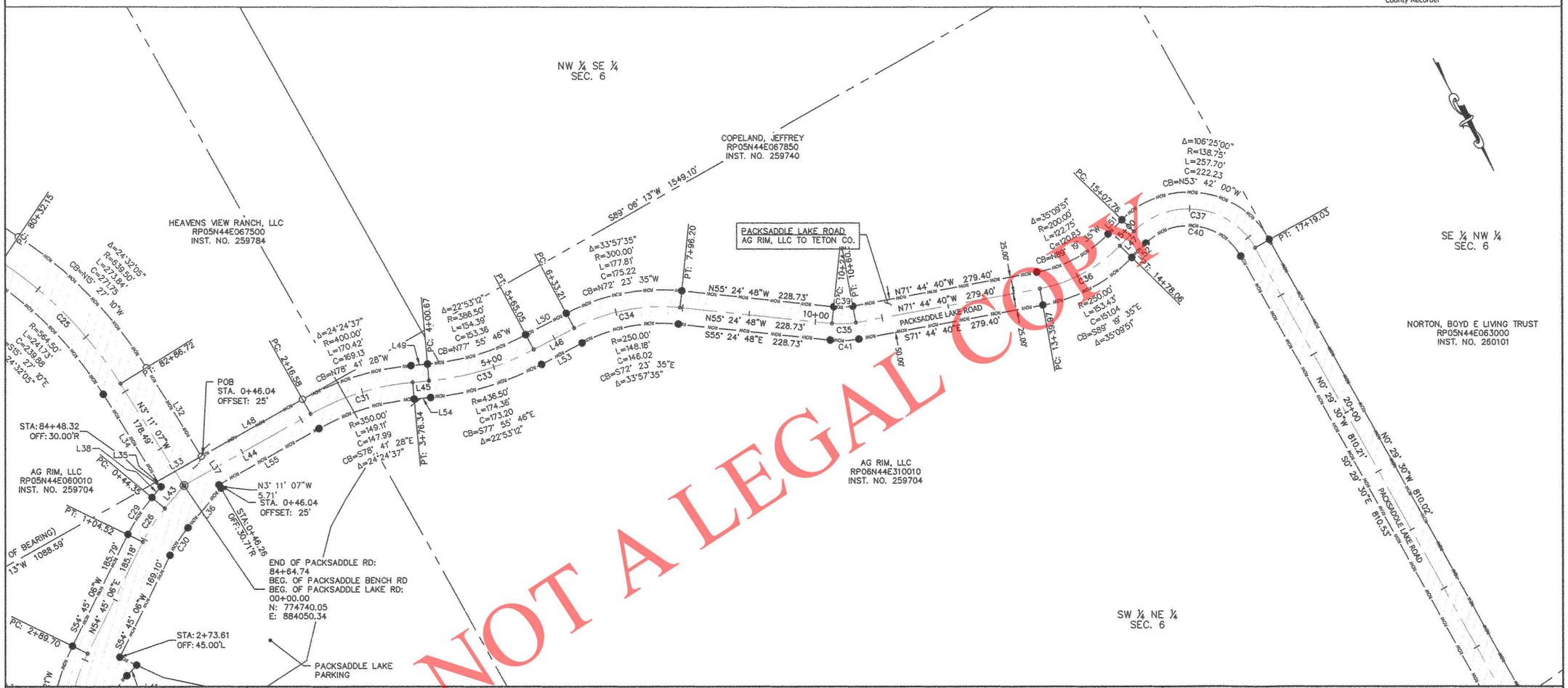
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L48	172.54'	S89°06'13"W
L49	24.33'	N66°29'10"W
L50	68.16'	N89°22'22"W
L51	29.70'	S73°05'30"W
L52	29.70'	N73°05'30"E
L53	68.16'	S89°22'22"E
L54	24.33'	S66°29'10"E
L55	170.54'	N89°06'13"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C39	100.00'	28.50'	N63°34'44"W	28.41'	16°19'52"
C40	88.75'	164.84'	S53°42'00"E	142.15'	106°25'00"
C41	150.00'	42.75'	S63°34'44"E	42.61'	16°19'52"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L44	216.58	S89° 06' 13"W
L45	24.33	N66° 29' 10"W
L46	68.16	N89° 22' 22"W
L47	29.70	S73° 05' 30"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C31	375.00'	159.77'	N78°41'28"W	158.56'	24°24'37"
C33	411.50'	164.37'	N77°55'46"W	163.28'	22°53'12"
C34	275.00'	162.99'	N72°23'35"W	160.62'	33°57'35"
C35	125.00'	35.63'	N63°34'44"W	35.51'	16°19'52"
C36	225.00'	138.09'	N89°19'35"W	135.93'	35°09'51"
C37	113.75'	211.27'	N53°42'00"W	182.19'	106°25'00"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	6/21/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 5 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

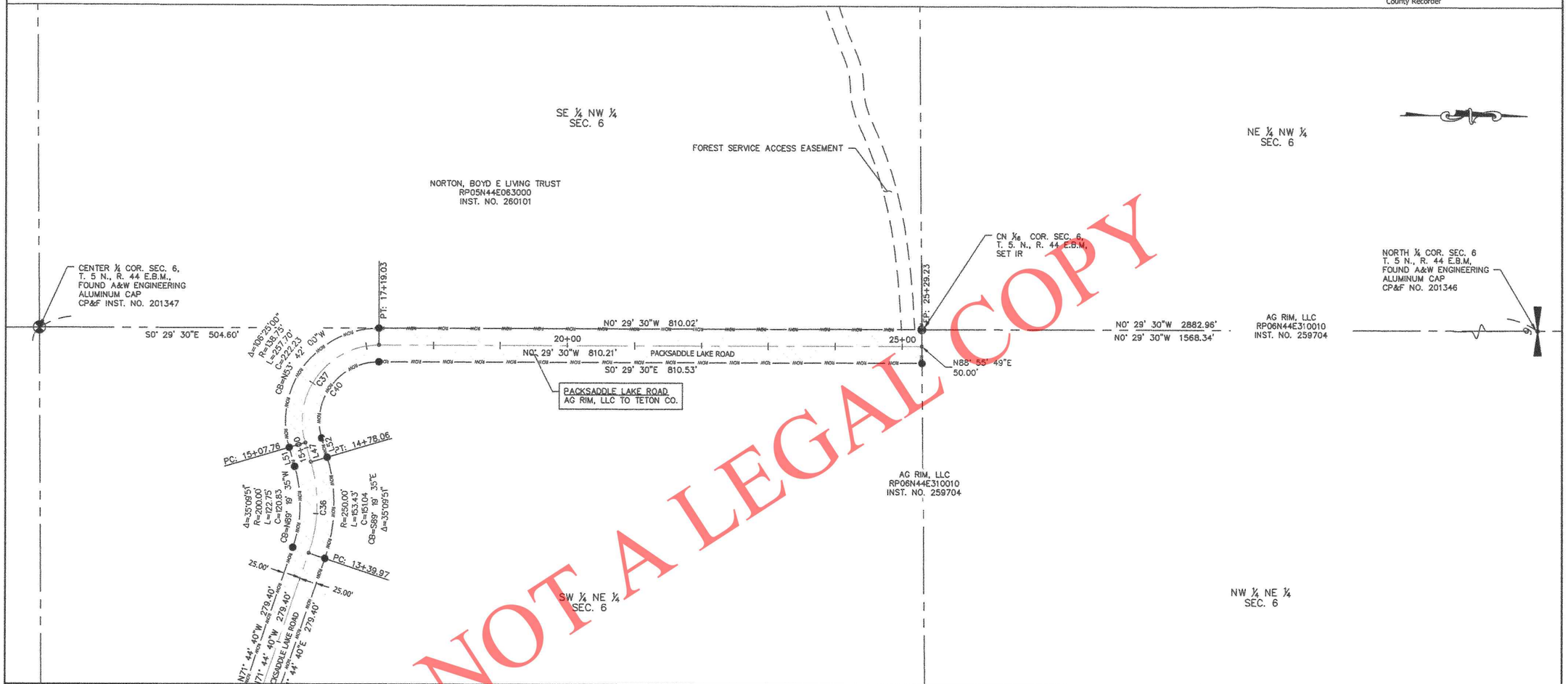
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	6/21/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 6 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

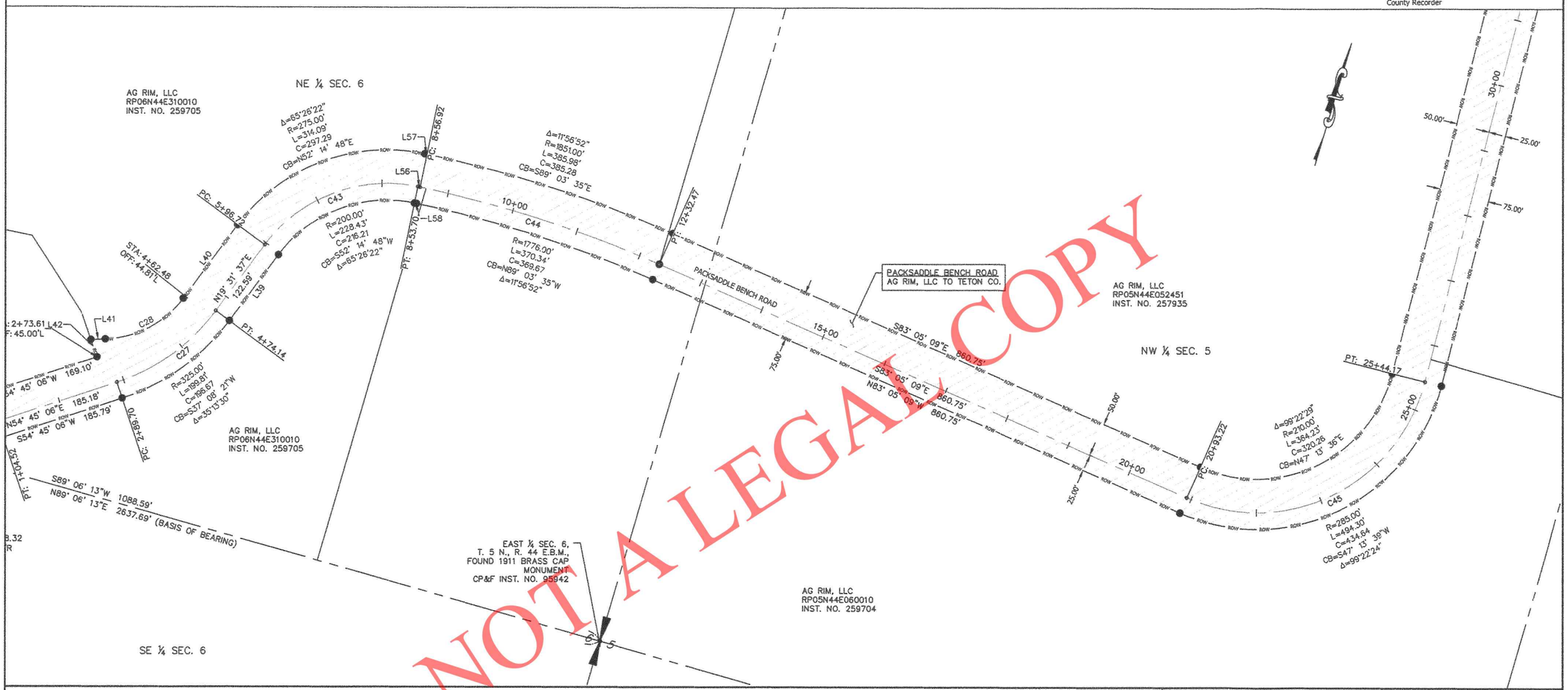
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L57	3.21'	N84°57'59"E
L58	3.21'	S84°57'59"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L56	3.21	N84° 57' 59"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C43	225.00'	256.98'	N52°14'48"E	243.24'	65°26'22"
C44	1801.00'	375.56'	S89°03'35"E	374.88'	11°56'52"
C45	260.00'	450.95'	N47°13'36"E	396.51'	99°22'29"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE: 8/31/2020
DESIGN: T.D.M./T.R.M.
DRAWN: T.D.M./T.R.M.
PROJECT NO. 20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 7 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

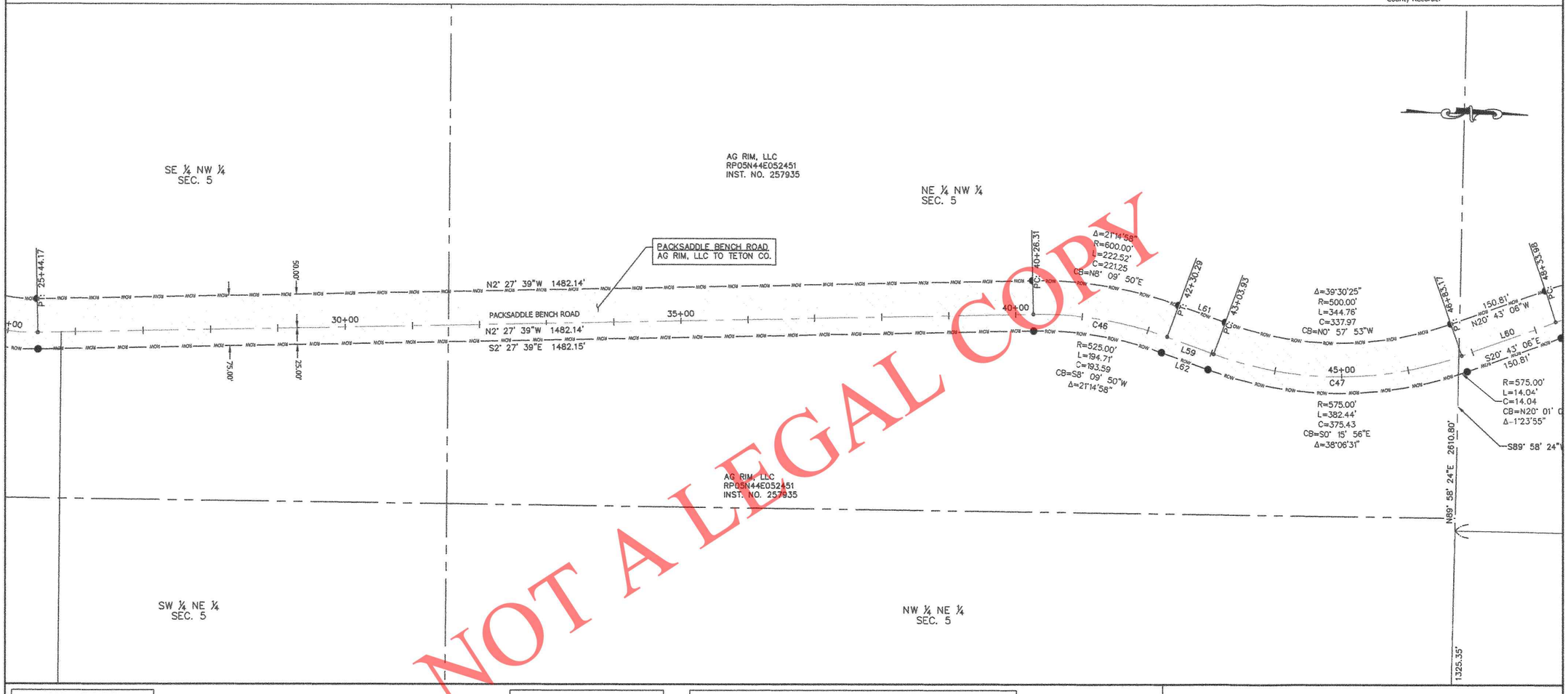
RECORDER'S CERTIFICATE

Instrument No. _____

Time of Day _____

Date _____
Recorded in Teton County, Idaho

_____
County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L61	73.64'	N18°47'19"E
L62	73.64'	S18°47'19"W

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L59	73.64	N18° 47' 19"E
L60	150.81	N20° 43' 06"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C46	550.00'	203.98'	N8°09'50"E	202.81'	21°14'58"
C47	550.00'	379.24'	N0°57'53"W	371.77'	39°30'25"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 8 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

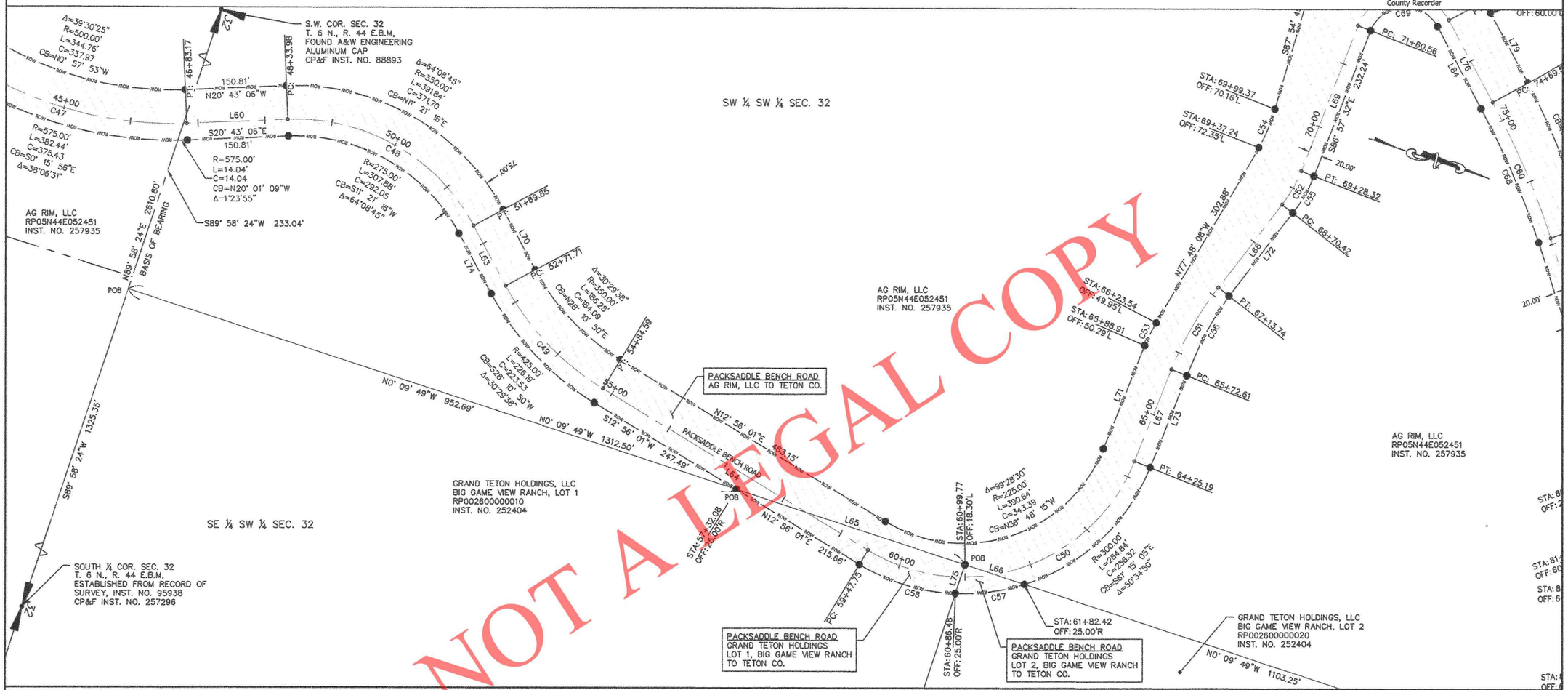
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L65	359.81'	S0°09'49"E
L66	93.70'	S0°09'49"E
L70	101.86'	N43°25'39"E
L71	165.36'	N86°32'30"W
L72	139.44'	S70°22'10"E
L73	165.37'	S86°32'30"E
L74	101.86'	S43°25'39"W
L75	45.33'	S89°54'29"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C53	250.00'	38.13'	N82°10'19"W	38.10'	8°44'21"
C54	250.00'	62.33'	N84°56'40"W	62.16'	14°17'03"
C55	220.00'	63.70'	S78°39'51"E	63.48'	16°35'23"
C56	475.00'	134.07'	S78°27'20"E	133.63'	16°10'20"
C57	300.00'	104.67'	N25°57'57"W	104.14'	19°59'26"
C58	300.00'	151.34'	N1°31'07"W	149.74'	28°54'14"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L63	101.86	N43° 25' 39"E
L64	463.15	N12° 56' 01"E
L67	147.41	N86° 32' 30"W
L68	156.68	N70° 22' 10"W
L69	232.24	N86° 57' 32"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C48	300.00'	335.87'	N11°21'16"E	318.60'	64°08'45"
C49	400.00'	212.89'	N28°10'50"E	210.38'	30°29'38"
C50	275.00'	477.45'	N36°48'15"W	419.70'	99°28'30"
C51	500.00'	141.13'	N78°27'20"W	140.66'	16°10'20"
C52	200.00'	57.91'	N78°39'51"W	57.71'	16°35'23"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 9 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

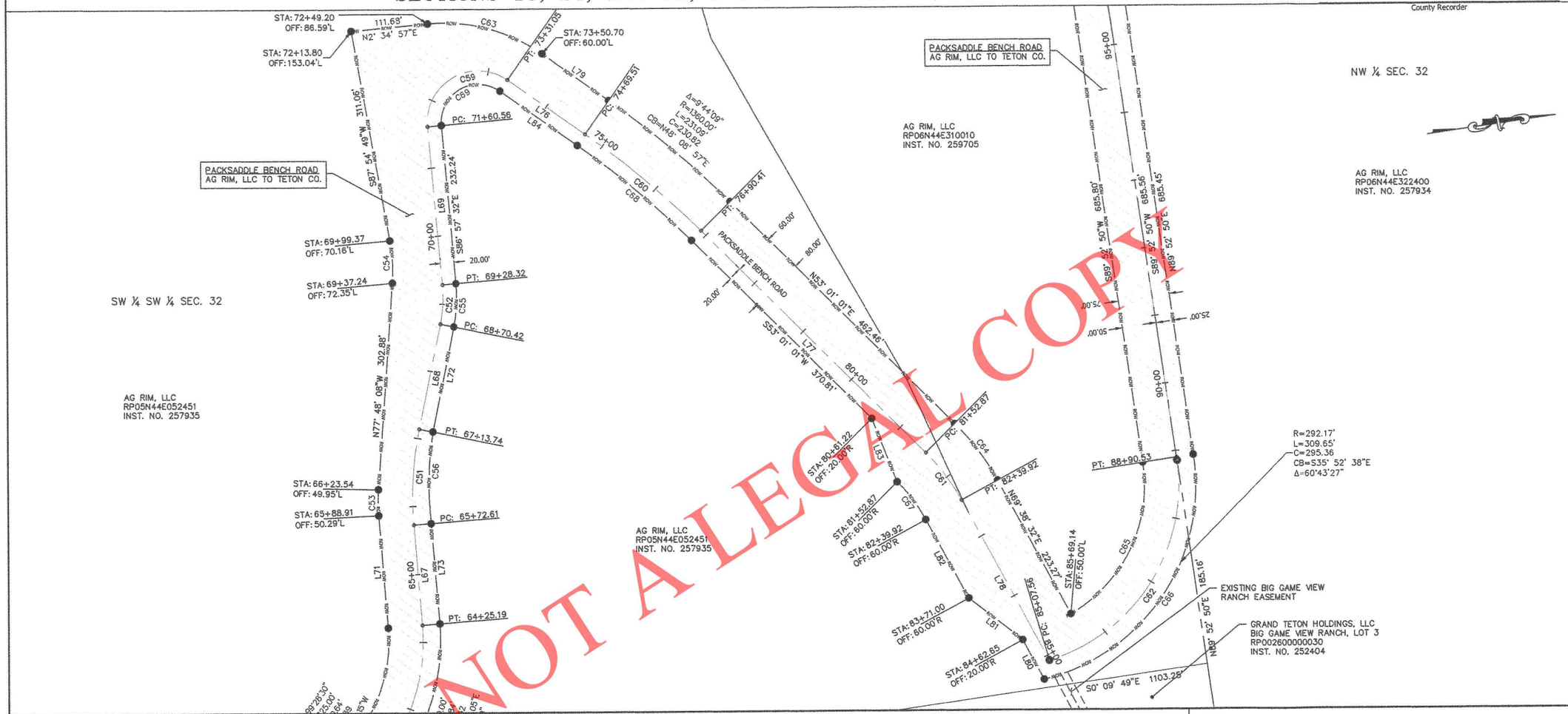
Time of Day _____

Date _____

Recorded In Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L79	118.81'	N43°16'52"E
L80	65.85'	S69°38'32"W
L81	100.00'	S46°03'50"W
L82	131.08'	S69°38'32"W
L83	100.00'	S76°35'43"W
L84	138.47'	S43°16'52"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C63	250.00'	177.58'	N22°55'55"E	173.87'	40°41'55"
C64	360.00'	104.46'	N61°19'46"E	104.09'	16°37'31"
C65	217.17'	261.45'	N56°12'31"W	245.94'	68°58'47"
C66	292.17'	309.65'	S35°52'38"E	295.36'	60°43'27"
C67	240.00'	69.64'	S61°19'46"W	69.40'	16°37'31"
C68	1280.00'	217.50'	S48°08'57"W	217.24'	9°44'09"
C69	55.00'	125.02'	S21°50'20"E	99.79'	130°14'24"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L76	138.47	N43° 16' 52"E
L77	462.46	N53° 01' 01"E
L78	267.64	N69° 38' 32"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C59	75.00'	170.48'	N21°50'20"W	136.08'	130°14'24"
C60	1300.00'	220.90'	N48°08'57"E	220.63'	9°44'09"
C61	300.00'	87.05'	N61°19'46"E	86.74'	16°37'31"
C62	267.17'	382.96'	N49°34'36"W	351.01'	82°07'45"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R Meppen — 12/16/21

Terry R. Meppen — *Date*

License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 10 OF 21

DATE:	8/31/2020
DESIGN:	T.O.M./T.R.M.
DRAWN:	T.O.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

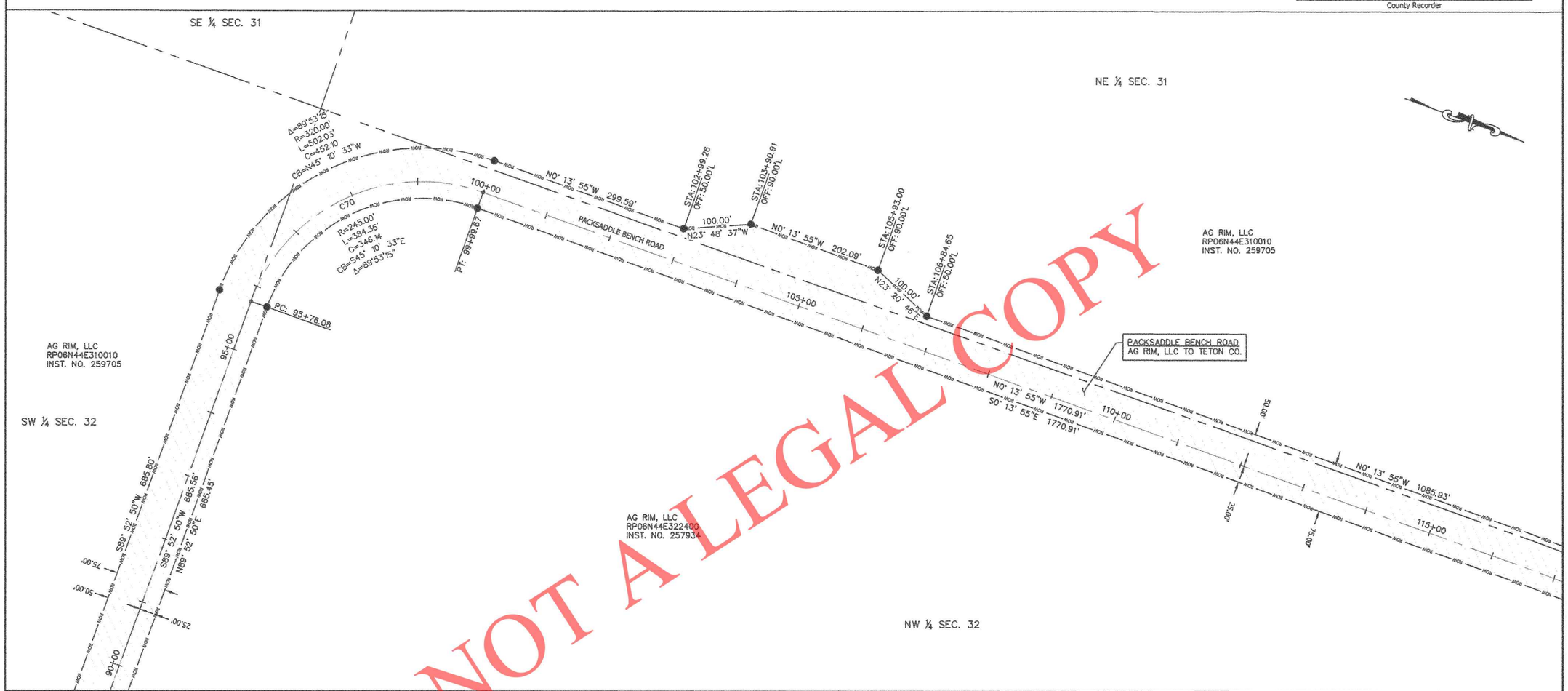
RECORDER'S CERTIFICATE

Instrument No. _____

Time of Day _____

Date _____
Recorded in Teton County, Idaho

_____
County Recorder



NOT A LEGAL COPY

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C70	270.00'	423.58'	N45°10'33"W	381.46'	89°53'15"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	5/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 11 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

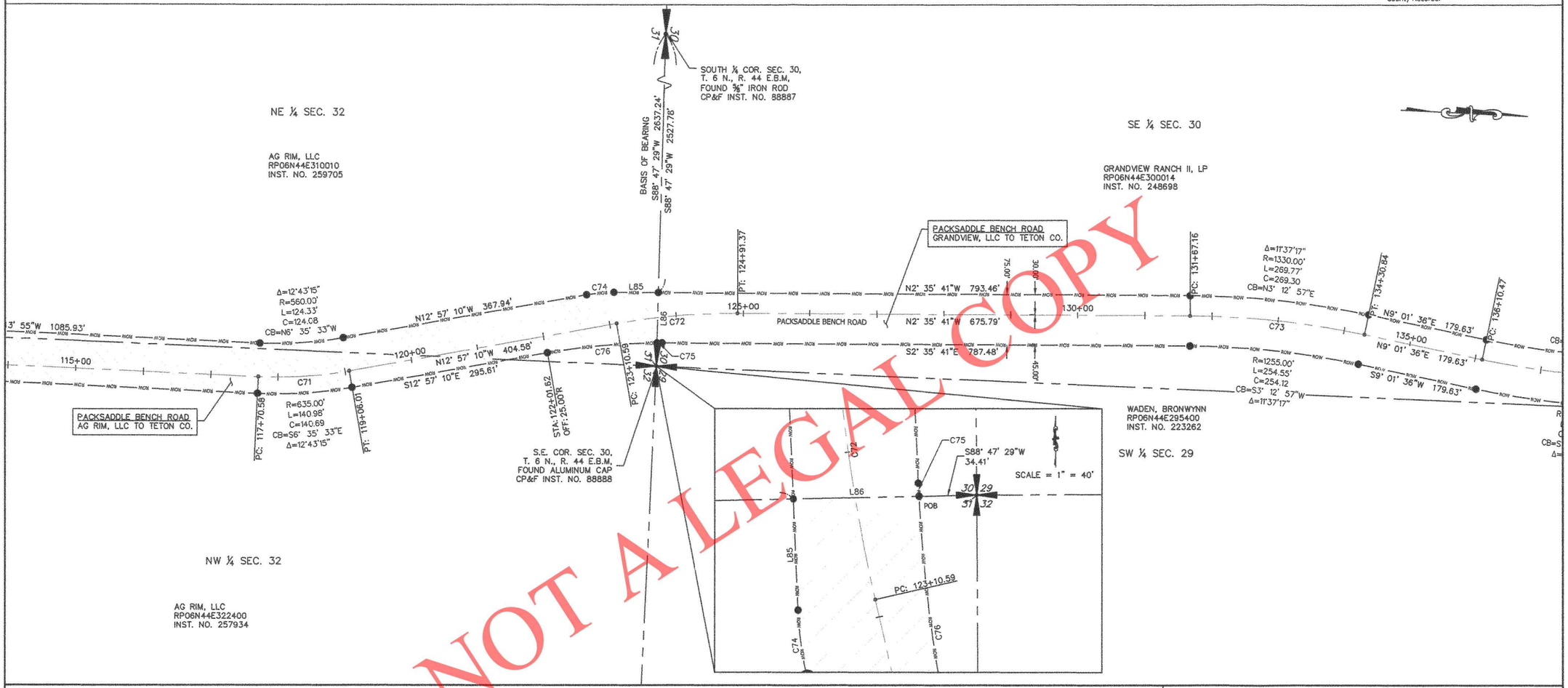
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L85	66.34'	N2°35'41"W
L86	75.05'	N88°47'29"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C74	227.00'	41.04'	N7°46'26"W	40.98'	10°21'29"
C75	950.00'	7.80'	S2°49'48"E	7.80'	0°28'14"
C76	950.00'	163.94'	S8°00'33"E	163.74'	9°53'15"

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C71	610.00'	135.43'	N6°35'33"W	135.15'	12°43'15"
C72	1000.00'	180.78'	N7°46'26"W	180.54'	10°21'29"
C73	1300.00'	263.68'	N3°12'57"E	263.23'	11°37'17"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 12 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

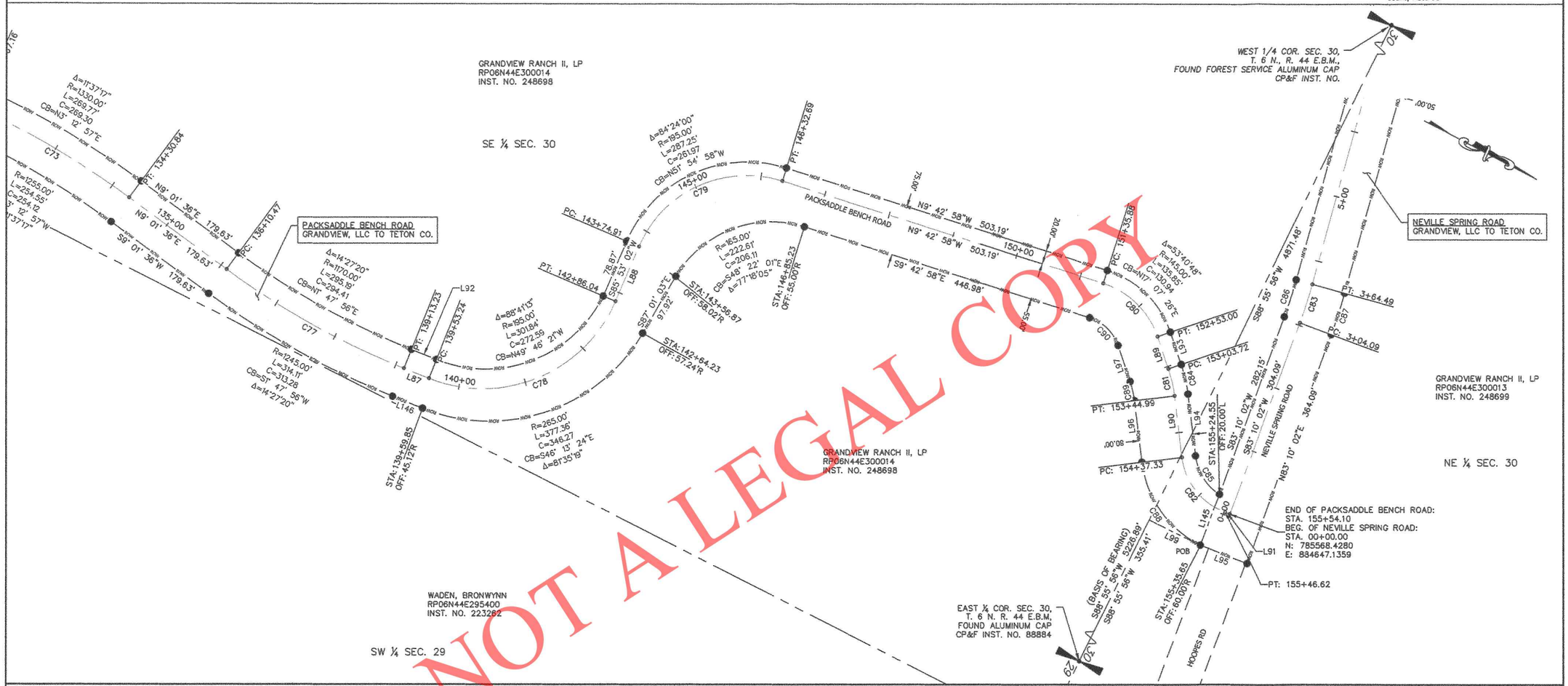
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L92	40.24'	N5°25'45"W
L93	50.73'	N43°57'50"E
L94	92.34'	N55°47'06"E
L95	75.01'	S6°05'55"E
L96	92.34'	S55°47'06"W
L97	56.93'	S43°57'50"W
L145	80.98'	S83°10'02"W
L146	48.00'	S5°25'45"E

LINE TABLE		
LINE NO.	LENGTH	BEARING
L99	84.86'	N1°02'43"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C84	220.00'	45.39'	N49°52'28"E	45.31'	11°49'17"
C85	80.00'	69.78'	N30°47'54"E	67.59'	49°58'25"
C86	675.00'	58.24'	S80°41'44"W	58.22'	4°56'36"
C87	750.00'	64.71'	N80°41'44"E	64.69'	4°56'36"
C88	160.00'	157.32'	S27°37'04"W	151.05'	56°20'04"
C89	140.00'	28.88'	S49°52'28"W	28.83'	11°49'17"
C90	65.00'	60.90'	S17°07'26"W	58.70'	53°40'48"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L87	40.01	N5° 25' 45"W
L88	88.87	S85° 53' 02"W
L89	50.73	N43° 57' 50"E
L90	92.34	N55° 47' 06"E
L91	7.49	N6° 49' 58"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C77	1200.00'	302.76'	N1°47'56"E	301.96'	14°27'20"
C78	215.00'	332.79'	N49°46'21"W	300.55'	88°41'13"
C79	175.00'	257.78'	N51°54'58"W	235.10'	84°24'00"
C80	125.00'	117.11'	N17°07'26"E	112.88'	53°40'48"
C81	200.00'	41.26'	N49°52'28"E	41.19'	11°49'17"
C82	100.00'	109.29'	N24°28'34"E	103.93'	62°37'04"
C83	700.00'	60.40'	S80°41'44"W	60.38'	4°56'36"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	2/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 13 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

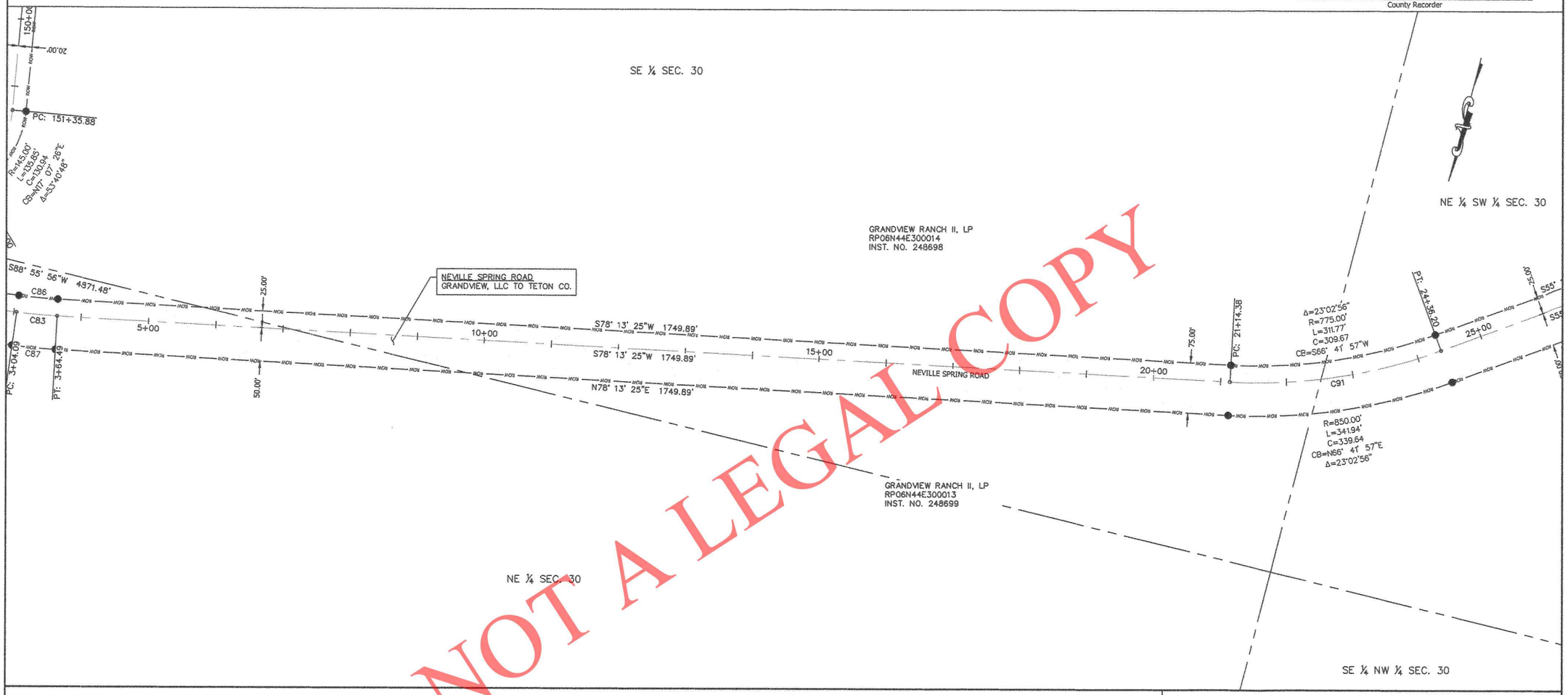
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C91	800.00'	321.82'	S66°41'57"W	319.66'	23°02'56"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	2/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 14 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

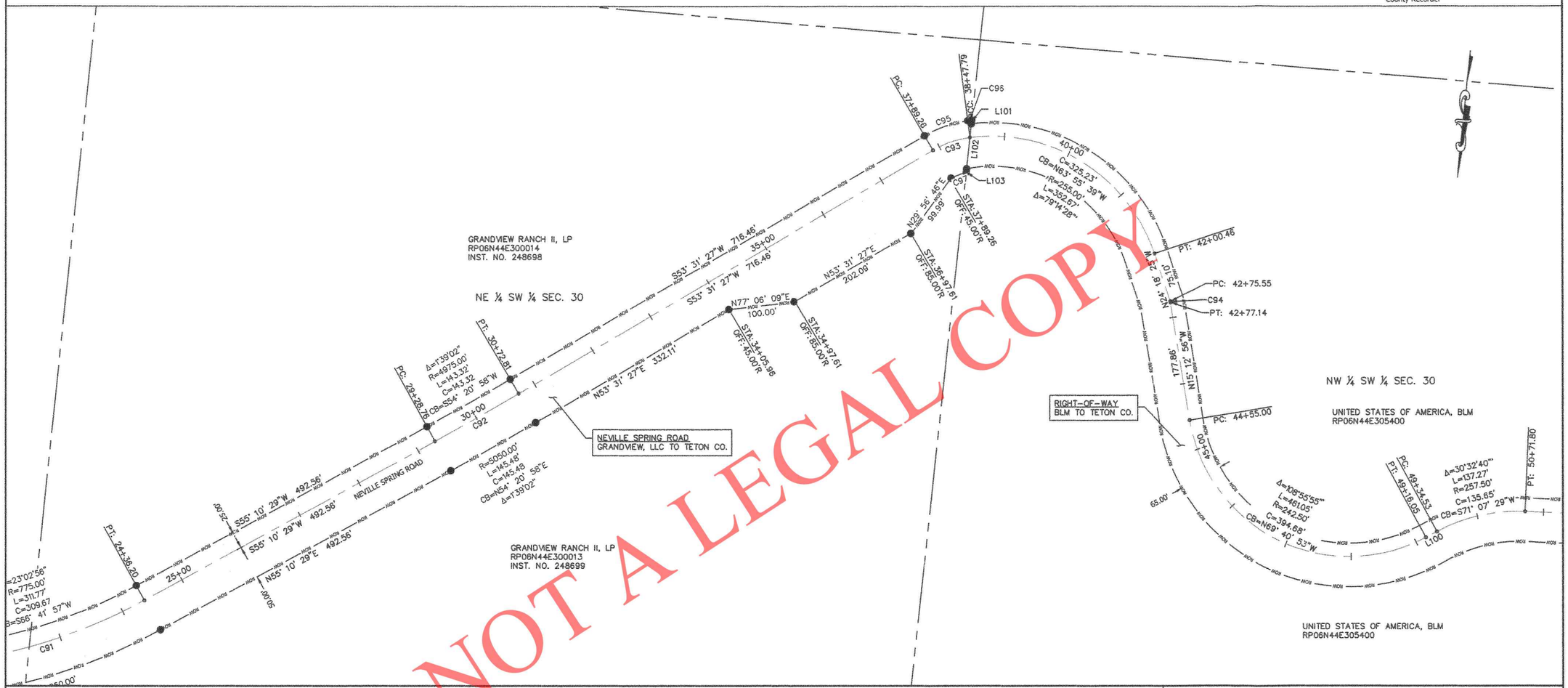
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L101	5.12'	S0°06'46"W
L102	67.47'	S0°06'46"W
L103	5.34'	S0°06'46"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C95	171.25'	68.53'	S64°59'17"W	68.07'	22°55'40"
C96	280.00'	6.06'	S77°04'19"W	6.06'	1°14'25"
C97	96.25'	25.11'	N61°36'37"E	25.03'	14°56'41"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L100	18.48	S55° 51' 09"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C92	5000.00'	144.04'	S54°20'58"W	144.04'	1°39'02"
C93	146.25'	58.52'	S64°59'17"W	58.13'	22°55'40"
C94	10.00'	1.59'	N19°45'41"W	1.59'	9°05'30"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	2/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWING:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 15 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

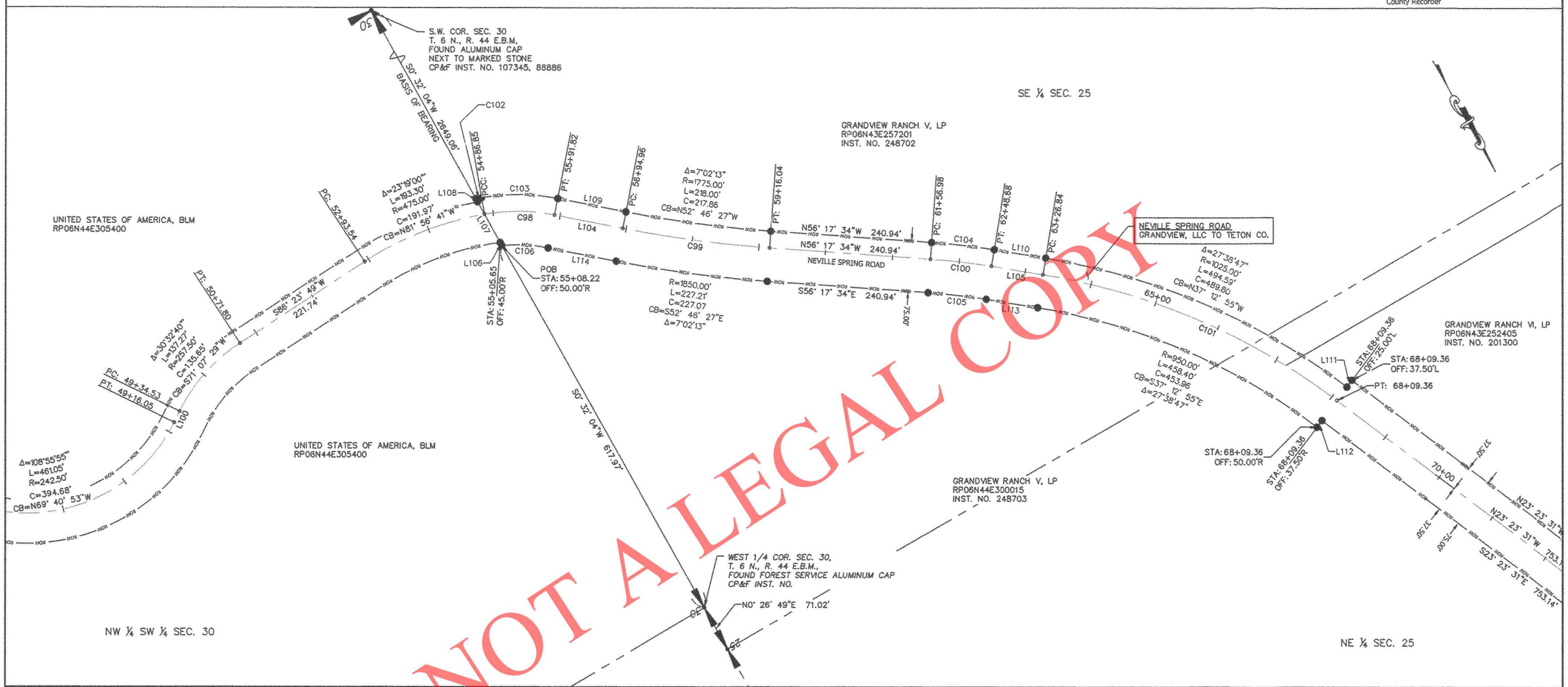
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L106	5.44'	S0°32'04"W
L107	69.32'	S0°32'04"W
L108	5.27'	S0°32'04"W
L109	103.14'	N49°15'21"W
L110	78.16'	N51°02'18"W
L111	12.50'	S66°36'29"W
L112	12.50'	N66°36'29"E
L113	78.16'	S51°02'18"E
L114	103.14'	S49°15'21"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C102	500.00'	8.67'	N70°46'59"W	8.67'	0°59'37"
C103	311.00'	114.15'	N59°46'15"W	113.51'	21°01'49"
C104	1025.00'	94.00'	N53°39'56"W	93.96'	5°15'15"
C105	950.00'	87.12'	S53°39'56"E	87.09'	5°15'15"
C106	236.00'	68.99'	S57°37'47"E	68.74'	16°44'54"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L104	103.14	N49° 15' 21"W
L105	78.16	N51° 02' 18"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C98	286.00'	104.97'	N59°46'15"W	104.39'	21°01'49"
C99	1800.00'	221.07'	N52°46'27"W	220.93'	7°02'13"
C100	1000.00'	91.70'	N53°39'56"W	91.67'	5°15'15"
C101	1000.00'	482.52'	N37°12'55"W	477.85'	27°38'47"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 16 OF 21

DATE: 8/21/2020
DESIGN: T.D.M./T.R.M.
DRAWING: T.D.M./T.R.M.
PROJECT NO. 200003
REVISION:

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

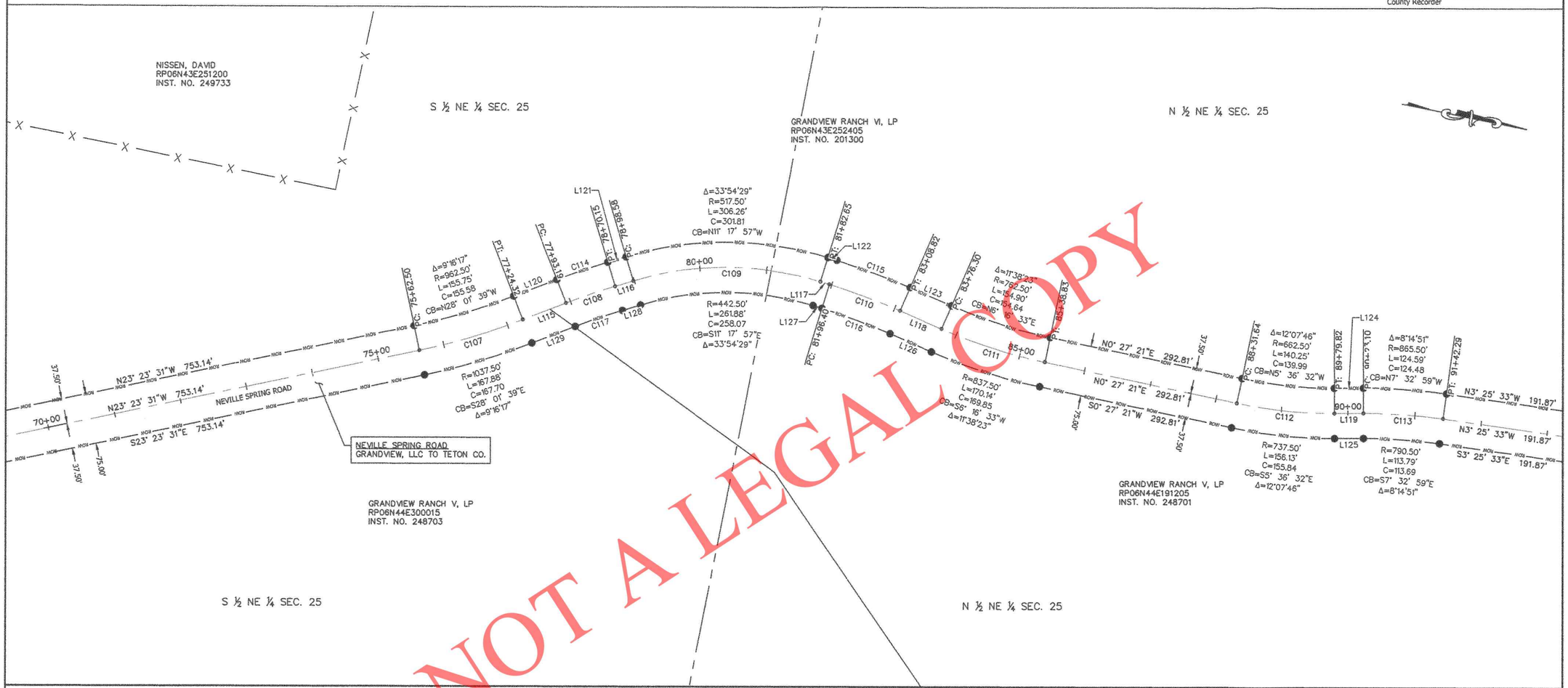
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L120	68.87'	N32°39'48"W
L121	28.43'	N28°15'12"W
L122	13.78'	N5°39'17"E
L123	67.51'	N12°05'44"E
L124	43.28'	N11°40'25"W
L125	43.28'	S11°40'25"E
L126	67.49'	S12°05'44"W
L127	13.76'	S5°39'17"W
L128	28.43'	S28°15'12"E
L129	68.87'	S32°39'48"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C114	1037.50'	79.85'	N30°27'30"W	79.83'	4°24'36"
C115	1288.72'	116.55'	N8°52'31"E	116.51'	5°10'55"
C116	962.50'	108.20'	S8°52'31"W	108.14'	6°26'27"
C117	962.50'	74.08'	S30°27'30"E	74.06'	4°24'36"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L115	68.87	N32° 39' 48"W
L116	28.43	N28° 15' 12"W
L117	13.76	N5° 39' 17"E
L118	67.49	N12° 05' 44"E
L119	43.28	N11° 40' 25"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C107	1000.00'	161.81'	N28°01'39"W	161.64'	9°16'17"
C108	1000.00'	76.97'	N30°27'30"W	76.95'	4°24'36"
C109	480.00'	284.07'	N11°17'57"W	279.94'	33°54'29"
C110	1000.00'	112.41'	N8°52'31"E	112.35'	6°26'27"
C111	800.00'	162.52'	N6°16'33"E	162.24'	11°38'23"
C112	700.00'	148.19'	N5°36'32"W	147.91'	12°07'46"
C113	828.00'	119.19'	N7°32'59"W	119.09'	8°14'51"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 17 *OF* 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

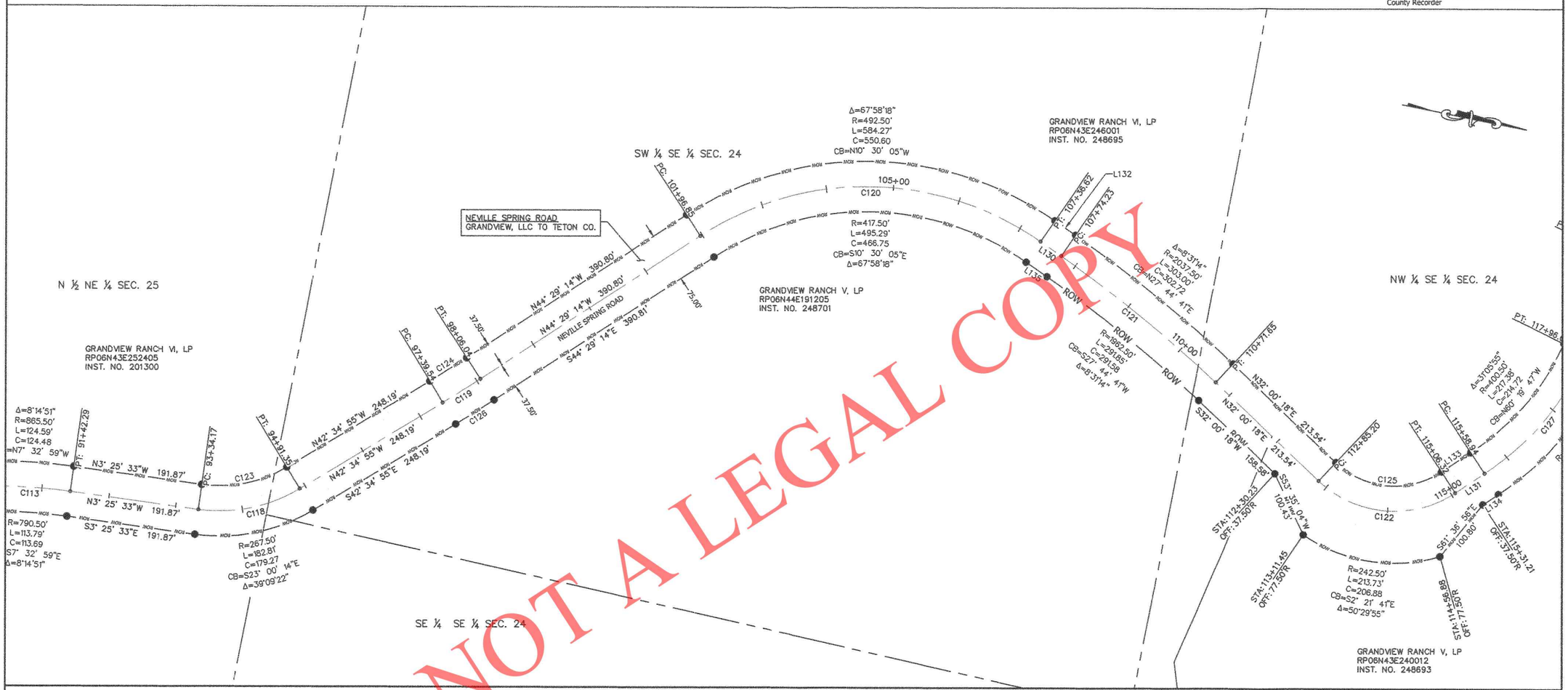
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L132	37.61'	N23°29'04"E
L133	52.62'	N44°46'50"W
L134	27.73'	S44°46'50"E
L135	37.61'	S23°29'04"W

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C123	192.50'	131.56'	N23°00'14"W	129.01'	39°09'22"
C124	2062.48'	65.26'	N43°32'04"W	65.26'	1°48'47"
C125	127.50'	170.87'	N6°23'16"W	158.37'	76°47'07"
C126	2144.27'	67.75'	S43°32'04"E	67.74'	1°48'37"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L130	37.61	N23° 29' 04"E
L131	52.62	N44° 46' 50"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C118	230.00'	157.18'	N23°00'14"W	154.14'	39°09'22"
C119	2000.00'	66.50'	N43°32'05"W	66.50'	1°54'19"
C120	455.00'	539.78'	N10°30'05"W	508.68'	67°58'18"
C121	2000.00'	297.42'	N27°44'41"E	297.15'	8°31'14"
C122	165.00'	221.13'	N6°23'16"W	204.95'	76°47'07"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	2/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 18 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

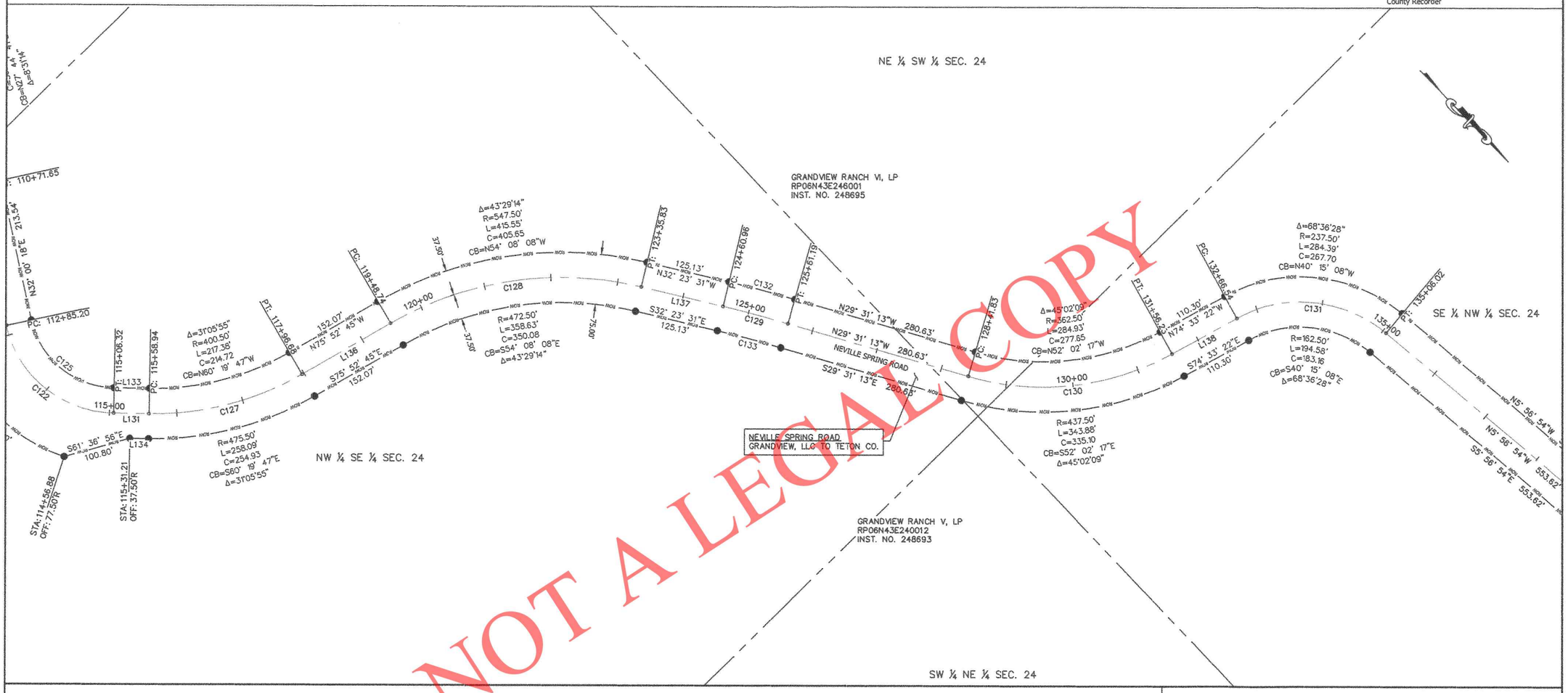
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C132	2037.50'	102.11'	N30°57'22"W	102.10'	2°52'17"
C133	1962.50'	98.36'	S30°57'22"E	98.35'	2°52'17"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L136	152.07	N75° 52' 45"W
L137	125.13	N32° 23' 31"W
L138	110.30	N74° 33' 22"W

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C127	438.00'	237.73'	N60°19'47"W	234.83'	31°05'55"
C128	510.00'	387.09'	N54°08'08"W	377.86'	43°29'14"
C129	2000.00'	100.23'	N30°57'22"W	100.22'	2°52'17"
C130	400.00'	314.41'	N52°02'17"W	306.38'	45°02'09"
C131	200.00'	239.49'	N40°15'08"W	225.43'	68°36'28"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

SHEET 19

DATE:	6/11/2020
DESIGN:	T.R.M./T.R.M.
DRAWN:	T.R.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

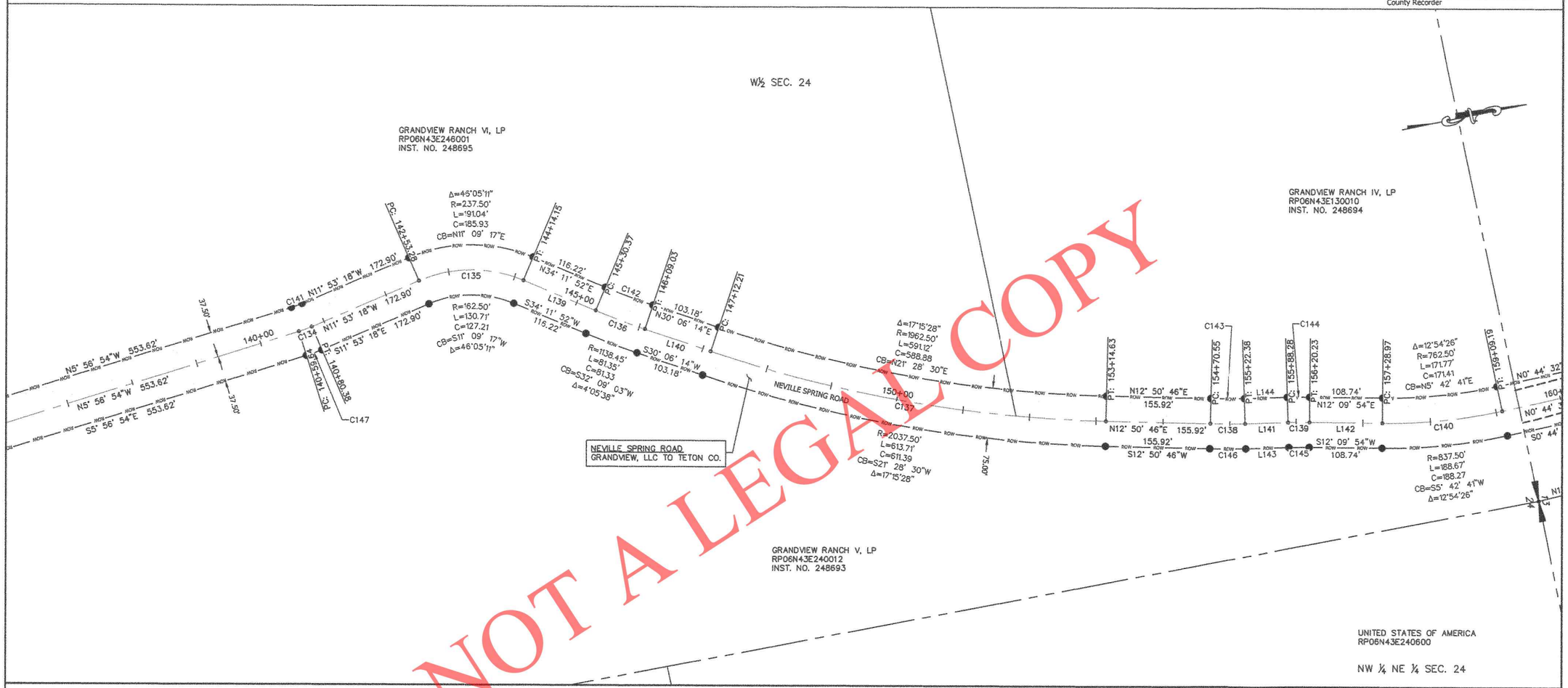
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

ROW LINE TABLE		
LINE NO.	LENGTH	BEARING
L143	65.90'	S9°52'35"W
L144	65.90'	N9°52'35"E

ROW CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C141	162.50'	16.85'	N8°55'06"W	16.84'	5°56'25"
C142	1063.45'	75.99'	N32°09'03"E	75.97'	4°05'38"
C143	962.50'	49.89'	N11°21'41"E	49.88'	2°58'11"
C144	837.50'	33.45'	N11°01'15"E	33.45'	2°17'19"
C145	762.50'	30.46'	S11°01'15"W	30.46'	2°17'19"
C146	1037.50'	53.77'	S11°21'41"W	53.77'	2°58'11"
C147	237.50'	24.62'	S8°55'06"E	24.61'	5°56'25"

ALIGNMENT LINE TABLE		
LINE NO.	LENGTH	BEARING
L139	116.22	N34° 11' 52"E
L140	103.18	N30° 06' 14"E
L141	65.90	N9° 52' 35"E
L142	108.74	N12° 09' 54"E

ALIGNMENT CURVE TABLE					
CURVE NO.	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	DELTA
C134	200.00'	20.74'	N8°55'06"W	20.73'	5°56'25"
C135	200.00'	160.87'	N11°09'17"E	156.57'	46°05'11"
C136	1100.95'	78.67'	N32°09'03"E	78.65'	4°05'38"
C137	2000.00'	602.41'	N21°28'30"E	600.14'	17°15'28"
C138	1000.00'	51.83'	N11°21'41"E	51.83'	2°58'11"
C139	800.00'	31.96'	N11°01'15"E	31.95'	2°17'19"
C140	800.00'	180.22'	N5°42'41"E	179.84'	12°54'26"

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen
License No. 7380

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

2/16/21
Date

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD., PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 20 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
SECTIONS 30, 31, AND 32, T 6 N. R 44 E.B.M., AND
SECTIONS 13, 24, AND 25, T 6 N. R 43 E.B.M., TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

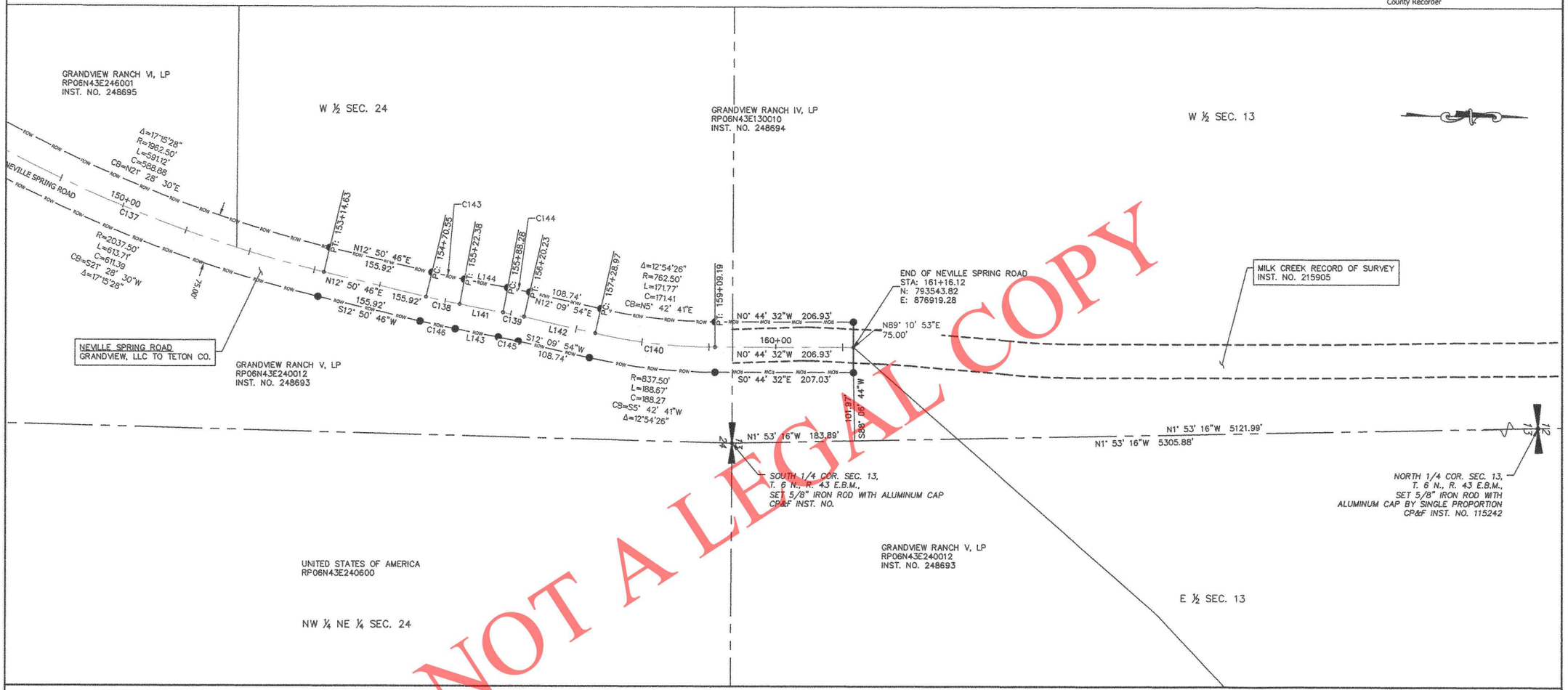
Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder



NOT A LEGAL COPY

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

0 100 200 Feet

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- Found iron rod with plastic cap.

RIGHT OF WAY DRAWINGS

PACKSADDLE RD., PACKSADDLE LAKE RD.,
PACKSADDLE BENCH RD., & NEVILLE SPRING RD.

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	2/11/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 21 OF 21

PART OF
SECTIONS 5 AND 6, T 5 N. R 44 E.B.M.,
TETON COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____

Time of Day _____

Date _____

Recorded in Teton County, Idaho

_____

County Recorder

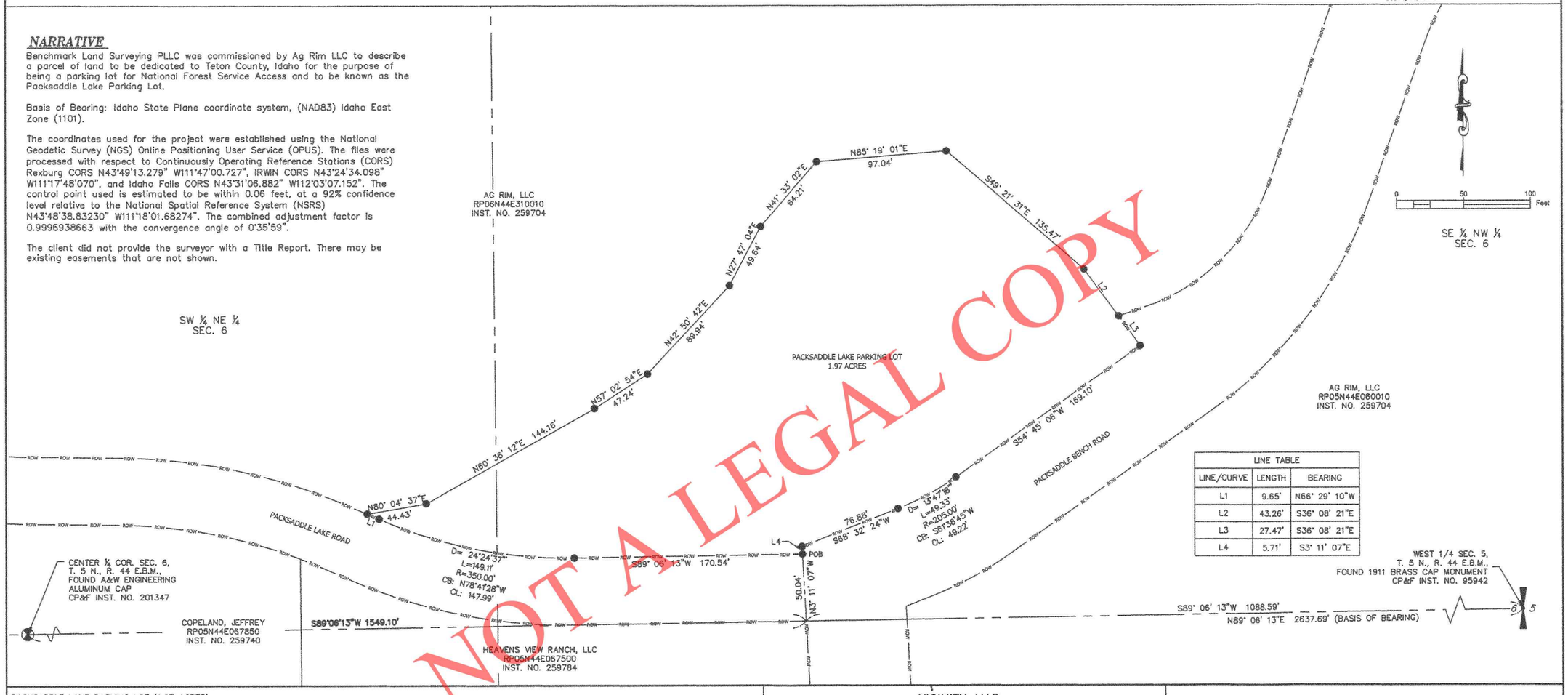
NARRATIVE

Benchmark Land Surveying PLLC was commissioned by Ag Rim LLC to describe a parcel of land to be dedicated to Teton County, Idaho for the purpose of being a parking lot for National Forest Service Access and to be known as the Packsaddle Lake Parking Lot.

Basis of Bearing: Idaho State Plane coordinate system, (NAD83) Idaho East Zone (1101).

The coordinates used for the project were established using the National Geodetic Survey (NGS) Online Positioning User Service (OPUS). The files were processed with respect to Continuously Operating Reference Stations (CORS) Rexburg CORS N43°49'13.279" W111°47'00.727", IRWIN CORS N43°24'34.098" W111°17'48'070", and Idaho Falls CORS N43°31'06.882" W112°03'07.152". The control point used is estimated to be within 0.06 feet, at a 92% confidence level relative to the National Spatial Reference System (NSRS) N43°48'38.83230" W111°18'01.68274". The combined adjustment factor is 0.9996938663 with the convergence angle of 0°35'59".

The client did not provide the surveyor with a Title Report. There may be existing easements that are not shown.



LINE TABLE		
LINE/CURVE	LENGTH	BEARING
L1	9.65'	N66° 29' 10"W
L2	43.26'	S36° 08' 21"E
L3	27.47'	S36° 08' 21"E
L4	5.71'	S3° 11' 07"E

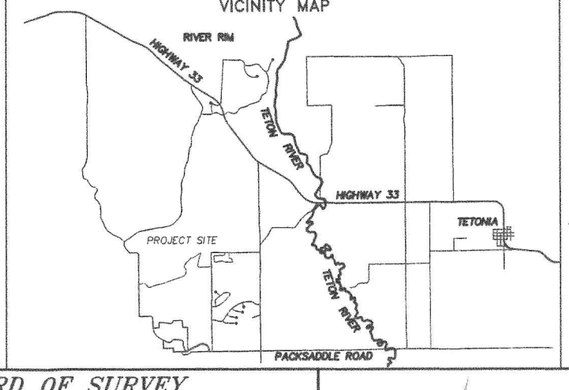
NOT A LEGAL COPY

PACKSADDLE LAKE PARKING LOT (1.97 ACRES)

Beginning at a point on the north right-of-way line of Packsaddle Lake Road that is S 89°06'13" W 1088.59 feet along the east-west centerline through the section and N 03°11'07" W 50.04 feet from the East Quarter corner of Section 6, Township 5 North, Range 44 East of the Boise Meridian, Teton County, Idaho and running thence along the north Right-of-Way line of said Packsaddle Lake Road the following three courses: (1) S89° 06' 13"W 170.54 feet to a point of curve, (2) thence 149.11 feet along said curve to the right, Curve Data: Radius = 350.00 feet, Delta = 24°24'37", Chord Bearing = N78° 41' 28"W 147.99 feet, (3) thence N66° 29' 10"W 9.65 feet, thence N80° 04' 37"E 44.43 feet; thence N60° 36' 12"E 144.16 feet; thence N57° 02' 54"E 47.24 feet; thence N42° 50' 42"E 89.94 feet; thence N27° 47' 04"E 49.64 feet; thence N41° 33' 02"E 64.21 feet; thence N85° 19' 01"E 97.04 feet; thence S49° 21' 31"E 135.47 feet; thence S36° 08' 21"E 43.26 feet to a point on the Packsaddle Bench Road Right-of-Way; thence along north said Right-of-Way five courses; (1) S36° 08' 21"E 27.47 feet; (2) thence S54° 45' 06"W 169.10 feet to a point of curve; (3) thence 49.33 feet along said curve to the right, Curve Data: Radius = 205.00 feet, Delta = 13°47'18", Chord Bearing S61° 38' 45"W 49.22 feet; (4) thence S68° 32' 24"W 76.88 feet; (5) thence S3° 11' 07"E 5.71 feet to the true point of beginning.

Parcel contains 1.97 Acres.

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a registered Professional Land Surveyor in the State of Idaho, do hereby certify that a survey was made under my direction of the land described in the accompanying boundary description and that the drawing upon which this certification appears was made under my direction. I further certify that the accompanying map correctly depicts the division of land as marked upon the ground and that the pertinent provisions of the statutes of the State of Idaho have been complied with.

Terry R. Meppen — 2/16/21

Terry R. Meppen
License No. 7380

Date

PROFESSIONAL LAND SURVEYOR REGISTERED 7380 STATE OF IDAHO TERRY R. MEPPEN

LEGEND

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Placed 5/8" x 24" iron rod with aluminum cap marked PLS 7380.
- X — Indicates existing fence lines.

RECORD OF SURVEY

PACKSADDLE LAKE PARKING LOT

BENCHMARK LAND SURVEYING

TETON COUNTY, IDAHO

DATE:	8/31/2020
DESIGN:	T.D.M./T.R.M.
DRAWN:	T.D.M./T.R.M.
PROJECT NO.	20003
REVISION:	

789 NORTH 450 EAST
FIRTH, IDAHO 83236
tmeppen@gmail.com

SHEET 1 OF 1

Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 40
HIGHWAYS AND BRIDGES
CHAPTER 2
GENERAL PROVISIONS

40-203. ABANDONMENT AND VACATION OF COUNTY AND HIGHWAY DISTRICT SYSTEM HIGHWAYS OR PUBLIC RIGHTS-OF-WAY. (1) A board of county or highway district commissioners, whichever shall have jurisdiction of the highway system, shall use the following procedure to abandon and vacate any highway or public right-of-way in the county or highway district system including those which furnish public access to state and federal public lands and waters:

(a) The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.

(b) Any resident, or property holder, within a county or highway district system including the state of Idaho, any of its subdivisions, or any agency of the federal government may petition the respective commissioners for abandonment and vacation of any highway or public right-of-way within their highway system. The petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings.

(c) The commissioners shall establish a hearing date or dates on the proposed abandonment and vacation.

(d) The commissioners shall prepare a public notice stating their intention to hold a public hearing to consider the proposed abandonment and vacation of a highway or public right-of-way, which shall be made available to the public not later than thirty (30) days prior to any hearing and mailed to any person requesting a copy not more than three (3) working days after any such request.

(e) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice by United States mail to known owners and operators of an underground facility, as defined in section 55-2202, Idaho Code, that lies within the highway or public right-of-way.

(f) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice to owners of record of land abutting the portion of the highway or public right-of-way proposed to be abandoned and vacated at their addresses as shown on the county assessor’s tax rolls and shall publish notice of the hearing at least two (2) times if in a weekly newspaper or three (3) times if in a daily newspaper, the last notice to be published at least five (5) days and not more than twenty-one (21) days before the hearing.

(g) At the hearing, the commissioners shall accept all information relating to the proceedings. Any person, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appear and give testimony for or against abandonment.

(h) After completion of the proceedings and consideration of all related information, the commissioners shall decide whether the abandonment and vacation of the highway or public right-of-way is in the public interest of the highway jurisdiction affected by the abandonment or vacation. The decision whether or not to abandon and vacate the highway or public right-of-way shall be written and shall be supported by findings of fact and conclusions of law.

(i) If the commissioners determine that a highway or public right-of-way parcel to be abandoned and vacated in accordance with the provisions of this section has a fair market value of two thousand five hundred dollars ($2,500) or more, a charge may be imposed upon the acquiring entity, not in excess of the fair market value of the parcel, as a condition of the abandonment and vacation; provided, however, no such charge shall be imposed on the landowner who originally dedicated such parcel to the public for use as a highway or public right-of-way; and provided further, that if the highway or public right-of-way was originally a federal land right-of-way, said highway or public right-of-way shall revert to a federal land right-of-way.

(j) The commissioners shall cause any order or resolution to be recorded in the county records and the official map of the highway system to be amended as affected by the abandonment and vacation.

(k) From any such decision, a resident or property holder within the county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appeal to the district court of the county in which the highway or public right-of-way is located pursuant to section 40-208, Idaho Code.

(2) No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

(3) In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

(4) (a) When a county or highway district is to consider the abandonment or vacation of any highway, public street or public right-of-way that was accepted as part of a recorded platted subdivision, such abandonment shall be accomplished pursuant to the provisions of this section.

(b) When a county or highway district is to consider the abandonment or vacation of any highway, public street, or public right-of-way that was accepted as part of a platted subdivision that has never been improved or developed, such vacation or abandonment may be approved through the dedication of a new highway, public street, or public

right-of-way without compensation as set forth in subsection (1)(i) of this section.

(c) When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision, said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code.

(5) In any proceeding under this section or section 40-203A, Idaho Code, or in any judicial proceeding determining the public status or width of a highway or public right-of-way, a highway or public right-of-way shall be deemed abandoned if the evidence shows:

(a) That said highway or public right-of-way was created solely by a particular type of common law dedication, such as a dedication based upon a plat or other document that was not recorded in the official records of an Idaho county;

(b) That said highway or public right-of-way is not located on land owned by the United States or the state of Idaho nor on land entirely surrounded by land owned by the United States or the state of Idaho nor does it provide the only means of access to such public lands; and

(c)(i) That said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years; or

(ii) Said highway or right-of-way was never constructed and at least twenty (20) years have elapsed since the common law dedication.

(6) All other highways or public rights-of-way may be abandoned and vacated only upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest, and such other highways or public rights-of-way may be validated or judicially determined at any time notwithstanding any other provision of law. Provided that any abandonment under this section shall be subject to and limited by the provisions of subsections (2) and (3) of this section.

History:

[40-203, added 1985, ch. 253, sec. 2, p. 594; am. 1986, ch. 206, sec. 3, p. 513; am. 1986, ch. 328, sec. 4, p. 804; am. 1992, ch. 323, sec. 1, p. 959; am. 1993, ch. 412, sec. 4, p. 1507; am. 1995, ch. 121, sec. 2, p. 523; am. 2000, ch. 251, sec. 2, p. 711; am. 2013, ch. 239, sec. 4, p. 562; am. 2014, ch. 137, sec. 1, p. 372; am. 2021, ch. 179, sec. 1, p. 494.]

How current is this law?

Search the Idaho Statutes and Constitution

Idaho Statutes

TITLE 40
HIGHWAYS AND BRIDGES
CHAPTER 2
GENERAL PROVISIONS

40-203A. VALIDATION OF COUNTY OR HIGHWAY DISTRICT SYSTEM HIGHWAY OR PUBLIC RIGHT-OF-WAY. (1) Any resident or property holder within a county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may petition the board of county or highway district commissioners, whichever shall have jurisdiction of the highway system, to initiate public proceedings to validate a highway or public right-of-way, including those which furnish public access to state and federal public lands and waters, provided that the petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings, or the commissioners may initiate validation proceedings on their own resolution, if any of the following conditions exist:

(a) If, through omission or defect, doubt exists as to the legal establishment or evidence of establishment of a highway or public right-of-way;

(b) If the location of the highway or public right-of-way cannot be accurately determined due to numerous alterations of the highway or public right-of-way, a defective survey of the highway, public right-of-way or adjacent property, or loss or destruction of the original survey of the highways or public rights-of-way; or

(c) If the highway or public right-of-way as traveled and used does not generally conform to the location of a highway or public right-of-way described on the official highway system map or in the public records.

(2) If proceedings for validation of a highway or public right-of-way are initiated, the commissioners shall follow the procedure set forth in section 40-203, Idaho Code, and shall:

(a) If the commissioners determine it is necessary, cause the highway or public right-of-way to be surveyed;

(b) Cause a report to be prepared, including consideration of any survey and any other information required by the commissioners;

(c) Establish a hearing date on the proceedings for validation;

(d) Cause notice of the proceedings to be provided in the same manner as for abandonment and vacation proceedings; and

(e) At the hearing, the commissioners shall consider all information relating to the proceedings and shall accept testimony from persons having an interest in the proposed validation.

(3) Upon completion of the proceedings, the commissioners shall determine whether validation of the highway or public right-of-way is in the public interest and shall enter an order validating the highway or public right-of-way as public or declaring it not to be public.

(4) From any such decision, any resident or property holder within a county or highway district system, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appeal to

the district court of the county in which the highway or public right-of-way is located pursuant to section 40-208, Idaho Code.

(5) When a board of commissioners validates a highway or public right-of-way, it shall cause the order validating the highway or public right-of-way, and if surveyed, cause the survey to be recorded in the county records and shall amend the official highway system map of the respective county or highway district.

(6) The commissioners shall proceed to determine and provide just compensation for the removal of any structure that, prior to creation of the highway or public right-of-way, encroached upon a highway or public right-of-way that is the subject of a validation proceeding, or if such is not practical, the commissioners may acquire property to alter the highway or public right-of-way being validated.

(7) This section does not apply to the validation of any highway, public street or public right-of-way which is to be accepted as part of a platted subdivision pursuant to chapter 13, title 50, Idaho Code.

History:

[40-203A, added 1986, ch. 206, sec. 4, p. 514; am. 1993, ch. 412, sec. 5, p. 1509; am. 1995, ch. 121, sec. 3, p. 525; am. 2000, ch. 251, sec. 3, p. 713.]

How current is this law?

Search the Idaho Statutes and Constitution

PUBLIC NOTICE
BOARD OF COUNTY COMMISSIONERS
TETON COUNTY, IDAHO
July 14, 2025

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Teton County Board of County Commissioners (the "Board") will hold a public hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive in Driggs, Idaho on **Monday July 14, 2025** beginning at **9:00 am**.

9:00 am PUBLIC HEARING: Road Vacation/Abandonment/Addition Application:
Ag Rim LLC, Ron Judy, Michael & Christina Assante, Bainbridge Earl Family Trust, and Joseph & Carol Felger applied for a Road Vacation/Abandonment/Addition Application to vacate/relocate portions of Packsaddle Road (W 4000 N) and Hoopes Road on April 19 of 2016.

A public hearing was held pursuant to that application on December 20, 2020. Upon consideration of the presented facts and testimony at the hearing, the Board granted the petition and vacated and relocated the requested portions of the above-mentioned roads. A map of the proposed vacation/relocation, included in the materials presented in that 2020 hearing, is included.

Written findings of fact and conclusions of law are required to effectuate validation/vacation proceedings under Idaho Code § 42-203. Because written finding of facts of conclusions of law from these previous hearings were inadvertently not recorded, and in light of the fact that no county commissioner taking part in the original decision currently serves on the Board, this hearing is set to present facts, evidence, and testimony to the current Board for issuance of written findings and conclusions.

Location: Sections 5, 6, 8 T5N R44E; Section 25 T6N R43E; Sections 30, 31 T6N R44E

ADJOURN

Documents and information on the proposal are available for public viewing in the Teton County Engineer's Office at the Courthouse between the hours of 9am and 5pm, Monday through Friday, and online at www.tetoncountyidaho.gov. To view these items, go to Departments and select Public Works. Then select the Packsaddle Road Project item in the Side Bar. For further information, contact Darryl Johnson at (208) 776-8222, djohnson@tetoncountyidaho.gov, or 150 Courthouse Drive, Driggs, ID 83422.

Written comments may be dropped off at 150 Courthouse Drive, Rm. 107 (Engineer's Office), Driggs Idaho 83422; faxed to (208) 776-8190; or emailed to djohnson@tetoncountyidaho.gov. Written comments must be received by **5:00 pm, July 9** to be incorporated into the packet of information provided to the Board prior to the hearing. Public comments at this hearing are welcome.

First Publication June 11, 2025
Second Publication July 2, 2025

DEPARTMENT UPDATE
PUBLIC WORKS

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Darryl Johnson, Public Works Director

ITEM TITLE: **Report: Public Works Dept. Update**

The following items are for your review and sdiscussion at the July 14, 2025 BoCC Meeting

Public Works:

Buxton Grooming Garage – Bids were opened on 7/1 for construction of the TVTAP/Grooming District equipment storage building at the County Buxton property. We are hoping to award the contract to low bid, Teton West. The above ground fuel tanks have been posted on the public auction site and, if sold, will need to be removed by August 1. Pumps will be professionally disconnected and stored for future use. Construction of the building is expected to begin this fall. TVTAP and the Grooming District were successful in getting approximately $290,000 in grant funding from Idaho Parks and Recreation and the CHC Foundaton. TVTAP and the Grooming District are committed to paying for the remainder of construction. In exchange, they will be asking for a long term lease on the facility. Numerous action items are on this agenda associated with construction and lease agreement for the new facility.

Road & Bridge:

Chip Seal Schedule – R&B chip sealed the week of 7/7 and will be chip sealing again the week of 7/21. The new chipping machine purchase allowed the job to be completed DAYS sooner than we have in past years.

Solid Waste:

Solid Waste Q3 Report

Attached is a report prepared by Solid Waste Supervisor, Dann O'Donnell summarizing FY2025 Q3. Note on page 8 the summary of vehicles and delays. Solid Waste estimates a wait of 2 minutes per car in front, sometimes resulting in a 30 to 40 minute wait time.

Landfill Bound Trucking – The first week of trucking with the Idaho Regional Solid Waste District resulted in 13 trips with an average of 21 tons per trip. IRSWD truck capacity is slightly larger than the previous truck which translates to an extra 3+ tons of waste per truck. IRSWD trucks have a capacity of approximately 25 tons. If Solid Waste is able to secure a grinder, we will easily be able to increase average tons per trip.

extension was approved in 2022 and exires in 2027.

I am hoping to discuss the proposed modifications with the BoCC.

Facilities:

Compressor for the LEC HVAC system is scheduled for install on 7/10 & 11.

Attachments:

Solid Waste FY2025 Q3 Report

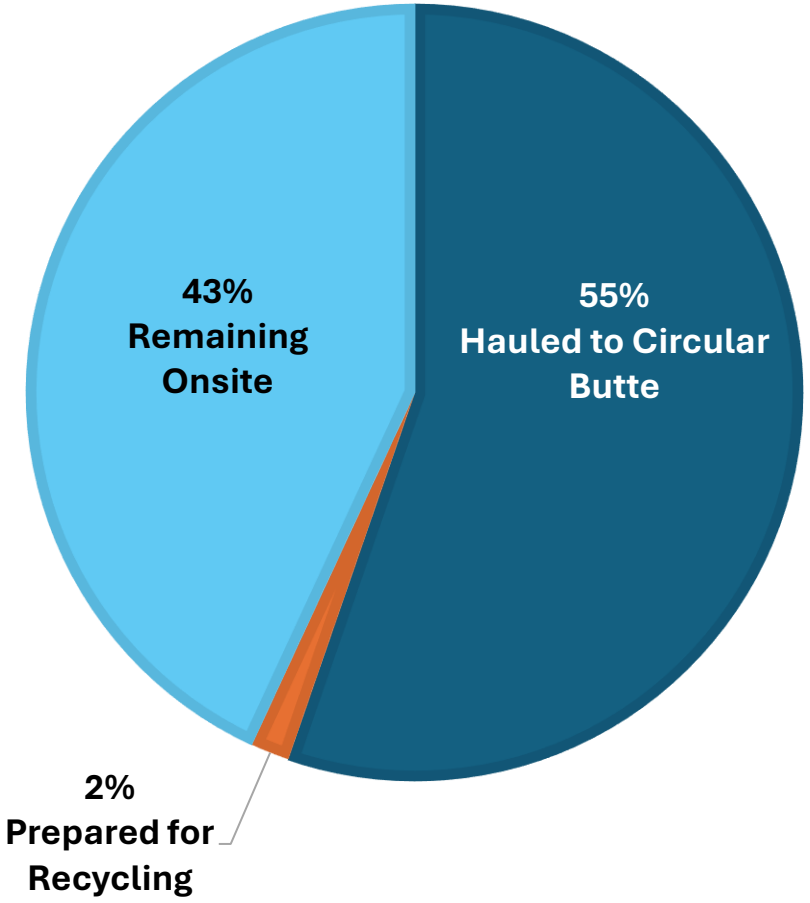
Teton County Solid Waste Quarterly Report

Quarter 3 FY2025

April 1, 2025 through June 30, 2025

Where the Waste Goes

Teton County Solid Waste received 5874 Tons of material this quarter.

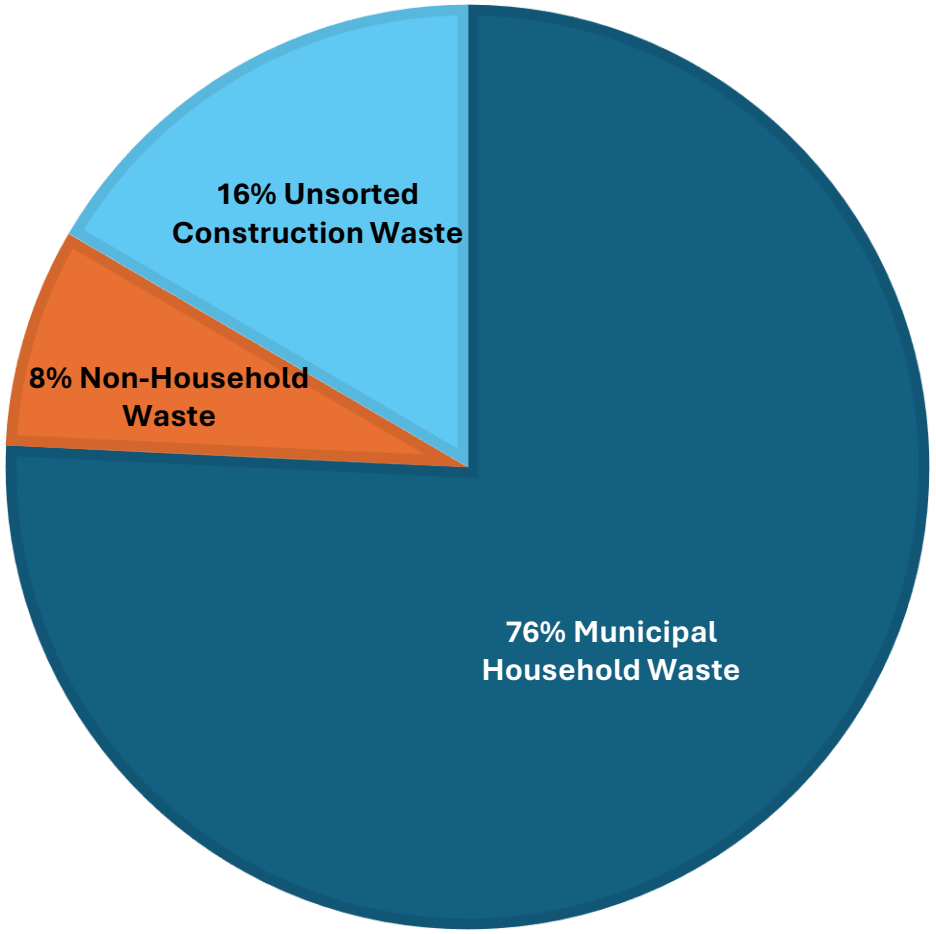


With very few exceptions, waste that is brought to the Teton County Solid Waste facilities is shipped to Circular Butte Landfill, sent out for recycling, or buried or otherwise used in the Non-Municipal Solid Waste Landfill (Construction and Demolition Landfill). The amount and volume of waste which is used in the C&D landfill is mitigated through chipping dimensional lumber and composting organic waste.

Destination (Quarter 3 of Fiscal Year 2025)	Q3 Tons
Hauled to Circular Butte	3262.67
Prepared for Recycling	94.87
Remaining Onsite	2516.47

Character of Waste sent to Circular Butte Landfill

TCSW sent 3247 tons of material to Circular Butte Landfill during the third quarter of FY2025



TCSW sends three broad categories of waste to Circular Butte Landfill.

- Municipal Household Waste: Material that is general household waste, office waste and contaminated recycling.
- Non-Household Waste: Construction and Commercial waste which does not contain sortable materials.
- Unsorted Construction Waste: Construction waste which contains sortable materials which the hauler has chosen not to sort.

Material (Quarter 3 of Fiscal Year 2025)	Q3 Tons
Municipal Household Waste	2459.8
Non-Household Waste	249.35
Unsorted Construction Waste	537.97
Total	3247.12

Cost of Hauling to Circular Butte

Material (Quarter 3 of Fiscal Year 2025)	Tons	Cost to Haul/Ton	Equivlent # of Trips to Transport	Approximate Portion of Hauling Cost
Municipal Household Waste	2459.8	$39.65	106.95	$97,536.42
Non-Household Waste	249.35	$39.65	10.84	$9,887.27
Unsorted Construction Waste	537.97	$80.03	47.21	$43,056.31
Total	3247.12		165.00	

Hauling waste to Circular Butte is the largest single expense to Teton County Solid Waste. The construction and demolition landfill was in part, created to help mitigate the expense of both hauling waste to the landfill as well as reduce the tipping fees Teton County pays to Jefferson County for use of their municipal landfill.

The sorting pad is a second line of defense against sending material to the landfill unnecessarily. Some construction waste, primarily wood and sheet metal, take up disproportionate amounts of space in the trailers used to haul waste to the landfill. When these materials are loaded into the semi-trucks, less waste can be sent to Circular butte in their trailers and the cost per ton of disposal goes up for Teton County.

This quarter, TCSW sent 165 semi truck loads of waste to Circular Butte Landfill at an average cost of $912/haul. TCSW estimates that an additional 32 trips to Circular Butte could have been avoided if divertible items were not sent to Circular Butte, with a savings of $29,000.

Recycling & Salvage

Material Brought to TCSW to be Recycled			
	Tons	Tipping Revenue	Tipping Revenue/Ton
Commercial Cardboard	32.7	$492.00	$15.05
From Mixed Loads (Cont.OCC and HR)	~23.64	$1,827.00	$77.28
Recycling	80.21	$2,558.00	$31.89
Salvage Permits	148 Units	$1,720.00	$11.62
Tires	~15.79	$4,787.00	$303.17
Total	152.34	$11,384.00	

Material Baled by Teton County Solid Waste		
	Bales	Tons
Aluminum Cans	19	6.84
Cardboard	141	76.14
Paper	10	5.1
Plastic Film, Bottles and Jugs	21	5.6
Steel/Tin Cans	5	1.20
Total	196	94.88

Outgoing Material (Recycling FY2025 Q3)			
Material	Tons	Revenue	Broker/Buyer
Cardboard	63.63	$2,675.50	ACP
Ewaste	3.34	$0.00	R.O.M.
Salvage	115.9	$1,313.00	General Public
Tires Out	32.31	-$10,500.75	Idaho Tire Recyclers
Used Oil	4.69	-$2,337.87	Thermofluids
Total	219.87	($8,850.12)	

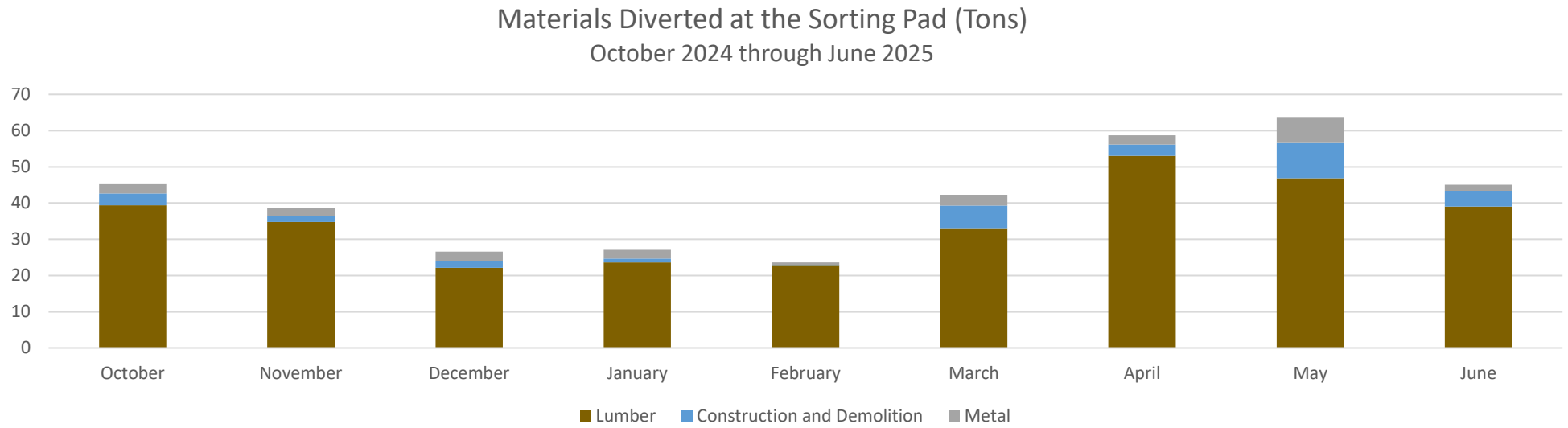
TCSW estimates that about 152 tons of material was brought onsite for recycling this quarter.

Most recyclable materials are kept loose onsite until enough material has accumulated to be collected by recyclers. These materials include scrap metal, e-waste, tires, batteries and oil. Other materials are baled and sold through brokers once enough material has accumulated to fill a semi truck.

Different materials accumulate at different rates and can be seasonal. Cardboard and scrap metal accumulate the quickest, while batteries, paper and plastics accumulate more slowly.

Construction Waste at the Sorting Pad

This quarter is typically the busiest of the fiscal year. One of the more noticeable changes which take place this quarter is the increase in dimensional lumber that comes in with unsorted loads. In the coming months, the unloading/sorting area of the sorting pad will be increased to allow for more material to be in the sorting pad at any given time, and more space to sort the material.
This quarter, 167 tons of material were removed from the waste stream destined for Circular Butte Landfill. TCSW estimates this saved between 19 to 28 trips to Circular Butte for which Teton County would have paid between $17328 and $25536 in hauling alone.

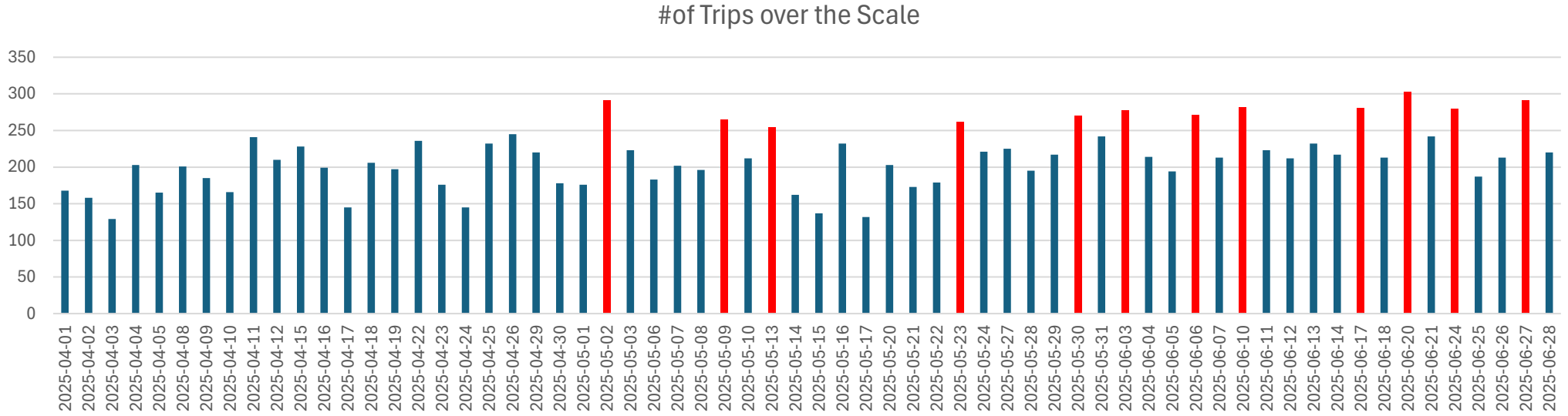


Compost, Sorted, Mixed Loads & The Construction and Demolition Landfill

Incoming Materials		
Compost		
	Tons	Tipping Revenue
Butcher Waste & Mortalities	40.1	$630
Brush	3.78	$98
Grass	.72	$14
Manure	2.25	$39
Construction and Demolition & Cover		
Concrete	22.53	$338
Glass	1.52	$24
Lumber	216.23	$3282
Unsorted Construction and Demolition	2.68	$563
Mixed Composition (Recycling, Household, Compost, Construction e.g.)		
Sorted	58.09	$976
Sorted/Household	248.82	$10802.00
Metal	23.68	$460.00
Total	620.4	$17226.00

Material which is not transferred to the Municipal Landfill, or processed for recycling is stored in different areas throughout the site. Some recyclable commodities, such as scrap metal, is stored loose onsite and sold to the highest bidder once a year. Other material, such as dimensional lumber, is stored loose until it is chipped down, and if a taker cannot be found, the material is buried in the construction and demolition landfill. Other materials, such as animal parts and carcasses, along with grass and brush chips, are composted and the resulting material is used as cover material on the construction and demolition landfill. Mixed loads and “sorted” loads contain one or more categories of waste with different destinations onsite.

Visitation and Impact on Operations



Red Columns indicate days with 250 or more visits.

There were 13,647 loads which passed over the scale this quarter. There was 1 day with over 300 visitors and 12 days with over 250 visitors.

This year, Q3 saw approximately 350 more visits to the transfer station than Q3 of the previous year, but the number of days with over 250 visitors has been in decline over the past three years. Visitors can expect to wait approximately 2 minutes in line for every car in front of them. On busy days, this can lead to wait times of 30 to 40 minutes each way.

TCSW believes that the long waits decrease air quality for both haulers and staff, decrease participation in salvage and diversion behavior, cause delays to operations and lead to more instances of conflict between users and staff.

Teton County Solid Waste and the Mosquito Abatement District Annual Spring Clean-up Day 2025

This year the annual spring clean up event took place on Saturday, May 17. Members of the community were able to bring in material for a free, or at reduced prices. In partnership for this event, the Mosquito Abatement District paid for the disposal of tires brought in by the public on the spring cleanup event, allowing Teton County Solid Waste to waive its tipping fees for tires on the day of the event.

Teton County Solid Waste counted 277 visitors to the solid waste facilities, and estimated to have taken in 14 tons of tires from the community.

AGENDA ACTION ITEM

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Darryl Johnson, Public Works Director

ITEM TITLE: **Action Item – Grooming Garage Contract Award**

Summary:

Teton County has been working with TVTAP and the Grooming District on the development of an equipment storage/maintenance facility. TVTAP and the Grooming District have been instrumental in finding funding opportunities and have received approximately $290,000 in grant funding. The facility will be County owned and located on the county owned Buxton property (see attached site plan)

Bids for construction were opened on 7/1. This contract will be between Teton County and low bidder, Teton West. The team hopes to begin construction immediately. The existing Quonset building will be removed by others. Public Works is working to have the fuel tanks and pumps removed.

Public Works has submitted a boundary line adjustment to the City of Driggs that will accomodate the new building configurations.

Fiscal Impact:

TVTAP and the Grooming District are committed to covering all costs associated with garage construction and site development. Language will be included in the agreement with Teton County that commits the groups to paying all associated development costs. The County will not incur any costs outside of Public Works time for construction oversite assistance. In exchange for TVTAP and the Grooming District financing the County facility, the previous BoCC agreed to signing a long term agreement with the groups for sole use of the facility. The apparent low bid is Teton West at $479,750. TVTAP and the Grooming District are currently discussing possible value engineering and associated cost reduction.

Attachments:

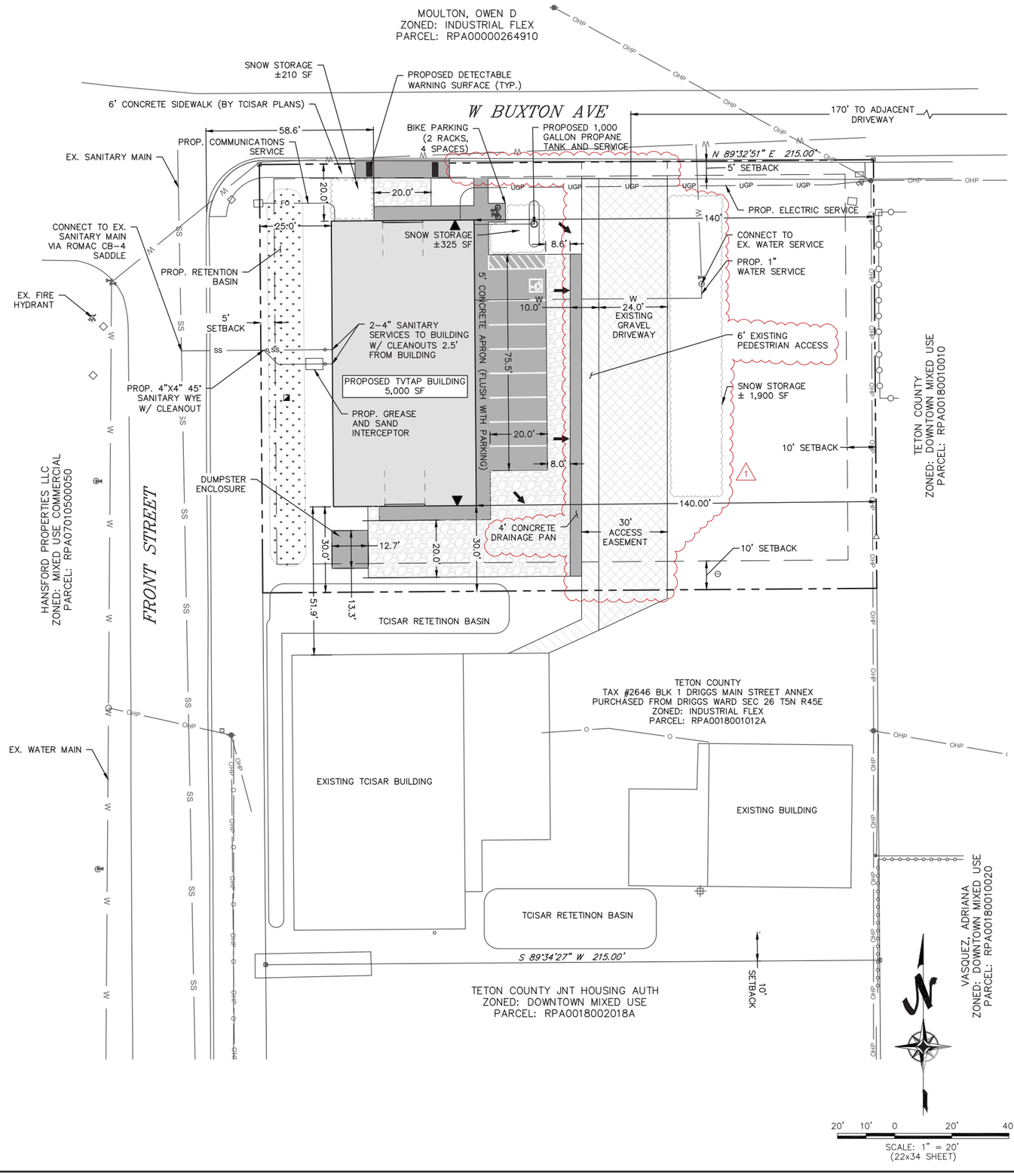
Grooming Garage Bid Summary
Grooming Garage Site Plan

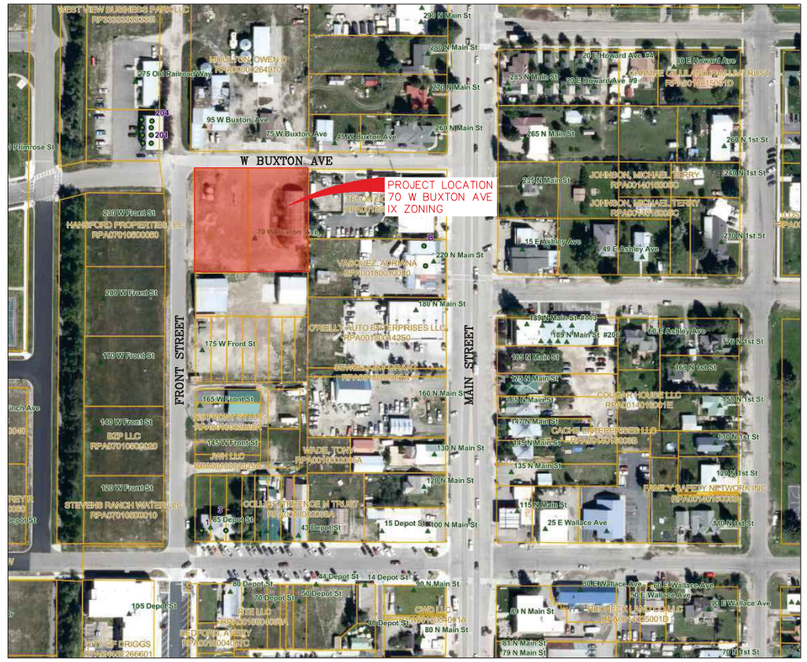
SUGGESTED MOTION:

Award the Grooming Equipment Facility contract to low bid, Teton West, for a not to exceed cost of $479,750. Construction costs to be paid by TVTAP and the Grooming District.

	TETON COUNTY, IDAHO ENGINEERING 150 Courthouse Drive Driggs, ID 83422	Project: Subject: By: Date:	Teton County/TVTAP/Grooming District 33 Equipment Building Bid Comparison DJ / BPM Bid Date - 7/1/25

	COMPANY	BID ($)
1.	Big-D Construction - Idaho Falls	$918,044.00
2.	Teton West of Idaho LLC (Low Base Bid)	$516,053.00
	Accepted Bid Alternates	
	Panel Rib Roof Deduct	($21,685.00)
	Dumpster Enclosure Deduct	($14,618.00)
	Total Awarded Contract Amount - Teton West	$479,750.00





VICINITY MAP

SITE PLAN DATA

TOTAL LOT AREA:	32,256 SF
EXISTING STRUCTURES:	4,045 SF
EXISTING CONCRETE PAVING:	1,200 SF
EXISTING GRAVEL PAVING:	4,320 SF
PROPOSED STRUCTURES:	5,000 SF
PROPOSED CONCRETE PAVING:	2,830 SF
PROPOSED GRAVEL PAVING:	2,850 SF
LOT COVERAGE (AREA):	10,680 SF
LOT COVERAGE (PERCENTAGE):	33.1 %
PARKING SPACES REQUIRED:	8 (1.5 PER 1,000 SF)
PARKING SPACES PROVIDED:	8
SNOW STORAGE	
REQUIRED: 5,680 X 0.25 =	1,420 SF
PROVIDED:	2,435 SF
CURRENT ZONING DISTRICT:	IX (INDUSTRIAL FLEX)
BUILDING SETBACKS	
PRIMARY STREET:	5' MIN.
SIDE STREET:	5' MIN.
SIDE INTERIOR:	10' MIN.
REAR	10' MIN

LEGEND

- EXISTING PROPERTY LINE
- EXISTING EASEMENT (AS NOTED)
- EXISTING SETBACK
- PROPOSED GRAVEL ACCESS
- PROPOSED CONCRETE PAVEMENT
- PROPOSED DETENTION AREA
- W — PROPOSED WATER SERVICE
- SS — PROPOSED SEWER SERVICE
- W — EXISTING WATER MAIN
- SS — EXISTING SEWER MAIN
- UGP — PROPOSED UNDERGROUND ELECTRIC LINE
- FO — PROPOSED UNDERGROUND COMMUNICATIONS LINE
- EXISTING FIRE HYDRANT
- PROPOSED INFILTRATION INLET
- O — EXISTING FENCE
- EXISTING PEDESTRIAN ACCESS (PER TCISAR PLANS)
- EXISTING GRAVEL DRIVEWAY (PER TCISAR PLANS)

GENERAL NOTES

1. THIS DRAWING IS BASED ON THE TOPOGRAPHIC SURVEY FOR 70 W BUXTON PERFORMED OCTOBER 24–25, 2023 BY BADGER AERIAL MAPPING AND SURVEY. SEE ORIGINAL SURVEY FOR ADDITIONAL EXISTING CONDITIONS INFORMATION.
2. BUILDINGS, ADJACENT HARDSCAPE, AND PARKING LOT LAYOUT SHALL BE PARALLEL AND PERPENDICULAR TO THE WESTERN PROPERTY LINE (BASIS OF BEARING).
3. SEE ARCHITECTURAL DRAWINGS FOR ADDITIONAL BUILDING INFORMATION.
4. DIMENSIONS SHOWN TO BUILDING ARE TO EXTERIOR FOUNDATION WALL.

UTILITY NOTES

1. THE LOCATION OF EXISTING BURIED UTILITIES SHOWN IS APPROXIMATE AND BASED ON AVAILBLE INFORMATION; BURIED UTILITIES WERE NOT SURVEYED. REFER TO NOTES AND DETAILS FOR FURTHER INFORMATION REGARDING UTILITIES AND CONTRACTOR RESPONSIBILITIES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DRIGGS PUBLIC WORKS STANDARD SPECIFICATIONS AND DRAWINGS, CURRENT EDITION. IMPROVEMENTS NOT SPECIFICALLY COVERED IN THE CITY STANDARDS MUST MEET OR EXCEED THE CURRENT IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION.
3. CONTRACTOR SHALL COORDINATE ALL WORK AND RELOCATION OF ALL UTILITIES WITH THE APPROPRIATE UTILITY COMPANY.
4. VERIFY FINAL LOCATION, SIZE, DEPTH AND MATERIAL OF ALL PROPOSED UTILITIES WITH THE APPROPRIATE UTILITY COMPANY PRIOR TO CONSTRUCTION.
5. PROVIDE A MINIMUM OF 4" BEDDING MATERIAL (¾" MINUS) OVER, UNDER AND AROUND ALL SIDES OF CONDUIT PIPE.
6. ALL ELECTRICAL WORK SHALL BE PERFORMED BY A LICENSED ELECTRICIAN AND SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL STANDARDS AND CODES.
7. ADJUST ALL MANHOLE COVERS, METER PIT COVERS, VALVE BOXES, AND OTHER SURFACE UTILITY STRUCTURES TO PROPOSED FINISHED GRADE.
8. PERFORM ANY NECESSARY PAVEMENT CUT & REPLACEMENT PER CITY OF DRIGGS STANDARD SPECIFICATIONS AND DRAWINGS & ISPWC. CONTRACTOR TO COORDINATE PERMIT FOR WORK & TRAFFIC CONTROL PLAN AS NEEDED WITH CITY OF DRIGGS.

HARMONY
DESIGN & ENGINEERING
18 N MAIN STE 305 • DRIGGS ID 83422
208.354.1331 • www.harmonydesigninc.com

DRAWING IS TO SCALE IF BAR MEASURES 1" — 0 — ½" — 1"
1" = FULL SCALE
½" = HALF SCALE

DWG: 25007_SITE
PROJ. #: 25007
DATE: 06/26/2025

PROFESSIONAL ENGINEER
LICENSED
Tyler Bushong
6871742
07/02/2025
STATE OF IDAHO
TYLER BUSHONG

REVISIONS:

1	ACCESS REVISIONS	07/02/2025			

PROJECT NAME
TVTAP EQUIPMENT BUILDING
70 W BUXTON AVE, DRIGGS, ID

SITE AND UTILITY PLAN

SHEET #
C2.1

PLOT BY: TYLER BUSHONG
C:\Users\Harmony Design\OneDrive - Documents\Projects\25001-TVTAP_Equipment Building\Engineering\CAD\Plan Sets\25001_SITE.dwg

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Darryl Johnson, Public Works Director
ITEM TITLE:	**Action Item – LEC HVAC System Replacement**

Summary:

The Law Enforcement Center has experienced HVAC issues for the past year plus. We have learned that the LG 3rd Generation system is being discontinued some time in 2025. This means repair parts will become harder to come by. The HVAC system is currently not functioning due to the most recent compressor failure. A compressor is scheduled to be installed on 7/11. However, one of the five compressors remains inoperable so the system is running at 80% capacity.

It has been recommended that the County invest in a new Lennox HVAC system. Our service technician has had good experiences with Lennox and parts seem easier to come by. Replacing the system will minimize our maintenance issues and provide the LEC with a more reliable heating and cooling system.

Fiscal Impact:

Estimated cost for the Lennox HVAC system at the LEC is $250,000. This expense will need to be paid from Remaining Cash.

SUGGESTED MOTION:

Approve the Lennox HVAC system replacement at the County Law Enforcement Center. Not to exceed cost of $250,000 to be paid from Remaining Cash.

AGENDA DISCUSSION ITEM

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Greg Adams

ITEM TITLE: **DISCUSSION ITEM – 2025 July IT/EM**

Monthly Report

IT and EM Monthly Report

Current Projects

On June 25th I attended an emergency planning meeting put on by Grand Targhee that included response partners from both states. I look forward to continuing to work with them in developing their plan.

Ronn and I helped out with the 4th of July parade and had a booth in the park afterwards. The only issue was a lost child that Ronn and I ended up finding.

On July 9th we had a kick-off meeting for our Emergency Action Plan revision project for County and City facilities. We anticipate the project being completed in November or December.

On July 1st we had a kick-off meeting for our Alert and Warning Standard Operating Procedure project. We anticipate that project wrapping up by November.

Future Projects

On July 15th I will be attending a Multi-Regional Emergency Managers Workshop that will include the new Idaho Office of Emergency Management Director. I hope he will be providing us with updates on the impending changes that will happen to the Federal and State Emergency Management organizations.

On July 24th Kaden Moulton from the Sheriff's Office and I will be attending a District Interoperability Governance Board meeting for our region, region 6. The group oversees the coordination of public safety communication to help reduce occurrences when response agencies are unable to communicate effectively. The group has 2 appointees from each County. I am currently the only appointee for Teton County. After Kaden attends his first meeting I recommend the board appoint him to the other position for the County. Kaden or I will bring it forward as an action item then.

On August 4th the IT team will be replacing the Solid Waste wireless links. This will involve 2 different links and entail being on 2 roofs at the same time.

Future Appointments

Every Tuesday	Regional EM Coordination Call 11
Every first Friday	Idaho Cyber Grant Committee 10:30 to 12
7-15	Multi-Regional Emergency Managers Workshop in IF
7-24	District Interoperability Governance Board 6 Meeting in IF
8-4	Solid Waste wireless link replacement
8-5	Teton County Responder Agency/LEPC Meetings

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Wendy Koch, Building Official
ITEM TITLE:	**Action Item - SOQ review and next steps**

Summary:

This item is for the BoCC to consider responses to the Request for Qualifications (RFQ) for Supplemental Building services through Public Private Partnerships.

The Building Department received three responses, Statements of Qualifications (SOQs). The three SOQs have been reviewed by staff; a summary of the reviews is also attached with a recommendation. Staff is requesting permission to proceed with discussions and contract negotiations with one of the three firms.

Sponsor's & Benefactors:

This process was initiated by a request from the Board of County Commissioners (BoCC) to research potential means of reducing processing time for building permit applications. It appears that the services offered by the three firms will not cover all the required reviews. This means that the overall timeline for building permit application review will likely not be reduced. There may be a potential to utilize outside services so that staff can redistribute responsibilities to streamline other processes within the department.

There is no contract yet so nothing has been sent to legal for review.

Fiscal Impact:

The fiscal impact is unknown at this time. Fee information from each of the three firms is included in the summary provided.

Attachments:

SAFEbuilt SOQ
Shums Coda Associates SOQ
WC^3 – West Coast Consultants SOQ
Staff Review Summary and Comments

SUGGESTED MOTION:

Move to approve the Building Department to proceed with discussions and contract negotiation for outside services with Shums Coda Associates.

RFQ

Proposal for Teton County, Idaho County Building Department
Supplemental Services through Public Private Partnerships

ELECTRONIC



Teton County, Idaho

June 30, 2025 | 5:00 MT

Charity Campfield

Account Manager
307.292.1124
ccampfield@SAFEbuilt.com

David Spencer

Director of Operations
425.213.2612
dspencer@SAFEbuilt.com

SAFEbuilt Washington, LLC



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SAFEbuilt.

Headquarters
444 N. Cleveland Avenue
Loveland, CO 80537
866.977.4111
www.safebuilt.com

Building Code Services
Building Official
Plan Review
Inspection
Code Enforcement
Fire Prevention
Permit Technician
Permitting Software

Professional Services
Planning & Zoning
Grant Writing & Management
Engineering
Parks/O&M/On-Site Services
Construction Services
Landscape Architecture & Urbanism
Construction Engineering Inspection
IT, Data, & Technology Services
Real Estate/Right-of-Way
Transportation & Mobility
Surveying & Mapping
Disaster & Recovery

Sales/Contract Contact
Charity Campfield
Account Manager
307.292.1124
ccampfield@safebuilt.com

Operations Contact
David Spencer
Director of Operations
425.213.2612
dspencer@safebuilt.com

Project Office
1715 114th Ave S.E.
Suite 204
Bellevue, WA 98004
245.213.2612

June 26, 2025

Teton County, Idaho
Attention: Dan Reyes, Teton County Manager
150 Courthouse Dr.
Driggs, ID 83422

RE: Request for Qualifications for Teton County, Idaho County Building Department Supplemental Services through Public Private Partnerships

Dear Dan Reyes and Evaluation Committee Members:

SAFEbuilt Washington, LLC (SAFEbuilt) is pleased to present our proposal in response to the Teton County, Idaho (County) Request for Proposal (RFQ) for Teton County, Idaho County Building Department Supplemental Services through Public Private Partnerships. Accurate and timely building department services are always critical to helping support community development. We assure you that the County can always rely on SAFEbuilt to provide quality and efficient solutions that deliver consistent customer satisfaction for the most reasonable price.

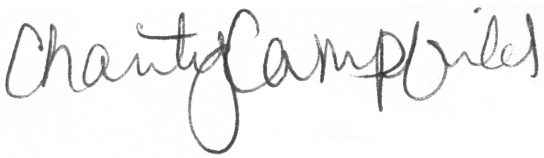
In order to provide your community with quality services, it is essential to choose a company with demonstrated abilities capable of fully managing the building inspection, plan review, and permit issuance services you need and when you need them. Our long-term experience with other Idaho and nearby communities provides SAFEbuilt with a thorough working knowledge of the County's requirements and expectations.

Our approach is simple. We offer a team of seasoned professionals with the experience and qualifications you need. We also bring a proactive, educational, customer-focused approach to every contract we support.

SAFEbuilt is your local partner with the capacity to customize services to meet your needs. We ensure your program will be implemented seamlessly, delivering the solutions your community needs in a manner that elected officials, County staff, stakeholders, and citizens desire and deserve. We recognize that different communities have different needs and objectives, and our efforts will address these specific goals and challenges to help you sustain a thriving community.

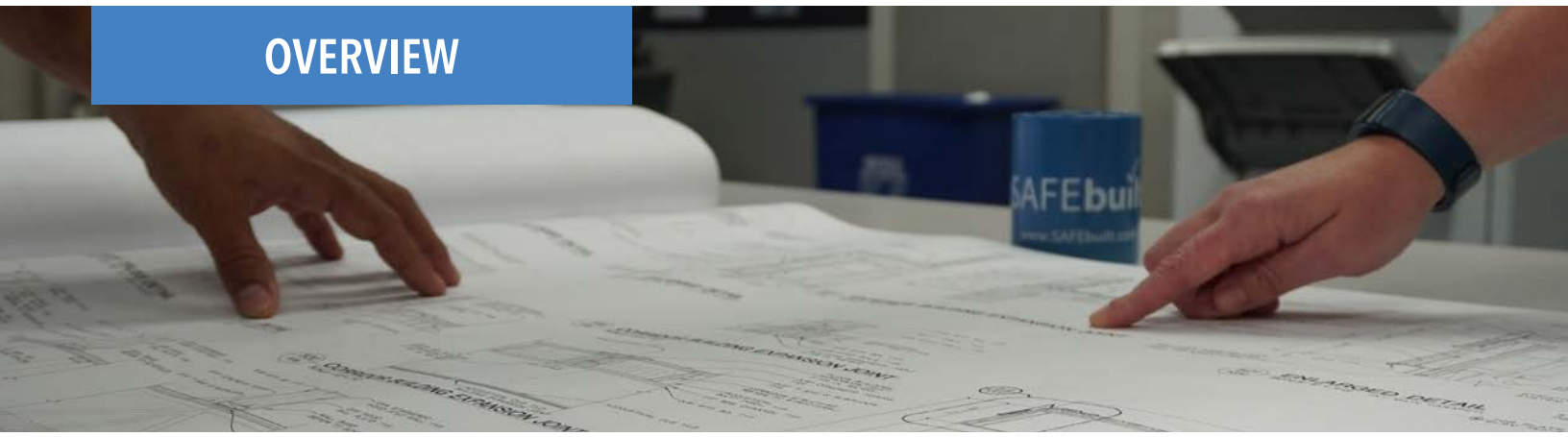
Our proposal details our services, qualifications, and fees for delivering outstanding services to support your community. We enthusiastically present this proposal for your review and evaluation, and thank you in advance for taking the time to assess it. I am the main point of contact for any questions or clarifications. I can be reached at 307.292.1124 or via email at ccampfield@safebuilt.com. Acceptance of Teton County's terms and conditions is subject to review by SAFEbuilt's legal team

Best Regards,



Charity Campfield, *Account Manager*
SAFEbuilt Washington, LLC

OVERVIEW



SAFEbuilt is committed to delivering efficient, customer-focused services that ensure code-compliant, completed projects for residents, businesses, and the County. To achieve contract success, we prioritize clear and consistent communication at all levels of our organization. Leveraging modern technology, we facilitate seamless communication with clients, residents, contractors, co-workers, and support staff. This approach ensures that all stakeholders are informed about projects in the County, enhancing team efficiency in daily operations.

Our proposed team will carry out their responsibilities independently and with professionalism, following all directions with minimal need for supervision. They possess deep expertise in design principles, local zoning regulations, topographic site plans, and applicable federal, state, and local laws and codes. They are also committed to maintaining job site safety and fully complying with OSHA standards. To ensure staff remain up to date with industry standards, SAFEbuilt requires a minimum of 32 hours of annual training—or 48 hours during years when new codes are adopted.

The team is dedicated to providing exemplary customer service while fulfilling its duties. They will attend County-required meetings, respond promptly to calls and emails, and consistently demonstrate professionalism, courtesy, and appropriate conduct both on and off the job site. This commitment ensures a high standard of service delivery and fosters a strong partnership with the County.

The SAFEbuilt team is highly proficient in electronic plan review processes and applications, with Bluebeam Revu as our preferred system. Our technology works seamlessly with the preferred software of the County. Our proposed staff will review permit applications, plans, shop drawings, and product approvals, identifying conflicts with applicable codes and providing detailed comments. Reviews will be conducted during the County's business hours, and we are confident in meeting or exceeding the standard plan review timelines outlined in the RFQ, often delivering faster turnaround times.

SAFEbuilt Plans Examiners will manage incoming plan submissions, ensuring they are properly recorded and providing customers with tools to track progress. They will thoroughly examine and analyze construction drawings, plans, and specifications to verify compliance with adopted local, state, and federal codes, ordinances, policies, and regulations. Additionally, they will attend pre-submittal and pre-construction meetings upon request and conduct pre-plan review meetings as needed to facilitate smooth project execution.

To ensure clarity and consistency during plan reviews, the SAFEbuilt team will use compliance checklists customized for Teton County. Review documents will include comment letters that clearly identify deficiencies, cite applicable construction drawing sheet numbers and code sections (with language included), and provide concise explanations of identified issues. Each review will be labeled as the first, second, or third review to track progress. Recommendations to approve, modify, or deny plans will be based on compliance with relevant laws,

codes, and ordinances. Customers will receive clear guidance on resolving deficiencies to achieve approval. Required special inspections or deferred submittals will also be noted in the comment letters.

Final review documents will be clearly marked to indicate approval for release, pending County authorization, ensuring an efficient and transparent process for all stakeholders. SAFEbuilt Plans Examiners will provide support to contractors, homeowners, and design professionals by answering code-related questions and offering design advice strictly within the context of achieving code compliance, both through written and verbal communication. All completed reviews will be thoroughly documented in the County's system of record, and project documents will be returned to the County for final processing and approval.

Capabilities

Each year, SAFEbuilt completes thousands of building department services, including new construction, renovations, expansions, and occupied or unoccupied buildings. Our expertise spans projects, including:

- Residential Developments (Single-Family, Townhouses, and Condos)
- Multi-Family Dwellings
- Mixed-Use Buildings
- Retirement Communities & Assisted Living Facilities
- LEED Buildings
- Hospitals and Medical Facilities
- High-Rise Buildings (Commercial and Residential)
- Large Commercial Retail Developments
- Low-Income Housing
- Parking Garages (above and below grade)
- Automated Parking Systems and Mechanical Car Stacker
- Industrial Buildings
- Manufacturing & Production Plants
- Preschools and Daycares
- Elementary, Middle, and High Schools
- Colleges and Universities
- Sorority/Fraternity Houses
- Student Housing
- City Halls
- Fire Stations
- Courthouses
- Government Buildings
- Recreational Centers
- Parks
- Museums
- Libraries
- Banks
- Churches
- Sports Fields
- Arenas
- Gymnasiums
- Grocery Stores
- Pharmacies
- Theme Parks
- Restaurants
- Shopping Malls
- Hotels & Motels
- Casinos
- Self-Storage Facilities
- Live Theaters
- Movie Theaters/Cinemas
- Production Studios
- Airport & Cruise Terminals
- Train Stations
- Toll Plazas
- Historical Buildings
- Refrigerated Buildings
- Threshold Buildings
- Cabanas and Gazebos
- Pools (Commercial and Residential)
- Modular Baths
- Spas
- Solar Panel Systems
- Construction Trailers
- Loading Docks
- Chillers
- Warehouses
- Fire Pump Houses
- Gatehouses
- Drainage Systems
- Silos
- Marinas/Waterfront Properties

KEY PERSONNEL

SAFEbuilt is pleased to present our team of building code experts below.

Teton County, Idaho

Director of Operations
David Spencer

Account Manager
Charity Campfield

Project Team
Mark Westover, PE
Alam Chambers, CBO
Ravi Mahajan, PE
Andrew Frame
Adrian Jones
Danielle Fiocchi



KEY PERSONNEL EXPERTISE MATRIX	Key Personnel Experience	David Spencer, CBO	Danielle Fiocchi	Andrew Frame	Adrian Jones	Mark Westover, PE	Ravi Mahajan, PE	Alan Chambers, CBO
Building Plans Examiner		✓	✓	✓				✓
Civil Plans Examiner						✓		
Fire Protection					✓			
Structural Plans Examiner							✓	

APPROACH

Turnaround Times for Inspection and Plan Review Services

SAFEbuilt will work with the County to provide inspection staff in a timely manner. SAFEbuilt will meet with the County before the contract starts to establish a customized inspection notification process. Our inspectors are familiar with many jurisdictional scheduling and tracking systems and can quickly adapt to jurisdiction requirements.

SAFEbuilt offers next-day inspections for any request received by 4:00 PM on the previous business day. Most inspections take between 15 minutes and 2 hours to complete, depending on the type of inspection. We offer weekend and after-hours inspections on a scheduled basis for an additional fee. We will, of course, make ourselves available to respond to inspections related to emergencies.

SAFEbuilt proposes the following plan review turnaround times for a contract with the County.

Table 1. Plan Review Turnaround Times

Type of Project	Initial Check	Recheck
Residential	5 working days or less	5 working days or less
Multi-Family	10 working days or less	5 working days or less
New Commercial	10 working days or less	5 working days or less
Commercial Alteration	10 working days or less	5 working days or less
All Other Reviews	Same day to 5 days	Same day to 5 days

A Well-Equipped Team

SAFEbuilt provides its employees with the materials, tools, and equipment necessary to perform all work required by the County. We provide our Inspectors with late-model vehicles with removable signage, and field-related equipment necessary to perform their duties. Some examples of what we supply our team with are:

- Laptops with mobile hot spots
- Safety devices and clothing required to meet OSHA requirements
- Standard business software and specialized software
- Personal protective equipment
- Tablets and mobile phones (loaded with electronic versions of essential codebooks)
- Insurance: Liability, Workers Compensation and Health, Dental, Vision, and Life





Quality Control and Assurance

SAFEbuilt's success relies on delivering high-quality, detail-oriented services. Our Quality Control (QC) approach is proactive, ensuring oversight throughout the project, not just in the final review. Guided by Total Quality Management principles, each project has a customized QC plan detailing responsibilities, procedures, and standards. This ensures independent checks, data verification, compliance, and proper coordination of project documents.

At a minimum, SAFEbuilt's QC plan includes the following elements to uphold accuracy and timeliness:

- Clear understanding of the project scope.
- Verification of data accuracy and adherence to field procedures.
- Implementation of checks and balances throughout the process.
- Guidance for staff to ensure compliance with QC procedures.
- Confirmation of updated standards and methodologies.
- Integrated reviews at all levels of work.
- Field observations, documentation, guidelines, plans, and goals through internal monitoring and production audits.

To ensure we consistently deliver and maintain exceptional services for our customers, our Regional Operations Manager performs random quality evaluations of our staff throughout the year. These activities include:

- Standardized processes for intake, completion of returned work, email correspondence, review comment letters, inspection reports, and other items to ensure consistency and client satisfaction (e.g., logging review data into each municipality's system).
- Our Regional Operations Manager conducts periodic reviews to ensure completeness, accuracy, and consistency of work performed.
- Periodic peer review of others' plan reviews and ride-along with inspectors.
- Staff feedback as necessary for any discrepancies or improvements needed.
- Staff is paid to attend both internal and external training to grow professionally and improve skill sets.
- SAFEbuilt's Account Manager and Regional Operations Manager conduct periodic check-ins with clients for feedback on satisfaction with work performed and services provided.
- SAFEbuilt's Account Manager sends periodic customer satisfaction surveys for feedback on work performed and services provided.
    - SAFEbuilt uses both check-ins and surveys to find possible opportunities to improve client satisfaction, work performed, and services provided, as necessary.

In addition to the routing and tracking systems used for plan review and inspections, staff receive regular training to stay up-to-date on current codes, ordinances, amendments, and regulations. We also mitigate risks through our ability to direct additional resources from our corporate operations or regional operations for immediate staffing needs.

CommunityCore Solutions: Community Development Software

CommunityCore Solutions is SAFEbuilt's proprietary, online community development software tool for managing permitting, plan reviews and approvals, and code enforcement and inspection activities. CommunityCore integrates with other government software systems. It is designed to streamline and automate many building department processes, helping to ensure compliance, manage workflows, generate activity reporting, and provide transparency to all stakeholders.

CommunityCore is divided into three interface modules, depending on the user.

CommunityCore POWERED BY SAFEbuilt

CommunityCore for Building Departments

Users of CommunityCore can:

- Manage permit applications and permits throughout their life cycle.
- Assess fees and collect payment.
- Manage contractor and business licenses.
- Create and track projects.
- Manage how the system works for you by customizing workflows, defining customer permit fields, and managing users.
- Generate reports.

CommunityConnect POWERED BY SAFEbuilt

CommunityConnect for Contractors & Communities

Users of CommunityConnect can:

- Apply for permits.
- Track existing permits.
- Upload plans.
- Request inspections.
- Access permit documents, including permit certificates and plan reviews.
- View inspection results.
- Pay fees.

InspectorConnect POWERED BY SAFEbuilt

InspectorConnect for Code Enforcement

Inspectors and Code Compliance Officers can use InspectorConnect to:

- Easily view their assigned work.
- Organize stops for improved efficiency.
- Automatically send inspection results to the contractor or permit applicant.
- Access key documents, such as plans and certificates.
- Schedule, reschedule, or assign inspections in the field.
- Look up permit information from the field.

Created by people who have worked in building departments like yours, CommunityCore Solutions are simple yet flexible enough to handle the work you and your team do every day. We offer a genuinely unique combination—large company strength and stability together with small company personalized and responsive support.

If the County selects SAFEbuilt as its service provider for this RFP, we will provide CommunityCore Solutions permitting software at no cost for up to three users. CommunityCore can help streamline your processes and improve efficiency. To get started, simply contact your Account Manager, Ms. Charity Campfield. She'll be happy to assist!

In the meantime, we invite you to watch a recent webinar, "Understanding Electronic Permitting Systems," for a quick overview: https://content.safebuilt.com/communitycore_demo or follow the link in this QR code.



Robust Technology

SAFEbuilt uses technology to improve customer service, increase efficiency, provide consistency, and ease the user experience. We use a combination of both in-house-developed software and commercial off-the-shelf (COTS) applications that we have customized to meet the specific needs of our clients. This blend of technology allows us to streamline operations, maintain high standards of service, and adapt to the unique requirements of each project. The following provides an overview of our technologies, including our in-house permitting software system, CommunityCore Solutions (discussed in more detail on page 9).



CommunityCore Solutions is a suite of proprietary applications that streamline operations for constituents, municipal employees, private developers, and SAFEbuilt staff. This results in more efficiency, cost savings, improved customer experience, and enhanced operational oversight.

CommunityCore Solutions		
CommunityConnect	The client and constituent interface of CommunityCore allows applicants to easily request building permits, upload plans, and schedule inspections.	☑ Field Ready ☑ Front Office
InspectorConnect	CommunityCore's mobile app for inspectors facilitates on-site scheduling, inputting findings, and completing inspections.	☑ Field Ready
PRO	The Plan Review Optimization or "PRO" app uses advanced automation and artificial intelligence to categorize and assign workloads efficiently.	☑ Field Ready
SAFEreview	A portal for assigning and sharing building plans across locations, utilizing SAFEbuilt's national workforce. It features a marketplace for flexible plan availability to a variable workforce.	☑ Field Ready
SAFEtime	Mobile app for streamlined time entry, enhancing customer billing, and optimizing field worker utilization.	☑ Field Ready ☑ Timekeeping ☑ Back Office
SAFEbill	Billing system seamlessly interfaces with front- and back-office applications, automating customer invoice generation.	☑ Field Ready ☑ Billing

Back Office Systems for Scalability

Salesforce Customer Relationship Management (CRM) Platform	**UKG** Human Resources & Payroll System	**IBM Planning Analytics** Data Warehouse & Financial Analytics	**Power BI** Real-time Operating Reports & KPIs	**SAGE Intaact** Financial System

Streamlined Fleet Management with Geotab

SAFEbuilt uses fleet management software (Geotab) to track and control vehicle costs with improved inspection routing and insight into vehicle activity to enhance potential cost efficiencies further.

Technology Proficiencies

Our team is proficient with many of the major permitting systems available. Examples of the systems we have used for current and previous clients include, but are not limited to:

- SAFEbuilt's CommunityCore Solutions
- BS&A
- EnerGov
- SAFEbuilt's Gov-Easy
- Citizenserve
- MyGov
- Accela
- iWorq
- eTRAKiT

Additionally, all members of our team are proficient in standard office applications, including the Microsoft Office Suite and Adobe Acrobat.



Minimizing Staff Involvement While Maintaining Efficiency and Transparency

SAFEbuilt wants to ensure that all appropriate communication, correspondence, and reports are completed on an ongoing basis in a timely manner to the satisfaction of the County. One of the keys to the efficient and successful flow of information is clear, effective communication. Everyone involved in a contract of this size and scope must be aware of changes, progress, and challenges. We commit to working with you to determine the best ways to communicate the right information to the right people at the right time.

Our priority is to ensure the best possible experience working with our team—with minimum impact on the County and its citizens. Frequent meetings are an integral part of the plan, especially at contract start, and involve all applicable staff from the County and SAFEbuilt. It is important that everyone involved be aware of progress and changes they can expect going forward. We will prepare communications that can be shared with all County staff, detailing what to expect during contract integration and moving forward.

Our goal is to ensure a seamless experience while minimizing disruption to the County and its citizens. To achieve this, we propose the following communication strategy:

Regular Meetings. We will conduct meetings, particularly during the contract initiation phase, involving key personnel from both the County and SAFEbuilt. These meetings will ensure all parties are informed about progress and upcoming changes.

Staff Communications. We will prepare and distribute comprehensive updates to all County staff, outlining expectations during the contract transition and beyond.

Customized Reporting. We will work with you to develop a reporting schedule and format that meets your specific needs. This may include:

- Monthly, quarterly, and annual reports
- Summaries of activity levels
- Performance metric assessments
- Other items of particular interest to the County

Ongoing Communication. As previously mentioned, throughout the contract, we will maintain clear and consistent communication with the County, adapting our approach as necessary to ensure optimal information flow. By implementing these measures, we aim to foster transparency, promote collaboration, and facilitate a smooth working relationship between all parties involved in the contract.

SAFEbuilt staff is professional and respectful in every way, and all staff will accept directions and instructions while performing their responsibilities independently and professionally with minimal supervision required.

Remote Virtual Inspections (RVI)

SAFEbuilt offers remote virtual inspections (RVI) for your community's convenience and safety. Remote inspections save time and money. Rather than waiting for an inspector to arrive from another job, they can be there in moments to efficiently walk residents and contractors through the inspection. RVIs also help reduce the number of people on a job site, supporting social distancing and public health. Teams throughout the SAFEbuilt family of companies currently use RVIs in Colorado, Florida, Illinois, Michigan, Minnesota, Ohio, Pennsylvania, Texas, Wisconsin, and Washington.

SAFEbuilt uses Blitzz Remote Visual Assistance software to complete these inspections. This technology allows us to easily connect with residents and contractors without downloading an app or logging in. Inspectors can control recording and taking photos to quickly complete inspections like water heaters, electrical reconnects and service upgrades, and residential re-inspections. RVI technology also allows our team to accomplish roofing inspections more safely and efficiently. For buildings and homes with especially steep roofs, we can open a remote inspection session with the contractor and walk them through the inspection process.



Approved inspections are determined by the local municipality, but can include:

- Porches
- Small Projects (fence, exterior remodels)
- Rooftop
- Rooftop Solar (photovoltaic)
- Electrical Service Upgrades
- Electrical Reconnects
- Water Heaters
- Gas Line Installations
- Parking Shade Structures
- Detached Storage Sheds
- Residential Addition/Alternation Inspections
- Follow-Up Inspections (must verify with inspector)

Remote video inspections cannot be used for assessment of damage from fires and vehicles, or restorations of utilities and critical facilities. These will be performed as typical field inspections as required by the Building Official.

We recommend Remote Virtual Inspections (RVIs) to our on-call clients as an effective way to maximize the efficiency of their SAFEbuilt inspection team. RVIs are typically faster than on-site inspections and eliminate travel time between jobs, streamlining the process. We would be delighted to discuss how this capability could benefit the County. If the County is interested in exploring this service, please contact the Account Manager listed on the cover page of this proposal to arrange a demonstration.



FEE SCHEDULE

On-call As-needed & Requested Jurisdictional Work:

Service Fee Schedule	
Inspection Services • Building, Mechanical, Energy Code (excludes plumbing & electrical - performed by state of Idaho DOPL)	$110.00 per hour - one (1) hour minimum**
Plan Review Services - Residential & Commercial • Building, Mechanical, Energy Code (excludes plumbing & electrical - performed by state of Idaho DOPL) • Meetings by Plans Examiner	$115.00 per hour - one (1) hour minimum
Structural Engineering Plan Review	$165.00 per hour - one (1) hour minimum
Building Official Services	$145.00 per hour - one (1) hour minimum
After Hours/Emergency Inspection Services	$135.00 per hour - one (1) hour minimum
**Hourly inspection time tracked will include travel time from Consultant's base location to Municipality or first inspection site up to one (1) hour away. Time tracked will end when the inspector completes the last scheduled inspection and leaves Municipality or last inspection back to Consultant's base location up to one (1) hour away. Overall time tracked will also include all travel time between inspection sites, total roundtrip travel as described, and all administrative work related to inspection support.	

Independent 3rd party plan reviews (outside of jurisdiction review(s):

Includes: Building, Mechanical, Plumbing, Energy Code (Excludes Plumbing & Electrical-performed by state of Idaho DOPL)

Type:	*Valuation*	*SAFEbuilt Fee*
$1.00 - $500.00	FLAT RATE -->	$12.08
$501.00 - $2,000,00	$2,000.00	$36.36
$2,000.01 - $25,000.00	$25,000.00	$205.41
$25,000.01 - $50,000.00	$50,000.00	$337.97
$50,000.01 - $100,000.00	$100,000.00	$521.72
$100,000.01 - $500,000.00	$500,000.00	$1697.72
$500,000.01 - $1,000,000.00	$1,000,000.00	$2944.59
$1,000,000.01 AND UP	$5,000.000.00	$9,559.59

EXPERIENCE

Since 2023 SAFEbuilt, LLC has provided comprehensive building department services to the **City of Ketchum, Idaho** including Building Official oversight, plan review, and inspection services. The Building Official supports municipal staff, oversees code compliance, recommends process and fee improvements, and ensures quality assurance. Plan review and inspections are conducted in alignment with adopted codes and local amendments, with specified turnaround times and next-day inspection scheduling. Services are performed during regular business hours, with on-site presence and responsive support to both applicants and staff.



SAFEbuilt, LLC is providing full-time building inspection and fire protection inspection services for the **Hoback Club development in Teton Village, Jackson Hole, Wyoming**. Services commenced on August 1, 2022, and have been extended through December 31, 2025. The project includes daily, as-requested code-compliant inspections using ICC-certified inspectors for vertical construction components. Inspections exclude site infrastructure and electrical, the latter being handled by the Jackson Hole Fire District. In July 2024, the scope was expanded to include fire inspection services, with both building and fire inspections conducted under a fixed monthly fee structure. SAFEbuilt's personnel are supported by housing and a project vehicle provided by the Owner, Cody Lane Development Corporation.

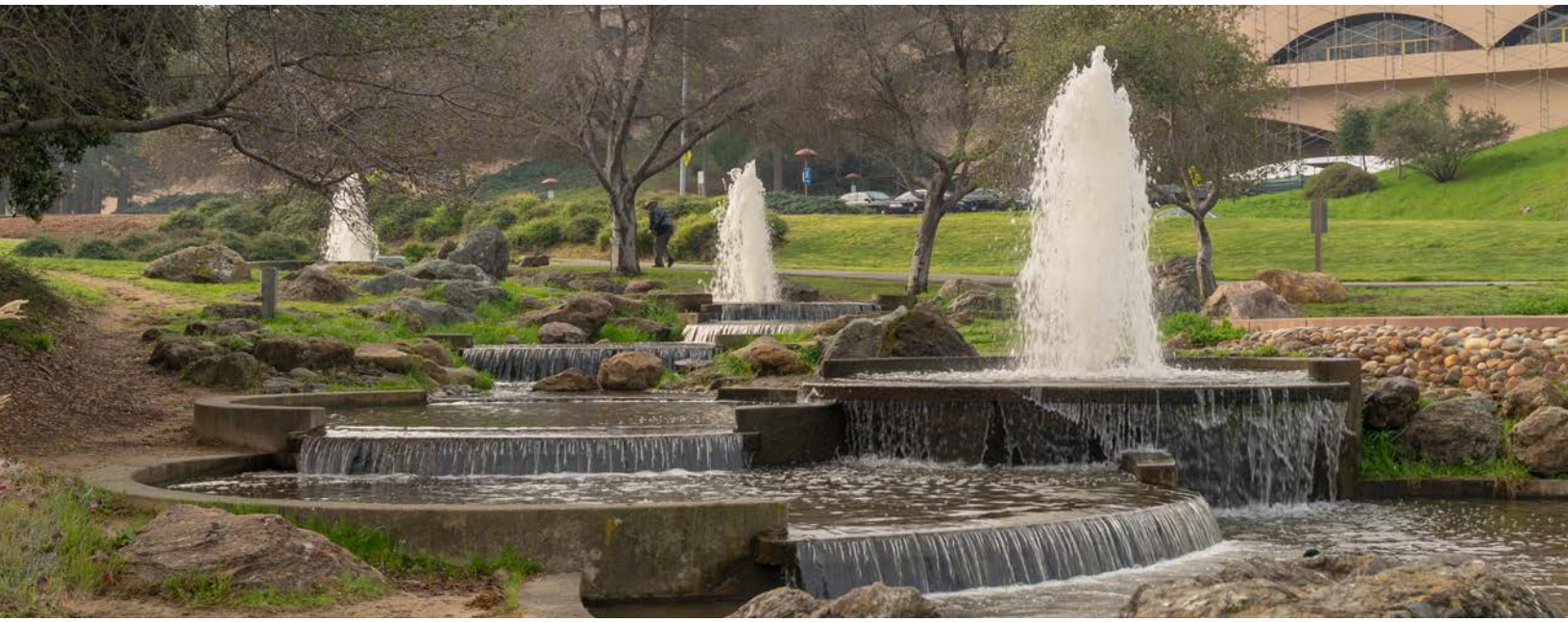


SAFEbuilt, LLC has been contracted by **Teton County, Wyoming** to provide on-call building department and planning services under a Professional Services Agreement since September 2022. Services include as-needed building inspections, plan review, and code compliance support delivered by ICC-certified personnel in accordance with adopted local and state codes. In addition, since 2022, SAFEbuilt has provided planning and zoning support for the County. The planning team conducts reviews of applications and plans for compliance with local land use regulations. This integrated approach demonstrates Teton County's commitment to high standards of safety, service, and regulatory compliance, supported by SAFEbuilt's responsive municipal expertise.

TETON COUNTY WYOMING

REFERENCES

NAME	CONTACT INFFORMATION	MUNICIPALITY
Dawn Stephens	208.639.5341	Kuna, Idaho Building Department
Morgan Landers	208.727.5085	Ketchum, Idaho Planning & Building Department
Patrick Davidson	303.646.4166 ext. 504	Elizabeth, Colorado Town Administration Department



RESUMES



Alan Chambers, CBO

Building Official/Building Inspector

45 Years of Experience | 4 Years with the Firm

SAFEbuilt

Licenses & Certifications

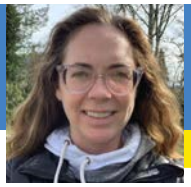
International Code Council (ICC)
#8717970
Accessibility Inspector/Plans Examiner
Building Inspector
California Commercial Building Inspector
California Commercial Electrical Inspector
California Residential Building Inspector
California Residential Combination Inspector
California Residential Electrical Inspector
California Residential Mechanical Inspector
California Residential Plumbing Inspector
Certified Building Official
Commercial Building Inspector
Commercial Electrical Inspector
Electrical Inspector
Permit Specialist
Permit Technician
Residential Building Inspector
Residential Combination Inspector
Residential Electrical Inspector
Residential Mechanical Inspector
Residential Plans Examiner
Residential Plumbing Inspector

Work History

- **Building Official**
  SAFEbuilt, LLC
  11/2021 – Present
- **Building Official/Building Inspector**
  Charles Abbot Associates, Inc.
  2017 – 2021
- **General Contractor, Owner**
  The Chambers Company
  Placentia, CA
  1991 – 2017
- **Field Superintendent**
  SPS Inc.
  Anaheim, CA
  1983 – 1991
- **Construction**
  Worthington Construction
  Yorba Linda, CA
  1980 – 1983

Project Experience

- **Inspector**
  SAFEbuilt Contract with the City of Carey, ID
- **Inspector**
  SAFEbuilt Contract with the City of Caldwell, ID
- **Building Official/Inspector**
  SAFEbuilt Contract with the City of Garden City, ID
- **Building Official/Inspector**
  SAFEbuilt Contract with the City of Ketchum, ID
- **Building Official/Inspector**
  SAFEbuilt Contract with the City of Kuna, ID



Danielle Meyers Fiocchi, AIA, NCARB, LEED AP, BO

Plans Examiner

22 Years of Experience | 4 Years with the Firm

SAFEbuilt

Education

MS, Architecture
University of Oregon, Portland

BS, Architecture
University of Minnesota

Licenses & Certifications

International Code Council (ICC)
#8822248
Building Inspector
Building Plans Examiner
Commercial Building Inspector
Commercial Mechanical Inspector
Fire Plans Examiner
Residential Building Inspector
Residential Plans Examiner

State of Oregon
Licensed Architect, Individual #ARI-6611
CAX-Residential Plans Examiner #2553CAX
CAS-Residential Structural Inspector #2569CAS
SRI-Plan Reviewer or Inspector #278SRI
BO-Building Official #5632BO
MIA-Mechanical Inspector A-Level #5916MIA
SIA-Structural Inspector A-Level #5984SIA
PEA-Plans Examiner A-Level #6082PEA
PEF-Fire and Life Safety Plans Examiner #6143PEF
OIC-OR Inspector Certification #OIC3590

U.S. Green Building Council
LEED Accredited Professional (AP) #10229207

National Council of Architectural Registration Boards (NCARB)
Certification #118296

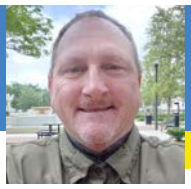
American Institute of Architects (AIA)
Certification #38490371

Work History

- **Plans Examiner**
  SAFEbuilt, LLC
  2021 – Present
- **Building Official/Plans Examiner/ Inspector**
  City of Hood River, OR
  2019 – 2021
- **Code Analyst/Building Official/Plans Examiner/Inspector**
  Clair Company
  Hood River, OR
  2017 – 2019
- **Owner's Representative and Discipline Lead for Civil Structural Architectural Scope + Design Manager**
  Intel Corporation
  Hillsboro, OR
  2011 – 2017
- **Architectural Intern**
  with Crazy Turnip, LLC; Portland, OR
  Kahler Slater; Madison & Milwaukee, WI
  Hammel, Green, Abrahamson; Minneapolis, MN
  BWBR Architects; St. Paul, MN
  Wold Architects and Engineers; St. Paul, MN
  Rozeboom Miller Architects; Minneapolis, MN
  2003 – 2011

Project Experience

- **Plans Examiner**
  SAFEbuilt Contract with the City of Beaverton, OR
- **Plans Examiner**
  SAFEbuilt Contract with the City of Ketchum, ID
- **Plans Examiner**
  SAFEbuilt Contract with the Town of Superior, CO
- **Plans Examiner**
  SAFEbuilt Contract with Elbert County, CO
- **Plans Examiner**
  SAFEbuilt Contract with the City of Castle Pines, CO
- **Plans Examiner**
  SAFEbuilt Contract with the City of Boise, ID
- **Plans Examiner**
  SAFEbuilt Contract with the City of Carey, ID
- **Plans Examiner**
  SAFEbuilt Contract with the City of Meridian, ID
- **Plans Examiner**
  SAFEbuilt Contract with the City of Nampa, ID
- **Plans Examiner**
  SAFEbuilt Contract with the City of Evanston, IL
- **Plans Examiner**
  SAFEbuilt Contract with the City of Boise, ID



Andrew Frame, CBO

Plans Examiner

29 Years of Experience | 3 Years with the Firm

SAFEbuilt.

Education

Building Trades Studies
Salina Vocational Technical College

Licenses & Certifications

International Code Council (ICC)
Building Code Specialist
Building Inspector
Building Plans Examiner
Certified Building Code Official
Certified Building Official
Certified Mechanical Code Official
Certified Plumbing Code Official
Combination Inspector
Commercial Combination Inspector
Commercial Electrical Inspector
Electrical Inspector
Mechanical Code Specialist
Mechanical Inspector
Mechanical Plans Examiner
Plumbing Code Specialist
Plumbing Inspector
Plumbing Plans Examiner
Residential Combination Inspector

State of Florida
Building Code Administrator #BU2145, Building Code A
Certified General Contractor #CGC1505128
Provisional Electrical Plans Examiner #PEP555
Standard Inspector #BN2833 with Building, Commercial Electric, Residential, Mechanical, and Plumbing
Standard Plans Examiner #PX1306 with Building, Mechanical, and Plumbing

Florida Stormwater, Erosion, and Sedimentation Control Inspector Program
Qualified Stormwater Management Inspector Certificate #SMI47477

Work History

- **Plans Examiner**
  SAFEbuilt, LLC
  2022 – Present
- **Inspector and Plans Examiner**
  Universal Engineering Services
  2020 – 2021
- **Combination Building Inspector**
  City of Maitland, FL
  2019 – 2020
- **President**
  Famensons, Inc. General Contractor
  2002 – 2019
- **Inspector/Plans Examiner**
  City of Winter Springs, FL
  2000 – 2009
- **Building Inspector/Plans Examiner**
  City of Winter Springs, FL
  1996 – 1999

Project Experience

- **Plans Examiner**
  SAFEbuilt Contract with the City of Boulder, CO
- **Plans Examiner**
  SAFEbuilt Contract with the City of Bozeman, MT
- **Plans Examiner**
  SAFEbuilt Contract with Kitsap County, WA
- **Plans Examiner**
  SAFEbuilt Contract with the Town of Superior, CO
- **Plans Examiner**
  SAFEbuilt Contract with the City of Northglenn, CO
- **Plans Examiner**
  SAFEbuilt Contract with Colorado State University
- **Plans Examiner**
  SAFEbuilt Contract with the City of Central City, CO
- **Plans Examiner**
  SAFEbuilt Contract with Spokane County, WA
- **Plans Examiner**
  SAFEbuilt Contract with the City of Port Orchard, WA



Adrian Jones, PE

Fire Protection Engineer & Fire Plans Examiner

41 Years of Experience | 7 Years with the Firm

SAFEbuilt

Education

BS, Building Construction
University of Washington

AA, Civil Engineering Technology
Centralia College

AA, Fire Command and Administration
North Seattle Community College

AA, Criminal Justice
Bellevue College

Licenses & Certifications

State of Washington
Professional Engineer, Civil and Fire Protection #14618

State of Oregon
Professional Engineer, Fire Protection #11072PE

Work History

- **Fire Protection Engineer/Fire Plans Examiner**
  SAFEbuilt, LLC
  Bellevue, WA
  2017 – Present
- **Fire Protection Engineer/Plan Reviewer**
  Bellevue Fire Department
  Bellevue, WA
  2000 – 2016
- **Fire Protection Engineer**
  Seattle Fire Department
  Seattle, WA
  1998 – 2000
- **Senior Account Executive**
  CIGNA Special Risk Facilities
  1988 – 1995
- **Western Regional Manager**
  CIGNA Utility/Petrochemical Specialists
  1986 – 1988
- **Senior Fire Protection Engineer**
  Washington Public Power Supply System
  Richland, WA
  1983 – 1986
- **Loss Prevention Inspector & Large Loss Investigator**
  Factory Mutual Engineering (later FM Global)
  Bellevue, WA
  1974 – 1982

Project Experience

- **Fire Plans Examiner**
  SAFEbuilt Contract with Walla Walla County, WA
- **Fire Plans Examiner**
  SAFEbuilt Contract with the City of Chelan, WA
- **Fire Plans Examiner**
  SAFEbuilt Contract with the City of Port Townsend, WA
- **Fire Plans Examiner**
  SAFEbuilt Contract with the Central Valley Fire District
  Belgrade, MT
- **Fire Plans Examiner**
  SAFEbuilt Contract with the City of Vancouver, WA
- **Fire Plans Examiner**
  SAFEbuilt Contract with Spokane County, WA



Ravi Mahajan, CBO, PE

Structural Plans Examiner

SAFEbuilt

41 Years of Experience | 2 Years with the Firm

Education

MBA, Business Administration
University of Cincinnati

MS, Civil Engineering
Ohio State University

BS, Civil Engineering
University of Delhi

Licenses & Certifications

International Code Council (ICC)
#5270211
Building Code Specialist
Building Inspector
Building Plans Examiner
Certified Building Code Official
Certified Building Official
Commercial Building Inspector
Commercial Mechanical Inspector
Mechanical Inspector
Residential Building Inspector
Residential Mechanical Inspector
Residential Plans Examiner

State of Washington
Professional Engineer, Civil #43941

State of Oregon
Professional Engineer, Civil Engineering, Structural Engineering #58815PE

State of California
CAX-Residential Plans Examiner #1841CAX
CAS-Residential Structural Inspector #2150CAS
GQI-Gen Post-Earthquake Inspector #361GQI
BO-Building Official #5339BO
PEA-Plans Examiner A-Level #5412PEA
PEF-Fire and Life Safety Plans Examiner #5414PEF
SIA-Structural Inspector A-Level #5478SIA
MIA-Mechanical Inspector A-Level #5763MIA
OIC-OR Inspector Certification #OIC3619

Work History

- **Building and Structural Plans Examiner**
  SAFEbuilt, LLC
  Bellevue, WA
  2022 – Present
- **Plan Review (Structural) Engineer**
  Several Municipalities in Oregon
  2007 – 2022
- **Facilities Engineer III**
  Building Codes Division (BCD)
  1998 – 2007
- **Project Coordinator**
  Shiban Ganju & Associates
  1997 – 1998
- **General Contractor**
  Patvaar Construction Co. Pvt. Ltd.
  1990 – 1997
- **Plan Review Engineer/Chief Engineer**
  City of Cleveland, OH
  1985 – 1990
- **General Contractor**
  Cincinnati United Contractors
  1983 – 1985

Project Experience

- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Severance, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Bozeman, MT
- **Structural Plans Examiner**
  SAFEbuilt Contract with Kitsap County, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Lochbuie, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Black Hawk, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Arlington, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Meridian, ID
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Northglenn, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Spokane, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Port Townsend, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Pierce, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Boulder, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Cicero, IL
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Carbondale, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Estes Park, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Laramie, WY
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Phoenix, AZ
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Tucson, AZ
- **Structural Plans Examiner**
  SAFEbuilt Contract with Walla Walla County, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Mountlake Terrace, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Kuna, ID
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Boise, ID
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Decatur, GA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Evans, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Timnath, CO
- **Structural Plans Examiner**
  SAFEbuilt Contract with the Town of Superior, CO



Mark Westover, PE

Structural Plans Examiner

38 Years of Experience | 4 Years with the Firm

SAFEbuilt

Education

MS, Environmental Engineering
National University

BS, Civil Engineering
University of Nevada

BS, Geology
University of Washington

Licenses & Certifications

State of Washington
Professional Civil Engineer #49138
Certified Erosion & Sediment Control Lead Certificate #70763

State of California
Professional Civil Engineer #54725

Work History

- **Engineer/Plans Examiner**
  SAFEbuilt, LLC
  Bellevue, WA
  2021 – Present
- **Engineering Project Manager, Capital Projects**
  City of Bainbridge Island, WA
  2016 – 2017
- **Resident Engineer/Stormwater Engineer/Transportation Engineer, Construction**
  California State Highway Department (CALTRANS)
  Marysville, CA
  2012 – 2015
- **Associate Engineer, Land Development**
  City of Moreno Valley, CA
  2008 – 2011
- **Associate Engineer, Land Development**
  City of Poway, CA
  2004 – 2008
- **Associate Engineer, Public Works**
  City of Seaside, CA
  2004
- **Senior Engineer, Public Works**
  City of Novato, CA
  2000 – 2024
- **Resident Engineer/Office Engineer/Transportation Engineer**
  California State Highway Department (CALTRANS)
  1987 – 2000

Project Experience

- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Arlington, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with Walla Walla County, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with King County, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with KItsap County, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Sequim, WA
- **Structural Plans Examiner**
  SAFEbuilt Contract with the City of Mulkiteo, WA

Qualifications for

Building Department Supplemental Services





Teton County







Shums Coda Associates

Bulding & Fire Plan Review & Inspections | Building Department Augmentation | Professional Education | Fire Protection Engineering | Elevator Inspection | Civil Engineering

Corporate Headquarters - 5776 Stonedrige Mall Road, Suite 150, Pleasanton, CA 94588
Main Line: (925) 463-0651 - Fax Number: (925) 463-0691 - info@shumsoda.com - www.shumscoda.com

Northern California (Sacramento) Regional Office - 1024 Iron Point Road, Suite 100, Folsom, CA 95630
Southern California Regional Office - 17875 Von Karman Avenue, Suite 150, Irvine, CA 92614
Nevada Regional Office - 9205 West Russell Road, Building 3, Suite 240, Las Vegas, NV, 89148
Northern Utah Regional Office - 10 West Broadway, Suite 700, Salt Lake City, UT, 84101
Southern Utah Regional Office - 2284 East 3400 South Street, Saint George, UT 84790
Arizona Regional Office - 1616 North Litchfield Road, Suite A-210, Goodyear, AZ 85395
Colorado Regional Office – 7900 East Union Avenue, Suite 1100, Denver, CO 80237

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June 30, 2025

Teton County
Building Department
150 Courthouse Dr.,
Driggs, Idaho 83422

RE: County Building Department Supplemental Services through Public Private Partnerships

Shums Coda Associates, Inc (SCA) appreciates the opportunity to present this proposal to provide plan review and inspection services to Teton County. We are confident that SCA is the firm with the personnel, experience, and approach that will be needed to successfully provide these services to the County.

SCA is a building and life-safety consulting firm that was established in 2006 on the principle of assisting our municipal partners with staff augmentation and developmental services related to construction review, permitting, inspections, and documentation procedures. Our firm continually receives exceptional reviews from our jurisdictional clients, as well as design professionals, developers, and contractors related to all sizes of projects and varying complexities. Positive interactions related to our work product is centered in our efforts to be customer service oriented and practical in our approach to achieve code minimums. We strive to be a contributing partner, functioning as an extension of the County's staff to provide service excellence to the community of Teton County.

We are constantly improving our staffing levels and efficiencies to match the complexity of each jurisdiction's needs. Our goal is always to find means to provide a positive outcome to Teton County's Building Department needs, and we believe our past experience in similar services will show that SCA is the firm that can meet those needs. The following proposal will highlight key features and distinguishing points of the SCA team that will assist in this undertaking.

We intend to provide primary services from our closest regional offices (Denver and Salt Lake City), with additional support staff being provided from our corporate headquarters and other regional offices. Correspondence or communication regarding the proposal should be directed to Christine Godinez, Chief Operating Officer, via email: christine.godinez@shumscoda.com, via phone (925) 400-8760 (direct), (925) 463-0651 (main), and (925) 463-0691 (fax), or via mail: 5776 Stoneridge Mall Road, Suite 150, Pleasanton, CA 94588. Additionally, technical or proposal specific clarifications that might be needed can be answered by David Basinger, Chief Executive Officer (925) 413-5626 (cell). These corporate officers are authorized to make these representations on behalf of SCA.

If SCA is fortunate enough to be awarded this contract, we will perform the services and adhere to the requirements described in this RFQ. Our team looks forward to answering any additional questions you may have about our firm after reviewing our proposal.

Sincerely,

David Basinger, Architect
CEO/ Principal
david.basinger@shumscoda.com
(925) 413-5626 (Cell)

Christine Godinez
COO/ Corporate Secretary
christine.godinez@shumscoda.com
(925) 400-8760 (Direct)

Firm Background

SCA was established nineteen years ago (2006) with the philosophy of providing customizable building life-safety services through highly qualified and experienced staff working exclusively with jurisdictions. SCA reviews and inspects all facets of design construction related to code minimums and local amendments including architectural, structural, fire life-safety systems accessibility, energy, mechanical, electrical, and plumbing (although we recognize that plumbing review and inspections are typically through the State of Idaho). We also provide permit technician services that can be provided virtually if needed. By selecting SCA, you will have access to our entire code knowledgeable team, with a proven track record of providing outstanding building services to communities throughout the nation. We utilize our code expertise to work efficiently in achieving consistent on-time delivery of our services and provide a means for cost-effectiveness through the utilization of focused staffing. SCA is committed and ready to provide you with the same care and standard of technical excellence that has been the hallmark of our work since our inception.

SCA has nearly 100 experienced staff members, able to provide complete, accurate, and on-time plan review and inspection services that Teton County desires. We continue to be comprised of professionals that include licensed architects, civil and structural engineers, and professionally certified personnel through ICC, and other credentialling agencies, that have a wealth of practical application of code through experiences within design and/or construction-related fields. The SCA team has well over a combined century of experience providing building and life-safety services to, and for, governmental agencies. While most of our staff started their careers within the design or construction fields over the years each has shifted into municipal roles working directly for jurisdictions. From this expansive development knowledge base, **SCA understands the importance of providing an experienced team of licensed professionals and certified employees that can translate construction-based life experiences into practical and exceptional building and life-safety customer services for our clients.**

SCA provides these services to communities throughout the nation from our eight offices located in five states. SCA's Corporate Headquarters are in Pleasanton, California, with Regional Offices in California (Folsom & Irvine), Arizona (Goodyear), Nevada (Las Vegas), Utah (St. George & Salt Lake City) and Colorado (Denver). Between all our locations, SCA's staff are available to assist with plan review and inspection services (as needed). As we are in the nineteenth year of business in providing code services to our municipal partners, we continue to see the value in adapting our work product to be customized to the needs of each jurisdiction and understand the need currently in Teton County will be expediting plan review and inspections.

It should be noted that SCA expanded our staffing levels and code expertise with the acquisition of the former Colorado Code Consulting (CCC) in 2020. This improved our educational service lines to provide expanded technical code training throughout the United States, as well as a more defined involvement with national building code development. With the additional team members, it also increased our abilities to handle more complex projects through larger staffing numbers and greater code knowledge/resources. From our national technical training offerings in Idaho and similar contracts in Kootenai County, and the City of Hailey, or even jurisdictions we assist in Montana, we understand the significant code issues that arise in the State of Idaho. We believe this past experience and overall superior code knowledge and understanding will be valuable in reducing turnaround times in Teton County. However, we also want to stress that even as SCA has expanded our staff and services, we have maintained a flat organizational structure in terms of management to foster a family-oriented business services model. This intentional structure eliminates excess management layers in favor of direct coordination and communication with our municipal clients. The result allows our team's regional managers and project leads to work independently to their strengths and provide personal contact with Teton County's management/staff. This in turn allows direct communication to quickly adjust our services as needed to create a highly customized service product from the entire SCA team. We have found that this drives our services to be the best fit for individual clients or specific project needs. SCA is excited to demonstrate how these continued adaptations in our service capabilities and our willingness to communicate directly will be a benefit to Teton County's community needs.

SCA's growth over the year can be attributed to our sound client relationships and demonstrated value in providing customized contract services to municipalities of all sizes. We have enjoyed successful partnerships with numerous jurisdictions throughout Idaho, California, Arizona, Colorado, Minnesota, Montana, Nevada, New Mexico, Tennessee, Texas, Utah, Washington, and Wyoming. And as we have evolved our client base, SCA is now a sought-after code consulting firm to provide code assistance in projects as diverse as the communities we serve. We are proud of the superior level of assistance we provide to our clients, and we are confident in our overall company structure to commit to the services outlined in the RFQ – responsiveness to the community, maintaining on-time or expedited delivery of services, local staff members when needed, and always providing superior code knowledge with our work product.

Code Knowledge

As stated, SCA works throughout the United States, enforcing various versions of the model building codes, and/or local ordinances. These assignments have us enforcing and reviewing code requirements for projects that are as assorted as the jurisdictions themselves. We spend time researching and understanding the development of new code language, and even provide technical code training, which often assists all our clients in developing performance-based approaches to achieve code minimums.

Our staff is required to have current ICC certifications, professional licenses, and continuing education hours to maintain our understanding of the ever-changing code requirements and State or local amendments. SCA believes that an understanding of how buildings are designed and constructed is also an important element to providing effective code comments that are based on the realities of practical construction. Depending on the code section, we have seen there can be a great deal of interpretation applied to how requirements are enforced, so SCA staff continues to find value in learning the history and intent of code language to assist with accurately applying it to our reviews and inspections (with the caveat that final determinations clearly come from the local municipal client staff/management). Constantly improving SCA team knowledge related to code items allows us to expedite project timelines, as we are current and proficient with new or difficult to understand code sections, and their proper applications. Our belief is that code should be understood by our staff to a level where they can explain to our clients how and why it applies to their specific project, while often being able to provide alternative construction solutions. We accept that we cannot strive to be the best unless we stay current with the regulations we are required to enforce.

SCA takes this commitment to code content further as we continue to expand our involvement in various code training and education offerings. SCA's Education Director Steve Thomas oversees a team of code educators providing technical classes throughout the United States. In addition, SCA educators serve as chairpersons, or board members on national code education committees such as: Southern Nevada ICC EduCode; Colorado Chapter ICC; Arizona Building Officials, Arizona Fire Marshals, Utah Chapter of Building Officials, and Sacramento Valley Association of Building Official ICC. We utilize this code expertise to internally train our own staff and are in the process of establishing a program to educate and train the next generation of plans examiners, building and fire inspectors. As training is often needed in the building community, it is also a service we can provide directly to Teton County (if requested). Our staff will come from a higher degree of code knowledge than provided by other similar firms in this industry.

Code expertise is therefore the strength of our services and SCA is always willing to share this knowledge with any jurisdictional, design/construction professional, or homeowner. In the end, we are striving to build relationships with our clients so they can take advantage of our expertise to successfully manage every issue or project. Our success is based on putting into action services that enhance the value of and highlight the unique personality of each individual client or project. Being able to discuss and communicate code minimums, as well as standard means to be code compliant, is the expected customer service provided by SCA staff.

Key Personnel

SCA will provide experienced plans examiners, plan check engineers, and inspectors through our Corporate Headquarters. David Basinger, our CEO/Principal will utilize our staff to service this contract but may also provide more plan review staff and inspectors through our regional office locations, as deemed necessary by the assigned workload.

We identify the following key personnel that will provide primary points of contact:

- **David Basinger, Architect and Principal/CEO** – will be the point of contact for technical code issues and provide immediate adjustments in SCA plan review staffing levels when requested by the County as well as acting as lead plans examiner for larger and more complicated projects. Mr. Basinger is a licensed architect and has served in multiple jurisdictions as Acting Building Official, Acting Deputy Building Official and/or Plan Check Manager, so he is able to supervise our staff and maintain balance with jurisdictional desires related to the levels of service provided, particularly as it revolves around plan review needs. As the owner of SCA, Mr. Basinger will ensure that all services we intend to provide under this contract will be honored and supported by our entire team of professionals.
- **Terry Knox, CBO, Inspection Service Manager** – will be the point of contact and primary liaison between Teton County and SCA inspection personnel. Mr. Knox has the authority to adjust our current team assignments to provide full or part-time staffing assistance in the areas for need within the County (adjusting staff availability as needed). Mr. Knox has served as a Building Inspector and Building Official over his 40 years within the industry and has managed hundreds of inspectors and inspection projects during this time. He has also worked closely with Building, Police, Fire and Health Services on many code enforcement assignments while a CBO in Grass Valley and recently as Acting CBO for Vallejo, where his extensive construction experience has assisted in reaching resolution to many unusual violations and unsafe conditions.
- **Christine Godinez, COO** – serves as the SCA point of contact for items related to invoicing, certificates of insurance, and managing our plan review tracking software. She has been instrumental in developing a customized database, processes, and procedures that allow through our website and team of plans coordinators, the ability of SCA to provide clear and direct information related to plan review status, as well as provide another layer of plan submittal completeness assessments at each review cycle.
- **Stephanie Stuckemeyer, Operations Manager** – supervises our on-boarding process with new clients to ensure that we have all processes and procedures documented and understood prior to beginning reviews. She also oversees our internal plans coordinators team to ensure that each plan received by SCA is logged into our database to allow for tracking of each review cycle and maintains turnarounds and delivery of completed reviews. Stephanie's team will assess each project review at the time of submittal and ensure that appropriate SCA plan review staff are assigned to complete the plan review.
- **Jeff Hedman Structural Plan Check Engineer** – is an Idaho licensed Engineer that has extensive experience as a design engineer, working on both civil and structural engineering projects for over twenty years. He is adept at both residential and commercial engineering construction techniques and is able to bring a practical construction approach to minimum code compliance from his design background.

The following personnel will service this contract as outlined in the scope of services included in the RFQ (Resumes can be found in the Appendix):

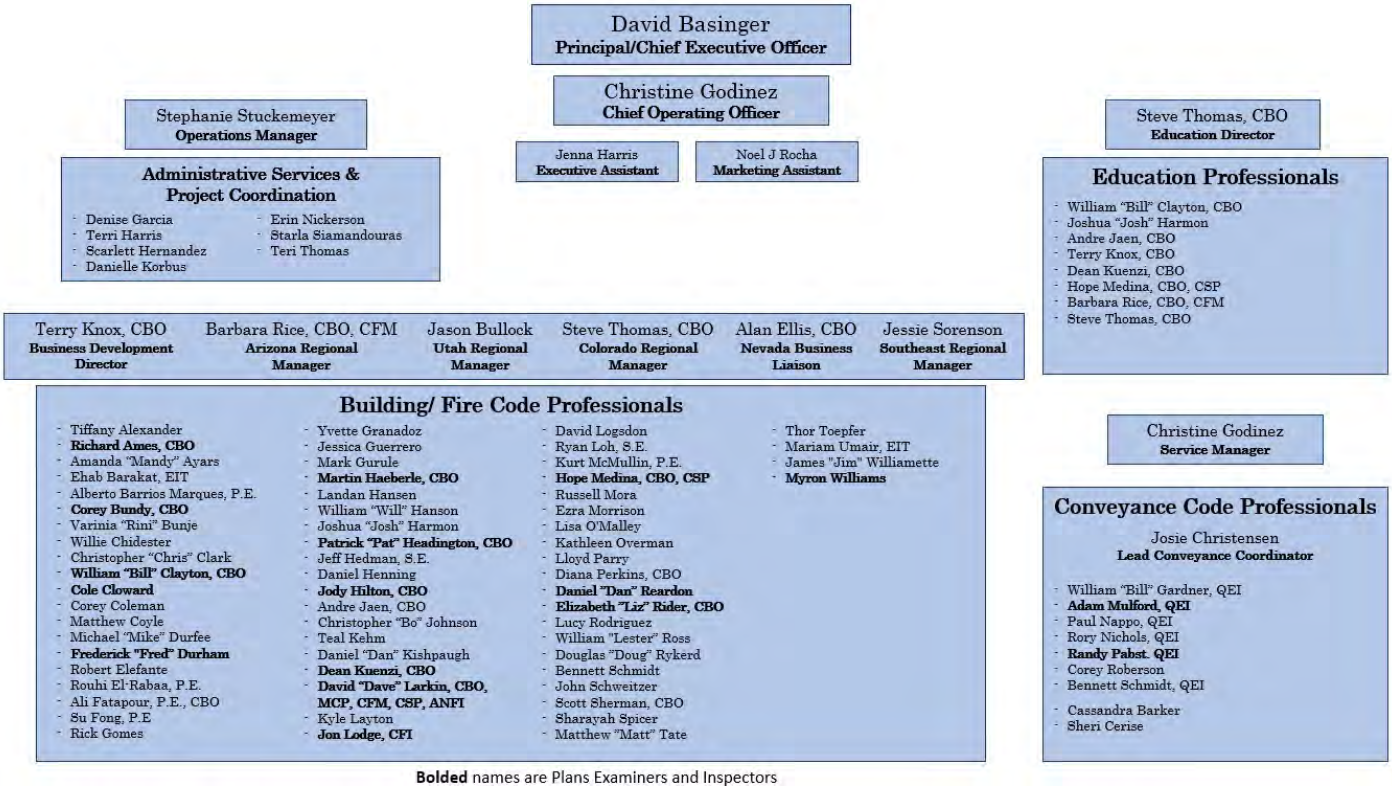
We propose the following plan review staff: David Basinger (architect, manager/owner and plans examiner), Jeff Hedman (Idaho licensed engineer), Kurt McMullin, Rouhi El-Rabaa (senior plan check engineers and CASp), Ryan Loh (structural engineer and advanced system reviews), Su Fong and Ehab Barakat (experienced engineers that also review non-structural systems), Alberto Barrios Marquez (MEP Plans Examiner), David Logsdon (specializes in electrical), Dean Kuenzi (specializes in electrical, code educator), Myron Willaims

(specializes in mechanical and plumbing), Barbara Rice (specializes in fire and building, code educator), Hope Medina and Andre Jaen (specializes in energy and Cal Green/sustainability reviews, and code educators), Steve Thomas (complete non-structural code reviews and code educator). All our plan review staff can provide complete plan reviews individually and often will review entire projects that are smaller in size or scale.

Since inspection personnel must work well with County staff to be effective, SCA will provide resumes before any inspector is sent to the County as they will need to be interviewed and/or accepted by the County staff prior to their commencement of inspections on behalf of the jurisdiction, as we want our staff to be appropriately qualified for and clear of the County's expectations.

Organizational Chart

We provide our organizational chart below to show the strength of our team. Our preference is to utilize local staff to provide the code services but have expanded our electronic capacity to be able to bring in additional team members from any of our offices. This allows our entire plan review staff (even when remote) to be available to assist with larger volumes or more complicated review projects. SCA also utilizes Facetime/Zoom/Teams meetings between our inspectors allowing us to collaborate on the best code solutions for complex construction issues. We can provide multiple experts in each building system or field services with our internal methods of communication between SCA offices. This means that we will provide an even greater degree of expertise available for unusual systems related to engineering principles, grading, stormwater drainage, zoning, structural, mechanical, plumbing, electrical, fire, energy, as well as accessibility reviews. With entirely electronic systems, we now can distribute plan reviews (in whole or in portions) to any of our staff and provide a final list of code comments that are cohesive and complete, from any combination of our regional office locations. This allows SCA to provide more staff to solve workflow issues within jurisdictions. We provide the following organizational chart to show the depth of our team but would reference the specific team members listed in previous pages as our key staff dedicated to this undertaking.



Shums Coda Associates (SCA) offers the following building life-safety services:

- Plan Reviews & Inspections
- Permit Technicians
- Civil Engineering
- Fire Protection Engineering
- Conveyance Plan Review & Inspections
- Building Department Staff Augmentation
- Professional Education & Certification
- Energy/ Sustainability

SCA will provide Building Department Supplemental Services in accordance with the Scope of Services identified in Teton County's Request for Qualifications (RFQ) document. We will be able to improve plan review turnaround times, as our standard reviews are ten (10) business days for initial reviews, and five (5) business days for most projects – which appear to be faster than Teton's current turnarounds. We do occasionally request slightly longer turnarounds for larger or more complex project reviews, but typically no more than fifteen (15) business days for the initial review and ten (10) business days for rechecks. However, we also have the ability to expedite these reviews on a case-by-case basis, depending on the complexity of the project and the availability of necessary SCA review staff. Expedited reviews have at times been completed in a single day but are usually closer to half the standard review times.

SCA's goal is to provide Teton County with exceptional building and life-safety customer service by providing an experienced team and fostering open communication with the County and applicants to deliver complete, accurate, and on-time services. SCA will maintain regular communication with Teton County's staff to ensure that we are meeting the County's expectations. We therefore provide multiple ways for the County (or the applicants) to contact our managers or staff (office and cell phones, texts, emails, and video conferencing), as we prefer to provide as many opportunities as possible to communicate and resolve issues quickly. Likewise, we recognize that sometimes we will need to alert the County staff to issues we have discovered in our reviews or inspections, or to obtain direction on how to proceed with unusual code concerns – so only through communicating with the County, will a clear and consistent message be delivered in a timely manner.

SCA values every client and is committed to customizing our services to meet the needs specific to Teton County. We are constantly adapting and seeking ways to provide excellent service to customers in the face of increased local expectations. This is why partnering with SCA is the ideal solution to these issues faced by the County. We will provide expert staff to meet Teton County's desired service levels, on an as-needed basis, allowing flexibility to manage your Building Department in the most beneficial manner. We will look to see that projects are successfully completed and a reflection of the County's codes, ordinances procedures, policies, and directives. A key in those efforts is the ability of having all construction reviewed in a cooperative partnership between Building and Planning, Public Works, Environmental, Police, Fire, and other departments and divisions within the County – in addition to serving the community needs with responsiveness and professionalism. We will listen to the County's management and take our lead from their direction, hopefully building a relationship as a valued team member to the entire community. At the end of each day, it is important for us to stress that Teton County is not just a client, as we will strive to earn your trust by finding the best way to achieve organizational goals and showing the County what sets us apart from other firms that provide similar services.

The following reflects our proposed process of providing the scope of services requested. We follow these processes with each project, but our philosophy is to still meet the County's needs regarding our services. As such, we maintain the ability to adjust our process to accommodate Teton County.

Plan Review Services

SCA can perform plan reviews that cover one or more of the following disciplines:

- Building: architectural (fire/life safety), structural, mechanical, electrical, plumbing, accessibility, green building, energy conservation, and geotechnical in conformance with the currently adopted Jurisdiction Building Codes, or International Building Codes (all as modified or amended by the jurisdiction).
- Public Works/Engineering: grading, drainage, geotechnical, on-site\right-of-way improvements, construction management and inspection for public infrastructure projects, and FEMA Flood Insurance Program.
- Fire: fire/life safety requirements of the IBC/IFC, site reviews for hydrants and apparatus access, fire suppression, fire alarm, NFPA standards as they pertain to construction, equipment, fire protection systems, smoke control reports and hazardous materials to the currently adopted International Fire and Building Codes (all as modified or amended by the jurisdiction).

Plan Review Implementation

To begin a successful delivery of our services to Teton County, we intend to establish strong communication lines between our permit technician/administrative staff, to ensure that electronic plans are properly received and complete to allow us to begin our reviews. SCA staff have a system in place that verifies that all electronic files are received (correcting any corrupted files). Our team will usually reach out to the County's staff within 24 hours, with any discrepancy in submittal documents, or even transmittals related to each review.

Internally, our Plan Check Manager meets with the Plans Coordinators to assess and understand each project received, as well as putting it into a larger database schedule that we maintain internally for all jurisdictional projects. It is at this point that our Manager and Coordinator will begin the process of assigning each project a unique SCA job number for tracking purposes, which the County staff or applicants can access at any time during our review cycles. Then each project will be assigned to a SCA plan review team member, based on experience, expertise, and complexity of the project along with the current availability of each team member. Our plan review staff is well versed and able to review all code requirements. Most smaller projects can be reviewed by a single plan examiner/engineer and for large projects, our plans coordinators will confer with our plan review manager to divide project portions into smaller systems reviews – which ensures that the project stays on schedule with multiple persons assigned to handle larger lifts. The plans coordination team will continue to check-in and update schedules during each cycle of review, and make sure that each plan review member remains on schedule or re-assigning (when needed) some work to ensure turnaround times are met.

We prefer (if approved by Teton County) to expedite or clarify plan review items by contacting the designers and communicating directly, using the most advantageous media available, to resolve issues. In today's development climate a brief phone call, or a thirty-minute online meeting can save weeks of back-and-forth delays to obtain minimum code compliance and approvals. We understand that there can be limitations in the designer's technology or jurisdictional inter-department review process, which sometimes prohibit these methods from being implemented completely with every project. But with any approach being implemented we can resolve code issues with SCA understanding (and intentionally) by routing all communication/comment letters (first or concurrently) through the County, as directed by your staff. All reviewed and approved documents shall be returned to the County after the plan review process is completed, and input into the tracking software as directed by Teton County's staff. We will look to Teton County's staff and take your lead on how to effectively streamline communication, because at the end of the day our goal is to build a relationship as a cohesive team.

When review cycles are completed, our managers will review final products to ensure that comments are formatted properly, and clear regarding code concerns. Then our Project Coordinators will register the completed cycle and will input all reviewed and approved documents into the tracking software as directed by Teton County's staff. Then as directed by the County, our Project Coordinators will send all submittal, and resubmittal reports directly to the County's staff for distribution to the applicant(s). We can also directly/simultaneously

provide the architect and/or the engineer with the same electronic list of items needing correction when directed to do so by the County.

Through our database and team of plans coordinators, SCA can provide clear and direct information to the County's staff (or the applicants) related to plan review status, as well as provide another layer of plan submittal completeness assessments at each review cycle. When questions arise, our project coordinators will direct all inquiries to the appropriate plan review staff to respond and resolve issues. This ensures that every item related to a plan review list can be responded to and resolved with the staff person that created the comment initially. We are committed to returning calls and emails promptly and with a professional approach associated with these services.

Plan Reviews and Approvals

Our standard plan review reports result in lists of comments which refer to specific details, drawing or location in the building, and reference applicable code sections for each item cited. Our comment lists should be self-explanatory, but our review team will remain available during working hours (and often off-hours) by phone and/or video conferencing to share and discuss the code concerns with the County's staff and/or the applicants to provide any additional clarification/discussion needed of the applicable building code section, ordinances, or regulation. We will provide a similar list at each cycle of the review process, but typically strive to resolve reviews in two cycles, with perhaps a quick third review of the remaining comment (or two). When a review remains extensive at a third (or longer) review cycle, SCA staff will reach out to Teton County's staff to discuss the overall items of concern and look for directions on any alternative methods to keep the project review moving in a positive direction. With these difficult reviews, SCA is not opposed to online video conferences to share and discuss the code concerns with the County's staff and the applicant – hopefully to assist in receiving a more complete resubmittal with the next review.

Further, we can activate our team early in the process (usually prior to construction documents being submitted to the County), to provide general code reviews with design development plans, assisting with sensitive project design teams understanding larger code concerns early in the process and hopefully allowing corrections that will reduce plan review cycles in the future. SCA prefers to review larger projects in this manner, but only under the clear direction of the County, and with the understanding that we are not designing the project but merely representing Teton County's code concerns.

Once the final plan review is completed and ready for approval, SCA will stamp (physically or electronically) the plans and the supporting documents and return them to the County, along with our letter of completion. It should be noted that our approval stamp can be modified to suit the desired information needed by Teton County.

Technology

We have seen our paper plan reviews nearly disappear in favor of electronic plan reviews. Electronic plan reviews have been a strength for our team, having reviewed thousands of electronic projects. SCA can review all plans electronically and provide review letters in multiple formats. This has been a service provided to our clients prior to the COVID-19 pandemic and continues today. SCA maintains equipment for our plan review staff (i.e., dual, and larger monitors, electronic codes, added graphic cards and memory) to allow plans to be properly reviewed in an efficient manner.

SCA is knowledgeable of different databases and networks and is also proficient in many versions of electronic plan review applications, and other web-based tools. We typically utilize the Bluebeam product for our reviews but can provide our review comments on any of the other comparable platforms and are able to embed the comments into the electronic plan sheets. We can also redline revisions, and mark-up plans for minor items, to ensure approval of the plans instead of an additional review cycle being performed. SCA would look to the County to provide guidance on the preferred method of electronic comments to be received. SCA staff are

knowledgeable and have experience working with a variety of different software for Electronic Plan Review, Permit Tracking, and Building Inspections. SCA currently uses the following software:



Plan Review Turnaround Schedule

As stated previously, in general SCA's plan review turnaround timeframe is ten (10) business days for initial reviews and five (5) business days for rechecks and revisions; **however, it is important to note that SCA will work with Teton County to come to an agreed upon timeframe.** Timeframes for large-size projects will be confirmed with County staff prior to proceeding with the review.

Expedited plan reviews will have a separate negotiated turnaround timeframe for each project. When expedited plan reviews are requested, we will perform the plan review as quickly as SCA staff schedules will allow. An expedited review is typically completed in half of the standard turnaround time, but SCA has (at times) been able to review in shorter periods. These types of review schedules are typically determined based on the complexity of the project and the availability of SCA staff to complete the review.

Inspection Services

SCA provides building, fire, and public works inspection services as directed by the jurisdiction. These services include:

- Perform new construction and occupancy inspections for compliance to the applicable Building, Mechanical, Electrical, Plumbing, Energy, Green and Fire codes as amended by the jurisdiction.
- Review of all approved plans, specifications, and documents.
- Review and respond to all inspection requests and reports.
- Attend mandatory meetings, including safety training and project management.

Our inspectors are qualified, certified, and licensed to conduct many different types of inspections. SCA will provide qualified inspectors as needed to the County, within one business day, if requested by noon on the previous business day. Our staff will work with your staff to ensure that all types of buildings are inspected as requested by the County. The scope of inspection services to be provided will be defined uniquely for each project or as determined mutually by SCA and Teton County. The inspector(s) provided to the County will report directly to the Chief Building Official or another person designated by the County for all project-related work. Any inspector sent to the County will need to be interviewed and/or accepted by the Building Department staff prior to their commencement of inspections on behalf of the jurisdiction, as we want our staff to be appropriately qualified for and clear of Teton County's expectations.

An inspection report will be provided for each inspection outlining what inspection was conducted, the result and any conditions or corrections needed. SCA's inspection reports will reference code sections that are applicable for each comment. We will provide a similar list for each inspection cycle. It is standard practice for our inspectors to input results into the jurisdiction's inspection/ permitting software at the end of each inspection day and/ or leave a distribution copy at the jobsite for the contractor/applicant. SCA can certainly provide either or some hybrid version as needed for Teton County. We will also provide stop work orders, when necessary, but our philosophy is always to communicate paths of resolution of code concerns, instead of stop work orders – as our role is also to keep the project on time and under budget. We believe in being service oriented and not building police.

Our correction lists should be self-explanatory, but our inspection team will remain available during working hours (and often off-hours) to provide any additional clarification/discussion needed of the applicable building code

section, ordinances, or regulations. Our inspectors provide their cell phone numbers to the contractors and homeowners if a question arises in the field, as we believe it is important that the lines of communication are kept open. We will work with the contractors and homeowners to bring a building into compliance with the applicable code whenever we can. It is our philosophy that inspections are educational opportunities to explain the purpose of the code and why certain things are required by the code. We will spend additional time explaining the purpose of a code requirement whenever necessary as we see ourselves as code educators as much as code administrators. Our goal is to get to yes and comply with the intent of the code.

When inspections are slow or are consistently not ready, SCA staff will reach out to the County's staff to discuss the overall items of concern and look for directions on any alternative methods to keep construction on track. Our inspection staff is also able to attend any necessary meetings to assist in having consistent inspection progress with each jobsite. This will require SCA staff to be available to participate in and attend inspection staff meetings and training events sponsored by the County (as needed and directed). We want to do whatever we can to ensure safe buildings while helping to get projects completed on time and under budget. We pride ourselves on being problem solvers and not problem makers.

When the final inspection is completed, we will notify the County that a certificate of occupancy can be issued for new buildings or addition/tenant improvements and will file the electronic report with Teton County, to close out the permit. SCA would look to the County to provide guidance on the preferred method of how this will be completed.

Quality Control

One of the keys to SCA's success as a company is the commitment to quality control of our services. SCA starts with the employment of qualified and knowledgeable personnel, the use of templates to match local interpretations, continuing education, and internal peer reviews. These controls raise the quality level of our plan checks and inspections by being focused on significant code issues but also providing a consistent product for our clients. With our services remaining constantly of the highest quality, it provides our clients and their communities with a high level of confidence that their plans will be reviewed and inspected with equal consideration and the thoroughness required for construction safety.

Technical Support

As with any of our clients, SCA will provide technical support for Teton County's service needs. We often have personnel in attendance at pre-submittal and in-progress plan review meetings, or pre-construction and on-site inspection meetings. SCA understands the value of operating quickly and efficiently, as is expected to complete a successful project in this marketplace. Teton County's projects are unique in size and complexity but demand a team that is attentive to details to reach critical construction deadlines. Personnel working on such projects will be available via phone or email to immediately address concerns or provide additional clarification of code concerns to applicants or Teton County staff. Commitment to providing additional technical support when needed often keeps projects on deadlines and under budget.

Internal Database

SCA maintains an internal database for all jurisdictional projects that we have created specifically to track each assignment/status. All projects are assigned a unique SCA job number for tracking purposes, which the County staff or applicants can access at any time during our review cycles. It also ensures that we can manage our review team's workloads and re-assign when needed to ensure that project deliverables remain on (or ahead) of scheduled turnarounds. Further, this allows our administrative staff to direct all review questions or inquiries to the specific review team member that created the comment initially. This ensures that our team can assist in providing further code clarification to each applicant to resolve issues directly, often through Zoom/Teams or other virtual meeting software.

Building Plan Check Fees

Fees for comprehensive plan reviews, performed at SCA offices, will be equal to sixty-five percent (65%) of the plan review fees as calculated per the jurisdiction. The fee covers all services associated with the typical plan review, first, second and quick third reviews to approve projects.

The following may be charged at an hourly rate: extensive plan reviews (longer third reviews or more), smaller projects with extensive reviews with redlines to approve or standard submittals (i.e., PV systems, etc.) can be invoiced hourly or at a flat/fixed fee (to be determined), pre-application, pre-construction, or additional meeting attendance that is necessary for unusual or complex projects, and plan review staff required to provide support in County's offices.

Fees for expedited reviews will be negotiated directly with Teton County's Building Official prior to beginning the review and will be a fixed fee based on the determined complexity of the project, availability of SCA staff and requested expedited turnaround schedule. It will be possible that an expedited review can be completed with no additional charge in some instances.

Hourly Rates

We provide ranges for some positions to reflect options related to number of certificates and level of experience provided.

Job Title	Hourly Rate
Plans Examiner	$135
Plan Review Engineer/Architect	$145
Fire Plan Review	$140
Fire Inspector**+	$175 - $190
Senior Inspector**+	$115 - $135
Inspector II**+	$105 - $115
Inspector I**+	$95 - $105
Inspector in Training	$65 - $95
Permit Technician	$70 - $90
Clerical Support	$60 - $70
In-House Code Training (virtual)	$150

Overtime will not be charged for any plan review services, but SCA does reserve the right to negotiate additional fees for major re-designs or consistently incomplete responses to initial plan review comments (as agreed upon mutually with the jurisdiction). Overtime for inspection and other services will be charged at 150% of the standard hourly rates (as agreed upon mutually with the jurisdiction).

**** Hours for inspections more than 8 hours (per day) will be billed as overtime at the rate shown above. When overtime is requested, on days when the inspector has not already carried out inspections on the site (i.e., weekends, holidays, etc.), overtime inspection services will be provided in 4-hour minimum segments.**

These rates do not include mileage costs as part of the rates, as we invoice mileage for inspections at the current IRS rate + 10%. However, we are willing to negotiate these fees further if selected for the project services, as we pride ourselves on being able to customize our services to meet Teton County's budgetary needs. Further, these rates are subject to an annual increase to account for cost-of-living adjustments (typically 3% - 5%) and will be revised at the beginning of each fiscal year of the contract.

+ SCA inspectors coming from our Salt Lake City or Denver Regional Office to Teton County to perform inspections will invoice for travel time at the hourly inspection rate and current IRS mileage rate. In the event the inspection is needed for consecutive multiple days travel expenses (i.e., lodging and meals) will be invoiced at cost + 5%. However, we would anticipate utilizing virtual inspections for less significant items when possible to reduce all travel time inspection costs.

Project Experience

To highlight the type of projects we have reviewed, inspected, and provided permitting staff for, we provide the following examples of work completed for our municipal clients under contract services. These are Capital Improvement Projects or lager commercial structures, but we are equally adept at reviewing residential and commercial tenant improvements. For example, in a six-month period (while completing larger plan review projects), we performed nearly 1,000 mostly residential plan reviews for Ventura, CA; over 300 small reviews for Centennial, CO; and over 1,000 plan review and inspections for Hurricane, UT. Our staff is large enough to accommodate whatever plan review or inspection needs that might evolve during this contract.

Google / NASA Bayview Project

Daniel Griffith | Project Manager
Phone: (650) 404 – 7178 | daniel@cobaltbuilt.com
Google/NASA-Bay View, Mountain View, CA



A five-year project to assist NASA with over 4,000,000-sq. ft. of site/infrastructure improvements, office, restaurants, assembly spaces, events center, parking, and residential guest hotel project for a new Google complex located at NASA-Ames Research Facility. As a federal agency, NASA has a Building Department that does not process permits as done at a typical jurisdiction but rather operates as construction management for improvements at the base. The Google site is a land-lease/joint-venture with Ames Research that involved a complex design on previously incorporated City of Mountain View property where SCA served in the governmental role of plan review and inspection services. The design was extremely innovative in its approach and utilized advanced engineering systems (non-dynamic linear design), as well as being in a flood plain, having underground vapor mitigation system, deep geothermal heat system, large-scale integrated photo-voltaic roof system, recycled and black water systems, water tank installation, and several alternative materials and method requests. SCA was initially brought in to review the primary building of the campus that comprise three separate structures over a common basement level, while other consulting firms were utilized to review site/civil improvements and future housing/garage structure. However, SCA was so much more successful and responsive to both the owner/design schedule and NASA's code concerns, we were quickly promoted to complete the entire project reviews, as well as continual inspections. In fact, SCA's involvement was so well received in this capacity that we are now providing reviews for the historic hanger 1 renovation and re-use, as well as a base infrastructure (such as roadways and bridges). These reviews are exclusively performed electronically, with document control through our administrative staff until approval and release for printing by the design team and subsequently submitted to the base. Initially NASA had never undertaken such a large and dynamic process, and they didn't understand how to streamline and maintain design/construction schedules. However, SCA worked with their management team, as well as Google/Whiting Turner and the designers, to guide the process into a jurisdictional model that is modified to accommodate the aggressive construction schedule. We provided preliminary code review of design development plans for the project, complete plan review and oversight of structural peer reviews, as well as continuing inspection team for on-going phased permitting and construction. **Key SCA personnel: David Basinger, Project Manager; Ryan Loh, Structural Plan Check Engineer; David Logsdon, Electrical Plan Review; Matt Coyle, Project Inspector**

San Antonio Center Phases I & II



Nena Bizjak | Chief Building Official
Direct:(650) 903-6477 | nena.bizjak@mountainview.gov
City of Mountain View, CA

SCA completed the building plan review and inspections of this major redevelopment of an existing retail center. The first phase of this review that has be completed is four and five story apartments on top of podium and basement parking garages with wrap around retail and residential construction. These projects are a mix of type V-A, III-B and I-A construction and represent the initial revitalization of over 15 acres at the existing retail center. The second phase (and more recently completed portion) was a continued redevelopment of six additional city blocks that included construction of a new hotel, mid-rise office buildings, retail, theatre buildings, and associated below and above grade parking structures. Our review included on-site civil reviews, as well as the addition of final art and parks to the site. **Key SCA personnel: David Basinger, Non-structural Plan Review; Ryan Loh, Structural Plan Check Engineer; Kurt McMullin, Structural Plan Check Engineer**

Lucid Electric Vehicle Facility

Tyler Jennings | Chief Building Official
Office: (520) 421-8630 | Tyler_Jennings@casagrandeaz.gov
City of Casa Grande, AZ



Plan review of phases I and II of a new electric car manufacturing facility, and CUP, for Lucid Motors. The phase I project was comprised of a 192,784-sq. ft. Body in White structure, and an attached 564,906-sq. ft. Paint/General Assembly structure. These two buildings were attached to one another via a raised conveyor bridge element and had a separate CUP for the site. The entire project was reviewed as “at-risk” phased submittals, and SCA Building, and Fire attended weekly meetings to discuss code concerns and proposed AMMR’s, as part of the overall review schedule. The project included Group F-1, H-2, H-3, B, A-3, and A-3 occupancy uses, and was two stories with additional large mezzanines or platforms of equipment. All turnarounds were met or exceeded with this expedited review process that allowed the vehicle manufacturing to begin months ahead of original proposed day one start-up of activities. We then reviewed both building and fire aspects of the phase II expansion that brought the overall construction area to over 3 million square feet. SCA was instrumental in directing the design team to categorize the entire facility as a special industrial occupancy, which eliminated a host of code issues related to separation, allowable area, and height limitations, and ultimately made the overall review much smoother. We continue to provide review of in-process revisions and have been tabbed to begin phase III of the project review (an additional 3 million square feet) sometime in 2025.**Key SCA personnel: David Basinger, Project Manager; Gil Rossmiller, Non-structural Plan Review; Kurt McMullin, Su Fong and Mariam Umair, Structural Plan Check Engineers; David Logsdon, Electrical Plan Review; Jason Van Ausdal and Myron William, Mechanical and Plumbing Plan Review**

More projects can be provided upon request.

References

To highlight project experience with other public municipalities, we have provided similar services to, SCA provides the following public sector contract examples from some of our current municipal clients to demonstrate our capabilities to fulfill the Scope of Services within the RFQ.

City of Mountain View, CA

Nena Bizjak | Chief Building Official

Direct:(650) 903-6477 | Office:(650) 903-6313 | nena.bizjak@mountainview.gov

2006 – Present | Building Plan Review, Inspection, Permit Technician, and Building Official Services (at times – Housing Inspectors, Planners and Community Development Directors) Services

SCA (with lead contact, David Basinger, Principal/CEO), has provided all facets of Community Development services to the City of Mountain View since 1994 (under the contract of another consulting firm), or through SCA contract that began in 2006 (the past 19 years). During these numerous years of continual service, we have provided in-house and remote/electronic plan reviews, on-site inspections, and provided various permit technicians, administrative staff, planners, housing inspectors and even a brief period where we assisted with an interim CDD. On two separate occasions, Mountain View has asked Mr. Basinger to serve as Acting Building Official (for roughly two, one-year stints), and he recently completed another term as the Acting Deputy Building Official. Although the city is roughly 83,000 in population, there is a great diversity in the types of construction projects that continue to be built in the jurisdiction. SCA staff has been responsible for review, inspections and permitting of the large-scale commercial and multi-family developments, as well as smaller projects in the historic downtown Castro Street district (the heart of the city). We have assisted with Code adoptions, recently adopted Reach Codes (for full electrification of new construction), difficult code enforcement cases (taken to court for final judgement), and long-term pre-submittal meetings or planning reviews to create conditions of approval. Our greatest achievement is that numerous members we have placed within the City of Mountain View have been offered and accepted long-term positions with the jurisdiction – showing that we have a strong working relationship with the overall city, as well as understanding the type of good "fit" in our staff that can ultimately be hired directly by Mountain View.

Wasatch County, UT

Quinn Davis | Building Department Head

Direct: (435) 671-1009 | Office:(435) 657-3200 | qdavis@wasatch.utah.gov

2019 – Present | Building and Fire Plan Review and Inspection Services

SCA provides Fire Code plan review for new construction, WUI, as well as staff augmentation for plan review and inspections. The county is currently experiencing some significant growth as SCA is reviewing multiple high-rise hotel/resort structures, gondola structure for a top of the mountain ski resort, and inspection multiple large-scale residential homes. Wasatch County demands that all work maintain an extremely aggressive turnaround schedule, so SCA is often in pre-submittal code review meetings, code resolution meetings for plan reviews and construction meetings when necessary.

City of Centennial, CO

Joseph Montoya | Building Official

Office:(303) 754-3385 | jmontoya@centennialco.gov

2021– Present | Building Plan Review and Inspection Services

SCA assisted in moving the department from a contract building department (from a firm that provided similar services) to an in-house department. We have provided plan review and inspection services on an as needed basis for two years now. We also assisted in finding permanent employees for the city and transitioned to the SCA software system for permit progress tracking.

More references can be provided upon request.

SHUMS CODA ASSOCIATES

David Basinger, Architect
CEO/ Principal

Education
Bachelor of Architecture (with an emphasis on urban redevelopment), California Polytechnic State University at San Luis Obispo

Licenses & Certifications
Registered Architect
- California, License No. C25605
- Arizona, Registration No. 57859
- Nevada, License No. 7116
- Utah, License No. 10180242-0301
- Colorado, License No. 406323
- Hawaii, License No. 17696
- Washington, License No. 12600

ICC # 875874
- ICC Building Plans Examiner

NCARB Certified, No. 77371

Memberships
- American Institute of Architects
- American Society of Civil Engineers
- National Fire Protection Association
- Arizona Building Officials
- Central Arizona Chapter ICC
- Grand Canyon Chapter ICC
- Southern Arizona Chapter ICC
- California Building Officials
- Sacramento Valley Association of Building Officials
- East Bay Chapter ICC
- Napa-Solano Chapter ICC
- Peninsula Chapter ICC
- Oakland Buildings Alliance
- Colorado Municipal League
- Colorado Chapter ICC
- Southern Nevada ICC
- Utah Chapter ICC
- Beehive Chapter ICC
- Bonneville Chapter ICC

PROFESSIONAL SUMMARY

David Basinger is a licensed Architect in multiple States and is the original founder of Shums Coda Associates in 2006. David has over 30 years of professional experience associated with architectural design and as a building code and life-safety plans examiner.

PROFESSIONAL EXPERIENCE

CEO/ Principal ---------- **2006 - Present**

Shums Coda Associates, Pleasanton, CA

Manages plan review, inspections and permitting services for numerous complex commercial, industrial, educational, medical, hazardous and a variety of multi-family residential construction projects. David has served as an Acting Building Official or provided in-house plan review services for numerous jurisdictions in California, such as Mountain View, Fremont, Santa Clara, Sunnyvale, Menlo Park, Dublin, and Danville.

Arizona Regional Office Manager ---------- **2004 - 2006**

Linhart Petersen Powers Associates, Phoenix, AZ

Promoted to establish and serve as Arizona Regional Manager of the three separate company offices in Arizona: Phoenix, Tucson, and Window Rock. Provided assistance with large-scale plan review and inspection services, jurisdiction counter reviews and assistance, and special projects supervisor. Influential in taking the Arizona effort from a single client to over two dozen clients in a two-year period, managing eleven employees and three business lines.

Senior Plans Examiner/Senior Associate ---------- **1991 - 2004**

Linhart Petersen Powers Associates, Phoenix, AZ

Provided plan reviews, and jurisdictional in-house/counter reviews and technical assistance for projects in California, Arizona, Nevada, Washington, and Idaho. Managed several large-scale developments as a project supervisor and often provided code consultations for complex mixed-use/redevelopment or historical submittals. Served as primary manager for the jurisdictions of Mountain View, Danville and Dublin, California. Projects reviewed include campus designs for Microsoft, Veritas, Google, Alza Pharmaceuticals and other high-tech or bio-tech related businesses, as well as several mid-rise or high-rise multi-family complexes.

Architect ---------- **1989 - 1991**

Linhart Engineering, Livermore, CA

Completed architectural and structural engineering design for residential, commercial, and light industrial structures in the San Francisco Bay Area. Duties included design, drafting, structural calculations, building surveys, jobsite visits and structural reviews. Also performed field assessments of URM structures and equipment anchorage calculations for pumps, racks, and tanks.

SHUMS CODA ASSOCIATES

Jeff Hedman, S.E.
Plan Check Engineer

Education
B.S, Civil Engineering, University of Utah, 2004
Associate Degree, General Studies, Dixie State University, 2000

Licenses & Certifications
Professional Civil Engineer, State of Arizona, License # 52174
Professional Civil Engineer, State of California, License # C90991
Professional Engineer, State of Colorado, License # PE.0052265
Professional Engineer, State of Nevada, License # 24589
Professional Structural Engineer, State of Utah, License # 5338635-2203

Additional Professional Engineer licenses:
State of Connecticut, State of Florida, State of Georgia, State of Idaho, State of Indiana, State of Iowa, State of Kansas, State of Kentucky, State of Louisiana, State of Maine, State of Maryland, State of Massachusetts, State of Michigan, State of Minnesota, State of Mississippi, State of Missouri, State of Nebraska, State of New Jersey, State of New Mexico, State of New York, State of North Carolina, State of North Dakota, State of Ohio, State of Oklahoma, State of Oregon, State of Pennsylvania, State of South Carolina, State of Tennessee, State of Texas, State of Virginia, State of Washington, Washington DC, State of Wisconsin

PROFESSIONAL SUMMARY

Jeff Hedman has extensive experience as a design engineer, working on both civil and structural engineering projects for over twenty years. He is adept at both residential and commercial engineering construction techniques, and is able to bring a practical construction approach to minimum code compliance. He currently supports all SCA's structural project work out of the Las Vegas area, with additional large-scaled project reviews in Arizona and Utah.

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **2021 – Present**
Shums Coda Associates
- Reviews complex plans for building construction.
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Structural Engineer ---------- **2016 - Present**
Hedman Engineering
Owner of single person firm designing aluminum louvered awnings for the manufacturer/supplier of the aluminum building materials. Projects range in size from a few hundred square feet to a few thousand square feet for both residential and commercial applications. Responsible to make sure that structural engineering documents meet current codes in 20 different states. I previously left Pope Engineering, Inc. to work solely for Hedman Engineering and will offer the same structural engineering services as was performed previously with Pope Engineering.

Structural Engineer ---------- **1999-2018**
L.R Pope Engineering
Senior Structural Engineer and Office Manager. Responsible for completing projects on time and ensuring the design is done accurately and that the projects conform to the applicable building codes. Meet with clients to resolve issues in the field that arise during the construction process.

SHUMS CODA ASSOCIATES

Kurt McMullin, P.E.
Senior Plan Check Engineer

Education
Ph.D., Civil Engineering, University of California, Berkeley
M.S., Civil Engineering, University of California, Berkeley
B.S., Agricultural Engineering, Iowa State University

Licenses & Certifications
Professional Civil Engineer, State of California, License # C47595

Publications
Books (5)
Patents (1)
Peer-Reviewed Journals (9)
Online Webinar (1)
National/International Conference Papers (32)
External Funded Grants & Awards (11)

Awards (Partial List)
College of Engineering Researcher of the Year (2008)
National Science Foundation Research Grant - $1.3M (2006)
College of Engineering Teacher of the Year (2006)
National Science Foundation Research Grant - $8.4M (2003)
College of Engineering Award: Research on College Teaching and Learning Institute for Teaching and Learning (2000)
CUREe-Caltech Research Grant - $87K (1999)
Graduate Student Instructor Award, U.C. Berkeley (1995)

PROFESSIONAL SUMMARY

Kurt McMullin is an experienced design engineer and college professor, that oversees our staff of plan review engineers. He has reviewed every type of structural system and building type, as it relates to the four building materials (wood, steel, concrete, and masonry). Mr. McMullin's wealth of theoretical engineering application and practical design experience allows for our structural reviews to be focused and on-point for only critical structural issues.

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **November 2015 – Present**
Shums Coda Associates
- Reviews complex plans for building construction.
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Professor ---------- **2008 – Present**
San Jose State University, San Jose, CA
Teaches the following courses:
Engineering Graphics, AutoCAD and Programming (Lower division required), Statics (Lower division required), Mechanics of Materials (Upper division required), Mechanics of Material Laboratory (Upper division required), Structural Analysis Laboratory (Upper division required), Design of Steel Structures (Upper division elective), Design of Timber Structure (Upper division elective), Earthquake Resistant Design (Upper division elective), Advanced Seismic Resistant Design (Graduate elective), Advanced Steel Design (Graduate elective), Structural Engineering Seminar (Graduate elective), Special Problems (Graduate elective), Master's Thesis (Graduate elective)

Consultant ---------- **1991 – Present**
- Evaluation of building designs for conformance with U.S. and California building codes.
- Evaluation of various engineering structural systems for performance goals.
- Forensic engineering for legal proceedings.
- Analytical evaluation of complex structural systems.

SHUMS CODA ASSOCIATES

Rouhi El-Rabaa, P.E., CASp
Senior Plan Check Engineer

Education

Bachelor's in Civil Engineering, California State University, Los Angeles

Licenses & Certifications

Professional Civil Engineer, State of California, License # 92565
Certified Access Specialist (CASp), Cert # CASp-973
ICC # 8868081
ICC Building Plans Examiner

PROFESSIONAL SUMMARY

Rouhi El-Rabaa is a skilled professional with private consultancy and municipality experience. He is an expert in identifying architectural, structural, accessibility, MEP, and energy compliance issues early in the plan review process. Rouhi is an experienced structural plan review engineer but also reviews non-structural systems. Rouhi will provide all types of plan reviews for our core team but will be the primary contact point for any CASp/accessibility issue that may arise with plan reviews.

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **December 2021 – Present**
Shums Coda Associates

- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Supervising Plan Check Engineer ---------- **Dec. 2018 – Dec. 2021**
Willdan Engineering, San Bernardino, CA

- Conduct full scope plan reviews for various disciplines, including architectural, structural, fire-resistive, accessibility, energy, MEP, and green.
- Electronic review (Bluebeam, ePlansoft, Adobe) and paper plan review.
- Highly experienced reviewing the following types of buildings; single-family and multi-family residential, hotels, mixed-use, medical clinics, industrial, commercial, assembly, factory-built, and miscellaneous structures such as conveyors and platforms.
- Technical structural calculation review for regular and irregular buildings, podium structures, tilt-up construction, steel buildings, modular buildings, components, and freestanding structures.
- Train staff to recognize proper non-structural and structural design methodologies in plan review.
- Prepare correction letters issued to applicants as hardcopy or electronic.
- Design coordination meetings with design professionals and permit applicants.

Plans Examiner ---------- **December 2017 – December 2018**
City of Redlands, Redlands, CA

Graduate Structural Engineer ---------- **Feb. 2015 – Nov. 2017**
Arcadis Design & Consultancy, Doha, Qatar

Student Worker ---------- **2005 – 2011**
L.A. County DPW, Alhambra, CA

SHUMS CODA ASSOCIATES

Ryan Loh, S.E.
Plan Check Engineer

Education
M.S. in Civil Engineering, San Jose State University
B.S. in Civil Engineering, Oklahoma State University

Licenses & Certifications
Professional Structural Engineer, State of California, License # 5192
Professional Civil Engineer, State of California, License # 5491

PROFESSIONAL SUMMARY

Ryan Loh is an accomplished structural engineer that has 30 years of experience in design and plan reviews. Ryan reviews the more complicated structural systems and complex building types; however, Ryan can also review non-structural systems. .

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **2017 - Present**
Shums Coda Associates

- Reviews complex plans for building construction.
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

***Additional past work history can be provided if requested.**

PROJECT EXPERIENCE

Office Building Projects
Mountain View Research Center, Mountain View
San Rafael Business Park, San Rafael, CA
Novellus Tualatin, Tualatin, OR
Police City Service Center, Menlo Park, CA

Multi Units Projects
Opportunity Center of mid-peninsula, Palo Alto
Holiday Express Inn, Watsonville
Sleep Inn, San Jose, CA

Retail Projects
Mckevitt Volvo, San Leandro, CA
Mckevitt Lincoln and Volvo, Margate, FL
Mitsubishi Dealership, Victorville, CA
Fountains Building M, Roseville, CA
The Plant, Building 2, 3, 4, 6, 7, 8 9 and 10, San Jose, CA
Nut Tree Outlet, Buildings 2, 3 and 4, Vacaville, CA
Creek Bridge Village, Building R1 and R3

Church Projects
Golden State Baptist Church, Santa Clara, CA
Foothill Community Church, San Jose, CA
Twin Palms Church, San Jose, CA

SHUMS CODA ASSOCIATES

Su Fong, P.E.
Plan Check Engineer

Education
M.S. Civil Engineering, San Jose State University
B.S. Architectural Engineering, California Polytechnic State University

Licenses & Certifications
Civil Engineer, State of California, License # 89055
Professional Engineer, State of Colorado, License # PE. 0060863
Civil Engineer, State of Nevada, License # 030674
Professional Engineer, State of Utah, License # 12972852-2202
ICC # 8391877
ICC Building Plans Examiner

Memberships
Union Local 21 South Bay Chapter —Secretary/ Treasurer of AEA Board

PROFESSIONAL SUMMARY

Su Fong has almost 10 years of design engineering experience, jurisdictional plan review experience and private consulting plan review service. Su has demonstrated the ability to review and coordinate large-scale building code plan reviews, with multiple phases and complex engineering systems. She provides excellent communication of code concerns and works with applicant/designers to facilitate quick solutions, with a goal to keep projects on schedule. Su is equally adept at non-structural reviews, as well as structural concerns.

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **October 2021 – Present**
Shums Coda Associates

- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Associate Engineer ---------- **June 2015 – September 2021**
City of San Jose, CA

- Examine construction documents for new mixed-use buildings, commercial tenant improvements, industrial improvements, multi-family dwellings, and single-family dwellings for compliance with local building codes and ordinances.
- Facilitate meetings and correspondence between applicants and associated Development Services departments to advance the permitting process.
- Advise owners, architects, engineers, contractors, and developers of code requirements through the design process and construction phase.
- Inform the Public of local zoning, M/P/E, energy conservation, and fire protection regulations relating to building codes in order to mitigate critical design oversights.
- Collaborate with building inspectors, M/P/E inspectors, code enforcement inspectors, planning, public works, and fire engineers to streamline the permit process and resolve field issues.
- Manage project timelines based on target dates, resource assessment, and situational diagnosis by balancing priority, organized multitasking, and anticipating conflicts.
- Ensure life safety through code enforcement while maintaining professional customer service.

Design Engineer ---------- **September 2013 – June 2015**
Applied Engineering, Milpitas, CA

SHUMS CODA ASSOCIATES

Ehab Barakat
Plan Check Engineer

Education
B.S. in Civil and Environmental Engineering, Wayne State University, Detroit, MI

Licenses & Certifications
Licensed EIT
ICC # 9626572
ICC Residential Plans Examiner
ICC Residential Building Inspector
ICC Electrical Plans Examiner
ICC Commercial Electrical Inspector

PROFESSIONAL SUMMARY

Ehab Barakat has nearly five years working for jurisdictions as a plan checker, providing full reviews for residential, multi-family residential and commercial/industrial projects. Ehab will be taking his PE exam in March and looks to complete his CASp certification in the summer.

PROFESSIONAL EXPERIENCE

Plan Check Engineer ---------- **December 2024 - Present**
Shums Coda Associates
- Reviews complex plans for building construction.
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments
- Travel to jurisdictions on an as-needed basis to support clients.

Senior Plans Examiner ---------- **March 2022 – December 2024**
Willdan
- Articulate nuanced interpretations of complex building codes and serving as a reliable point of reference for project teams and clients alike.
- Use knowledge of building codes to help the team and clients understand what will work best in real-world construction.
- Review structural, electrical, plumbing, mechanical, green building, and energy requirements for compliance with adopted building codes for both residential and commercial projects.

Plans Examiner ---------- **September 2021 – February 2022**
Bureau Veritas (Part-Time)
- Prepare correction letters to document deviations in submittals and provide applicants with recommendations to meet minimum code requirements.
- Respond to questions from architects, engineers, and owners regarding codes and other issues with projects.

Plans Examiner ---------- **September 2020 – February 2022**
City of Glendora

Plan Examiner Engineer ---------- **March 2020 – August 2020**
RADCO

Bridge Design Engineer ---------- **May 2019 – December 2019**
MDOT

SHUMS CODA ASSOCIATES

Alberto Barrios Marquez, P.E.
MEP Plans Examiner

Education
Bachelors of Science in Mechanical/ Electrical Engineering, University of Guadalajara, GDL., Jalisco, México

Licenses & Certifications
Professional Engineer, State of Colorado, License # PE.0041140
Master Electrician, State of Colorado, License # ME.0026505
ICC Building Plans Examiner
ICC Mechanical Plans Examiner
ICC Plumbing Plans Examiner
LEED AP BD+C, U.S. Green Building Council
Certified Spanish Translator/Interpreter

PROFESSIONAL SUMMARY
Alberto Barrios Marquez has been in the industry for 25 years, 22 of which have been as a Plans Examiner. Alberto is an electrical plans examiner that can also do various nonstructural reviews. He is certified as a master electrician with the State of Colorado.

PROFESSIONAL EXPERIENCE
MEP Plans Examiner ---------- **December 2020 - Present**
Shums Coda Associates, CO
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Mechanical, Electrical, & Plumbing ---------- **2006 – December 2020**
Code Consultant
Colorado Code Consulting LLC, Denver, CO
*Acquired by Shums Coda Associates in December 2020

Plans Examiner III ---------- **2002 – 2007**
City of Aurora, Aurora, CO

Project Engineer ---------- **2000 – 2002**
Belfay Engineering, Denver, CO

Foreman/Master Electrician ---------- **1999 – 2000**
Quality Electric, Denver, CO

Production Supervisor ---------- **1998 – 1999**
IBM of México – Guadalajara, JAL., México

SHUMS CODA ASSOCIATES

David Logsdon
Plans Examiner

Education
Associated Builders and Contractors- Electrical 4-year Program

Licenses & Certifications
ICC # 5317382
- ICC Residential Electrical Inspector
- ICC Electrical Plans Examiner
- ICC Commercial Electrical Inspector
- ICC Electrical Inspector, Certification
- Safety and Health Practitioner, State of Nevada Division of Industrial Relations
- Master Electrician, State of Maryland, License # 2270 (Inactive)

PROFESSIONAL SUMMARY

David Logsdon is a complete plans examiner, but he is extremely knowledgeable in electrical reviews of medium and high voltage systems. Prior to his long career with Clark County, NV, where he served as Building Plan Review Manager; David was the project manager for the expansion of terminal 3 at the Harry Reed Airport/McClaren Field.

PROFESSIONAL EXPERIENCE

Plans Examiner ---------- **April 2021 – Present**
Shums Coda Associates
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Manager Plans Examination ---------- **August 2019 – August 2020**
Department of Building & Fire Prevention, Clark County Government
Manage all aspects of the plan review process. I organize, administer, coordinate reviews, and evaluate the work of plan examination and associated staff through subordinate supervision. Coordinate and oversee projects that are reviewed by a contracted consultant, plan check employees, verify service provided and authorize request for payment. Participate in new employee interview process, attend staff meetings, and confer with and represent the department with developers, engineers, architects, contractors, and property owners to give information regarding codes, regulations, and procedures.

Assistant Manager ---------- **October 2017 – August 2019**
Department of Building & Fire Prevention, Clark County Government
Managed the Plumbing Mechanical, Electrical, and Residential Plan Examiner staff. In addition to these duties, I manage the hired consultant staff and their work assignments. These duties include:
- Assigns daily work schedules to Plans Examiners and consultant staff.
- Provide technical assistance consistent code interpretation to staff and the public.
- Assist customers with the resolution of complex or difficult situations to ensure that the plans will comply with codes and regulatory requirements.
- Attend meetings with developers, engineers, architects, contractors, and property owners to give information regarding codes, regulations, and procedures.
- Participate in the new employee recruitment process.
- Prepare and administer Employee Performance Reports.

***Additional past work history can be provided if requested.**

SHUMS CODA ASSOCIATES

Dean Kuenzi, CBO
Plans Examiner/ Building Inspector/ Instructor

Education
B.S., Colorado State University – Global, Present
A.S. - Energy Systems Photovoltaics, Diablo Valley College

Licenses & Certifications
ICC # 8173711
- ICC Commercial Electrical Inspector
- ICC Combination Inspector
- ICC Commercial Energy Plans Examiner
- ICC Residential Plans Examiner
- ICC Commercial Building Inspector
- ICC Accessibility Inspector/Plans Examiner
- ICC Fire Plans Examiner
- ICC Residential Mechanical Inspector
- ICC Master Code Professional
- ICC Certified Building Official
- ICC Building Plans Examiner
- ICC Fuel Gas Inspector
- ICC Residential Electrical Inspector
- ICC Commercial Plumbing Inspector
- ICC Residential Plumbing Inspector
- ICC Residential Building Inspector
- ICC Commercial Mechanical Inspector
- ICC Plumbing Plans Examiner
- ICC Residential Energy Inspector/Plans Examiner
- ICC Building Inspector
- ICC Mechanical Inspector
- ICC Electrical Inspector
- ICC Plumbing Inspector
- ICC Building Code Specialist
- ICC Plumbing Code Specialist
- ICC Residential Combination Inspector
- ICC Commercial Combination Inspector
- NABCEP Entry Level Certification (Photovoltaic)
- Post-Disaster Safety Assessment Program (SAP)

PROFESSIONAL SUMMARY

Dean Kuenzi has been in the industry for 23 years. Dean can provide complete plan reviews and specializes in electrical systems, as he teaches courses on the electrical codes, as well as having extensive experience with construction and inspection of these building systems. Dean leads much of our large PV solar array reviews.

PROFESSIONAL EXPERIENCE

Plans Examiner ---------- **October 2020 – Present**
Shums Coda Associates
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Building Inspector ---------- **October 2020 – Present**
Shums Coda Associates
- Enforce codes to the extent of stopping work or occupancy of a building, when necessary, until requirements are satisfied.
- Read and interpret building codes, plans, and specifications.
- Detect hazards and violations and recommend corrective measures during field inspections.
- Follow through to ensure that final inspections for all departments are completed in a timely manner.
- Operate a computer to access and use permits and inspection records.
- Establish and maintain effective working relationships with the jurisdiction building department and the general public.

Instructor ---------- **October 2020 – Present**
Shums Coda Associates

Operations Supervisor ---------- **January 2019 – Present**
Building Inspector III ---------- **February 2016 – January 2019**
El Dorado County, Placerville, CA

Building Inspector ---------- **May 2014 – February 2016**
Town of Danville, Danville, CA

***Additional past work history can be provided if requested.**

SHUMS CODA ASSOCIATES

Myron Williams
Plans Examiner/ Building Inspector

Education
General Education Courses, Utah Valley State College
National Electrical Code
Davis Area Technology Center, Kaysville, Utah

Licenses & Certifications
Combination Inspector, State of Utah, License # 4958496-5601
ICC # 5044251
ICC Mechanical Inspector
ICC Accessibility Inspector/Plans Examiner
ICC Plumbing Inspector
ICC Mechanical Plans Examiner
ICC Residential Energy Inspector/Plans Examiner
ICC Electrical Inspector
ICC Building Plans Examiner
ICC Combination Inspector
ICC Building Inspector
ICC Commercial Combination Inspector

Memberships
Utah Chapter of ICC, Bonneville Chapter

PROFESSIONAL SUMMARY

Myron will serve as our plan review team leader on mechanical and plumbing systems, as Myron has extensive experience with construction and inspection of these building systems. Myron has an extensive career in complex plan review projects and coordinating team comments to provide a focus on critical code issues. Myron has reviewed prison expansions, hospital construction, large office campus construction and several large-scale multi-family housing projects.

Mr. Williams has been in the industry for over 25 years. He has been the acting Building Official for Centerville City for 10 years and does inspections & plan reviews for multiple jurisdictions.

PROFESSIONAL EXPERIENCE

Building Inspector ---------- **February 2021 – Present**
Shums Coda Associates, UT
- Enforce codes to the extent of stopping work or occupancy of a building, when necessary, until requirements are satisfied.
- Read and interpret building codes, plans, and specifications.
- Detect hazards and violations and recommend corrective measures during field inspections.
- Follow through to ensure that final inspections for all departments are completed in a timely manner.
- Operate a computer to access and use permit and inspection records.
- Establish and maintain effective working relationships with the jurisdictions building department and the general public.

Plans Examiner ---------- **February 2021 – Present**
Shums Coda Associates, UT
- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify plan check comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Building Official/ Plans Examiner/ Building Inspection/ Project Manager Examiner ---------- **20 Years**
Sunrise Engineering

***Additional past work history can be provided if requested.**

SHUMS CODA ASSOCIATES

Barbara Rice, CBO, CFM, EFO

Fire Service Manager

Education

M.S. in Public Administration/ Emergency Management, Columbia Southern University
B.S. in Fire Science, National Fire Academy Executive Fire Officer Program, Columbia Southern University
Fire Service Leadership, EMT, Haz Ops for First Responder, Yavapai Community College:
Fire Science Classes, Portland Community College
A.A., Skyline College, San Bruno, CA.

Licenses & Certifications (Partial List)

ICC # 0863852
ICC Safety Assessment Program (Disaster Mitigation)
ICC Certified Fire Marshal
ICC Building Plans Examiner
ICC /AACE Property Maintenance and Housing Inspector
ICC Fire Inspector II
ICC Permit Technician
ICC Fire Plans Examiner
ICC Certified Building Official
ICC Zoning Inspector
ICC Permit Specialist
ICC Fire Code Specialist
IFSAC
Fire Inspector I
Fire Inspector II
Plans Examiner
Fire Investigator
IAAI-CFI
Certified Fire Investigator
Safety Assessment Program, (Disaster Mitigation)
Arizona State Fire Training Committee
Fire Instructor I
Fire Instructor II
State of Colorado – Division of Fire Prevention and Control
Fire Inspector III – Plans Examiner
Fire Inspector I

PROFESSIONAL SUMMARY

Barbara Rice has 24 years in municipal and local government as a building official, plans examiner, fire marshal, inspector, permit technician, code enforcement and fire investigator. Barbara can provide complete plan reviews and specializes in fire systems, as Barbara teaches courses on fire codes, as well as having extensive experience with construction and inspection of these building systems.

PROFESSIONAL EXPERIENCE

Fire Service Line Manager ---------- **January 2022 – Present**
Shums Coda Associates
Responsible for all fire plan review, inspection, and evaluation reports on behalf of our jurisdictional clients and various fire districts throughout Arizona, Utah, Montana, Nevada, California, and Colorado.

Arizona Regional Manager ---------- **January 2022 – Present**
Shums Coda Associates
Responsible for business services and client relations in Arizona. Serves as local point of contact and project manager for plan review, inspection, staff augmentation and other services provided.

Adjunct Faculty ---------- **February 2008 – Present**
Pima Community College, Tucson, AZ & Yavapai Community College, Clarkdale, AZ
- Teach fire code, investigation, prevention, and public education courses for Fire Science program.
- Develop curriculum for new courses and material.

Building Safety Manager/ Building Official/ Fire Marshal ---------- **Sept. 2020 – Jan. 2022**
Town of Sahuarita, AZ

Community Development Director/Fire Marshal -- **Feb. 2020 – Sep. 2020**
Town of Florence

Plans Examiner/ Fire Marshal ---------- **April 2012 – Feb. 2020**
City of Casa Grande, Casa Grande

Fire Marshal ---------- **May 2007 – March 2012**
Camp Verde Fire District

Reserve ---------- **Sep. 2006 – May 2009**
Verde Valley Fire District, Cottonwood, AZ

Building Safety Manager ---------- **Sep. 2006 – March 2007**
City of Glendale, AZ

Fire Marshal ---------- **March 2005 – Sep 2006**
City of Cottonwood Fire Department

Deputy Fire Marshal ---------- **July 2001 – Feb. 2003**
City of Albany Fire Department, Life Safety Division

***Additional past work history can be provided if requested.**

SHUMS CODA ASSOCIATES

Hope Medina, CBO, CSP

Instructor/ Plans Examiner/ Building Inspector

Licenses & Certifications

- ICC Certified Sustainability Professional
- ICC Residential Energy Inspector/Plans Examiner
- ICC Green Building - Residential Examiner
- ICC IgCC Plans Examiner
- ICC IgCC Commercial Inspector
- ICC Certified Building Official
- ICC Residential Mechanical Inspector
- ICC Residential Building Inspector
- ICC Building Plans Examiner
- ICC Accessibility Inspector/Plans Examiner
- ICC Commercial Building Inspector
- ICC Residential Plumbing Inspector
- ICC Residential Plans Examiner
- ICC Permit Technician
- ICC Mechanical Plans Examiner
- ICC Building Inspector
- ICC Residential Combination Inspector
- ICC Management Module
- ICC Legal
- ICC Building Codes and Standards
- ICC Building Code Specialist
- ICC Permit Specialist
- ICC Residential Electrical Inspector
- On Site Plan Review and Inspections, Train the Trainer, DOE Building Energy Codes
- Safety Assessment Program Building Inspector, State of California

Publications

- ICC - 2021 Green Construction Code Essentials

Memberships (Partial list)

- International Code Council & Committees
- Colorado Chapter of ICC & Committees
- National Green Building Standard
- Colorado Energy Code Compliance Collaboration Committee

PROFESSIONAL SUMMARY

Hope Medina has been in the industry for 15 years. She started her career as a permit technician and worked her way up to an inspector and plans examiner. Hope can provide complete plan reviews and specializes in energy and sustainability systems, as Hope teaches extensive classes in energy and sustainability codes. Her focus has been on the energy and sustainability codes, standards, and practices and has been a part of the "Green Team" for over 10 years. This has led to her receiving the ICC designation of Certified Sustainability Professional.

COURSE INSTRUCTOR

- Department of Energy
- International Code Council - Conference Education
- American Institute of Architects- Colorado
- Colorado Chapter of ICC - Education Institute & Chapter Meeting Training
- Colorado State, Ft Collins
- Construction Specification Institute- Pikes Peak Chapter
- Colorado Jurisdictions
- Oregon Building Officials Association
- Midwest Energy Efficiency Alliance
- Southern Nevada Chapter ICC EduCode

PROFESSIONAL EXPERIENCE

Instructor ---------- **December 2020 – Present**
Shums Coda Associates

- Prepare customized slides, handouts, and supporting documents according to the topic of training.
- Answer questions from participants in the training.

Plans Examiner ---------- **December 2020 – Present**
Shums Coda Associates

- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Building Inspector ---------- **December 2020 – Present**
Shums Coda Associates

Energy/Green Code Consultant ---------- **2012 – December 2020**
Colorado Code Consulting, CO
***Acquired by Shums Coda Associates in December 2020**

***Additional past work history can be provided if requested.**

SHUMS CODA ASSOCIATES

Andre Jaen, CBO, MCP

Plans Examiner/ Building Inspector/ Instructor

Education

Bachelor of Arts: Political Science, University of Colorado Boulder

Licenses & Certifications

- ICC Commercial Building Inspector
- ICC Property Maintenance and Housing Inspector
- ICC Green Building - Residential Examiner
- ICC Commercial Plumbing Inspector
- ICC Residential Energy Inspector/Plans Examiner
- ICC Commercial Mechanical Inspector
- ICC Commercial Energy Inspector
- ICC Accessibility Inspector/Plans Examiner
- ICC Residential Mechanical Inspector
- ICC Residential Plans Examiner
- ICC Residential Plumbing Inspector
- ICC Commercial Electrical Inspector
- ICC Combination Inspector
- ICC Master Code Professional
- ICC Commercial Energy Plans Examiner
- ICC Residential Fire Sprinkler Inspector/Plans Examiner
- ICC Certified Building Official
- ICC Residential Building Inspector
- ICC Residential Electrical Inspector
- ICC Building Plans Examiner
- ICC Building Inspector
- ICC Mechanical Inspector
- ICC Electrical Inspector
- ICC Plumbing Inspector
- ICC Building Code Specialist
- ICC Energy Code Specialist
- ICC Residential Combination Inspector
- ICC Commercial Combination Inspector
- ICC Certified Sustainability Professional
- CalOES Disaster Assessment Certification

PROFESSIONAL SUMMARY

Andre Jaen has been in the building safety industry for thirteen years, including eight years of supervisory experience. Andre is a educator and exceptional communicator with experience in day-to-day operations for building code compliance as well as related policy, code adoption, and implementation. Andre regularly trains and educates building plan reviewers, permit technicians and inspectors on department policies, code requirements, customer service and building plan review. Performed educational seminars for contractors, Home Builders Association, local architects and engineers.

PROFESSIONAL EXPERIENCE

Instructor ---------- **June 2024 – Present**

Shums Coda Associates

- Prepare customized slides, handouts, and supporting documents according to the topic of training.
- Answer questions from participants of the training.

Plans Examiner ---------- **June 2024 – Present**

Shums Coda Associates

- Review plans, calculations, and specifications for compliance with the most current adopted codes and ordinances.
- Preparation of Plans Comments Letter according to industry and SCA standards.
- Meet and confer with the clients as needed to clarify comments.
- Travel to jurisdictions on an as-needed basis to support clients.

Building Inspector ---------- **June 2024 – Present**

Shums Coda Associates

- Enforce codes to the extent of stopping work or occupancy of a building, when necessary, until requirements are satisfied.
- Read and interpret building codes, plans, and specifications.
- Detect hazards and violations and recommend corrective measures during field inspections.
- Follow through to ensure that final inspections for all departments are completed in a timely manner.
- Operate a computer to access and use permit and inspection records.
- Establish and maintain effective working relationships with the jurisdiction building department and the general public.

Manager of Operations ---------- **October 2023 – June 2024**

Jefferson County, Colorado

Building Permit Supervisor ---------- **August 2015 – October 2023**

Jefferson County — Golden, CO

Building Inspector ---------- **May 2012 – August 2015**

Jefferson County — Golden, CO

Building Inspector ---------- **July 2011 – May 2012**

City of Lakewood — Lakewood, CO

SHUMS CODA ASSOCIATES

Stephen "Steve" Thomas, CBO

Education Director/ Colorado Regional Manager

Education

B.S. in Business Administration, University of Phoenix
Course Work in Civil Engineering Technology, University of Phoenix
Community College of Denver at Red Rocks Lakewood, CO

Licenses & Certifications

ICC # 829160
ICC Building Plans Examiner
ICC Building Code Specialist
ICC Plumbing Inspector
ICC / AACE Property Maintenance and Housing Inspector
ICC Building Inspector
ICC Building Code Official
ICC Accessibility Inspector/Plans Examiner
ICC Housing Code Official
ICC Mechanical Inspector
ICC Residential Plans Examiner
ICC Certified Building Official

Publications

Building Code Basics, 2009 IBC
Building Code Basics, 2012 IBC
Building Code Essentials, 2015 IBC
Building Code Essential, 2018 IBC
2006 IBC Transition from the 1997 UBC One- and Two-Family Dwelling Provisions
Applying the Codes to Cannabis Facilities

Memberships

International Code Council
Codes and Standards Council
Code Technology Committee
National Fire Protection Association
Colorado Chapter ICC
Code Changes Committee
Colorado Municipal League
Utah Chapter ICC
Arizona Building Officials
American Institute of Architects (AIA) Provider

PROFESSIONAL SUMMARY

Steve Thomas has over 40 years in the Building and Safety Industry. From Inspector, Plans Examiner, and a Building Official he has done it all. Through his experiences, he created Colorado Code Consulting and was the president of the company between 1999 and 2020. He joined SCA in 2020 and continues to provide building code services to our clients, including complete plan reviews, and course instructor for a variety of courses.

COURSE INSTRUCTOR

Steve is a successful course instructor for many courses including:

- International Code Council – Instructor
- Colorado Chapter ICC Educational Institute – Instructor
- Southern Nevada Chapter ICC EduCode – Instructor
- Washington Association of Building Officials – Instructor
- Arizona Building Officials – Instructor
- Oregon Building Officials Association – Instructor
- Utah Chapter ICC – Instructor
- AIA Colorado – Instructor
- Johnson County Contractor Licensing Department, Overland Park, KS – Instructor
- Community College of Denver, Lakewood Colorado – Instructor (Class: Intro. to Building Codes)

PROFESSIONAL EXPERIENCE

Education Director ---------- **December 2020 - Present**
Shums Coda Associates

Colorado Regional Manager ---------- **December 2020 - Present**
Shums Coda Associates
Responsible for business services and client relations in Colorado. Serves as local point of contact and project manager for plan review, inspection, staff augmentation and other services provided.

President and Owner ---------- **1999 – December 2020**
Colorado Code Consulting, Denver, CO
*Acquired by Shums Coda Associates in December 2020

Building Official/ Community Development Director ----------**1981 – 1999**
City of Glendale, Glendale, CO

Building Official/ Building Inspector/ Plans Examiner ---------**1978 – 1981**
The Building Department, Inc., Denver, CO

Quality Control Testing Technician ----------**1977 – 1978**
Materials Testing, Inc., Denver, CO

Table Resume

The following represents additional SCA employees available (as needed) and their licenses & certifications:

Team Member/ Job Title	Certification / License / Affiliations
Richard Ames, CBO, MCP Plans Examiner Building Inspector ICC # 864651	**Education** • B.L.A., Cal State Hayward/East Bay College of San Mateo **Licenses & Certifications** • ICC Accessibility Inspector/Plans Examiner • ICC Building Code Official • ICC Plumbing Inspector UPC • ICC Certified Building Official • ICC Mechanical Inspector UMC • ICC Plumbing Inspector • ICC Mechanical Inspector • ICC Combination Inspector • ICC Building Inspector • ICC Combination Inspector - Legacy • ICC Building Plans Examiner • ICC Electrical Inspector • ICC Residential Plans Examiner • ICC Building Code Specialist • ICC Commercial Combination Inspector • ICC Fire Plans Examiner • ICC Commercial Energy Plans Examiner • ICC Residential Energy Inspector/Plans Examiner • ICC Master Code Professional
Amanda "Mandy" Ayars Fire Building Inspector ICC # 8139637	**Licenses & Certifications** • ICC Fire Inspector I • ICC Fire Inspector II • Fire Inspector I, Arizona State Fire Training • Fire Inspector II, Arizona State Fire Training • Fire & Life Safety Educator I, Arizona State Fire Training • Fire & Life Safety Educator II, Arizona State Fire Training • Fire & Life Safety Plans Review, Arizona State Fire Training • Fire/ Arson Investigation IV, International Association of Arson Investigators • Fire Inspector I, State of Colorado – Division of Fire Prevention and Control • Fire Inspector II, State of Colorado – Division of Fire Prevention and Control
Craig Aznoe, F.P.E. Fire Protection Engineer	**Education** • B.S, Electrical Engineering, Montana State University **Licenses & Certifications** • Fire Protection Engineer, State of California, License # 1832
Jason Bullock Utah Regional Manager Plans Examiner Building Inspector ICC # 1028199	**Education** • B.S., Business Administration, University of Phoenix **Licenses & Certifications** • Combination Inspector, State of Utah, License # 290441-5601 • ICC Building Plans Examiner • ICC Combination Inspector • ICC Electrical Inspector • ICC Building Inspector • ICC Plumbing Inspector • ICC Mechanical Inspector • ICC Commercial Combination Inspector

Team Member/ Job Title	Certification / License / Affiliations
Corey Bundy, MCP Plans Examiner Building Inspector ICC # 888051	**Licenses & Certifications** • Combination Inspector, State of Utah, License # 311918-5601 • ICC Building Inspector • ICC Combination Inspector • ICC Mechanical Inspector UMC • ICC Fire Inspector I • ICC Accessibility Inspector/Plans Examiner • ICC Combination Inspector - Legacy • ICC Commercial Energy Inspector • ICC Residential Energy Inspector/Plans Examiner • ICC Mechanical Inspector • ICC Plumbing Inspector • ICC Electrical Inspector • ICC Fire Plans Examiner • ICC Building Plans Examiner • ICC Building Code Specialist • ICC / AACE Property Maintenance and Housing Inspector • ICC Zoning Inspector • ICC Permit Technician • ICC Permit Specialist • ICC Fire Inspector II • ICC Fire Code Specialist • ICC Master Code Professional • ICC Commercial Combination Inspector • Utah Seismic Safety, Commission Safety Assessment Program Certification
Varinia "Rini" Bunje, Building Inspector ICC # 5240660	**Licenses & Certifications** • ICC Building Inspector
Willie Chidester, MCP Plans Examiner ICC # 8054617	**Licenses & Certifications** • ICC Residential Mechanical Inspector • ICC Residential Plans Examiner • ICC Residential Electrical Inspector • ICC Commercial Electrical Inspector • ICC Commercial Building Inspector • ICC Structural Masonry Special Inspector • ICC Building Plans Examiner • ICC Commercial Combination Inspector • ICC Commercial Plumbing Inspector • ICC Residential Building Inspector • ICC Residential Plumbing Inspector • ICC Commercial Mechanical Inspector • ICC Mechanical Plans Examiner • ICC Plumbing Plans Examiner • ICC Building Inspector • ICC Mechanical Inspector • ICC Electrical Inspector • ICC Plumbing Inspector • ICC Residential Combination Inspector • ICC Combination Inspector • ICC Electrical Plans Examiner • ICC Combination Plans Examiner • ICC Fire Plans Examiner • ICC Accessibility Inspector/Plans Examiner • ICC Residential Energy Inspector/Plans Examiner • ICC Master Code Professional

Team Member/ Job Title	Certification / License / Affiliations
Christopher "Chris" Clark Fire Plans Examiner Fire Building Inspector ICC # 8787194	**Education** • Post-Masters Certification in Business Administration, Northcentral University, Prescott Valley, AZ • Masters of Human Relations, University of Oklahoma, Norman, OK • B.S. in Fire Management, Southern Illinois University, Carbondale, IL • A.S. in Fire Science and Military Instruction of History/Technology, Community College of the Air Force, Maxwell, GA, **Licenses & Certifications** • ICC Fire Plans Examiner • ICC Building Plans Examiner • ICC Fire Inspector I • ICC Fire Inspector II • Fire Inspector III, IFSAC Certified • Fire Officer III, IFSAC and Pro Board Certified • Fire Instructor III, IFSAC and Pro Board Certified
William "Bill" Clayton, CBO Plans Examiner Building Inspector Instructor Code Consultant ICC # 881785	**Education** • General Studies and Agriculture, Clackamas Community College, Oregon City, OR • General Studies, Physical Education & Music, Mt. Hood Community College, Gresham, OR • FEMA Courses: IS 00100.b, IS 00200.b, IS 00700.a, IS 00800.b **Licenses & Certifications** • ICC / AACE Property Maintenance and Housing Inspector • ICC Plumbing Inspector UPC • ICC Building Code Official • ICC Accessibility Inspector/Plans Examiner • ICC Housing Code Official • ICC Residential Energy Inspector/Plans Examiner • ICC Mechanical Inspector • ICC Building Code Specialist • ICC Building Plans Examiner • ICC Residential Fire Sprinkler Inspector/Plans Examiner • ICC Plumbing Inspector • ICC Certified Building Official • ICC Building Inspector • ICC Mechanical Inspector UMC

Team Member/ Job Title	Certification / License / Affiliations
Cole Cloward, CBO, CFM Senior Plans Examiner Building Inspector Code Consultant ICC # 8418532	**Education** • B.A. in International Relations, Brigham Young University Provo, UT **Licenses & Certifications** • ICC Commercial Electrical Inspector • ICC Residential Building Inspector • ICC Commercial Mechanical Inspector • ICC Residential Electrical Inspector • ICC Residential Mechanical Inspector • ICC Residential Plumbing Inspector • ICC Commercial Plumbing Inspector • ICC Commercial Building Inspector • ICC Accessibility Inspector/Plans Examiner • ICC Building Inspector • ICC Mechanical Inspector • ICC Electrical Inspector • ICC Plumbing Inspector • ICC Residential Combination Inspector • ICC Combination Inspector • ICC Commercial Combination Inspector • ICC Building Plans Examiner • ICC Commercial Energy Inspector • ICC Commercial Energy Plans Examiner • ICC Residential Energy Inspector/Plans Examiner • ICC Building Codes and Standards • ICC Legal Module • ICC Management Module • ICC Certified Building Official • ICC Building Code Specialist • Certified Floodplain Administrator
Corey Coleman, MCP Building Inspector ICC # 5097491	**Licenses & Certifications** • Combination Inspector, State of Utah, License # 5597878-5601 • ICC Commercial Electrical Inspector • ICC Residential Mechanical Inspector • ICC Electrical Inspector • ICC Building Inspector • ICC Master Code Professional • ICC Plumbing Inspector • ICC Commercial Energy Plans Examiner • ICC Residential Building Inspector • ICC Building Plans Examiner • ICC Commercial Combination Inspector • ICC Accessibility Inspector/Plans Examiner • ICC Commercial Plumbing Inspector • ICC Residential Plumbing Inspector • ICC Residential Electrical Inspector • ICC Commercial Building Inspector • ICC Residential Energy Inspector/Plans Examiner • ICC Residential Combination Inspector • ICC Combination Inspector • ICC Fire Inspector I • ICC Commercial Energy Inspector • ICC Residential Plans Examiner • ICC Commercial Mechanical Inspector • ICC Certified Building Official • ICC Mechanical Inspector • ICC Building Code Specialist

Team Member/ Job Title	Certification / License / Affiliations
Matthew Coyle Building Inspector ICC # 805450	**Education** • Carpenters Apprenticeship Training CTCNC **Licenses & Certifications** • ICC Structural Steel and Bolting Special Inspector • ICC Reinforced Concrete Special Inspector • ICC Structural Masonry Special Inspector • ICC California Residential Electrical Inspector • ICC California Commercial Electrical Inspector • ICC Electrical Plans Examiner • ICC Combination Inspector – Legacy • ICC California Building Plans Examiner • ICC Prestressed Concrete Special Inspector • ICC Combination Inspector • ICC Mechanical Plans Examiner • ICC California Commercial Building Inspector • ICC Electrical Inspector • OSHPD Certified Inspector, Level 1 & 3, License # B-10162 • Certified Welding Inspector (CWI), American Welding Society (AWS), Certification # 11121141
Michael “Mike” Durfee Building Inspector ICC # 1033039	**Licenses & Certifications** • Combination Inspector, State of Utah, License # 264525-5601 • ICC Plumbing Inspector • ICC Mechanical Inspector • ICC Electrical Inspector • ICC Building Inspector • ICC Commercial Combination Inspector • ICC Combination Inspector • Medical Gas Inspector, National Inspection • Certified Firefighter I and II, Utah State Fire Training Certification Broad
Frederick "Fred" Durham Fire Plans Examiner Fire Building Inspector ICC # 8010613	**Education** • Associates of Science (Honors) in Engineering, Pima Community College **Licenses & Certifications** • ICC Fire Inspector II • ICC Fire Plans Examiner • ICC Fire Inspector I • IAAI Fire Investigation Technician • AZIAAI Arson 3 & 4 • National Fire Academy, Arson Investigation • National Fire Academy, Fire Plans Review • National Fire Academy, Structures and Systems • National Fire Academy, Evaluating Performance Based Designs • State of Virginia Fire Fighter One • State of Virginia Fire Fighter Two • DOD/IFSAC Fire Fighter One • DOD/IFSAC Fire Fighter Two • DOD/IFSAC ARFF Driver Operator • DOD/IFSAC Hazmat Technician • DOD/IFSAC Fire Inspector One • DOD/IFSAC Fire Instructor One • DOD/IFSAC Fire Officer One • DOD/IFSAC Fire Officer Two

Team Member/ Job Title	Certification / License / Affiliations
Robert Elefante Building Inspector ICC # 8927867	**Licenses & Certifications** • ICC Residential Building Inspector • ICC Residential Plumbing Inspector • ICC Fuel Gas Inspector • ICC Commercial Mechanical Inspector • ICC CALGreen Inspector/Plans Examiner • ICC Commercial Building Inspector • ICC Building Inspector • ICC Residential Mechanical Inspector • ICC Mechanical Inspector • ICC Residential Electrical Inspector • ICC Residential Combination Inspector
Alan Ellis, CBO Nevada Client Liaison Manager Plans Examiner ICC # 1086454	**Education** • M.B.A., University of Phoenix, Las Vegas, NV • B.A., Social Science, Michigan State University, East Lansing, MI **Licenses & Certifications** • ICC Certified Building Official • ICC Fire Inspector II • ICC Building Inspector • ICC Building Plans Examiner • ICC Building Code Specialist • Fire Inspector, Uniform Fire Code Association • Fire Inspector, International Fire Code Institute • Fire Inspector III - NFPA, Office of the Nevada State Fire Marshal • Plans Examiner II - NFPA, Office of the Nevada State Fire Marshal • Fire Inspector II, Office of the Nevada State Fire Marshal • Fire Inspector I Office of the Nevada State Fire Marshal • Medical Gas Inspector – National Pipefitters Council
Ali Fatapour, P.E., CBO Interim Building Official	**Education** • M.S., Structural Engineering – California State University, San Jose • B.S., Civil Engineering – California State University, San Jose **Licenses & Certifications** • Civil Engineer, State of California, License # C40671
William "Bill" Gardner, QEI Conveyance Inspector	**Education** • B.S., Business Administration, University of S. Dakota **Licenses & Certifications** • Type 1 Conveyance Inspector, State of Colorado - Division of Oil and Public Safety - Conveyance Section, License # CI-1-49 • Certified Elevator Inspector, QEI NAESA, Certification # C-2041
Rick Gomes Building Inspector ICC # 5291407	**Education** • CalCasp Academy • Electrical Inspection I, Electrical inspection II, Plumbing Inspection, College of San Mateo • General Studies, Ohlone Community College & University of Phoenix **Licenses & Certifications** • ICC Residential Electrical Inspector • ICC Residential Mechanical Inspector • ICC Building Inspector • ICC Commercial Electrical Inspector • ICC Electrical Inspector • Plumbing Inspector, IAPMO, Certificate # PI99781
Yvette Granados Senior Permit Technician ICC # 8226955	**Licenses & Certifications** • ICC Permit Technician

Team Member/ Job Title	Certification / License / Affiliations
Mark Gurule Plans Examiner ICC # 1027524	**Education** • A.A., Architectural Design, National Education Center, Glendale, AZ • Studies in Mechanical Engineering, University of Southern Colorado **Licenses & Certifications** • ICC Building Inspector • ICC Building Plans Examiner • Third Party Building Inspector Certification, Colorado Division of Fire Prevention & Control, Certification # 22-190834
Martin Haeberle, CBO Plans Examiner Senior Building Inspector Chief Building Official ICC # 811252	**Education** • ADA Coordinator, University of Missouri • Commercial/Residential Heating Ventilation and Refrigeration Systems, Kansas City Technical College **Licenses & Certifications** • Limited Inspector License, State of Utah. No. 6597488-5602 • ICC Residential Electrical Inspector • ICC Building Inspector • ICC Commercial Electrical Inspector • ICC Building Plans Examiner • ICC Certified Building Official • ICC Residential Plumbing Inspector • ICC Accessibility Inspector/Plans Examiner • ICC Commercial Mechanical Inspector • ICC Commercial Plumbing Inspector • ICC Electrical Inspector • ICC Plumbing Inspector • ICC Building Code Specialist • Emergency Management Certification, FEMA
Landan Hansen Building Inspector ICC # 8854881	**Licenses & Certifications** • Limited Inspector, State of Utah, License # 10728255-5602 • ICC Commercial Electrical Inspector • ICC Plumbing Inspector • ICC Commercial Combination Inspector • ICC Building Inspector

Team Member/ Job Title	Certification / License / Affiliations
William "Will" Hanson Building Inspector ICC # 5271207	**Education** • A.S., Al Collins Graphic Design School, Tempe, AZ **Licenses & Certifications** • ICC Accessibility Inspector/Plans Examiner • ICC Commercial Combination Inspector • ICC Fire Inspector II • ICC Combination Inspector • ICC Plumbing Inspector • ICC Building Inspector • ICC Mechanical Inspector • ICC Electrical Inspector • ICC Commercial Mechanical Inspector • ICC Residential Mechanical Inspector • ICC Electrical Plans Examiner • ICC Residential Building Inspector • ICC Commercial Electrical Inspector • ICC Residential Electrical Inspector • ICC California Commercial Electrical Inspector • ICC California Commercial Plumbing Inspector • ICC California Commercial Building Inspector • ICC California Residential Plumbing Inspector • ICC California Residential Building Inspector • ICC California Residential Electrical Inspector • Certified Home Inspector, Arizona State Board of Technical Registration, License # 64972 • Plan Review I & II, Pro Board • ASI Stormwater Certified Inspector, American Stormwater Institute
Joshua "Josh" Harmon, CBO, CSP, MCEP Plans Examiner Building Inspector Instructor Code Professional/ Code Education - Energy/ Sustainability ICC # 5306080	**Education** • B.A., Political Science, Minor: Urban Studies, Wittenburg University, Springfield, OH **Licenses & Certifications** • ICC / AACE Property Maintenance and Housing Inspector • ICC Residential Building Inspector • ICC Zoning Inspector • ICC Certified Building Official • ICC Housing and Zoning Code Specialist • ICC Residential Plans Examiner • ICC CALGreen Inspector/Plans Examiner • ICC Certified Sustainability Professional • ICC Residential Energy Inspector/Plans Examiner • ICC Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1 • ICC Disaster Response CLA • ICC Commercial Green Construction Professional • ICC/AACE Code Enforcement Administrator • ICC Commercial Mechanical Inspector • ICC Residential Mechanical Inspector • ICC Mechanical Inspector • ICC Mechanical Plans Examiner • ICC Mechanical Code Specialist • AACE/ Master Code Enforcement Professional • CALOES Safety Assessment Evaluator

Team Member/ Job Title	Certification / License / Affiliations
Patrick "Pat" Headington, CBO Plans Examiner Senior Building Inspector Chief Building Official ICC # 1103661	**Licenses & Certifications** • ICC Residential Plumbing Inspector • ICC Accessibility Inspector/Plans Examiner • ICC / AACE Property Maintenance and Housing Inspector • ICC Commercial Electrical Inspector • ICC Fire Plans Examiner • ICC Commercial Plumbing Inspector • ICC Residential Electrical Inspector • ICC Certified Building Official • ICC Commercial Energy Inspector • ICC Residential Energy Inspector/Plans Examiner • ICC Residential Mechanical Inspector • ICC Fire Inspector II • ICC Building Plans Examiner • ICC Combination Inspector • ICC Fire Inspector I • ICC Building Inspector • ICC Commercial Mechanical Inspector • ICC Plumbing Inspector • ICC Electrical Inspector • ICC Mechanical Inspector • ICC Building Code Specialist • ICC Fire Code Specialist • ICC Commercial Combination Inspector
Jody Hilton Plans Examiner Manager ICC # 5202997	**Education** • ICBO Plans Building Code Classes, Salt Lake Community College • Examiner Class, Whittier, California **Licenses & Certifications** • Combination Inspector, State of Utah, License # 265582-5601 • ICC Commercial Combination Inspector • ICC Building Code Specialist • ICC Building Plans Examiner • ICC Commercial Energy Plans Examiner • ICC Combination Inspector • ICC Plumbing Inspector • ICC Mechanical Inspector • ICC Building Inspector • ICC Electrical Inspector
Christopher "Bo" Johnson Building Inspector ICC # 10054901	**Education** • B.S., Sociology, University of Utah • A.S., C.S., Weber State University **Licenses & Certifications** • Combination Inspector, State of Utah, License # 12476236-5601 • ICC Residential Building Inspector • ICC Residential Electrical Inspector • ICC Residential Mechanical Inspector • ICC Residential Plumbing Inspector • ICC Residential Combination Inspector • ICC Commercial Plumbing Inspector • ICC Plumbing Inspector • ICC Commercial Building Inspector • ICC Building Inspector • ICC Commercial Mechanical Inspector • ICC Mechanical Inspector • ICC Commercial Electrical Inspector • ICC Electrical Inspector • ICC Combination Inspector • ICC Commercial Combination Inspector

Team Member/ Job Title	Certification / License / Affiliations
Daniel "Dan" Kishpaugh Senior Plans Examiner ICC # 881836	**Education** • B.A., History, University of Nevada, Reno • Plan Review Institute - Whittier, California • Building and Fire Code Plan Review - National Fire Academy • Fire Structures and Systems Course - National Fire Academy • Building Official's Institute, Portland, Oregon **Licenses & Certifications** • ICC Mechanical Inspector UMC • ICC Plumbing Inspector UPC • ICC Electrical Inspector • ICC Building Plans Examiner
David "Dave" Larkin, CBO, MCP Plans Examiner Building Inspector ICC # 8772573	**Education** • B.S. in Business Administration, Indiana University of Pennsylvania **Licenses & Certifications** • ICC Combination Inspector • ICC Plumbing Inspector • ICC Fire Plans Examiner • ICC Accessibility Inspector/Plans Examiner • ICC Commercial Mechanical Inspector • ICC Mechanical Inspector • ICC Mechanical Code Specialist • ICC Commercial Electrical Inspector • ICC Electrical Inspector • ICC Residential Building Inspector • ICC Commercial Combination Inspector • ICC Master Code Professional • ICC Permit Technician • ICC Permit Specialist • ICC Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1 • ICC Commercial Energy Inspector • ICC Certified Sustainability Professional • ICC Commercial Energy Plans Examiner • ICC Residential Electrical Inspector • ICC Residential Mechanical Inspector • ICC Certified Building Official • ICC Residential Plumbing Inspector • ICC Residential Combination Inspector • ICC Coastal and Floodplain Construction Inspector • ICC Mechanical Plans Examiner • ICC Combination Plans Examiner • ICC Commercial Building Inspector • ICC Building Inspector • ICC Building Plans Examiner • ICC Residential Plans Examiner • ICC Residential Energy Inspector/Plans Examiner • ICC Building Code Specialist • ICC Commercial Plumbing Inspector

Team Member/ Job Title	Certification / License / Affiliations
Kyle Layton Building Inspector ICC # 8789083	**Licenses & Certifications** • ICC Residential Building Inspector • ICC Commercial Building Inspector • ICC Residential Mechanical Inspector • ICC Residential Plumbing Inspector • ICC Building Inspector • ICC Residential Electrical Inspector • ICC Residential Combination Inspector • ICC Commercial Plumbing Inspector • ICC Plumbing Inspector • ICC Commercial Electrical Inspector • ICC Electrical Inspector • ICC Commercial Mechanical Inspector • ICC Mechanical Inspector • ICC Commercial Combination Inspector • ICC Combination Inspector
Jon Lodge, CFI Fire Plans Examiner Fire Building Inspector ICC # 8415641	**Education** • B.S., Fire Administration (Fire Investigations), Columbina Southern University • A.S., Fire Science, Columbia Southern University • A.S., Criminal Justice, Columbia Southern University **Licenses & Certifications** • ICC Fire Inspector II • ICC Fire Inspector I • ICC Fire Plans Examiner • Fire Investigator (CFI), International Association of Arson Investigators (IAAI), Certification # 28-080351 • Evidence Collection Technician, International Association of Arson Investigators (IAAI), Certification # 480 • UAV Pilot (Part 107), Department of Transportations – FAA, Certification # 4084144
Xin Liu, F.P.E. Fire Protection Engineer	**Education** • M.S., Fire Protection Engineering, University of Maryland, College Park, MD • B.S., Fire Protection Engineering, State Key Laboratory of Fire Science, University of Science and Technology of China **Licenses & Certifications** • Fire Protection Engineer, State of California, License # 1698
Alain Nkishi Mamada, F.P.E. Fire Protection Engineer	**Education** • M.S., Fire Protection Engineering, California Polytechnic State University • B.T., Mechanical Engineering University of Johannesburg **Licenses & Certifications** • Fire Protection Engineer, State of California, License # 1935
Russell Mora Plans Examiner ICC # 848152	**Licenses & Certifications** • ICC Electrical Plans Examiner • ICC Electrical Inspector
Ezra Morrison Building Inspector ICC # 5291394	**Licenses & Certifications** • ICC Building Inspector
Adam Mulford, QEI Conveyance Plans Examiner Conveyance Inspector	**Licenses & Certifications** • Certified Elevator Inspector, QEI NAESA, Certification # C-5528 • Type 1 Conveyance Inspector, State of Colorado - Division of Oil and Public Safety - Conveyance Section, License # CI-1-65,

Team Member/ Job Title	Certification / License / Affiliations
Paul Nappo, QEI Conveyance Inspector	**Licenses & Certifications** • Certified Elevator Inspector, QEI NAESA, Certification # C-4640 • Type 1 Conveyance Inspector, State of Colorado - Division of Oil and Public Safety - Conveyance Section, License # CI-1-50,
Christian Ng, F.P.E. Fire Protection Engineer	**Education** • B.S., Fire Protection Engineering University of Maryland, College Park, MD **Licenses & Certifications** • Fire Protection Engineer, State of California, License # 2132
Rory Nichols, QEI Conveyance Inspector	**Licenses & Certifications** • Certified Elevator Inspector, QEI NAESA, Certification # C-6745
Lisa O'Malley Plans Examiner ICC # 8156795	**Licenses & Certifications** • ICC Building Plans Examiner
Kathleen Overman Plans Examiner ICC # 8253521	**Education** • Completed College Code Training Classes, CASEO M1, M2 & M3 MODULES, and State Fire Marshall Credited Fire Inspector 1 Series **Licenses & Certifications** • Permit Technician • CALGreen Inspector/Plans Examiner • ICC / AACE Property Maintenance and Housing Inspector
Randy Pabst, QEI Conveyance Plans Examiner	**Education** • B.A., University of Colorado at Boulder **Licenses & Certifications** • Certified Elevator Inspector, QEI NAESA, Certification # C-1790 • Type 1 Conveyance Inspector, State of Colorado - Division of Oil and Public Safety - Conveyance Section, License # CI-1-45 • Conveyance Inspector, City of Denver, License # 951711
Lloyd Parry Building Inspector ICC # 5283484	**Licenses & Certifications** • Limited Inspector, State of Utah, License # 6319856-5602 • ICC Residential Electrical Inspector • ICC Residential Building Inspector • ICC Residential Mechanical Inspector • ICC Commercial Plumbing Inspector • ICC Residential Combination Inspector • ICC Commercial Mechanical Inspector • ICC Mechanical Inspector • ICC Plumbing Inspector • ICC Commercial Building Inspector • ICC Building Inspector
Jeffrey L. Paterson, F.P.E. Fire Protection Engineer	**Education** • M.S., Fire Protection Engineering, California Polytechnic State University • B.S., Civil Engineering, University of California Davis **Licenses & Certifications** • Fire Protection Engineer, State of California License # 1926

Team Member/ Job Title	Certification / License / Affiliations
Diana Perkins Senior Plans Examiner ICC # 5006965	**Education** • M.P.A., University of San Francisco • B.S., Economics, University of San Francisco **Licenses & Certifications** • ICC Certified Building Official • ICC Building Code Specialist • ICC Building Inspector • ICC Commercial Building Inspector • ICC Building Plans Examiner • ICC Residential Building Inspector • ICC Accessibility Inspector/Plans Examiner • LEED Accredited Professional, GBCI
Daniel "Dan" Reardon Plans Examiner Building Inspector ICC # 1136502	**Education** • B.S., Mathematics - Emphasis in Secondary Education, University of Northern Colorado **Licenses & Certifications** • ICC Plumbing Inspector • ICC Building Inspector • ICC Mechanical Inspector • ICC Building Plans Examiner • Safety Assessment Program (Disaster Mitigation)
Elizabeth "Liz" Rider, CBO Plans Examiner Building Inspector ICC # 1131678	**Education** • A.A., Liberal Studies, College of San Mateo **Licenses & Certifications** • ICC Certified Building Official • ICC Building Code • ICC Residential Plumbing Inspector • ICC Building Plans Examiner • ICC Permit Technician • ICC Building Inspector
William "Lester" Ross Building Inspector ICC # 8247354	**Licenses & Certifications** • Combination Inspector, State of Utah, License # 5646156-5601 • ICC Commercial Electrical Inspector • ICC Residential Electrical Inspector • ICC Residential Mechanical Inspector • ICC Commercial Mechanical Inspector • ICC Residential Building Inspector • ICC Commercial Plumbing Inspector • ICC Residential Plumbing Inspector • ICC Commercial Building Inspector • ICC Building Inspector • ICC Mechanical Inspector • ICC Plumbing Inspector • ICC Electrical Inspector • ICC Residential Combination Inspector • ICC Combination Inspector • ICC Commercial Combination Inspector • ICC Residential Plans Examiner
Douglas "Doug" Rykerd Building Inspector ICC # 10290934	**Education** • Training in Business, Mr. Rooter University, Waco TX • Mechanical Engineering Courses, California Polytechnic University, Pomona, CA **Licenses & Certifications** • Master Plumber, State of Colorado, License # MP.00179826 • ICC Commercial Plumbing Inspector • ICC Commercial Mechanical Inspector • ICC Commercial Building Inspector • ICC Building Plans Examiner

Team Member/ Job Title	Certification / License / Affiliations
Bennett Schmidt, QEI Building Inspector Conveyance Inspector ICC # 10330290	**Education** • B.F.A., Studio Arts Major, Kenyon College, Gambier, OH **Licenses & Certifications** • ICC Residential Building Inspector • Certified Elevator Inspector, QEI NAESA, Certification # C-6012 • Master Electrician, State of Colorado, License # ME.0025337 • Type 1 Conveyance Inspector, State of Colorado - Division of Oil and Public Safety - Conveyance Section, Licensee # CI-1-522 • Conveyance Inspector, City of Denver, License # CI-1-522
John Schweitzer Plans Examiner Building Inspector ICC # 8361833	**Education** • B.S., Mechanical Engineering, University of Minnesota, Institute of Technology, Minneapolis, MN • Certificate of Small Business Entrepreneurship, Chancellor University, Cleveland, OH **Licenses & Certifications** • ICC Commercial Building Inspector • ICC Building Plans Examiner • Certified Building Official, State of Minnesota, License #BO 650774
Scott Sherman, CBO, MCP Plans Examiner ICC # 9472870	**Education** • B.S., Applied Physics, Arizona State University **Licenses & Certifications** • ICC Accessibility Inspector/Plans Examiner • ICC Residential Building Inspector • ICC Commercial Building Inspector • ICC Building Inspector • ICC Commercial Mechanical Inspector • ICC Commercial Electrical Inspector • ICC Commercial Plumbing Inspector • ICC Commercial Combination Inspector • ICC Building Plans Examiner • ICC Residential Electrical Inspector • ICC Electrical Inspector • ICC Master Code Professional • ICC Electrical Plans Examiner • ICC Fire Plans Examiner • ICC Residential Energy Inspector/Plans Examiner • ICC Certified Fire Marshal • ICC Fire Codes and Standards • ICC Combination Plans Examiner • ICC Plumbing Plans Examiner • ICC Mechanical Plans Examiner • ICC Electrical Code Specialist • ICC Building Code Specialist • ICC Certified Building Official • ICC Management Module • ICC Legal • ICC Building Codes and Standards
Jessica "Jessie" Sorensen Southeast Regional Manager Plans Examiner Building Inspector ICC # 8200240	**Education** • A.S., Architectural Engineering, Front Range Community College **Licenses & Certifications** • ICC Commercial Plumbing Inspector • ICC Residential Building Inspector • ICC Residential Mechanical Inspector • ICC Residential Plumbing Inspector • ICC Permit Technician • ICC Plumbing Inspector

Team Member/ Job Title	Certification / License / Affiliations
Matthew "Matt" Tate Building Inspector ICC # 5232573	**Licenses & Certifications** • Combination Inspector, State of Utah, License # 364865-5601 • ICC Residential Mechanical Inspector • ICC Commercial Mechanical Inspector • ICC Residential Building Inspector • ICC Combination Inspector • ICC Residential Plumbing Inspector • ICC Commercial Electrical Inspector • ICC Commercial Plumbing Inspector • ICC Commercial Building Inspector • ICC Residential Electrical Inspector • ICC Building Inspector • ICC Mechanical Inspector • ICC Electrical Inspector • ICC Plumbing Inspector • ICC Residential Combination Inspector • ICC Commercial Combination Inspector
Thor Toepfer Building Inspector ICC # 5227135	**Licenses & Certifications** • ICC Building Plans Examiner • ICC Fire Plans Examiner • ICC Residential Building Inspector • ICC Accessibility Inspector/Plans Examiner • ICC Residential Plumbing Inspector
Robert J. Wheeler, F.P.E. Fire Protection Engineer	**Education** • B.S., Fire Protection Engineering, University of Maryland **Licenses & Certifications** • Fire Protection Engineer, State of California, License # 1825 • Fire Protection Engineer, State of Arizona, License # 38935 • Professional Engineer, State of Georgia, License # PE017765 • Fire Protection Engineer, State of Nevada, License # 024638
James "Jim" Williamette Energy Code Professional ICC # 1090036	**Licenses & Certifications** • ICC Mechanical Inspector • ICC Building Inspector • ICC Plumbing Inspector • ICC Commercial Building Inspector • ICC Building Plans Examiner • ICC Certified Building Official • ICC Residential Building Inspector • ICC Building Code Specialist • Certified Building Official, State of Minnesota, License # MN-1586 • IAPMO Mechanical, Fuel Gas, Plumbing, State of Minnesota, License # MN-1065 • Subsurface Treatment System Inspector, State of Minnesota, License # MN-2023 • Residential Conservatory Services, State of Minnesota, License # MN-1955 • Building Inspection Technology Certification

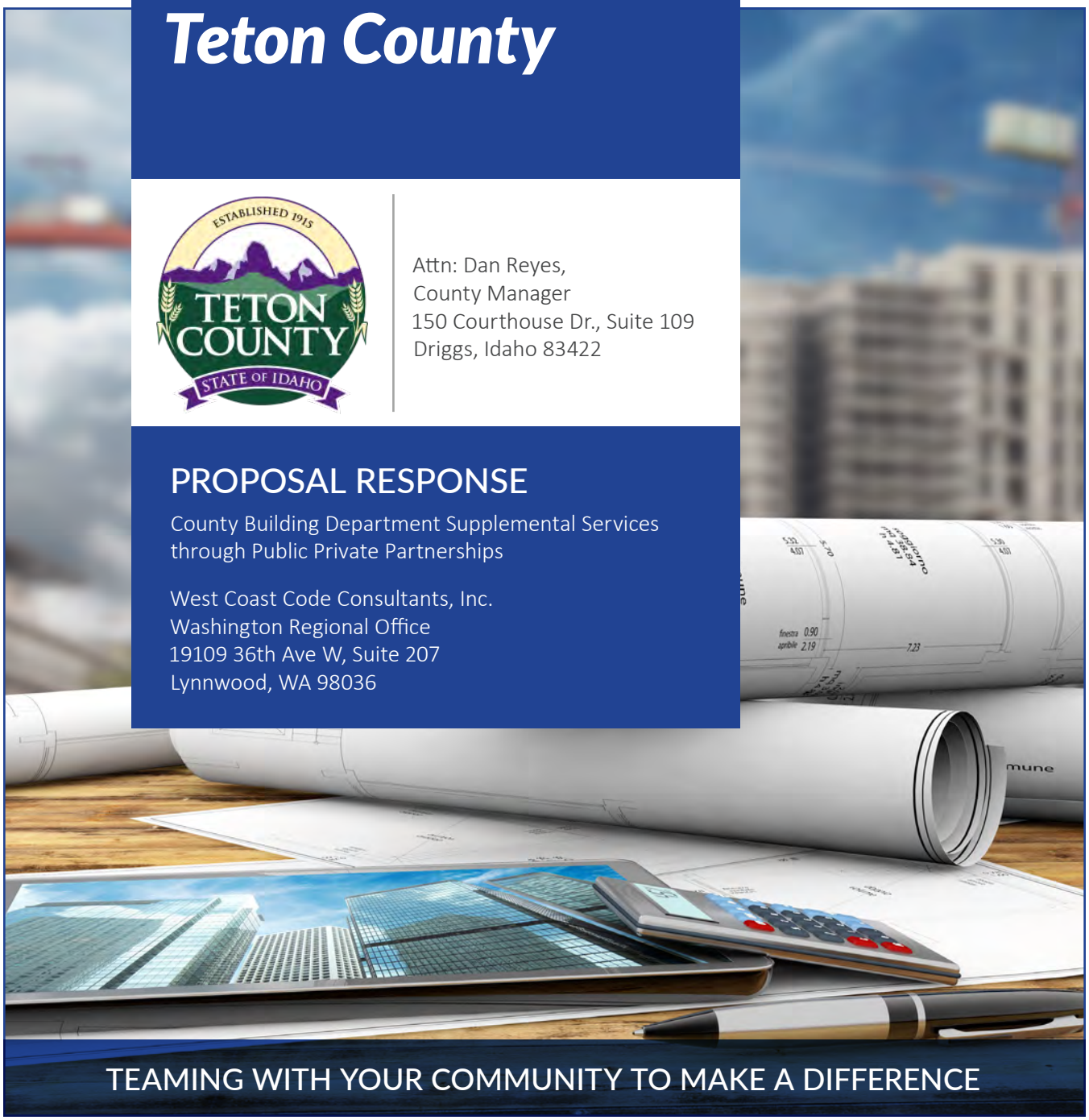
Teton County

Attn: Dan Reyes,
County Manager
150 Courthouse Dr., Suite 109
Driggs, Idaho 83422

PROPOSAL RESPONSE

County Building Department Supplemental Services
through Public Private Partnerships

West Coast Code Consultants, Inc.
Washington Regional Office
19109 36th Ave W, Suite 207
Lynnwood, WA 98036



TEAMING WITH YOUR COMMUNITY TO MAKE A DIFFERENCE

PROPOSAL CONTACT

Martha (Marty) Gillis, CBO
NW Regional Manager | Plans Examiner
O: (425) 582-1719 | **C:** (425) 773-0448
E: MartyG@WC-3com

West Coast Code Consultants, Inc.

1. Cover Letter

West Coast Code Consultants, Inc.

June 30, 2025

Attn: Dan Reyes, County Manager
Teton County
150 Courthouse Dr., Suite 109
Driggs, Idaho 83422

RE: County Building Department Supplemental Services - Expedited Plan Review

West Coast Code Consultants, Inc. (WC^3) is pleased to submit our proposal in response to Teton County's request for County Building Department Supplemental Services specifically expedited building and fire plan review. We are eager to partner with Teton County to provide expert plan review services and ensure full compliance with all applicable building codes and ordinances.

For over 18 years, WC^3 has cultivated a strong reputation for providing reliable building safety services and excellent customer service to Community Development Departments across the western United States. Our team is comprised of licensed professional engineers, structural engineers, fire protection engineers, ICC-certified building officials, fire marshals, plans examiners, building inspectors, permit technicians and other professionals.

Our long-standing experience of working on various architectural, structural, mechanical, electrical, plumbing, fire and energy projects has provided WC^3 with unparalleled knowledge of the provisions outlined in the adopted codes, local ordinances, State Codes, Federal Codes and Standards. Additionally, we have taught numerous courses surrounding the 2018 & 2021 International Codes and have authored multiple handbooks regarding the code updates on behalf of the ICC. Our combined experience, knowledge and customer service is key to our performance and we are confident WC^3 is fully capable of meeting the needs of Teton County.

We thank you for your consideration of WC^3 and look forward to an opportunity of continuing to work together in this capacity. We are confident in our ability to serve your community and eager to deliver professional, thorough service with our diverse, experienced team.

Sincerely,



Martha (Marty) Gillis, CBO
NW Regional Manager, Plans Examiner
O: (425) 582-1719 | **C:** (425) 773-0448
E: MartyG@WC-3.com

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Appendix A - Resumes A-1

2. Overview

COMPANY OVERVIEW

Founded	Entity	Federal ID/Tax ID
2006	S-Corporation	20-4707579

West Coast Code Consultants, Inc. (WC³) is a code compliance consulting firm, specializing in comprehensive plan review, inspection and staff augmentation services for municipalities, jurisdictions and government entities in the building safety, fire prevention, civil and public works, as well as energy and power disciplines. Founded in 2006, and wholly owned by Giyan Senaratne, WC³ has experienced steady growth over the past 18 and evolved from a small central team in California to an industry leader throughout the United States. WC³ has never defaulted or experienced any failures or refusals to complete a contract. The firm services clients with 10 office locations in five states and over 120 employees. WC³'s primary contact to provide services to the County is:

Martha (Marty) Gillis, NW Regional Manager / Plans Examiner

West Coast Code Consultants, Inc.
19109 36th Ave W, Suite 207
Lynnwood, WA 98036
O: (425) 582-1719 | **C:** (425) 773-0448
E: MartyG@WC-3.com

Corporate Office

5000 Executive Parkway, Suite 510
San Ramon, CA 94583
P: (925) 275-1700 | F: (925) 275-0600

Satellite | Regional Offices

Lynnwood, WA; Oceanside, CA ; Fresno, CA; South San Francisco, CA; Oakland, CA; Layton, UT; Sandy, UT; Sparks, NV; Meridian, ID

Recognition & Accomplishments

- ICC Preferred Education Provider (#1129)
- AIA Education Provider (#38839994)
- 2022, 2014 & 2010 ICC Industry Awards for Excellence
- 2021, 2019 & 2015 ICC Chapter Education Awards
- 2019 ICC Chapter Permit Tech of the Year
- 2021 Plumbing Essentials Handbook Author
- 2021 & 2018 IBC Handbook Co-Author
- 2018 IEBC Handbook Author
- 2018 IRC Plan Review Course Developer
- 2018 IBC Structural/Non-Structural Plan Review Course Developer
- 2011 WABO Outstanding Education Achievement



Communication

Good communication is a top priority in providing good service. WC³ staff members assigned to projects will be responsive and easy to contact by email and/or phone.



On-time Plan Review

Our qualified team performs a variety of timely plan reviews, including:

Residential Developments
Commercial Occupancies
Tenant Improvements
Industrial Facilities
Institutional Facilities
Medical Labs & Facilities
Public Works & More



Qualified

WC³ has been providing building safety, fire life safety, and fire prevention, plan reviews and inspections for close to two decades. Each team member will have all requisite certifications and licensing.

Highlights

2. Overview

STATEMENT OF PROJECT UNDERSTANDING

WC³ serves as an extension and support to organizations, building, and fire departments, providing comprehensive services to meet a wide range of needs. Our understanding of the project's requirements and our commitment to excellence ensure that we are well-positioned to support Teton County with the highest quality of services, adhering to local, state, and federal regulations. We are dedicated to working closely with your team to provide the expertise, resources, and support necessary for the successful completion of all projects.

When Teton County's in-house teams are understaffed, require specific expertise on complex projects, or feel overwhelmed with a long list of projects, WC³ will be available to handle all technical aspects or project overflow for your community. We serve in matters to help fulfill obligations and can join in on phone calls or meetings with County officials, employees or project contacts.

WC³ staff are recognized as industry leaders. Our team maintains a high level of skill and expertise and are engaged in providing education, giving back to our regulatory construction-based community. We regularly host training for field and technical staff, all over the nation. We participate in code development and stay abreast of an ever-changing regulatory landscape. This combination of engagement and customer service helps WC³ provide the highest quality services possible.

WC³ is committed to providing the following services to the Teton County:

PLAN REVIEW SERVICES

- Review both residential and commercial plans and applications for conformance to all applicable State and Teton County building codes; including structural, mechanical, plumbing, fire/life safety, energy, and accessibility laws.
- Coordinate with County staff to route plans to appropriate departments and track progress, provide applicants with plan check correction comments to achieve conformance, and issue approved permits
- Respond to inquiries on the phone, in-person, and via e-mail as needed.



WC³ Building and Safety Services

WC³ is dedicated to providing a high level of customer service. When clients become short staffed or have surges in their workload, we provide support in new and creative ways to help keep projects moving forward.

3. Key Personnel

PROPOSED TEAM

WC^3 has experienced team of individuals that would be available to assist Teton County with plan review services. The following includes a brief summary of our management staff members, along with our licensed team and contacts responsible for performing building safety, fire prevention, alarm system, and fire suppression system plan review services. Full resumes of our key personnel are included in the Appendix A - Resumes, while copies of our additional support personnel and actual licensing or certifications may be provided upon request.

Client Management - Primary Contact

MARTY GILLIS - *NW REGIONAL MANAGER/PROJECT MANAGER/PLANS EXAMINER*



We propose the services of Martha 'Marty' Gillis, CBO, Project Manager, as the main contact for this project. Ms. Gillis has over 40 years of building department management, plan review, and building inspection experience. As a Certified Building Official holding multiple ICC Certifications, she has been involved in building code enforcement, development, and education serving Washington State jurisdictions since 1982. Marty has a unique perspective having worked directly for both city and county jurisdictions as well as serving as a code consultant for over 10 years. In addition, Marty is an award winning educator, providing seminar instruction since 1982 and college level instruction since 2000. Marty has personally reviewed and inspected complex buildings and takes a hands on approach to building administration.

Corporate Management

GIYAN SENARATNE, PE, SE LEED AP - *PRINCIPAL / CEO*



Mr. Giyan Senaratne, SE, PE, the founder and owner of WC^3, has more than 37 years of experience providing professional building and life safety services to numerous municipalities and government agencies. He is a registered structural engineer, a registered civil engineer, an ICC certified plans examiner, a LEED AP professional, and a former Certified Access Specialist (CASp). He has exceptional experience in performing detailed plan reviews of a wide variety of types of construction and occupancy groups. This includes simple residential homes, multi-family podium projects, high-rise structures, complex industrial plants, and large-scale power plants. He is actively involved with code development at the State level and is a sought-after educator for code trainings for building officials, design professionals, and contractor organizations.



3. Key Personnel

PROPOSED TEAM

Synopsis of Licensing and Qualifications		
MANAGEMENT TEAM		
Marty Gillis, CBO NW Regional Manager, Project Manager	• ICC Building Official • ICC Com+Res Building Plans Examiner • ICC Building Code Specialist	• 40+ Years Industry Experience • +6 Additional Licenses & Certifications
Giyan Senaratne, PE, SE, LEED AP Principal / CEO	• MS of Engineering Structural Emphasis • BA of Science Civil Engineering • Registered PE: CA C 46194 • Registered PE: AZ 41242	• Registered SE: S 4457 • LEED AP Credential • Former Certified Access Specialist • 34+ Years Industry Experience
BUILDING & SAFETY TEAM		
Building Team		
Marty Gillis, CBO Lead Senior Plans Examiner	• ICC Building Official • ICC Com+Res Building Plans Examiner • ICC Building Code Specialist	• 40+ Years Industry Experience • +6 Additional Licenses & Certifications
Alexa Nielsen Senior Plans Examiner	• ICC Building Plans Examiner • ICC Accessibility Inspector / Plans Examiner • ICC Permit Technician	• 6+ Years Industry Experience • B.S. Geography • A.S. General Studies
Brittany Allen Senior Plans Examiner	• ICC Accessibility Inspector / Plans Examiner • ICC Building Plans Examiner • ICC Com. Energy Plans Examiner • ICC Permit Technician	• 20+ Years Industry Experience • M.A. Public Administration • B.S. Psychology & Business • State of UT Limited Inspector • +3 Additional Certifications
Layne Western, CBO Senior Plans Examiner	• ICC Building Plans Examiner • ICC Certified Building Official	• 30+ Years Industry Experience • +6 Additional Certifications
Joshua Molnar, MCP, CBO Plans Examiner	• ICC Master Code Professional • ICC Certified Building Official • ICC Residential Plans Examiner • ICC Combination Plans Examiner	• 5+ Years Industry Experience • B.S. Construction Management • + 43 Additional Certifications
Matt Newbold Plans Examiner	• Master of Architecture • ICC Plans Examiner	• 16+ Years Industry Experience
Structural Team		
Todd Snider, PE, SE, CBO Lead Senior Structural Plan Review Engineer	• Registered PE: Washington (53396) • ICC Building Plans Examiner	• 20+ Years Industry Experience • +8 Additional Licenses & Certifications
Scott Porter, PE, SE Senior Structural Plan Review Engineer	• Registered PE/SE: UT 8903549 • Registered PE/SE: WA 22025656 • Registered SE: NV 031400	• 13+ Years Industry Experience • MS Engineering: Structural Emphasis • BS Engineering: Structural Emphasis
John Coffey, PE, SE Senior Structural Plan Review Engineer	• Registered PE/SE: UT 4770040 • Registered PE/CE: CA C66412	• 25+ Years Industry Experience • B.S. Civil Engineering

Continue...

3. Key Personnel

PROPOSED TEAM

Christina Garrett, PE Plan Review Engineer	• M.S. Structural Engineering • Registered PE: UT 11320259 • Registered PE: CA, OR	• 7+ Years Industry Experience • B.S. / B.A. Civil Engineering • Int. Degree Civil Engineering
	FIRE PREVENTION TEAM	
Jerry Job Senior Fire Protection Specialist	• ICC Fire Plans Examiner • ICC Fire Inspector I	• 25+ Years Industry Experience • ICC Fire Inspector II
Craig Hanson, CFPS Senior Fire Protection Specialist	• NFPA Fire Protection Specialist • NFA Fire Plan Review • NFA Health & Safety Officer	• 30+ Years Industry Experience • IFSAC Fire Inspector I
Stephen DiGiovanni, FPE Fire Protection Engineer	• Fire Protection CA #1546 • ICC Commercial Fire Alarm Plans Examiner I & II	• 25+ Years Industry Experience
Bob King, EFO, CFPE Fire Protection Specialist	• ICC Fire Plans Examiner • ICC Fire Inspector II • NFPA Fire Officer IV	• 40+ Years Industry Experience • Firesetter Intervention Specialist I
	Additional Qualified Staff Available As Needed	



Comprehensive Plan Review

WC³ offers clients a model to extend their teams with continuity and highly trained code expertise.

4. Proposed Approach

APPROACH TO SERVICES

Plan Review

Our staff has experience performing reviews covering all occupancy classifications, and all types of construction. When needed to obtain code compliance we produce written corrections specifying applicable code sections or standards requesting revisions or additional information.

The county chooses the projects routed to WC³ and the scope of review requested. The county makes documents accessible in a PDF format and notifies WC³ that work has been assigned.

WC³ confirms receipt of the assigned review, logs the review into WC³ permit tracking system and assigns the work internally to appropriate plan review staff. Review is completed generating either a correction report or resulting in a commendation to approve and issue the permit. WC³ staff notifies the jurisdiction that the review is completed and forwards correction report of completed plans bearing WC³ approval. 2nd review follows a similar process. In some cases WC³ has been trusted to log work directly into the jurisdiction's permit tracking system. We also have the ability to post correction items directly into a blue beam studio session. We will follow as nearly as possible the jurisdiction's permit processing process.

Our work includes the review of projects having various scopes:

- **Structural Building Plan Review -** WC³ can provide plan review applying design loading adopted by the jurisdiction including plan review of geotechnical reports, calculations and structural plans specifying gravity, seismic, and other applicable loading or structure designs such as but not limited to high rises, podium designs, temporary or permanent shoring, revision or addition to existing buildings, review of risk categories II,III, IV & V, AASHTO fire apparatus loading, surcharge loading, cranes, helipads, subterranean & above grade tanks etc. WC³ structural review can apply to new or existing buildings.

- **Non-Structural Building Plan Review -** WC³ can provide plan review applying codes interpretations and policies adopted and in use by the jurisdiction including plan review of life safety regulations such as but not limited to code requirements for use and occupancy, special uses such as mall, parking, and high-rise requirements, area and height requirements, type of construction, fire rated and smoke rated assemblies, finish materials regulations, means of egress requirements sanitation and other non-structural code regulations. Fire area and hazardous material quantities, WC³ non-structural review can apply to new or existing buildings.

- **Plumbing, Mechanical and Energy Code Review -** WC³ is available to provide plan review applying codes interpretations and policies adopted and in use by the jurisdiction including plan review of any or all of the following: Plumbing supply, waste and venting; grease interceptor, oil water interceptors etc. using the UPC. Mechanical review including gas piping, ventilations and indoor air quality requirements, heating cooling and mechanical system designs, industrial applications, food service requirements etc. In addition WC³ proposes to provide review of Washington State energy code requirements for prescriptive or performance design regulating envelope, mechanical and lighting. WC³ plumbing, mechanical and energy code reviews can apply to new or existing buildings.

- **Fire Plan Review -** WC³ is an industry leader in providing plan review services for Fire Prevention and Fire and Life Safety Plan Review. Our diverse team of Fire Protection Engineers, Executive Fire Officers, Certified Fire Protection Specialists, Fire Marshals and Plans Examiners offer clients and extensive range of experience—both formally and on the job. WC³ can provide plan review applying codes interpretations and policies adopted and in use by the jurisdiction including plan review of IBC, IFC, and NFPA requirements including plan review any or all of the following: Review of fire alarm and fire sprinkler systems, class one fire suppression, stand pipes (NFPA 72 and 13, 13R, 13D) High piled stock and racks per IFC 32, storage and or fueling of LPG or gases, hazmat review, fire department vehicle access, fire flow, review of high-rise requirements, backup power and communication systems etc. Reviews can apply to new or existing buildings.

ADDITIONAL SERVICES

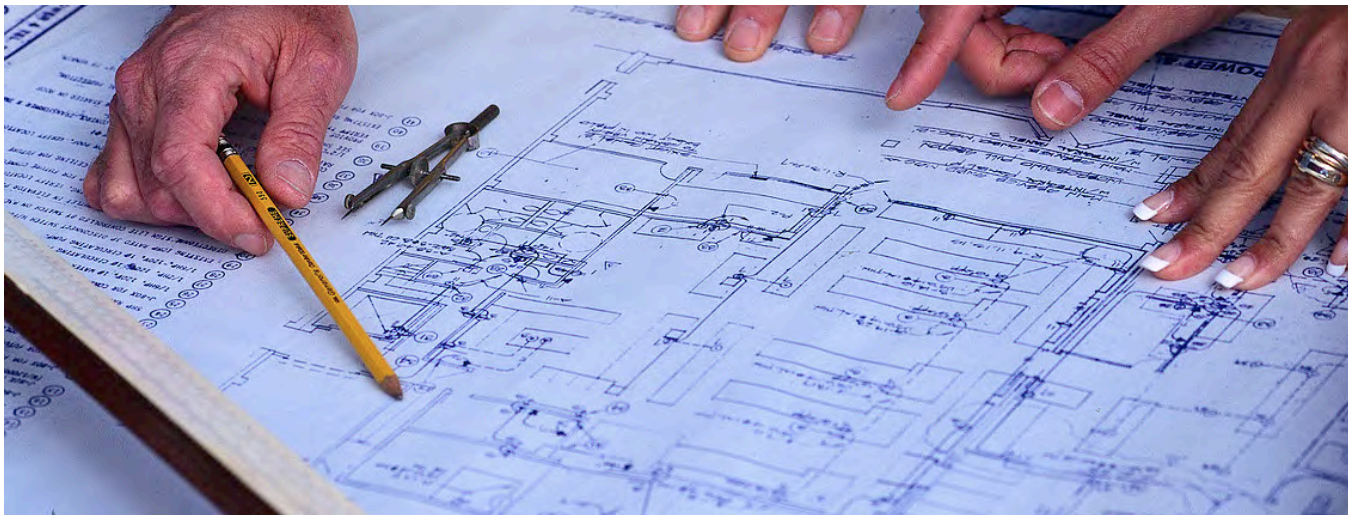
WC³ will provide the County technical expertise they seek through a complete array of plan services. Below are additional services that may be provided as needed and as mutually agreed upon.

- **Solar/Electrical Plan Review -** WC³ performs thousands of NEC electrical plan review including high and low voltage service requirements, wiring and cable requirements, equipment sizing, power supply/sizing, backup power, overcurrent requirements, bonding and grounding requirements, and solar PV, and battery energy storage system plan reviews. Utilizing design under the Washington state adoption of NFPA 70 NEC 2023 incl. Annex A,B,C: with amendments and requirements of WAC 296-46, together with applicable requirements of the IBC Chapter 7, 10 and other applicable code sections such as but not limited to IBC 429 etc.

- **Third Party Plan Review -** WC³'s Third Party Plan Review service provides a way for local municipalities to ensure compliance with the adopted codes while also allowing developers to expedite the permitting process. If allowed by the jurisdiction, developers can coordinate plan reviews directly with WC³ to meet aggressive construction schedules, review preliminary design documents, achieve viable code solutions, enjoy expert code expertise with local knowledge.

- **Meeting Availability & Technical Advice -** When jurisdictions are understaffed, require specific expertise on complex projects, or feel overwhelmed with particular projects, WC³ is available to handle all technical aspects or project overflow for Teton County. We serve in matters to help fulfill obligations and with reasonable notice are able to join in on phone calls or attend special meetings at the County to help facilitate the approval process. Team members are available to discuss projects with designers, construction teams, County employees and/or applicants. We strive for client satisfaction and whether it's through telephone, email, web conference or in person, WC³ team members are always ready to assist.

- **Continuing Education & Training -** WC³ is deeply embedded within the industry, with many key staff serving as general members, executive board officers, committee participants, and requested instructors within ICC Chapters and industry associations. We facilitate and encourage all of our personnel to achieve the highest level of experience and certification; and all team members are appropriately licensed, certified and trained with attendance at industry-related training classes, conferences, and seminars. Due to our emphasis on training, WC³ has also created the WC³ Academy which provides education, training and online, on-demand resources to our staff and the industry. Please find additional information at www.WC-3.com.



5. Project Management Approach

PLAN REVIEW PROCESS

WC³ tailors our plan review services to meet the specific needs of our clients. WC³ will work in a seamless and timely manner for the review of plans and supporting documentation, as well as adhere to our standard plan review processes and methods as displayed below:.

Incoming Project	• WC³ will handle electronic plan submittals for Teton County, using the County's preferred software systems for smooth exchange of plans. • For hard copy submittals, documents will be scanned, and the same procedures as electronic submittals will be applied.
WC³ Processing	• An account information file specific to Teton County is created to track items of interest, ensuring all potential concerns are addressed. • Upon receipt of a project notification and plan submittal, projects are logged into WC³'s internal software platform. Client/Office Managers are automatically notified to initiate the plan check process. • For potential hard copy submittals, documents will be scanned and the same procedures for electronic plan submittals will be followed.
Plan Check	• WC³ will verify that submitted documents are complete and notify Teton County of any missing information. • Plans are reviewed to understand scope and tasks, and significant code items are identified and discussed with relevant staff. • The Client/Office Manager assigns WC³ plan examiners and monitors progress. All comments are quality-checked before release to Teton County.
Communication	• WC³ acknowledges that all plan review comments are subject to review by Teton County. • Review comments will include plan sheet numbers, detail numbers, and code sections for clarity. • WC³ adapts to Teton County's preferred communication methods and remains available via email, phone, or meetings. • Consistent points of contact will be maintained for Teton County throughout the project. • Plan review comment lists are structured to easily align with Teton County's preferred format. • Copies of all plan check comments and correspondence will be sent directly to Teton County via email.
Recheck	• Documents are resubmitted to begin the recheck process. WC³ requires a written response addressing each and every plan check item or comment. • Rechecks will be assigned to the same plans examiner who performed original review. • Any new comments to be included during the recheck cycle will be brought to the attention of the Client/Office Manager. • Plans examiners are encouraged to call and to resolve concerns, rather than adding additional corrections and comment lists. • Rechecks are conducted promptly, following the turnaround schedule outlined in the next section.
Approval	• Plan review approval will not be recommended to the jurisdiction until all code compliance issues are resolved and all permit issuance requirements of the department are met. • WC³ is flexible and will meet all of Teton County's project approval requirements, including but not limited to, approval stamps, electronic submittals, and specified quantities of electronic copies.

5. Project Management Approach

Plan Review Turnaround Schedule

WC³ will work diligently with the County to ensure that all projects and plan reviews are delivered in a timely manner. Email and phone calls from jurisdictions are given priority status, and prompt response. WC³ prides itself on providing review as nearly matching the County's normal methods and processes as possible. Therefore during our initial indoctrination we will interface with County staff to discuss methods, processes and typical /standard corrections used by County staff. We review local amendments and verify what level of correction is typically dealt with in the field. Regular check ins are used to maintain current information, trends and updates needed. Since many of the WC³ staff have experience working directly for jurisdictions, we understand the relationship between jurisdiction departments and outside agency. We understand inter-departmental cross over issues that can affect permit processing.

Typical turnaround times are listed below. For extraordinarily complex projects, WC³ will immediately inform the County and agree on an appropriate turnaround time prior to starting the review.

WC³ has over 120 experienced plan review and inspection staff working throughout our network of offices. We are electronically connected and therefore provide an ability to share work and offer plan review of large projects or multiple applications efficiently, while maintaining high quality. When forwarding more than 5 reviews per day, or when forwarding large phased projects, we request that our high volume municipal clients coordinate with us regarding plan review timelines. WC³ offers volume plan review where the AHJ can direct which project reviews should receive priority.

	Initial *(Business Days)*	**Recheck** *(Business Days)*
Single Family & Accessory Residential Projects (New Construction, Additions & Remodels)	10	5-7
Multi-Family Projects	12-15	10
Commercial Projects (<100,000 sf)	10-15	10
Commercial Projects (>100,000 sf)	15-20	12-15

** All turnaround times have been specified from the full day they are received in our offices.*

Comprehensive Fire Prevention Plan Review

WC³ offers clients a method to supplement services and draw on the skills, education and experience of our staff by teaming with WC³, permit applicants will benefit by receiving continuity, reliability, and the services of both city and consultant expertise.



6. Fee Schedule

WC³ proposes the following rates based on a percentage of the plan review fees collected by Teton County. A listing of hourly rates additionally depicts rates proposed for all personnel assigned to this project.

WC³ Proposed Fee and Rate Schedule - Fiscal Year 2025/26 *(Additional terms and conditions follow)*	
Fixed Fee billing Rates	
Complete Building Plan Review	65% of Plan Review Fees
Structural Plan Review	50% of Plan Review Fees
3rd & Subsequent Plan Reviews	Per Hourly Rates Below
Revisions, Deferred Submittals, RFI's etc.	Per Hourly Rates Below
Minimum Fixed Fee Plan Review Rate*	$300
*Hourly Billing Rates **	
Building Official	$145/Hr
Engineer, Professional or Structural	$135 - $145/Hr DOE
Fire Protection Engineer	$140 - $150/Hr DOE
Fire Plans Examiner	$130 - $135/Hr DOE
Building Plans Examiner	$130 - $135/Hr DOE
Education / Instructor	$160/Hr, $1,500 per day
Permit Technician	$98/Hr
Miscellaneous	
Reimbursable Expenses	At Cost

WC³ TERMS & CONDITIONS

Fixed Fee & Hourly Rates – WC³'s proposed hourly rates are applicable through June 30, 2026. All fees and rates are subject to an annual review and increase, and acceptance by the County

Fixed Fee Plan Review Services – Plan review services include an initial review and second review. Any additional time required beyond the second plan review will be billed on an hourly basis, with prior approval by the County.

Minimum Fixed Fee Plan Review Services – In no event shall WC³'s complete building plan review fixed fee be less than $300. A minimum flat fee charge of $300 will then be applied.

Preliminary, Revisions and Deferred Submittals – Preliminary plan reviews, review of revisions after a project has been approved, review of shop drawings, and review of deferred submittals, etc., will be completed on an hourly basis with a minimum charge of 1-hour.

Hourly Plan Review Services - All hourly charges require a minimum charge of 1 hour.

Reimbursable Expenses – Reimbursable expenses (i.e. courier/delivery charges, specialized equipment rentals or printing costs) will be authorized prior to charge and billed at actual cost.

Invoicing Procedures – Invoices shall be generated upon completion of 1st review, subsequent review, and at final approval with all supporting documents required by the Jurisdiction and the Consultant. The Consultant services shall be invoiced for services provided and are not dependent on achieving sufficient resolution needed to approve permit issuance.

Invoices shall be submitted electronically to the Jurisdiction by the 10th day of each month.

The Jurisdiction shall notify the Consultant of any discrepancy, and the Consultant shall correct accordingly.

Invoices shall be paid within a maximum of 30 days of receipt, unless mutually agreed by the Jurisdiction and Consultant.

7. Experience

RELEVANT PROJECTS

WC³'s professional team has extensive experience reviewing a variety of construction types and occupancies, including educational institutions, community developments, retail establishments and tenant improvements, as well as larger-scaled industrial, warehouse, and commercial projects. The following projects represent a sample of notable jurisdictions with whom WC³ has had the pleasure of building relationships with and serving in various capacities. Over the years and throughout each individual project or assignment our team applied a comprehensive understanding of building codes and worked cohesively with management teams, in-house staffing, contractors, design teams and fellow peers to help resolve code issues.



Amazon Fulfillment Center

Client: Nampa, Idaho
Valuation: $130 Million
WC³ Project Scope: Full plan review, deferred submittals, fire sprinkler & alarm

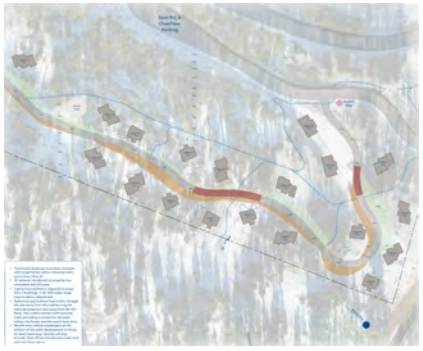
The four-story warehouse consisted of 695,000 square feet of slab on grade for the warehouse space, 1.5 million square feet of elevated slab on metal decks for all 3 RSP levels and mezzanine. There were also 245,000 square feet of 74' tall load bearing tilt panels.



Maintenance & Housing Facility

Client: Jackson Hole, Wyoming
Valuation: $7.7 Million
WC³ Project Scope: Full plan review

The 28,657 square foot, four-story (including basement) multi-use facility is an extremely complicated structure due to the mix of industrial, commercial and residential uses. This community project helps address many issues and concerns of the Parks and Rec Department, but also addresses much needed Town and County employee housing



Grand Targhee Resort Cabin Development

Client: Teton County, Wyoming
Valuation: $N/A
WC³ Project Scope: Full plan reviews

WC³ has had the pleasure of performing plan review services associated with Grand Targhee Resort's infrastructure and cabin rental development project. Two cabin types were designed for repeated construction across 21 cabin sites on a 14-acre hillside. The new R-3, Type VB cabin structures are 4-bedroom, 4-bathroom residences including living, kitchen, and dining areas with one-car garages and owner lock-off for storage. The designs accommodate both the owner's needs and short-term rental requirements.

8. References



REFERENCES

WC³ is dedicated to providing our clients with excellent customer service and has been providing building safety and fire prevention plan review services to municipalities for more than a decade. Our portfolio is comprised of a variety of intricate projects, serving jurisdictions of all sorts and size. The following partial list highlights clients similar to Teton County, all of whom may be contacted as a reference.

City of Airway Heights, WA

Cindy Reddekopp,
Building Official
13414 W Sunset Hwy
Airway Heights, WA 99001
509.244.5514
creddekopp@cawh.org

Years Served: 2016 to Present

Services: Building/Fire Plan Review

City of Nampa, ID

Patrick Sullivan,
Director of Building Safety
500 12th Ave. S
Nampa, ID 83651
650.928.6675
sullivanw@cityofnampa.us

Years Served: 2022 to Present

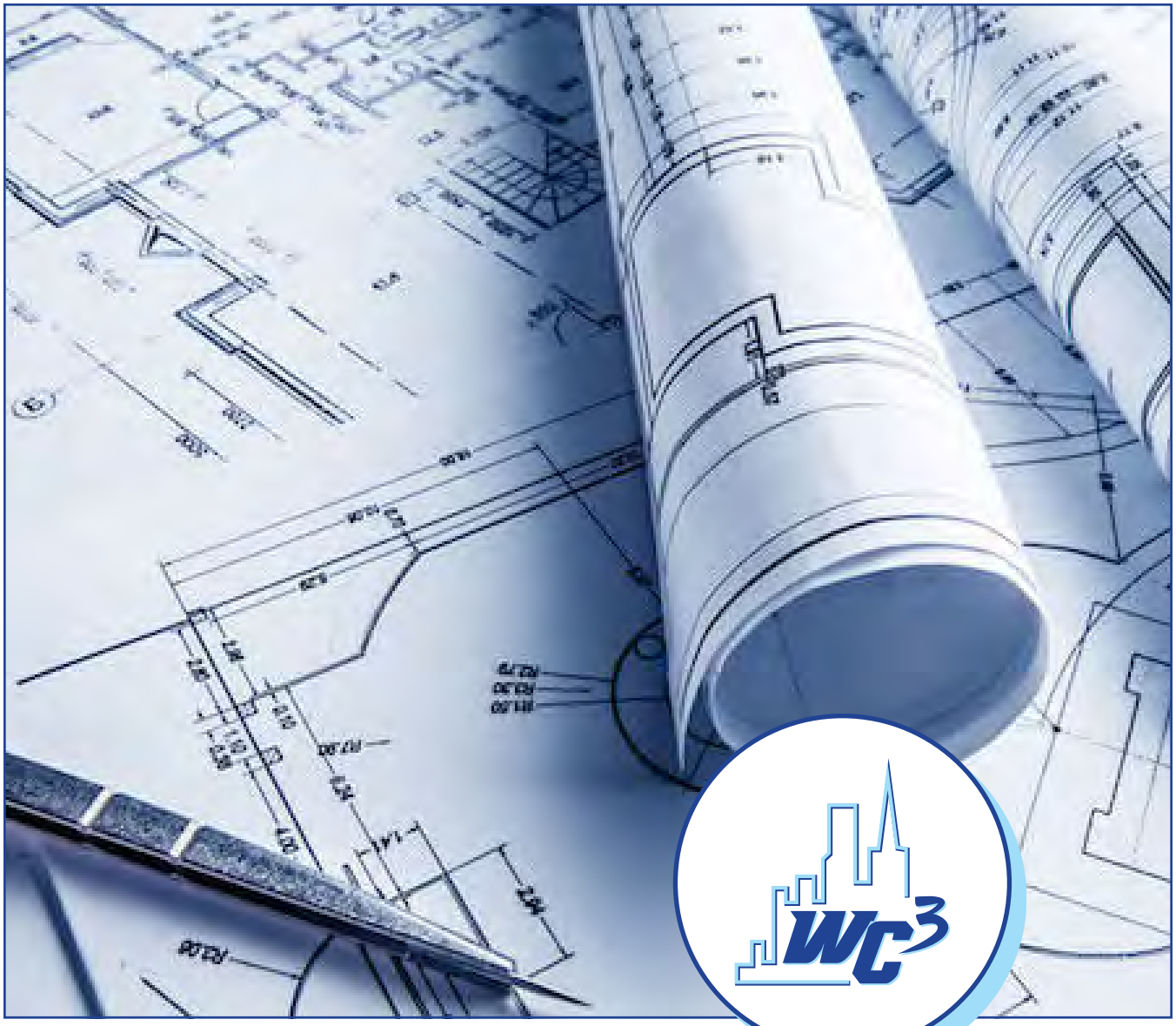
Services: Building Plan Review, Solar PV Plan Review, Fire Plan Review

Teton County, WY

Billy Nunn,
Building Official
200 S. Willow Street
Jackson, WY 83001
307.733.7030
bnunn@tetoncountywy.gov

Years Served: 2022 to Present

Services: Building Plan Review



Appendix A **-** Resumes

MARTHA (MARTY) GILLIS, CBO. A-2
ALEXA NIELSEN A-3
BRITTNEY ALLEN A-4
LAYNE WESTERN, CBO A-5
JOSH MOLNAR, MCP, CBO A-6
MATT NEWBOLD A-7
TODD SNIDER, PE, SE, CBO A-8
SCOTT PORTER, PE, SE. A-9
JOHN W. COFFEY, PE. A-10
CHRISTINA R. GARRETT, PE A-11
JERRY JOB A-12
CRAIG HANSON, CFPS A-13
STEPHEN DIGIOVANNI, FPE. A-14
BOB KING, EFO, CFPE A-15

West Coast Code Consultants, Inc.

EDUCATION

AST CONSTRUCTION MANAGEMENT
Edmonds Community College

AST ENERGY MANAGEMENT
Edmonds Community College

AS BUILDING INSPECTION TECH
Chemeketa Community College

AS GENERAL BUSINESS
Shoreline Community College

CERTIFICATIONS

ICC CERTIFIED:
Certified Building Official
IBC/IRC Plans Examiner
IBC/IRC Building Inspector
IMC Inspector
UPC Inspector
UBC Legacy Certifications
ECO-3 CESCL

INSTRUCTOR

AST CONSTRUCTION MANAGEMENT
Edmones Community College, 2000-2021

AFFILIATIONS

WASHINGTON ASSOCIATE OF BUILDING OFFICIALS (WABO)
Member

AWARDS

WABO
2018 Associate of the Year

WABO
Outstanding Educational Achievement 2011

Marty Gillis, CBO

NW REGIONAL MANAGER / SENIOR PLANS EXAMINER / BUILDING INSPECTOR

Ms. Gillis is an ICC Certified Building Official with over 30 years of experience in building department management, inspection, and plan review. She holds multiple ICC certifications, including Building Inspector, Plans Examiner, Mechanical Inspector, and IAPMO Plumbing Inspector. In 2012, she earned an associate degree in energy management. An award-winning educator since 2000, she has taught seminars and college-level courses. As a trusted Building Official, she has provided building administration services for many Washington State jurisdictions. Ms. Gillis has also been actively involved in WABO and the Washington State Building Code Council, contributing to building, energy, and green code development, and is a past president of several ICBO/ICC chapters.

EXPERIENCE

NW Regional Manager, Plans Examiner, Building Inspector
West Coast Code Consultants, Inc. / 2015 – Present
Provides management of programs and staff. Responsible for working with city staff, the design team, contractors, and owners in order to expedite review and inspections. Performed IRC, UBC and IBC review and inspection for 20 northwest jurisdictions.

Building Official, Manager
City of Federal Way / 2013 – 2015
Provided management of the Building Division. Responsible for managing staff, budget, training, and the quality review of plans and building inspections. Provided response to emergencies, coordinating code enforcement with Public Works, Police and Fire Marshal's Office.

Student
Edmonds Community College / 2010-2013
Returned to school during the recession in order to complete an AA degree in Energy Management.

Regional Manager, Plans Examiner
Bureau Veritas, Inc. / 1999-2010
Provided management of programs and staff. Responsible for working with city staff, the design team, contractors, and owners in order to expedite review and inspections. Performed UBC and IBC review and inspection for 20 northwest jurisdictions including Microsoft West Campus. Performed LEED plan review for USGBC.

Assistant Building Official, Plans Examiner
Kitsap County / 1980-2001
Managed the permit center, plan review and inspection divisions of the fasted growing county per capita. Provide management and coordination of services and staff.

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF SCIENCE
GEOGRAPHY
Weber State University

ASSOCIATE OF SCIENCE
GENERAL STUDIES
Weber State University

CERTIFICATIONS

ICC CERTIFIED (# 8415185):
Building Plans Examiner
Permit Technician
Accessibility Inspector / Plans Examiner

AFFILIATIONS

BONNEVILLE CHAPTER OF ICC
Vice President

Alexa Nielsen

SENIOR PLANS EXAMINER

Ms. Nielsen has been a plans examiner for the past six years. She is an ICC certified building and accessibility plans examiner and has also received her permit technician certification. She provides plan review services to numerous jurisdictions throughout the western United States. She has an extensive amount of experience reviewing large, complicated projects and focuses on multi-family and commercial reviews for WC³. Ms. Nielsen has also contributed to the development, instruction, and maintenance of the WC³ Code Academy. Currently, she serves as the Lead to the nonstructural plan review team while also focusing her review efforts on commercial projects for clients throughout Utah, Nevada, Washington, and California.

EXPERIENCE

Lead Plans Examiner
West Coast Code Consultants, Inc. / 2015 – Present
Responsible for overseeing all nonstructural plan reviews for the Utah region. This includes assigning work, performing nonstructural reviews, performing quality control reviews, training nonstructural reviewers, and more. In this role she coordinates with multiple disciplines including architectural, mechanical, electrical, plumbing, and energy. Her focus is to ensure that code compliance and life safety is met for projects submitted for review.

Headguard / WSI / Lifeguard
Clearfield City Corporation / 2012 - 2017
Performed a variety of routine shift supervisory and poolside duties as needed to maintain the shift operations and services of the city's aquatics facility. Provided close supervision and training to Lifeguard(s), Water Safety Instructors; assured compliance with established policies and procedures for patron surveillance, rotations and interaction with patrons.

Recreational Staff
Layton City Corporation / 2015 - 2017
Performed a variety of recreational tasks for the city, including being a teacher in the Arts in the Park summer program, score kept for volleyball, softball and track. Helped organize and ensure the smooth running of monthly family events including movie nights, dances, game nights and other such family-friendly events.

West Coast Code Consultants, Inc.

EDUCATION

MASTER OF PUBLIC ADMINISTRATION
Southern Utah University

BACHELOR OF SCIENCE PSYCHOLOGY & BUSINESS
University Of Utah, 2007
Summa Cum Laude

LICENSES

LIMITED INSPECTOR
Utah 10992261-5602

CERTIFICATES

ICC CERTIFIED (#5244649):
Commercial Building Plans Examiner
Residential Plans Examiner
Accessibility Inspector/Plans Examiner
Commercial Energy Plans Examiner
Commercial Energy Inspector
Residential Energy Examiner
Residential Energy Inspector
Residential Plumbing Inspector
Permit Technician

Registered Stormwater Inspector

AFFILIATIONS

UTAH CHAPTER OF ICC
Member, Treasurer

UTAH CHAPTER OF ICC
Member, Treasurer
Past President, Vice President
And Secretary

UTAH CHAPTER OF ICC PERMIT TECH COMMITTEE
Current Historian
Past Chairperson

Brittany Allen

LEAD PLANS EXAMINER / WC³ ACADEMY MANAGER

Ms. Brittany Allen has many years of managerial experience and more than twenty years of experience in permitting, plan review, inspections, business licensing, code enforcement, land use and development processes. She received her master's degree from Southern Utah University with an emphasis in Public Administration and graduated Summa Cum Laude with a bachelor's from the University of Utah. She is currently serving in the roles of Treasurer for both the Region XI and Utah Chapters of the ICC and Historian of the Utah Chapter ICC Permit Tech Committee. In the past, she has served the Chapters as President, Vice President, Secretary and Chairperson. On behalf of West Coast Code Consultants, Inc., Brittany provides plan review services to many jurisdictions throughout the western United States and holds many ICC certifications. She also oversees and heads the course production and development of our firm's WC³ Academy.

EXPERIENCE

Lead Plans Examiner / WC³ Academy Manager
West Coast Code Consultants, Inc. / 2019 – Present
Reviews blueprint plan documents to determine compliance with adopted building and energy codes. Works with clients and the public to answer code questions and obtain code compliance on construction documents. Prepares correspondence to building officials, architects, engineers, developers, and contractors about plan reviews for code compliance and design issues. Develops and maintain course content for online learning academy.

Associate Division Director
Salt Lake County Planning & Development Services / 2015 – 2019
Supervised the day-to-day operations and employees of Planning & Development Services. Oversaw the permitting, plan review, inspections, business licensing, planning, zoning, and code enforcement staff and processes. Provided guidance to metro townships, contract cities, and the unincorporated County to ensure government leaders are maintaining compliance with state laws and local ordinances. Tracked legislation and is actively involved in the legislative process. Works with the ULCT during the legislative session.

Permitting & Licensing Supervisor
Salt Lake County Planning & Development Services / 2010 - 2015
Supervised the building permit, plan review and business license processes, as well as staff and processes. Created and implemented standard operating procedures for all business licensing and building permit processes. Implemented an online permitting and plan review program.

Permit Technician
Salt Lake County Planning & Development Services / 2003 – 2010
Served as the primary contact for builders, inspectors, and agencies. Managed permit files for over 3,000 annual permits and updated 10,000 records from the past 20 years.

Layne Western, CBO

SENIOR PLANS EXAMINER

Mr. Western is an accomplished Senior Plans Examiner with over 30 years of industry experience. Layne's vast understanding of the construction and building industry within jurisdictional agencies, fosters a teamwork environment and makes certain that strategy is clearly defined while ensuring client project schedules, timeframes, budgets, and concerns are efficiently addressed. He previously worked as a Building Official for the Cities of Centerville and West Jordan. Layne has thirteen (13) certifications through the International Code Council (ICC) and is also a State licensed Combination Inspector. Layne is heavily relied upon and trusted because of his remarkable proficiency and skill.

West Coast Code Consultants, Inc.

EDUCATION

ELECTRICAL PLAN REVIEW COURSES
Salt Lake Community College

LICENSES

COMBINATION INSPECTOR:
Utah 291964-5601

CERTIFICATIONS

ICC CERTIFIED (# 870413):
Combination Inspector
Electrical Inspector
Certified Building Official
Mechanical Inspector
Residential Energy Inspector / Plans Examiner
Building Plans Examiner
Plumbing Inspector
Building Inspector
Mechanical Inspector UMC
Combination Inspector – Legacy
Plumbing Inspector UPC
Building Code Specialist
Commercial Combination Inspector

AFFILIATIONS

UTAH CHAPTER OF ICC
Member

UTAH ASSOCIATION OF BUILDING OFFICIALS
Past President, Member

UTAH ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS
Member

UTAH CHAPTER OF INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS
Treasurer, Member

NORTHWESTERN SECTION INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS
Treasurer

NORTHWESTERN SECTION INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS
Past President, Member

UTAH CHAPTER OF INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS
Past President, Member

EXPERIENCE

Senior Plans Examiner
West Coast Code Consultants, Inc. / 2022 – Present
Layne is responsible for many duties, some of which include reviewing building plans, specifications, and checks calculations of complex budlings to ensure compliance with currently adopted codes; preparing and maintaining records of plans, plan reviews, inspections, letters and reports prepared or used in connection with all building permits; and coordinates plan review and approvals with all other city departments. He is heavily relied upon and ensures public safety and health.

Building Official
City of West Jordan / 2018 – 2022
Responsible for all aspects of the Building Department. Oversaw a team of 10 permit technicians, plan reviewers and inspectors. Prepared and maintained reports for revenue, daily permit, and inspection activity. Layne interpreted, explained, and ensured compliance with City policies and procedures. He also performed plan reviews and inspections.

Senior Plans Examiner
City of West Jordan / 2000 - 2018
Supervise, organize, and review the work of technical and administrative personnel. Assist the Building Official in preparing the Building Department revenue and expense budgets. Manage the department in the absence of the Building Official. Provide and organize training for the division.

Building Official
Centerville City / 1999 - 2000
Oversaw all Building Department functions, supervised administrative staff, prepared budgets, adopted codes, and handled emergencies.

Building Inspector
City of West Jordan and Salt Lake County / 1994 - 1999
Perform daily electrical, mechanical, plumbing and building inspections on commercial and residential buildings.

Joshua Molnar, MCP, CBO, CFM

PLANS EXAMINER / INSPECTOR

Mr. Molnar holds a bachelor's degree in construction management, and has rapidly advanced at WC^3. In less than one year, Mr. Molnar earned the designations of Master Code Professional, Certified Building Official, Certified Fire Marshal, Certified Sustainability Professional, and an additional 41 certifications from the International Code Council (ICC). Joshua has advanced into a role where his knowledge is be advantageous to the company and regularly performs plan review services on behalf of jurisdictional clients. When called upon, Mr. Molnar also serves as a back-up inspector to ensure building safety and determine code compliance associated with a variety of residential and commercial construction projects.

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF SCIENCE
CONSTRUCTION MANAGEMENT
Brigham Young University

LICENSES

COMBINATION INSPECTOR:
Utah: 11388549-5601

CERTIFICATIONS

ICC CERTIFIED (# 9275737):
Master Code Professional
Certified Building Official
Certified Fire Marshal
Certified Sustainability Professional
Fire Plans Examiner
Fire Inspector I & II
Accessibility Plans Examiner/Insp.
Combination Residential Inspector
Commercial Combination Inspector
Residential Plans Examiner
Permit Technician
+33 Additional Certifications

OSHA CERTIFIED:
30-Hour Hazard Recognition
Training/Certificate

AFFILIATIONS

BEEHIVE CHAPTER OF ICC
Member

EXPERIENCE

Plans Examiner / Inspector
West Coast Code Consultants, Inc. / 2020 – Present
Ensures general public safety requirements are met by determining code compliance of commercial buildings and residential construction projects. Reviews building plans to assess adherence to municipal specifications, standards, regulations and applicable building, fire, accessibility, mechanical, electrical, and plumbing codes. Performs thorough building inspections to be sure construction activities and methods conform to current safety standards, ordinances, and regulations.

Project Assistant / Document Control
West Coast Code Consultants, Inc. / 2019 – 2020
Tracked projects, assigned work to review staff, coordinated inspections, and managed project close-outs.

Office Assistant
Centra Homes / 2018 – 2019
Handled purchasing transactions, maintained subcontractor records, created auditing reports, and assisted project managers with site preparations and inspections.

Teacher's Assistant
Brigham Young University - Idaho / 2018
Researched JavaScript methods to improve construction processes and helped develop prototypes for construction-related solutions.

Framer
Steve Rice Construction / 2017
Framed single-family homes, ensuring measurements and quality met project specifications while working with a team.

Home Renovator
Harvest Home Development / 2013
Renovated single and multi-family homes, coordinating effectively with management.

West Coast Code Consultants, Inc.

EDUCATION

MASTER OF ARCHITECTURE
Miami University of Ohio

BACHELOR OF ARCHITECTURE
University of Utah

LICENSES

ARCHITECT:
Utah 9765614-0301

OTHER

Fluent in Spanish and French

Matt Newbold

PLANS EXAMINER

Mr. Newbold is a knowledgeable professional with several years in the architecture, engineering, and construction industry. He holds a Master of Architecture from Miami University of Ohio, a Bachelor of Architecture from the University of Utah, and is a licensed Architect in the state of Utah. Matt has expanded upon his experience in the architecture field to apply what he's learned to construction document plan reviews. He utilizes his design knowledge of various building types to help hone his skills in determining code. He can prioritize and efficiently manage multiple assignments and enjoys working in an industry where building safety and passion for a commitment to excellence is highly valued.

EXPERIENCE

Building Plans Examiner
West Coast Code Consultants, Inc. / 2024 – Present
Responsible for the performance of architectural building plan reviews for multiple client jurisdictions. Reviews residential and commercial project plans, reports, and other development and design-related documents. Ensures that all assigned client applicant construction projects follow design standards, building, life safety, and accessibility requirements, as well as all applicable local, state, and federal codes or guidelines. Prepares written plan review correspondence for jurisdictional clientele.

Architect / Project Manager
JZW Architects / 2014 – 2024
Worked on and managed projects of various building types including multi-family, medical offices, retail, and retirement communities. Led a team of four staff members, including interns and drafters, through the design, documentation, and construction administration processes. Participated in various code reviews for numerous projects and gained a broad understanding of diverse project types regarding building code and existing building code. Selected to work on a team to craft and develop a manual designated for new employees to explain the firm's drafting standards.

Architectural Intern
Church of Jesus Christ of Latter Day Saints / 2012– 2013
Participated as part of a small team documenting and managing existing Church buildings in and around Salt Lake City, UT. Compared construction plans to actual construction and adjusted Revit software models accordingly for various buildings. Utilized the collected data and gathered information to prepare for future projects and adjustments to constructed buildings.

Architectural Intern
HFS Architects / 2008 – 2012
Leveraged experience from university courses to help HFS Architects transition from AutoCAD to Revit software. Assisted the firm in producing some of the very first projects that utilized Revit. Worked on a LEED (Leadership in Energy and Environmental Design) project and several institutional, higher education buildings.

Todd Snider, PE, SE, CBO

LEAD STRUCTURAL PLAN REVIEW ENGINEER

Mr. Snider is a licensed structural engineer and an International Code Council (ICC) certified Building Official, in addition to being a certified Building, Mechanical, Energy and Accessibility Plans Examiner. He received his master's degree from the University of Utah with an emphasis in structural engineering and has served as the Chairman of the Residential Building Committee and on the Board of Directors for the Structural Engineer's Association of Utah (SEAU). He provides plan review services to many jurisdictions throughout the western United States and has had multiple years of experience in the structural design of various building types. His expertise and knowledge are frequently sought out as an approved ICC instructor and Todd is regularly invited to teach code classes to building official, design professional, and contractor organizations throughout the United States.

West Coast Code Consultants, Inc.

EDUCATION

MASTER OF CIVIL ENGINEERING
STRUCTURAL EMPHASIS
University of Utah

BACHELOR OF SCIENCE
CIVIL ENGINEERING
Utah State University

LICENSES

PROFESSIONAL ENGINEER:
California C 80941
Texas 107991
Washington 53396

STRUCTURAL ENGINEER:
Utah 7697949-2203
California S6311
Washington 53396
Nevada 24835
Arizona 65835

CERTIFICATIONS

ICC CERTIFIED (# 8158994):
Certified Building Official
Building Plans Examiner
Building Code Specialist
Building Inspector
Commercial Building Inspector
Residential Building Inspector
Accessibility Plans Examiner / Insp.
Mechanical Plans Examiner
Commercial Mechanical Inspector
Commercial Energy Plans Examiner
Residential Energy Plans Examiner Res.
Energy Plans Examiner / Insp.
Permit Technician
Permit Specialist

AFFILIATIONS

STRUCTURAL ENGINEERS ASSOCIATION OF UTAH
Past Secretary, Past Treasurer, Past Residential Building Committee Chair, Member

UTAH CHAPTER OF ICC
BONNEVILLE CHAPTER OF ICC
Member

EXPERIENCE

Regional Manager / Senior Plan Review Engineer
West Coast Code Consultants. Inc. / 2019 – Present
Leads a diverse team of plan reviewers, inspectors and other professionals located in WC³'s regional offices, in Utah. Manages inter-office plan review coordination between a variety of WC³ offices, located in multiple states. Regularly trains jurisdictions and other professional organizations throughout the United States in code compliance. Provides code consultation for architects to address code concerns on large projects.

Plan Review Supervisor / Senior Plan Review Engineer
West Coast Code Consultants. Inc. / 2011 – 2019
Managed plan review services for the Utah offices. Supervised the plan review and provided quality control of various projects. Performed complete plan reviews including, architectural, structural, energy, and green code. Trained and mentored staff as well as new plan reviewers in the standards of the company. Established and maintained WC³ standards for plan review services. Provided customer service and oversaw overall customer satisfaction.

Project Engineer
Ward Engineering Group / 2006 – 2011
Performed structural design including preparing structural drawings and calculations for various projects. Designed multiple buildings and structures including houses, tilt-up buildings, foundations for metal buildings and LNG tanks, masonry structures, parking garages, hotels, business, and other structures.

Engineering Intern
United Engineering Group / 2005 - 2005
Designed preliminary plats and final plat layouts for future subdivisions. Prepared drainage reports and studies for various developments. Performed feasibility studies for the development of various properties.

Scott Porter, PE, SE

SENIOR PLAN REVIEW ENGINEER

Scott Porter is a licensed professional structural engineer in the states of Utah and Washington. He received his master's degree from Utah State University with an emphasis in structural engineering and graduated at the top of his class. Prior to joining West Coast Code Consultants, Inc. (WC^3) in 2020, Scott spent ten years designing numerous projects with a local structural consulting firm. He attained an extensive background and breadth of knowledge in a variety of construction types, and has design expertise in steel, concrete, masonry, wood, and cold formed metal stud structures. Mr. Porter also has experience performing seismic evaluations and retrofits of existing buildings, and regularly applies his vast understanding of engineering principles to WC^3 projects for plan review.

West Coast Code Consultants, Inc.

EDUCATION

MASTER OF SCIENCE
CIVIL AND
ENVIRONMENTAL ENGINEERING
STRUCTURAL EMPHASIS
Utah State University

BACHELOR OF SCIENCE
CIVIL AND
ENVIRONMENTAL ENGINEERING
STRUCTURAL EMPHASIS
Utah State University

LICENSES

PROFESSIONAL ENGINEER:
Utah 8903549-220
Washington 22025656

STRUCTURAL ENGINEER
Utah 8903549-2203
Nevada 031400

CERTIFICATIONS

ICC CERTIFIED (# 1008573):
Building Plans Examiner

AFFILIATIONS

STRUCTURAL ENGINEERS ASSOCIATION OF UTAH
Member

SEAU MEMBERSHIP COMMITTEE
Past Chair

AMERICAN SOCIETY OF CIVIL ENGINEERS – STUDENT CHAPTER
Past President, Former Member

AWARDS

UTAH STATE UNIVERSITY
Outstanding Junior & Senior of the Year for Civil & Environmental Engineering

EXPERIENCE

Structural Plan Review Engineer
West Coast Code Consultants, Inc. / 2020 – Present
Responsible for reviewing construction plans and/or related documentation to ensure compliance of proposed construction with applicable codes, standards and ordinances relating to residential, multi-family and commercial properties. Prepares written reports on code discrepancies and code violations. Provides information and technical assistance, as well as re-amends solutions to WC^3 clients and associated project teams.

Professional Structural Engineer
ARW Engineers / 2010 – 2020
Designed commercial buildings including warehouses, retail stores and religious facilities. Worked on seismic retrofits of existing buildings using ASCE 41. Designed various projects using steel, concrete, reinforced masonry, wood, and metal studs. Prepared construction documents consisting of the drawings, specifications, contracting requirements, procurement requirements, modifications, and addenda.

Graduate Research Assistant
Utah State University / 2008 - 2010
Tested precast connections used in accelerated bridge construction. Wrote technical papers to assist the professor. Carried out research and administrative tasks as needed.

Civil Engineering Internship
Utah Department of Transportation (UDOT) / 2007
Tested concrete, asphalt, and road base for Legacy Parkway. Legacy Parkway is an 11.5-mile-long, four-lane, access-controlled parkway, located almost completely within Davis County, Utah.

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF SCIENCE
CIVIL ENGINEERING
Brigham Young University

LICENSES

PROFESSIONAL ENGINEER
Utah 4770040

PROFESSIONAL CIVIL ENGINEER
Alabama 35458
Arkansas 16801
California C66412
Georgia PE041674
Oklahoma 28254
Rhode Island 11452
South Carolina 32759
Virginia 54617

CERTIFICATES

ICC CERTIFIED (# 9363060):
Building Plans Examiner

AFFILIATIONS

SEAU
Past Board Member

AMERICAN INSTITUTE OF STEEL CONSTRUCTION
Member

John W. Coffey, PE

SENIOR PLAN REVIEW ENGINEER

Mr. Coffey holds a Bachelor of Science from Brigham Young University in Civil Engineering and is a credentialed engineer with licensure in several states. He has years of valuable experience in the building industry, with many performing design services in the structural engineering field. John has an expansive portfolio of new and rehabilitation projects throughout the western United States displaying his vast structural design knowledge of various building types, including public works buildings, condominiums, parking structures, aircraft hangars, temporary support structures, warehouses, and a variety of residential projects. He is well-versed in the review of structural drawings, plans, and calculations, in addition to current building codes. John is heavily relied upon as a knowledgeable professional at WC^3.

EXPERIENCE

Structural Plan Review Engineer
West Coast Code Consultants, Inc. / 2023 – Present
Reviews construction plans for code compliance in residential, multi-family, and commercial properties. Prepares reports on code discrepancies and violations. Provides information and technical assistance, as well as re-amends solutions to clients and associated project teams.

Senior Structural Engineer
Michael Baker International / 2009 – 2023
Led a structural engineering group in designing new structures and renovations. Performed seismic investigations, anti-terrorism, and progressive collapse designs for federal facilities and commercial buildings. Attended coordination meetings and site visits.

Project Engineer
Farley Engineering / 2008 - 2009
Responsible for all technical and engineering aspects of assigned projects. Plan, schedule, predict and manage tasks to assure accuracy, proper resources, and quality from start to finish. Provided the design of a 4-story assisted living commercial building.

Project Engineer
Dunn Associates / 2006 - 2008
Responsible for the supervision of junior engineers in project design. Attended project coordination meetings and construction site visits. Designed commercial buildings such as condos, resorts, warehouses, residential twin homes and retail strip malls.

Project Engineer
Reeve & Associates / 2002 - 2006
Led the Structural Engineering Department, designing residential and commercial buildings. Supervised drafting and engineering staff, attended pre-design meetings, and managed construction issues.

Staff Engineer
Tanner Smith & Associates / 1998 - 2001

Christina R. Garrett, PE

SENIOR PLAN REVIEW ENGINEER

Ms. Garrett is a licensed Professional Engineer in Utah, California, and Oregon, with a Master of Science in Structural Engineering from the University of California. Before joining West Coast Code Consultants, Inc. (WC³), she gained extensive experience in the analysis, design, and construction of gravity and lateral structural systems. Christina has worked on a wide range of federal, industrial, and commercial projects, specializing in reinforced concrete, masonry, steel, light gauge, and wood. She is highly regarded for her attention to detail, thoroughness, and technical expertise.

West Coast Code Consultants, Inc.

EDUCATION

MASTER OF SCIENCE
STRUCTURAL ENGINEERING
University of California, 2013

BACHELOR OF SCIENCE
CIVIL ENGINEERING
Oregon State University, 2007 – 2012

INTERNATIONAL DEGREE
CIVIL ENGINEERING
Oregon State University, 2007 – 2012

BACHELOR OF ARTS
CIVIL ENGINEERING
Oregon State University, 2007 - 2012

LICENSES

PROFESSIONAL ENGINEER
Utah 11320259-2202
California C 86936
Oregon 86159PE
Nevada 032712

AFFILIATIONS

STRUCTURAL ENGINEERS ASSOCIATION OF UTAH
Member, Board Member

ORDER OF THE ENGINEER
Member

INTERNATIONAL CODE COUNCIL
Member

EXPERIENCE

Structural Plan Review Engineer
West Coast Code Consultants, Inc. / 2023 – Present
Responsible for reviewing construction plans and related documentation to ensure compliance with structural calculations, applicable codes, standards, and ordinances for residential, multi-family, and commercial properties. Prepares reports on code discrepancies and collaborates effectively with jurisdictional clients, applicants, and contractors to develop solutions.

Professional Engineer
Michael Baker International, Structural Engineering Group / 2016 – 2023
Performed the internal technical review and quality control for many projects. Performed the analysis, design, and construction administration for steel, reinforced concrete, masonry, light gauge, and wood structural elements for federal, industrial, and commercial projects.

Assistant
University of California, San Diego, Dept. of Structural Engineering / 2012 – 2013
Served as a teaching assistant for the following classes: Prestress Concrete Design, Timber Design, Geotechnical Engineering, and Steel Design. Served as a grader for the Earthquake Engineering class.

Structural Engineering Intern
CH2M Hill, Water Business Group, Structural Engineering Group / 2011 – 2012
Worked part-time on the analysis, design, and construction administration for reinforced concrete and steel structural components of municipal water and wastewater treatment plants.

Structural Engineering Intern
CH2M Hill, Gov Facilities & Infrastructure, Structural Engineering Group / 2011 – 2011
Worked full-time on the analysis, design, and construction administration for structural components of federal projects under guidance from senior engineers with materials such as cold-formed steel, wood, masonry, and reinforced concrete.

Engineering Intern
City of Portland Water Bureau, Engineering Project Planning / 2010 – 2010
Developed a comprehensive document that lays out the reasoning behind the method chosen to improve the fire flow, redundancy, and pressure discrepancies in a sector of Portland's water system.

West Coast Code Consultants, Inc.

EDUCATION

FIRE SCIENCE/FIRE INVESTIGATION
Edmonds Community College, WA

PERSONAL TRAINING
Inspection, Investigation & Code Classes

CERTIFICATIONS

NICET Fire Alarm Systems
NICET Water-Based System Layout
NICET Inspecting and Testing of Water-Based Systems
WA State Fire Marshal's Office Fire Sprinkler Insp. and Testing Technician
WA State Fire Marshal's Office Fire Sprinkler Designer – Level II

AFFILIATIONS

SNO-PAC 911
Served On Board Of Directors

SNOHOMISH COUNTY ENCHANCED 911
Served On Board Of Directors

WASHINGTON STATE ASSOCIATION OF FIRE TECHANICAL ADVISORY COMMITTEE
Former Member

LAKE STEVENS TRAFFIC SAFETY COALITION

SNOHOMISH COUNTY FIRE PREVENTION OFFICERS

KING COUNTY FIRE PREVENTION OFFICERS

ZONE 1 FIRE MARHAL'S ADVIOSRY BOARD

Jerry Job

FIRE PLANS EXAMINER / INSPECTOR

Mr. Job has 25+ years' experience as a Firefighter, Fire Officer and EMT. Jerry is appreciated for his knowledge of fire sprinkler operations, design, hydraulic calculations, and installation requirements. He also has exceptional credentials regarding fire alarm operation, design, installation, and testing requirements. Starting in 2017 Mr. Job served as acting Fire Marshal of the City of Lynnwood, using his knowledge of commercial hood suppression system inspection, testing requirements and understanding of general fire prevention best practices too. He has attended numerous classes in the areas of fire codes, fire investigation and plan reviews in order to stay up to date on current codes.

EXPERIENCE

Fire Plans Examiner & Inspector
West Coast Code Consultants, Inc. / 2019 – Present
Oversee the plan review services provided by West Coast Code Consultants for various jurisdictions. Applies extensive fire prevention knowledge and experience to ensure all plan reviews exceed expectations and ensure fire safety to the community.

Fire Inspector/Plans Examiner
City of Lynnwood Fire Department / 2005 – 2019
Conducted annual fire inspections for commercial, industrial, and residential properties. Performed acceptance tests for fire sprinkler, alarm, and hood suppression systems, and conducted fire investigations to determine origin and cause, often collaborating with Lynnwood PD on arson cases. Reviewed land use, civil, mechanical, and building plans for fire code compliance, as well as fire alarm, sprinkler, and hood suppression plans. Worked with developers, designers, and other city departments on code compliance. Attended fire prevention meetings and staff meetings, developed Fire Prevention Standards, and completed a full re-write of the Lynnwood Municipal Fire Code.

Fire Sprinkler/Fire Alarm Systems Plan Reviewer
Waldron Resources / 2005 – 2005
Temporary assignment with Pierce County Fire Marshal's to assist with plan review back log and performed fire sprinkler and fire alarm plan reviews of commercial and residential occupancies

Deputy Chief/Fire Marshal
Snohomish County Fire District #8 / 1986 - 2005
Supervised Fire Prevention, Training, and Maintenance Divisions, including the Recruit Training Academy and part-paid duty crew program. Managed budgets, conducted fire inspections, investigations, and plan reviews for the City of Lake Stevens. Worked with developers and owners on code compliance, served as liaison between agencies and the Fire District, and coordinated district communication equipment. Collaborated with schools and businesses to create emergency preparedness plans. As a Fire Investigator with a law enforcement commission (expired), implemented a fire inspection program and developed a fire sprinkler ordinance for the City of Lake Stevens.

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF ARTS
Chapman University Loyola, CA

ASSOCIATE OF APPLIED SCIENCE
Vincennes University, IN

JOURNEYMAN APPRENTICESHIP FIRE SPRINKLER FITTER
South Seattle Community College
West Seattle, WA

LICENSES

Journeyman Fire Sprinkler Fitter

CERTIFICATES

NATIONAL FIRE ACADEMY:
NFA Fire & Life Safety Plan Reviews
NFA Health & Safety Officer
NFA Hydraulic Calculations

NATIONAL FIRE PROTECTION ASSOCIATION:
IA AI Fire & Arson Investigator
IFSAC Fire Inspector I
IFSAC Fire Instructor I
Fire Protection Specialist

STATE OF WASHINGTON
Fire Inspector
Hazardous Materials Safety Officer
Hazmat Operations Trainer
Fire Instructor

OTHER:
FEMA Level III Safety Officer
FEMA ICS Trainer
DoD Fire Inspector
NICET ITM 25

Craig Hanson, CFPS

FIRE PROTECTION SPECIALIST

Mr. Hanson is a Certified Fire Protection Specialist and experienced fire plans examiner, fire inspector, fire marshal, union fire sprinkler fitter, and military veteran with over 30 years of fire prevention experience in the United States, Afghanistan, Kuwait, and Iraq. He holds certifications through ICC, the National Fire Academy, IFSAC, AFAA, DOD, and more with extensive real-life experience in relation to fire protection, construction, and life safety. Past experience also includes instructing for the International Code Council (ICC) at EduCode; various Idaho and Utah building official conferences; the Washington State Fire Academy; and several military installations. Craig serves WC^3 as the Fire Division Manager and an integral member of the Fire Prevention team.

EXPERIENCE

Fire Division Manager
West Coast Code Consultants, Inc. / 2023 – Present
Manages fire prevention team responsible for performing company-wide fire and life safety and fire protection system plan reviews, as well as fire inspection services. Accountable for the complete plan review of projects seeking permits to ensure that designs are safe and in compliance with the adopted codes and national standards.

Senior Fire Plans Examiner
West Coast Code Consultants, Inc. / 2019 – 2023
Provide comprehensive fire and life safety services to the fire prevention community. Verify projects and facilities are compliant with the provisions outlined with international, state, and local codes and standards regarding fire protection plans, specifications, and calculations. Interact on a regular basis with fire marshals, building officials and serves as a liaison to all WC^3 clients located in Idaho.

Fire Sprinkler Technician
Vectrus International, Kuwait / 2018 - 2019

Fire Inspector
DynaCorp International, Kandahar, AF / 2017 - 2018

Fire Plans Examiner / Fire Inspector
City of Meridian, ID (Contractor) / 2016 - 2017

Deputy Fire Marshal
Kitsap County, WA / 2007 - 2014

Fire Sprinkler Journeyman Fitter
UA Local 699, Seattle, WA / 1994 – 2007

Senior Operations Team Leader
Homeland Response Force Hazmat Team, US Army, Iraq / 1987 - 2013

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF SCIENCE
FIRE PROTECTION ENGINEERING
University of Maryland, 1998

LICENSES

FIRE PROTECTION ENGINEERING
California - 1546
Utah - 14215846-2202
Nevada - 015606
Washington - 25012992

CERTIFICATES

ICC CERTIFIED:
Commercial Fire Alarm Plans Examiner I
Commercial Fire Alarm Plans Examiner II

Stephen DiGiovanni, FPE

FIRE PROTECTION ENGINEER

Mr. DiGiovanni is an experienced Fire Protection Engineer with over 20 years of service in the public sector, specializing in fire protection systems, code development, and policy creation. He has a proven track record in the review and approval of major construction projects, with notable involvement in high-profile developments such as the MGM City Center, Allegiant Stadium, and the Venetian Casino and Resort. Stephen has a comprehensive understanding of industrial, commercial, and residential fire protection needs and is adept at applying national fire and building codes. He has strong leadership experience in both the NFPA and ICC, and participated in leading code development initiatives on the national level. Stephen holds professional engineer licensure in California, Utah, Nevada, and Washington with a degree in Fire Protection Engineering from the University of Maryland.

EXPERIENCE

Fire Protection Engineer
West Coast Code Consultants, Inc. / 2025 – Present
Responsible for reviewing and approving fire protection plans, ensuring compliance with national codes and standards such as the IBC, IFC, and NFPA. Collaborates with architects and contractors, and provides expert guidance on fire safety to the internal teams and external stakeholders of jurisdictional clientele. Ensures that fire protection systems meet the highest standards across various building types and industries.

Fire Protection Engineer
Clark County, Nevada / 2004 – 2025
Reviewed and approved fire protection reports and alternate materials for major projects, including MGM City Center, the Palazzo (Venetian), and Allegiant Stadium. Applied key codes and standards such as the IBC, IFC, and NFPA guidelines across various building types and operations. Contributed to the development of department policies, including code adoption, guidelines, and review checklists. Expertise extended to national code development, serving on committees such as the NFPA 72 Technical Correlating Committee, ICC Fire Action Code Committee, and the ICC Ad Hoc Committee for Tall Wood Buildings (committee chair).

Fire Protection Engineer
North Las Vegas, Nevada / 2000 – 2004
Reviewed and approved construction plans for various projects, with a focus on industrial applications such as large warehouses, hazardous material operations, and fuel storage. Represented the Fire Department at Planning Commission hearings, offering recommendations on land use, zoning, and special use approvals. Developed and implemented an updated fee schedule.

Associate - Fire Protection Management
RJA Group / 1999 – 2000
3rd party commissioning and testing of smoke control systems for new construction. Performed building inspections on behalf of jurisdictional AHJ.

West Coast Code Consultants, Inc.

EDUCATION

BACHELOR OF SCIENCE
FIRE PREVENTION TECHNOLOGY
Cogswell College, 2006

4-Year Management Course
Executive Fire Officer
National Fire Academy, 2005

ASSOCIATE OF SCIENCE
FIRE SCIENCE
Community College of Air Force, 1997

NEVADA CATEGORY II
PEACE OFFICER (P.O.S.T.)
1992

CERTIFICATES

ICC CERTIFIED (#882479):
Fire Plans Examiner
Fire Inspector II

NATIONAL FIRE ACADEMY:
Executive Fire Officer
Executive Leadership
Managerial Issues in
Hazardous Materials
Executive Planning
Personnel Management Fire Service
Political & Legal Foundations
of Fire Threat
Strategic Management of Change
Executive Development
Mgmt. of Arson Prevention and Control
Plan Review for Inspectors
Principles of Fire Protection Systems
Manager of Fire Prevention Programs
Fire Chief

OTHER:
NFA Executive Fire Officer
NFPA Fire Officer IV
Juvenile Firesetter Intervention
Specialist I
Public Information Officer

AFFILIATIONS

National Fire Protection Association
International Code Council
International Fire Marshals Association
International Firefighters Association
Fire Prevention Association of Nevada
Nevada International Association of
Arson Investigators

Bob King, EFO, CFPE

FIRE PROTECTION SPECIALIST

Mr. King has a Bachelor's in Fire Prevention Technology and is certified as an NFPA Fire Officer IV, obtaining Executive Fire Officer status through the U.S. Fire Administration National Fire Academy. Bob is also certified as a Fire Inspector II and Fire Plans Examiner through the ICC. Throughout his career, he has worked as a Firefighter, Fire Inspector, and Station Captain in the active-duty U.S. Air Force; served as a MSgt/Battalion Chief in the Air National Guard Fire Department; and as a Deputy State Fire Marshal for the Nevada State Fire Marshal Division. For many years, he served the Sparks, Nevada Fire Department as both an Assistant Fire Marshal and Division Chief/Fire Marshal in addition to serving the State of Nevada as a Peace Officer for 27 years.

EXPERIENCE

Fire Protection Specialist
West Coast Code Consultants / November 2020 – Present
Accountable for the complete fire prevention plan review of projects for clients seeking to ensure that designs are safe and in compliance with adopted codes. Responsible for acting as a client liaison and project manager on behalf of WC^3 clients in the northern Nevada territory or region.

Division Chief / Fire Marshal / Former Assistant Fire Marshal
Sparks Nevada Fire Department / 1994 – 2019
Directed the works of the Fire Prevention Division of the Fire Department, implementing objectives, policies, procedures, and work standards. Selected, supervised, trained, and developed division staff. Oversaw fire plan review services, consulting with developers, architects, contractors, and applicants regarding fire code regulations. Performed Peace Officer duties involving the protection of life and property, complex and skilled criminal investigation, law enforcement, crime prevention and case preparation and testimony.

Nevada Deputy State Fire Marshal
State of Nevada / 1991 – 1994
Conducted fire and life safety reviews and inspections across 14 Nevada counties. Led certification programs, assessed rural fire departments' training needs, and investigated fire causes, including fraud and malpractice claims.

Firefighter - MSGT/Station Captain
Nevada Air National Guard / 1991 - 2003
Responded to aircraft and structural emergencies as required, suppressed fires, and took precautions to prevent re-rekindling. Protected and preserved evidence indicating fire cause.

Fire Protection Specialsit
United States Air Force / 1982 – 1991
Served as a firefighter, suppressing fires and conducting inspections. Trained 2,300 personnel in fire prevention. Directed crews as Station Captain and transitioned to the Nevada Air National Guard after an honorable discharge.

Date: July 9, 2026

To: Board of County Commissioners
From: Wendy Koch, Building Official
RE: RFQ / SOQ Overview

Three proposals have been submitted in response to the RFQ that was published by the county in June. We received packets from Shums Coda Associates, West Coast Code Consultants (WC^3) and SAFEbuilt. I have listed key information below as a side by side comparison.

	Shums Coda	**West Code Consultants -WC^3**	**SAFEbuilt**
Projected Plan Review Turnaround	Initial Review: 10 days Re-Review: 5 days	Initial Review: 10 days Re-Review: 5 - 7 days	Initial Review: 5 days Re-Review: 5 days
Projected Inspection Turnaround	Scheduled within one business day if requested by noon the previous business day.	Proposal did not include any information for Inspection Services	Next business day as long as requested by 4pm the previous business day.
Fee Basics (See referenced pages in each packet for more details.)	Plan Review: Standard Reviews = 65% of County Plan Review Fee Reviews after 3rd revision & Extensive Reviews = $135 - $145 per hour Inspections: $95 - $115 per hour including travel time + mileage (IRS rate +10%) to and from base. *see SOQ pg 11	Plan Review: Standard Reviews = 65% of County Plan Review Fee Reviews after 2nd revision = $130 - $135 per hour *see SOQ pg 11	Plan Review: $115 per hour (1 hour minimum) Inspections: $110 per hour (1 hour minimum) + travel time to and from base. *see SOQ pg 13
Software / Programs Utilized	Blue Beam iWorQ	Blue Beam iWorQ	Blue Beam iWorQ Proprietary Software

None of the three firms included information about Factory Built Structures (Manufactured or Modular Homes). But Shums Coda and WC^3 both listed Public Works in their summary of services offered.

I'll point out again that these proposals are for review of construction documents only. None of the three firms will facilitate the entire permit review process. Currently staff is completing plan reviews within 1 - 2 weeks which is similar to each of the proposals. What this means is that while there is a small chance that construction plans may be reviewed more quickly, other reviews will still have the same timelines. Planning, Fire Marshal, Road & Bridge Access, Address requirements, Septic will all continue to follow the same process that is currently in place.

One option to consider would be to utilize outside services for all plan reviews to free up staff time and potentially have better coverage for inspections. Another potential option would be to look into outside service assistance for processing Grading & Erosion Control Permits.

I have discussed the three options with Dan Rayes, County Manager and we are in agreement that the proposal from Shums Coda is the top candidate.

Pooled Cash Report

Teton County, ID

For the Period Ending 7/31/2025

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
CLAIM ON CASH				
001-00-10001	Claim On Cash	7,728,684.35	0.00	7,728,684.35
202-00-10001	Claim On Cash	4,621,067.71	0.00	4,621,067.71
203-00-10001	Claim On Cash	0.00	0.00	0.00
206-00-10001	Claim On Cash	790,513.14	0.00	790,513.14
207-00-10001	Claim On Cash	17,493.28	0.00	17,493.28
208-00-10001	Claim On Cash	0.00	0.00	0.00
209-00-10001	Claim On Cash	35,468.30	0.00	35,468.30
213-00-10001	Claim On Cash	22,499.92	0.00	22,499.92
215-00-10001	Claim On Cash	75,843.81	0.00	75,843.81
216-00-10001	Claim On Cash	96,161.98	0.00	96,161.98
218-00-10001	Claim On Cash	337,648.48	0.00	337,648.48
219-00-10001	Claim On Cash	0.00	0.00	0.00
220-00-10001	Claim On Cash	120,977.31	0.00	120,977.31
222-00-10001	Claim On Cash	604,947.00	0.00	604,947.00
223-00-10001	Claim On Cash	3,912,439.64	0.00	3,912,439.64
224-00-10001	Claim On Cash	134,750.22	0.00	134,750.22
225-00-10001	Claim On Cash	0.00	0.00	0.00
227-00-10001	Claim On Cash	294,331.53	0.00	294,331.53
230-00-10001	Claim On Cash	51,974.40	0.00	51,974.40
233-00-10001	Claim On Cash	881,974.87	0.00	881,974.87
236-00-10001	Claim On Cash	12,091.45	0.00	12,091.45
240-00-10001	Claim On Cash	3,385.00	0.00	3,385.00
241-00-10001	Claim On Cash	388,782.02	0.00	388,782.02
243-00-10001	Claim On Cash	0.00	0.00	0.00
244-00-10001	Claim On Cash	247,848.71	0.00	247,848.71
245-00-10001	Claim On Cash	22,394.03	0.00	22,394.03
251-00-10001	Claim On Cash	544,251.40	0.00	544,251.40
252-00-10001	Claim On Cash	167,234.00	0.00	167,234.00
254-00-10001	Claim On Cash	21,137.94	0.00	21,137.94
275-00-10001	Claim On Cash	516,945.02	0.00	516,945.02
276-00-10001	Claim On Cash	0.00	0.00	0.00
282-00-10001	Claim On Cash	288,781.27	0.00	288,781.27
286-00-10001	Claim On Cash	447,027.30	0.00	447,027.30
290-00-10001	Claim On Cash	107,284.38	0.00	107,284.38
291-00-10001	Claim On Cash	473,214.16	0.00	473,214.16
292-00-10001	Claim On Cash	305,303.52	0.00	305,303.52
293-00-10001	Claim On Cash	1,708,717.99	0.00	1,708,717.99
701-00-10001	Claim On Cash	(1,816.03)	0.00	(1,816.03)
710-00-10001	Claim On Cash	2,422.27	0.00	2,422.27
711-00-10001	Claim On Cash	61,983.00	0.00	61,983.00
712-00-10001	Claim On Cash	17,938.70	0.00	17,938.70
717-00-10001	Claim On Cash	256,311.61	0.00	256,311.61
734-00-10001	Claim On Cash	1,784,786.92	0.00	1,784,786.92
770-00-10001	Claim On Cash	0.00	0.00	0.00
785-00-10001	Claim On Cash	24,003.08	0.00	24,003.08
801-00-10001	Claim On Cash	213.53	0.00	213.53
802-00-10001	Claim On Cash	0.00	0.00	0.00
810-00-10001	Claim On Cash	267,613.47	0.00	267,613.47
811-00-10001	Claim On Cash	218,180.27	0.00	218,180.27
812-00-10001	Claim On Cash	12,366.45	0.00	12,366.45
820-00-10001	Claim On Cash	1,820,448.50	0.00	1,820,448.50
850-00-10001	Claim On Cash	1,474.01	0.00	1,474.01
851-00-10001	Claim On Cash	8,791.08	0.00	8,791.08

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
853-00-10001	Claim On Cash	10,785.68	0.00	10,785.68
854-00-10001	Claim On Cash	2,069.06	0.00	2,069.06
855-00-10001	Claim On Cash	38,656.45	0.00	38,656.45
860-00-10001	Claim On Cash	985,122.60	0.00	985,122.60
861-00-10001	Claim On Cash	788.52	0.00	788.52
863-00-10001	Claim On Cash	5,980.49	0.00	5,980.49
870-00-10001	Claim On Cash	267,715.67	0.00	267,715.67
891-00-10001	Claim On Cash	9,222.42	0.00	9,222.42
894-00-10001	Claim On Cash	2,923.46	0.00	2,923.46
895-00-10001	Claim On Cash	50,791.99	0.00	50,791.99
896-00-10001	Claim On Cash	15,436.21	0.00	15,436.21
898-00-10001	Claim On Cash	11,090.08	0.00	11,090.08
TOTAL CLAIM ON CASH		30,856,473.62	0.00	30,856,473.62
CASH IN BANK				
Cash in Bank				
999-00-10002	BOC-EMPLOYEE BENEFIT	196,319.04	0.00	196,319.04
999-00-10003	BOC EMPLOYEE FLEX	8,552.07	0.00	8,552.07
999-00-10004	BOC REGULAR	8,677,673.76	0.00	8,677,673.76
999-00-10005	BOC SWEEP ACCT - 6906	(2,058,717.52)	0.00	(2,058,717.52)
999-00-10006	BOC PROPERTY TAX	(4,757,000.63)	0.00	(4,757,000.63)
999-00-10010	US BANK PAYROLL - 5952	34,045.51	0.00	34,045.51
999-00-10011	US BANK CC ASSESSOR - 9335	138,250.15	0.00	138,250.15
999-00-10012	US BANK CLERK/FAIR - 8522	1,363.06	0.00	1,363.06
999-00-10013	US BANK COURT	33,212.94	0.00	33,212.94
999-00-10014	US BANK CC PROPERTY TAXES	0.00	0.00	0.00
999-00-10015	US BANK P & Z	20,915.02	0.00	20,915.02
999-00-10020	ICCU CD INVESTMENT	227,888.73	0.00	227,888.73
999-00-10021	ICCU SAVINGS	25.00	0.00	25.00
999-00-10030	MBS INVESTMENTS	4,280,930.40	0.00	4,280,930.40
999-00-10031	LGIP- 3068 P&Z SURETY	672,496.70	0.00	672,496.70
999-00-10032	LGIP 3458 EMPLOYEE BENEFIT	374,901.94	0.00	374,901.94
999-00-10033	LGIP - 1038	8,366,914.59	0.00	8,366,914.59
999-00-10034	LGIP -2989 - SW SELF INSURANCE	604,947.00	0.00	604,947.00
999-00-10035	TVI INVESTMENTS	8,718,491.84	0.00	8,718,491.84
999-00-10036	LGIP - 4080 - TAX	4,817,415.73	0.00	4,817,415.73
999-00-10050	CASH ON HAND	1,233.57	0.00	1,233.57
999-00-14000	Due From Other Funds	(630.00)	0.00	(630.00)
TOTAL: Cash in Bank		30,359,228.90	0.00	30,359,228.90
TOTAL CASH IN BANK		30,359,228.90	0.00	30,359,228.90
DUE TO OTHER FUNDS				
999-00-24000	Due To Other Funds	30,859,859.90	0.00	30,859,859.90
TOTAL DUE TO OTHER FUNDS		30,859,859.90	0.00	30,859,859.90

Claim on Cash	30,856,473.62	**Claim on Cash**	30,856,473.62	**Cash in Bank**	30,359,228.90
Cash in Bank	30,359,228.90	**Due To Other Funds**	30,859,859.90	**Due To Other Funds**	30,859,859.90
Difference	497,244.72	**Difference**	(3,386.28)	**Difference**	(500,631.00)

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
ACCOUNTS PAYABLE PENDING				
001-00-20501	Accounts Payable Pending	0.00	0.00	0.00
202-00-20501	Accounts Payable Pending	0.00	0.00	0.00
203-00-20501	Accounts Payable Pending	0.00	0.00	0.00
206-00-20501	Accounts Payable Pending	0.00	0.00	0.00
207-00-20501	Accounts Payable Pending	0.00	0.00	0.00
209-00-20501	Accounts Payable Pending	0.00	0.00	0.00
213-00-20501	Accounts Payable Pending	0.00	0.00	0.00
215-00-20501	Accounts Payable Pending	(630.00)	0.00	(630.00)
216-00-20501	Accounts Payable Pending	0.00	0.00	0.00
218-00-20501	Accounts Payable Pending	0.00	0.00	0.00
219-00-20501	Accounts Payable Pending	0.00	0.00	0.00
220-00-20501	Accounts Payable Pending	0.00	0.00	0.00
222-00-20501	Accounts Payable Pending	0.00	0.00	0.00
223-00-20501	Accounts Payable Pending	0.00	0.00	0.00
224-00-20501	Accounts Payable Pending	0.00	0.00	0.00
225-00-20501	Accounts Payable Pending	0.00	0.00	0.00
227-00-20501	Accounts Payable Pending	0.00	0.00	0.00
230-00-20501	Accounts Payable Pending	0.00	0.00	0.00
233-00-20501	Accounts Payable Pending	0.00	0.00	0.00
236-00-20501	Accounts Payable Pending	0.00	0.00	0.00
240-00-20501	Accounts Payable Pending	0.00	0.00	0.00
241-00-20501	Accounts Payable Pending	0.00	0.00	0.00
243-00-20501	Accounts Payable Pending	0.00	0.00	0.00
244-00-20501	Accounts Payable Pending	0.00	0.00	0.00
245-00-20501	Accounts Payable Pending	0.00	0.00	0.00
251-00-20501	Accounts Payable Pending	0.00	0.00	0.00
252-00-20501	Accounts Payable Pending	0.00	0.00	0.00
254-00-20501	Accounts Payable Pending	0.00	0.00	0.00
275-00-20501	Accounts Payable Pending	0.00	0.00	0.00
276-00-20501	Accounts Payable Pending	0.00	0.00	0.00
282-00-20501	Accounts Payable Pending	0.00	0.00	0.00
286-00-20501	Accounts Payable Pending	0.00	0.00	0.00
290-00-20501	Accounts Payable Pending	0.00	0.00	0.00
291-00-20501	Accounts Payable Pending	0.00	0.00	0.00
292-00-20501	Accounts Payable Pending	0.00	0.00	0.00
293-00-20501	Accounts Payable Pending	0.00	0.00	0.00
701-00-20501	Accounts Payable Pending	0.00	0.00	0.00
710-00-20501	Accounts Payable Pending	0.00	0.00	0.00
711-00-20501	Accounts Payable Pending	0.00	0.00	0.00
712-00-20501	Accounts Payable Pending	0.00	0.00	0.00
717-00-20501	Accounts Payable Pending	0.00	0.00	0.00
734-00-20501	Accounts Payable Pending	0.00	0.00	0.00
770-00-20501	Accounts Payable Pending	0.00	0.00	0.00
785-00-20501	Accounts Payable Pending	0.00	0.00	0.00
801-00-20501	Accounts Payable Pending	0.00	0.00	0.00
802-00-20501	Accounts Payable Pending	0.00	0.00	0.00
810-00-20501	Accounts Payable Pending	0.00	0.00	0.00
811-00-20501	Accounts Payable Pending	0.00	0.00	0.00
812-00-20501	Accounts Payable Pending	0.00	0.00	0.00
820-00-20501	Accounts Payable Pending	0.00	0.00	0.00
850-00-20501	Accounts Payable Pending	0.00	0.00	0.00
851-00-20501	Accounts Payable Pending	0.00	0.00	0.00
853-00-20501	Accounts Payable Pending	0.00	0.00	0.00
854-00-20501	Accounts Payable Pending	0.00	0.00	0.00
855-00-20501	Accounts Payable Pending	0.00	0.00	0.00
860-00-20501	Accounts Payable Pending	0.00	0.00	0.00
861-00-20501	Accounts Payable Pending	0.00	0.00	0.00
863-00-20501	Accounts Payable Pending	0.00	0.00	0.00
870-00-20501	Accounts Payable Pending	0.00	0.00	0.00
891-00-20501	Accounts Payable Pending	0.00	0.00	0.00

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
894-00-20501	Accounts Payable Pending	0.00	0.00	0.00
895-00-20501	Accounts Payable Pending	0.00	0.00	0.00
896-00-20501	Accounts Payable Pending	0.00	0.00	0.00
898-00-20501	Accounts Payable Pending	0.00	0.00	0.00
TOTAL ACCOUNTS PAYABLE PENDING		(630.00)	0.00	(630.00)
DUE FROM OTHER FUNDS				
999-00-14000	Due From Other Funds	630.00	0.00	630.00
TOTAL DUE FROM OTHER FUNDS		630.00	0.00	630.00
ACCOUNTS PAYABLE				
999-00-20500	Accounts Payable	(630.00)	0.00	(630.00)
TOTAL ACCOUNTS PAYABLE		(630.00)	0.00	(630.00)

AP Pending	(630.00)	**AP Pending**	(630.00)	**Due From Other Funds**	(630.00)
Due From Other Funds	(630.00)	**Accounts Payable**	(630.00)	**Accounts Payable**	(630.00)
Difference	0.00	**Difference**	0.00	**Difference**	0.00

FY26 3rd Qtr Revenue Report

Account Summary

For Fiscal: FY25 Period Ending: 06/30/2025

		Original Total Budget	Current Total Budget	Fiscal Activity	Percent Remaining	
Fund: 001 - GENERAL FUND (CURRENT EXPENSE)						
001-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 5,222,082	0%	Property Tax is not budgeted as a revenue
001-00-30123	PENALTY 2023	$ -	$ -	$ (2)	0%	
001-00-30124	PENALTY 2024	$ -	$ -	$ 11,440	0%	
001-00-30221	INTEREST 2021	$ -	$ -	$ 4,785	0%	
001-00-30222	INTEREST 2022	$ -	$ -	$ 2,207	0%	
001-00-30223	INTEREST 2023	$ -	$ -	$ 14,685	0%	
001-00-30224	INTEREST 2024	$ -	$ -	$ 6,185	0%	
001-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (261)	0%	
001-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (2,335)	0%	
001-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (77,531)	0%	
001-00-31009	PERSONAL PROP TAX REPLACEMENT	$ 23,032	$ 23,032	$ 29,617	-29%	
001-00-31080	PAYMENT IN LIEU OF TAXES	$ 288,186	$ 288,186	$ 308,759	-7%	PILT only partially funded for 2025
001-00-31081	ELECTRICITY PROP TAX IN LIEU	$ 71,000	$ 71,000	$ 94,234	-33%	
001-00-32001	SALES TAX- INVENTORY PHASE OUT	$ 400,000	$ 400,000	$ 289,385	28%	
001-00-32002	SALES TAX- REVENUE SHARING	$ 630,000	$ 630,000	$ 475,713	24%	
001-00-32006	LIQUOR ALLOCATION	$ 190,000	$ 190,000	$ 119,052	37%	Quarterly plus a "true up" pd in qtr 4
001-00-33102	EMPG (EMERG MGT PROG GRANT)	$ -	$ -	$ 13,063		
001-00-33204	STATE REVENUE - AG REPLACEMENT	$ 26,000	$ 26,000	$ 18,707	28%	
001-00-33205	FILT PAYMENTS	$ -	$ -	$ 791		
001-00-33252	STATE - SHERIFF DUI GRANT	$ 12,000	$ 12,000	$ 12,758	-6%	
001-00-34001	SEX OFFENDER REGISTRATION $80	$ 1,000	$ 1,000	$ 800	20%	
001-00-34003	DOG LICENSE FEE	$ 200	$ 200	$ 128	36%	
001-00-34004	ADMINISTRATIVE FEE	$ 150,000	$ 150,000	$ 196,292	-31%	
001-00-34005	FEES: ALL OTHER	$ 70,000	$ 70,000	$ -	100%	
001-00-34006	BEER AND LIQUOR LICENSE	$ 14,000	$ 14,000	$ 13,835	1%	
001-00-34007	MARRIAGE LICENSE	$ 1,000	$ 1,000	$ 741	26%	
001-00-34008	BUILDING PERMIT	$ 450,000	$ 450,000	$ 462,738	-3%	
001-00-34009	P&Z APPLICATION FEES	$ 175,000	$ 175,000	$ 74,156	58%	over budgeted, subdivision applications slowed way down
001-00-34010	FIRE IMPACT ADMIN FEES	$ -	$ -	$ 4,500		first year collenting, did not budget
001-00-34013	SURVEY REVIEW FEE, CO STAFF	$ 4,000	$ 4,000	$ 1,380	66%	
001-00-34015	GRADING & EROSION CONTROL PRMT	$ 40,000	$ 40,000	$ 24,150	40%	
001-00-34016	PASS THROUGH NP REVIEWS	$ -	$ -	$ 3,302		
001-00-34017	PASS THROUGH FIRE DISTRICT	$ 7,000	$ 7,000	$ (660)		
001-00-34019	RIVER ACCESS COMMERCIAL PERMIT	$ -	$ -	$ 2,939		
001-00-35001	DUPLICATE LICENSES FEES	$ 1,500	$ 1,500	$ 4,386	-192%	
001-00-35002	VEHICLE ADMINISTRATIVE FEE	$ 85,000	$ 85,000	$ 50,648	40%	
001-00-35003	VEHICLE INSPECTION FEE	$ 10,000	$ 10,000	$ 5,861	41%	

001-00-35004	VEHICLE TRANSFER FEES	$	6,000	$	6,000	$ -	100%	
001-00-35005	TITLE FEES	$	20,000	$	20,000	$ 14,509	27%	
001-00-35007	RECREATIONAL VEHICLE FEES	$	3,000	$	3,000	$ 1,205	60%	
001-00-35008	TEMPORARY REGISTRATION FEES	$	-	$	-	$ 90		
001-00-35009	COUNTY EMS - FROM DMV (.25)	$	4,000	$	4,000	$ 3,155	21%	
001-00-35011	RECRDED/CONFRMD/CERTFD COPIES	$	1,000	$	1,000	$ 1,841	-84%	
001-00-35013	PASSPORTS	$	11,000	$	11,000	$ 13,615	-24%	
001-00-35014	POSTAGE	$	750	$	750	$ 95	87%	
001-00-35015	RECORDING FEES	$	75,000	$	75,000	$ 67,140	10%	
001-00-35016	DIGITAL IMAGES-FOR TITLE CO.	$	2,000	$	2,000	$ 1,810	10%	
001-00-35017	ANNUAL REMOTE ACCESS FEE	$	10,000	$	10,000	$ 50	100%	
001-00-35018	ALL OTHER RECORDER'S FEES	$	1,000	$	1,000	$ 60	94%	
001-00-35019	NOTARY FEES	$	-	$	-	$ 476		
001-00-35021	PROCESS / SERVING FEES $70	$	1,300	$	1,300	$ 8,403	-546%	
001-00-35022	COPIES (TAXABLE)	$	500	$	500	$ 2	100%	
001-00-35023	DRIVERS LICENSE FEES	$	35,000	$	35,000	$ 31,673	10%	
001-00-35024	CONCEALED WEAPONS-ALL REVENUE	$	5,000	$	5,000	$ 4,033	19%	
001-00-35025	FINGERPRINTS	$	1,500	$	1,500	$ 2,675	-78%	
001-00-35029	DRIGGS SHERIFF CONTRACT	$	45,000	$	45,000	$ 20,700	54%	
001-00-35030	VICTOR SHERIFF CONTRACT	$	45,000	$	45,000	$ 45,000	0%	
001-00-35041	FIRE DISTRICT DISPATCH	$	133,000	$	133,000	$ 75,000	44%	Fire District paying $150K this year, not $133K
001-00-35061	SHERIFF'S FEES	$	-	$	-	$ 405		
001-00-36010	RESTITUTION FOR COUNTY EXPENSE	$	500	$	500	$ 828	-66%	
001-00-38002	COSTS COLLECTED BY TREASURER	$	-	$	-	$ 520		
001-00-38003	NSF FEES	$	200	$	200	$ 180	10%	
001-00-38004	MISCELLANEOUS REVENUES	$	5,000	$	5,000	$ 624,520	-12390%	Transfer in of ARPA from Fund 276
001-00-38005	MISC SHERIFF REVENUE	$	3,000	$	3,000	$ 15,854	-428%	
001-00-38100	REIMBURSEMENTS	$	-	$	-	$ 0		
001-00-38400	INTEREST FROM INVESTMENTS	$	300,000	$	300,000	$ 549,866	-83%	
Fund: 001 - GENERAL FUND (CURRENT EXPENSE) Total:		**$**	**3,357,668**	**$**	**3,357,668**	**$ 8,872,235**	-164%	
Fund: 202 - ROAD & BRIDGE								
202-00-30221	INTEREST 2021	$	-	$	-	$ 309	0%	
202-00-30222	INTEREST 2022	$	-	$	-	$ 210	0%	
202-00-30522	URBAN RENEWAL 2022	$	-	$	-	$ (25)	0%	
202-00-31002	ELECTRICITY TAX	$	23,000	$	23,000	$ 20,010	13%	
202-00-31003	ROAD & BRIDGE TAXES TO CITIES	$	-	$	-	$ (790)		
202-00-31005	SALES TAX-IC-63-3638 "TECM"	$	275,000	$	275,000	$ 61,385	78%	dependent on sales tax revenue, paid in 3rd and 4th qtr
202-00-32007	IC 40-701 HUR OLD/NEW	$	1,700,000	$	1,700,000	$ 1,357,542	20%	
202-00-33103	FOREST-SECURE RURAL SCHOOLS	$	40,000	$	40,000	$ 6,755	83%	
202-00-33220	STATE OF IDAHO-GENERAL FUND	$	800,000	$	800,000	$ -	100%	
202-00-33293	GRANTS	$	-	$	-	$ (4,732)		
202-00-34037	ROAD APPROACH PERMITS	$	1,000	$	1,000	$ 1,950	-95%	
202-00-38004	MISCELLANEOUS REVENUES	$	1,000	$	1,000	$ 21,209	-2021%	
Fund: 202 - ROAD & BRIDGE Total:		**$**	**2,840,000**	**$**	**2,840,000**	**$ 1,463,822**	48%	
Fund: 206 - DISTRICT COURT & PROBATION								

206-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 647,287	0%	Property Tax is not budgeted as a revenue
206-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
206-00-30124	PENALTY 2024	$ -	$ -	$ 1,379	0%	
206-00-30221	INTEREST 2021	$ -	$ -	$ 615	0%	
206-00-30222	INTEREST 2022	$ -	$ -	$ 251	0%	
206-00-30223	INTEREST 2023	$ -	$ -	$ 1,669	0%	
206-00-30224	INTEREST 2024	$ -	$ -	$ 752	0%	
206-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (30)	0%	
206-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (266)	0%	
206-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (9,605)	0%	
206-00-31004	CIGARETTE & TOBACCO TAX	$ 28,000	$ 28,000	$ 21,991	21%	
206-00-32006	LIQUOR ALLOCATION	$ 50,000	$ 50,000	$ 32,202	36%	Quarterly plus a "true up" pd in qtr 4
206-00-33200	RESTITUTION APPOINTED ATTORNEY	$ 500	$ 500	$ -	100%	
206-00-33293	GRANTS	$ -	$ -	$ 259,227		
206-00-34021	FILING FEES - COUNTY SHARE	$ 5,000	$ 5,000	$ 4,018	20%	
206-00-36001	MOTOR VEHICLE FINES	$ 45,000	$ 45,000	$ 39,443	12%	
206-00-36002	MAGISTRATE FACILITY & OPS	$ 18,000	$ 18,000	$ 5,154	71%	
206-00-36005	ADMINISTRATIVE SURCHARGE FEE	$ 5,000	$ 5,000	$ 4,846	3%	
206-00-36006	MISDEMEANOR PROBATION	$ 35,000	$ 35,000	$ 38,310	-9%	
206-00-36007	JUVENILE PROBATION	$ 3,000	$ 3,000	$ 440	85%	
206-00-36008	JCA (JUVENILE CORRECTIONS ACT)	$ 28,000	$ 28,000	$ 21,162	24%	
206-00-36009	NEXLEARN TRAFFIC SCHOOL	$ 1,000	$ 1,000	$ 2,025	-103%	
206-00-36010	RESTITUTION	$ 1,000	$ 1,000	$ -	100%	
206-00-36012	JUVENILE DIVERSION FEES	$ 1,000	$ 1,000	$ 1,365	-37%	
206-00-36013	JUVENILE LOTTERY MONIES	$ 4,000	$ 4,000	$ 2,967	26%	
206-00-36014	DRUG TEST FEES	$ 4,000	$ 4,000	$ 1,707	57%	
206-00-36019	COMM SERVICE WORK COMP FEE	$ 2,000	$ 2,000	$ 1,344	33%	
206-00-36020	OPIOID ABATEMENT REVENUES	$ 20,000	$ 20,000	$ 8,364	58%	
206-00-36021	DUI REINSTATEMENT (IC49-328)	$ 3,000	$ 3,000	$ 2,057	31%	
206-00-38004	MISCELLANEOUS REVENUES	$ 3,500	$ 3,500	$ 2,386	32%	
Fund: 206 - DISTRICT COURT & PROBATION Total:		**$ 257,000**	**$ 257,000**	**$ 1,091,060**	-325%	
Fund: 209 - COURT FACILITY: IC 31-867(3)						
209-00-38017	REMODELING/COURT OFFICE	$ 3,000	$ 3,000	$ 1,850	38%	
Fund: 209 - COURT FACILITY: IC 31-867(3) Total:		**$ 3,000**	**$ 3,000**	**$ 1,850**	**38%**	
Fund: 213 - IGNITION INTERLOCK: IC 18-8010						
213-00-38018	IGNITION INTERLOCK FEES	$ 1,000	$ 1,000	$ 620	38%	
Fund: 213 - IGNITION INTERLOCK: IC 18-8010 Total:		**$ 1,000**	**$ 1,000**	**$ 620**	**38%**	
Fund: 215 - CONSOLIDATED ELECTIONS						
215-00-32004	REVENUE - STATE OF IDAHO	$ 73,000	$ 73,000	$ 55,366	24%	
Fund: 215 - CONSOLIDATED ELECTIONS Total:		**$ 73,000**	**$ 73,000**	**$ 55,366**	**24%**	
Fund: 216 - INDIGENT AND CHARITY						
216-00-30221	INTEREST 2021	$ -	$ -	$ 49	0%	
216-00-38100	REIMBURSEMENTS	$ 1,000	$ 1,000	$ 580	42%	
Fund: 216 - INDIGENT AND CHARITY Total:		**$ 1,000**	**$ 1,000**	**$ 629**	**37%**	
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT						

218-00-38019	BUYDOWN ACCT INFLOWS	$ -	$ -	$ 782,189	0%	
218-00-38020	FLEX ACCT INFLOWS	$ -	$ -	$ 50,035	0%	
218-00-38400	INTEREST FROM INVESTMENTS	$ -	$ -	$ 11,504	0%	
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT Total:		**$ -**	**$ -**	**$ 843,728**	**0%**	
Fund: 220 - REVALUATION						
220-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 203,790	0%	Property Tax is not budgeted as a revenue
220-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
220-00-30124	PENALTY 2024	$ -	$ -	$ 420	0%	
220-00-30221	INTEREST 2021	$ -	$ -	$ 216	0%	
220-00-30222	INTEREST 2022	$ -	$ -	$ 99	0%	
220-00-30223	INTEREST 2023	$ -	$ -	$ 589	0%	
220-00-30224	INTEREST 2024	$ -	$ -	$ 231	0%	
220-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (12)	0%	
220-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (94)	0%	
220-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (3,022)	0%	
Fund: 220 - REVALUATION Total:		**$ -**	**$ -**	**$ 202,218**	**0%**	
Fund: 222 - SOLID WASTE - SELF INSURANCE						
222-00-38400	INTEREST FROM INVESTMENTS	$ 15,000	$ 15,000	$ 18,177	-21%	
Fund: 222 - SOLID WASTE - SELF INSURANCE Total:		**$ 15,000**	**$ 15,000**	**$ 18,177**	-21%	
Fund: 223 - SOLID WASTE						
223-00-30123	PENALTY 2023	$ -	$ -	$ (1)	0%	
223-00-30124	PENALTY 2024	$ -	$ -	$ 1,697	0%	
223-00-30221	INTEREST 2021	$ -	$ -	$ 1,311	0%	
223-00-30222	INTEREST 2022	$ -	$ -	$ 419	0%	
223-00-30223	INTEREST 2023	$ -	$ -	$ 1,298	0%	
223-00-30224	INTEREST 2024	$ -	$ -	$ 774	0%	
223-00-35046	GRAND TARGHEE SOLID WASTE FEE	$ 11,000	$ 11,000	$ -	100%	No longer using transfer station
223-00-35047	TIPPING FEES	$ 1,900,000	$ 1,900,000	$ 1,625,326	14%	Under budgeted, very busy
223-00-35049	SALVAGE & RECYCLING REVENUE	$ 100,000	$ 100,000	$ 133,391	133%	Recycling revenue is increasing, but hard to predict
223-00-35522	SOLID WASTE FEE 2022	$ 880,000	$ -	$ -	0%	
223-00-35524	SOLID WASTE FEE 2024	$ -	$ 880,000	$ 899,817	102%	
223-00-38021	FRANCHISE FEES	$ 40,000	$ 40,000	$ 32,971	18%	from RAD
Fund: 223 - SOLID WASTE Total:		**$ 2,931,000**	**$ 2,931,000**	**$ 2,697,003**	**8%**	
Fund: 224 - TORT						
224-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 295,105	0%	Property Tax is not budgeted as a revenue
224-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
224-00-30124	PENALTY 2024	$ -	$ -	$ 616	0%	
224-00-30221	INTEREST 2021	$ -	$ -	$ 210	0%	
224-00-30222	INTEREST 2022	$ -	$ -	$ 82	0%	
224-00-30223	INTEREST 2023	$ -	$ -	$ 728	0%	
224-00-30224	INTEREST 2024	$ -	$ -	$ 338	0%	
224-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (10)	0%	
224-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (116)	0%	
224-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (4,378)	0%	
Fund: 224 - TORT Total:		**$ -**	**$ -**	**$ 292,574**	**0%**	

Fund: 227 - WEEDS						
227-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 144,849	0%	Property Tax is not budgeted as a revenue
227-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
227-00-30124	PENALTY 2024	$ -	$ -	$ 292	0%	
227-00-30221	INTEREST 2021	$ -	$ -	$ 127	0%	
227-00-30222	INTEREST 2022	$ -	$ -	$ 60	0%	
227-00-30223	INTEREST 2023	$ -	$ -	$ 400	0%	
227-00-30224	INTEREST 2024	$ -	$ -	$ 162	0%	
227-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (7)	0%	
227-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (64)	0%	
227-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (2,147)	0%	
227-00-35053	CHEMICAL SALES (TAXABLE)	$ -	$ -	$ 1,385	0%	
227-00-35054	WEED EQUIPMENT RENTAL (TAXABLE)	$ -	$ -	$ 310	0%	
227-00-38004	MISCELLANEOUS REVENUES	$ -	$ -	$ 6	0%	
Fund: 227 - WEEDS Total:		**$ -**	**$ -**	**$ 145,372**	**0%**	
Fund: 230 - PARKS & RECREATION						
230-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 23,151	0%	Property Tax is not budgeted as a revenue
230-00-30123	2023 PENALTY	$ -	$ -	$ (0)	0%	
230-00-30124	PENALTY 2024	$ -	$ -	$ 33	0%	
230-00-30223	2023 INTEREST	$ -	$ -	$ 221	0%	
230-00-30224	INTEREST 2024	$ -	$ -	$ 22	0%	
230-00-30523	2023 URBAN RENEWAL	$ -	$ -	$ (35)	0%	
230-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (341)	0%	
Fund: 230 - PARKS & RECREATION Total:		**$ -**	**$ -**	**$ 23,050**	**0%**	
Fund: 233 - SPECIAL ROAD LEVY						
233-00-30023	PROPERTY TAXES 2023			$ -		
233-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 1,420,620	0%	Property Tax is not budgeted as a revenue
233-00-30123	PENALTY 2023	$ -	$ -	$ (1)	0%	
233-00-30124	PENALTY 2024	$ -	$ -	$ 3,051	0%	
233-00-30221	INTEREST 2021	$ -	$ -	$ 1,397	0%	
233-00-30222	INTEREST 2022	$ -	$ -	$ 667	0%	
233-00-30223	INTEREST 2023	$ -	$ -	$ 4,012	0%	
233-00-30224	INTEREST 2024	$ -	$ -	$ 1,667	0%	
233-00-31003	ROAD & BRIDGE TAXES TO CITIES	$ (375,000)	$ (375,000)	$ (376,152)		
233-00-31009	PERSONAL PROP TAX REPLACEMENT	$ 5,914	$ 5,914	$ -	100%	
Fund: 233 - SPECIAL ROAD LEVY Total:		**$ 1,030,914**	**$ 1,030,914**	**$ 1,055,262**	**2%**	
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND						
236-00-36010	RESTITUTION	$ -	$ -	$ 736	0%	
236-00-36024	DRUG MONEY - SEIZED	$ -	$ -	$ 1,750	0%	
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND Total:		**$ -**	**$ -**	**$ 2,486**	**0%**	
Fund: 240 - YOUTH PROGRAM: IC 49-418B						
240-00-34024	FEES FROM LICENSES,PLATES, ETC	$ -	$ -	$ 150	0%	
Fund: 240 - YOUTH PROGRAM: IC 49-418B Total:		**$ -**	**$ -**	**$ 150**	**0%**	
Fund: 241 - BUILDING FUND						
241-00-39101	TRANSFERS/ADJUSTMENTS	$ -	$ 378,022	$ 378,022	0%	From ARPA transfer

Fund: 241 - BUILDING FUND Total:		**$ -**	**$ 378,022**	**$ 378,022**	**0%**	
Fund: 244 - EMERGENCY 911 COMM: 31-4809						
244-00-34025	SILVERSTAR LAND LINES 911 FEES	$ 10,000	$ 10,000	$ 8,206	18%	
244-00-35056	CELL PHONE 911 FEES	$ 120,000	$ 120,000	$ 94,773	21%	
Fund: 244 - EMERGENCY 911 COMM: 31-4809 Total:		**$ 130,000**	**$ 130,000**	**$ 102,979**	**21%**	
Fund: 245 - EXTENSION & 4H PROGRAMS						
245-00-33293	GRANTS	$ -	$ -	$ 437	0%	
245-00-34027	4H CLUB ENROLLMENT FEES	$ 8,000	$ 8,000	$ 2,445	69%	
245-00-34028	4H CAMP FEES	$ 500	$ 500	$ -	100%	
245-00-34029	BEE KEEPERS	$ 500	$ 500	$ -	100%	
245-00-34030	EXTENSION PROGRAM FEES	$ 2,500	$ 2,500	$ 770	69%	
Fund: 245 - EXTENSION & 4H PROGRAMS Total:		**$ 11,500**	**$ 11,500**	**$ 3,652**	**68%**	
Fund: 251 - MOSQUITO ABATEMENT DISTRICT						
251-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 428,375	0%	Property Tax is not budgeted as a revenue
251-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
251-00-30124	PENALTY 2024	$ -	$ -	$ 887	0%	
251-00-30221	INTEREST 2021	$ -	$ -	$ 412	0%	
251-00-30222	INTEREST 2022	$ -	$ -	$ 190	0%	
251-00-30223	INTEREST 2023	$ -	$ -	$ 1,200	0%	
251-00-30224	INTEREST 2024	$ -	$ -	$ 488	0%	
251-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (23)	0%	
251-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (192)	0%	
251-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (6,358)	0%	
251-00-31002	ELECTRICITY TAX	$ 6,035	$ 6,035	$ 6,035	0%	
251-00-31009	PERSONAL PROP TAX REPLACEMENT	$ 1,591	$ 1,591	$ 1,591	0%	
251-00-38004	MISCELLANEOUS REVENUES		$ -	$ 21,000	0%	Sold truck
Fund: 251 - MOSQUITO ABATEMENT DISTRICT Total:		**$ -**	**$ -**	**$ 453,604**	**0%**	
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013						
254-00-34031	DEPT PARKS & REC LICENSE FEE	$ -	$ -	$ 2,299	0%	
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013 Total:		**$ -**	**$ -**	**$ 2,299**	**0%**	
Fund: 275 - HEALTH						
275-00-38023	LATA PAYMENT - FIXED AMOUNT	$ 70,001	$ 70,001	$ 70,001	0%	
Fund: 275 - HEALTH Total:		**$ 70,001**	**$ 70,001**	**$ 70,001**	**0%**	
Fund: 276 - ARPA						
276-00-33105	CSLFR (ARPA) INTEREST	$ -	$ -	$ 21	0%	
Fund: 276 - ARPA Total:		**$ -**	**$ -**	**$ 21**	**0%**	
Fund: 282 - FAIRGROUNDS & FAIR						
282-00-30024	PROPERTY TAXES 2024	$ -	$ -	$ 154,081	0%	Property Tax is not budgeted as a revenue
282-00-30123	PENALTY 2023	$ -	$ -	$ (0)	0%	
282-00-30124	PENALTY 2024	$ -	$ -	$ 314	0%	
282-00-30221	INTEREST 2021	$ -	$ -	$ 143	0%	
282-00-30222	INTEREST 2022	$ -	$ -	$ 75	0%	
282-00-30223	INTEREST 2023	$ -	$ -	$ 564	0%	
282-00-30224	INTEREST 2024	$ -	$ -	$ 173	0%	
282-00-30522	URBAN RENEWAL 2022	$ -	$ -	$ (9)	0%	

282-00-30523	URBAN RENEWAL 2023	$ -	$ -	$ (90)	0%	
282-00-30524	URBAN RENEWAL 2024	$ -	$ -	$ (2,284)	0%	
282-00-35058	RENTAL OF FACILITIES	$ 50,000	$ 50,000	$ 34,983	30%	
282-00-38004	MISCELLANEOUS REVENUES	$ 500	$ 500	$ 342	31%	
282-00-38201	ELECTRICITY TOKENS	$ 1,000	$ 1,000	$ 455	54%	
282-00-38202	SECURITY DEPOSITS	$ 25,000	$ 25,000	$ 18,845	24%	
282-00-38203	ALL REV FROM FRIDAY RODEO	$ 4,500	$ 4,500	$ -	100%	Fair and Rodeo haven't happened yet
282-00-38204	FIGURE 8 REVENUE-GATE	$ 8,000	$ 8,000	$ -	100%	
282-00-38209	PIG WRESTLING GATE	$ 6,000	$ 6,000	$ -	100%	
282-00-38210	PIG WRESTLING ENTRIES	$ 1,800	$ 1,800	$ -	100%	
282-00-38212	FAIR REVENUE	$ 35,000	$ 35,000	$ 33,625	4%	Sponsorships
Fund: 282 - FAIRGROUNDS & FAIR Total:		**$ 131,800**	**$ 131,800**	**$ 241,216**	**83%**	
Fund: 286 - GRANTS						
286-00-33108	FEDERAL - EMERG MGT GRANTS	$ -	$ -	$ 14,476	0%	
286-00-33250	STATE - LHTAC GRANTS	$ -	$ -	$ 49,043	0%	
286-00-33253	STATE - ELECTIONS	$ -	$ -	$ 5,727	0%	
286-00-33289	4H COORDINATOR SALARY GRANT	$ -	$ -	$ 2,900	0%	
286-00-33293	GRANTS	$ (200,000)	$ (200,000)	$ -	0%	
286-00-38100	REIMBURSEMENTS	$ -	$ -	$ 17,000	0%	
286-00-38101	TCJHA REIMBURSEMENTS	$ (124,000)	$ (124,000)	$ -	0%	
286-18-33251	DEPT OF COMMERCE - TREC	$ -	$ -	$ 15,000	0%	
286-18-33257	HISTORIC PRESERVATION -REV	$ -	$ -	$ 4,000	0%	
286-18-33294	ECONOMIC DEVELOPMENT GRANTS	$ -	$ -	$ 5,000	0%	
286-77-38101	TCJHA GRANTS	$ -	$ -	$ 67,854	0%	
286-81-33250	STATE - R & B LHTAC	$ -	$ -	$ 37,821	0%	
286-82-33402	FAIR GRANT REVENUE	$ -	$ -	$ 8,945	0%	
Fund: 286 - GRANTS Total:		**$ (324,000)**	**$ (324,000)**	**$ 227,767**	**170%**	
Fund: 290 - IMPACT FEES-REC FACILITIES						
290-00-34032	RECREATIONAL FACILITIES FEE	$ 75,000	$ 75,000	$ 48,085	36%	
290-00-38400	INTEREST FROM INVESTMENTS	$ -	$ -	$ 5,513	0%	
Fund: 290 - IMPACT FEES-REC FACILITIES Total:		**$ 75,000**	**$ 75,000**	**$ 53,597**	**29%**	
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES						
291-00-34033	SHERIFF FACILITIES IMPACT FEE	$ 160,000	$ 160,000	$ 118,786	26%	
291-00-38400	INTEREST FROM INVESTMENTS	$ -	$ -	$ 20,848	0%	
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES Total:		**$ 160,000**	**$ 160,000**	**$ 139,635**	**13%**	
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI						
292-00-34034	EMERGENCY SERVICES IMPACT FEE	$ 130,000	$ 130,000	$ 85,015	35%	
292-00-38400	INTEREST FROM INVESTMENTS	$ -	$ -	$ 7,875	0%	
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI Total:		**$ 130,000**	**$ 130,000**	**$ 92,889**	**29%**	
Fund: 293 - IMPACT FEES-CIRC FACILITIES						
293-00-34035	CIRCULATION FACILITIES FEE	$ 600,000	$ 600,000	$ 458,671	24%	
293-00-38400	INTEREST FROM INVESTMENTS	$ -	$ -	$ 42,484	0%	
Fund: 293 - IMPACT FEES-CIRC FACILITIES Total:		**$ 600,000**	**$ 600,000**	**$ 501,154**	**16%**	
Report Total:		**$ 11,493,883**	**$ 11,871,905**	**$ 19,032,437**		

FY25 3rd Qtr Expense Report

Teton County, ID

For Fiscal: FY25 Period Ending: 06/30/2025

		Original	Current	Fiscal	Variance	Percent	
Fund: 001 - GENERAL FUND (CURRENT EXPENSE)							
Dept	01 - CLERK / AUDITOR	$ 358,455	$ 358,455	$ 252,834	$ 105,621	29%	
	02 - ASSESSOR	$ 461,961	$ 461,961	$ 339,664	$ 122,297	26%	
	03 - TREASURER / TAX COLLECTOR	$ 280,495	$ 280,495	$ 211,035	$ 69,460	25%	
	04 - SHERIFF	$ 2,262,087	$ 2,264,087	$ 1,566,887	$ 697,200	31%	
	05 - COMMISSIONERS	$ 294,690	$ 294,690	$ 229,820	$ 64,870	22%	
	06 - CORONER	$ 84,968	$ 84,968	$ 105,468	$ (20,500)	-24%	Using Remaining Cash to cover unanticipated autopsies
	07 - PROSECUTING ATTORNEY	$ 1,031,058	$ 1,081,058	$ 706,238	$ 374,820	35%	
	08 - PUBLIC WORKS DIRECTOR	$ 258,845	$ 258,845	$ 191,957	$ 66,888	26%	
	09 - COURTHOUSE	$ 246,273	$ 248,273	$ 165,213	$ 83,060	33%	
	11 - EMERGENCY MANAGEMENT	$ 117,980	$ 117,980	$ 77,681	$ 40,299	34%	
	13 - EXTENSION	$ 171,109	$ 171,109	$ 112,227	$ 58,882	34%	
	14 - INFORMATION TECHNOLOGY	$ 823,916	$ 1,023,766	$ 683,820	$ 339,946	33%	
	15 - ELECTIONS	$ 87,862	$ 87,862	$ 71,472	$ 16,390	19%	
	17 - LAW ENFORCEMENT CENTER	$ 69,300	$ 69,300	$ 60,450	$ 8,851	13%	Using Remaining Cash to cover unanticipated HVAC issues
	18 - GENERAL	$ 460,928	$ 458,928	$ 486,178	$ (27,250)	-6%	Using Remaining Cash to cover unanticipated legal costs
	19 - DISPATCH	$ 549,806	$ 549,806	$ 400,371	$ 149,435	27%	
	20 - JAIL	$ 155,196	$ 155,196	$ 182,661	$ (27,465)	-18%	Using Remaining Cash to cover unanticipated jail housing
	21 - PLANNING	$ 500,002	$ 500,002	$ 273,286	$ 226,716	45%	
	22 - BUILDING	$ 435,066	$ 435,066	$ 306,309	$ 128,757	30%	
	23 - GIS	$ 149,195	$ 149,195	$ 92,783	$ 56,412	38%	
	24 - RECREATION	$ -	$ -	$ 526	$ (526)	0%	Need to j/e to the correct fund
	31 - ARMORY (AKA ANNEX)	$ 5,000	$ 5,000	$ 53	$ 4,947	99%	
	32 - BUXTON AVE	$ 21,600	$ 303,600	$ 299,080	$ 4,520	1%	
Fund: 001 - GENERAL FUND (CURRENT EXPENSE) Total:		**$ 8,825,792**	**$ 9,359,642**	**$ 6,816,012**	**$ 2,543,631**	**27%**	
Fund: 202 - ROAD & BRIDGE							
	00 - NO DEPARTMENT	$ 4,007,433	$ 4,463,863	$ 1,943,595	$ 2,520,268	56%	
Fund: 202 - ROAD & BRIDGE Total:		**$ 4,007,433**	**$ 4,463,863**	**$ 1,943,595**	**$ 2,520,268**	**56%**	
Fund: 206 - DISTRICT COURT & PROBATION							
	61 - DISTRICT COURT	$ 364,867	$ 364,867	$ 306,884	$ 57,983	16%	
	62 - PROBATION	$ 534,479	$ 534,479	$ 322,591	$ 211,888	40%	
Fund: 206 - DISTRICT COURT & PROBATION Total:		**$ 899,346**	**$ 899,346**	**$ 629,475**	**$ 269,871**	**30%**	
Fund: 209 - COURT FACILITY: IC 31-867(3)							

	00 - NO DEPARTMENT	$ 21,000	$ 21,000	$ -	$ 21,000	100%	
Fund: 209 - COURT FACILITY: IC 31-867(3) Total:		**$ 21,000**	**$ 21,000**	**$ -**	**$ 21,000**	**100%**	
Fund: 215 - CONSOLIDATED ELECTIONS							
	00 - NO DEPARTMENT	$ 86,722	$ 86,722	$ 56,439	$ 30,283	35%	
Fund: 215 - CONSOLIDATED ELECTIONS Total:		**$ 86,722**	**$ 86,722**	**$ 56,439**	**$ 30,283**	**35%**	
Fund: 216 - INDIGENT AND CHARITY							
	00 - NO DEPARTMENT	$ 37,000	$ 37,000	$ 6,453	$ 30,547	83%	
Fund: 216 - INDIGENT AND CHARITY Total:		**$ 37,000**	**$ 37,000**	**$ 6,453**	**$ 30,547**	**83%**	
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT							
	00 - NO DEPARTMENT	$ -	$ -	$ 902,978	$ (902,978)	0%	
Fund: 218 - EMPLOYEE BENEFIT ACCOUNT Total:		**$ -**	**$ -**	**$ 902,978**	**$ (902,978)**	**0%**	
Fund: 220 - REVALUATION							
	00 - NO DEPARTMENT	$ 197,474	$ 197,474	$ 149,505	$ 47,969	24%	
Fund: 220 - REVALUATION Total:		**$ 197,474**	**$ 197,474**	**$ 149,505**	**$ 47,969**	**24%**	
Fund: 223 - SOLID WASTE							
	00 - NO DEPARTMENT	$ 4,001,515	$ 4,001,515	$ 1,794,711	$ 2,206,804	55%	
Fund: 223 - SOLID WASTE Total:		**$ 4,001,515**	**$ 4,001,515**	**$ 1,794,711**	**$ 2,206,804**	**55%**	
Fund: 224 - TORT							
	00 - NO DEPARTMENT	$ 286,000	$ 286,000	$ 282,208	$ 3,792	1%	Paid in full
Fund: 224 - TORT Total:		**$ 286,000**	**$ 286,000**	**$ 282,208**	**$ 3,792**	**1%**	
Fund: 227 - WEEDS							
	00 - NO DEPARTMENT	$ 210,360	$ 210,360	$ 120,372	$ 89,988	43%	
Fund: 227 - WEEDS Total:		**$ 210,360**	**$ 210,360**	**$ 120,372**	**$ 89,988**	**43%**	
Fund: 230 - PARKS & RECREATION							
	00 - NO DEPARTMENT	$ 22,450	$ 22,450	$ 100	$ 22,350	100%	
Fund: 230 - PARKS & RECREATION Total:		**$ 22,450**	**$ 22,450**	**$ 100**	**$ 22,350**	**100%**	
Fund: 233 - SPECIAL ROAD LEVY							
	00 - NO DEPARTMENT	$ 1,400,000	$ 1,532,500	$ 696,883	$ 835,617	55%	
Fund: 233 - SPECIAL ROAD LEVY Total:		**$ 1,400,000**	**$ 1,532,500**	**$ 696,883**	**$ 835,617**	**55%**	
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND							

	00 - NO DEPARTMENT	$ -	$ -	$ 67	$ (67)	0%	
Fund: 236 - PROSECUTOR'S SPECIAL DRUG FUND Total:		**$ -**	**$ -**	**$ 67**	**$ (67)**	**0%**	
Fund: 241 - BUILDING FUND							
	00 - NO DEPARTMENT	$ -	$ 378,022	$ -	$ 378,022	100%	For a capital project
Fund: 241 - BUILDING FUND Total:		**$ -**	**$ 378,022**	**$ -**	**$ 378,022**	**100%**	
Fund: 244 - EMERGENCY 911 COMM: 31-4809							
	00 - NO DEPARTMENT	$ 305,962	$ 305,962	$ 67,249	$ 238,713	78%	$125K for a capital project
Fund: 244 - EMERGENCY 911 COMM: 31-4809 Total:		**$ 305,962**	**$ 305,962**	**$ 67,249**	**$ 238,713**	**78%**	
Fund: 245 - EXTENSION & 4H PROGRAMS							
	41 - 4H	$ 15,900	$ 15,900	$ 3,389	$ 12,511	79%	Tend to spend in the Summer
	42 - EXTENSION	$ 11,600	$ 11,600	$ 6,348	$ 5,252	45%	Tend to spend in the Summer
Fund: 245 - EXTENSION & 4H PROGRAMS Total:		**$ 27,500**	**$ 27,500**	**$ 9,737**	**$ 17,763**	**65%**	
Fund: 251 - MOSQUITO ABATEMENT DISTRICT							
	00 - NO DEPARTMENT	$ 416,817	$ 416,817	$ 258,762	$ 158,055	38%	
Fund: 251 - MOSQUITO ABATEMENT DISTRICT Total:		**$ 416,817**	**$ 416,817**	**$ 258,762**	**$ 158,055**	**38%**	
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013							
	00 - NO DEPARTMENT	$ 21,500	$ 21,500	$ 561	$ 20,939	97%	$20K for Waterways Plan
Fund: 254 - VESSEL/WATERWAYS: IC 67-7013 Total:		**$ 21,500**	**$ 21,500**	**$ 561**	**$ 20,939**	**97%**	
Fund: 275 - HEALTH							
	00 - NO DEPARTMENT	$ 70,000	$ 70,000	$ 78,749	$ (8,749)	-12%	need to j/e $8,749 to 001-18-42280
Fund: 275 - HEALTH Total:		**$ 70,000**	**$ 70,000**	**$ 78,749**	**$ (8,749)**	**-12%**	
Fund: 276 - ARPA							
	00 - NO DEPARTMENT	$ -	$ -	$ 989,017	$ (989,017)	0%	Transferred to multiple funds for approved projects
Fund: 276 - ARPA Total:		**$ -**	**$ -**	**$ 989,017**	**$ (989,017)**	**0%**	
Fund: 282 - FAIRGROUNDS & FAIR							
	00 - NO DEPARTMENT	$ 292,091	$ 292,091	$ 135,184	$ 156,907	54%	
Fund: 282 - FAIRGROUNDS & FAIR Total:		**$ 292,091**	**$ 292,091**	**$ 135,184**	**$ 156,907**	**54%**	
Fund: 286 - GRANTS							
	09 - COURTHOUSE	$ -	$ -	$ 12,820	$ (12,820)	0%	
	11 - EMERGENCY MANAGEMENT	$ -	$ -	$ 6,000	$ (6,000)	0%	
	15 - ELECTIONS	$ 24,000	$ 24,000	$ 9,345	$ 14,655	61%	
	18 - GENERAL	$ 34,000	$ 34,000	$ 20,000	$ 14,000	41%	

	23 - GIS	$ 200,000	$ 200,000	$ -	$ 200,000	100%
	41 - 4H	$ 4,687	$ 4,687	$ 372	$ 4,315	92%
	77 - SALARIES	$ 117,683	$ 117,683	$ 96,640	$ 21,043	18%
	81 - ROAD & BRIDGE	$ -	$ -	$ 68,027	$ (68,027)	0%
	82 - FAIR	$ -	$ -	$ 8,846	$ (8,846)	0%
Fund: 286 - GRANTS Total:		**$ 380,370**	**$ 380,370**	**$ 222,050**	**$ 158,320**	**42%**
Fund: 290 - IMPACT FEES-REC FACILITIES						
	00 - NO DEPARTMENT	$ 200,000	$ 200,000	$ 171,978	$ 28,022	14%
Fund: 290 - IMPACT FEES-REC FACILITIES Total:		**$ 200,000**	**$ 200,000**	**$ 171,978**	**$ 28,022**	**14%**
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES						
	00 - NO DEPARTMENT	$ 570,000	$ 570,000	$ 319,817	$ 250,183	44%
Fund: 291 - IMPACT FEES-SHERIFF FACILITIES Total:		**$ 570,000**	**$ 570,000**	**$ 319,817**	**$ 250,183**	**44%**
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI						
	00 - NO DEPARTMENT	$ 180,000	$ 180,000	$ 61,525	$ 118,475	66%
Fund: 292 - IMPACT FEES-EMERG SRVCS FACILI Total:		**$ 180,000**	**$ 180,000**	**$ 61,525**	**$ 118,475**	**66%**
Fund: 293 - IMPACT FEES-CIRC FACILITIES						
	00 - NO DEPARTMENT	$ 750,000	$ 750,000	$ -	$ 750,000	100% Summer Road project
Fund: 293 - IMPACT FEES-CIRC FACILITIES Total:		**$ 750,000**	**$ 750,000**	**$ -**	**$ 750,000**	**100%**
Report Total:		**$ 23,209,332**	**$ 24,710,134**	**$ 15,713,425**	**$ 8,996,709**	**36%**

Budget Summary: All Funds Version Clerk 7/14/2025

FISCAL YEAR 2026

FUNDS RECEIVING GENERAL PROPERTY TAX REVENUE

Fund / Department	FY21 Actual	FY22 Actual	FY23 Actual	FY24 Budget	FY25 Budget	FY26 Budget	FY26 % chg from FY25	FY25 chg from FY24
001 - GENERAL								
01-Clerk / Auditor	232,176	257,340	324,457	347,432	358,455	359,931	*0%*	1,476
02-Assessor	388,276	403,677	426,151	436,679	461,961	472,803	*2%*	10,842
03-Treasurer	203,619	235,471	242,902	271,345	280,495	282,368	*1%*	1,873
04-Sheriff	1,776,947	1,702,598	1,932,943	2,210,687	2,262,087	2,380,714	*5%*	118,627
05-Commissioners	264,046	302,575	271,795	296,760	294,690	297,685	*1%*	2,995
06-Coroner	50,649	52,086	51,264	113,315	84,968	106,470	*25%*	21,502
07-Prosecuting Attorney	370,553	406,806	650,707	670,306	1,031,058	986,395	*-4%*	-44,663
08-Public Works Director	206,094	171,683	178,526	137,620	258,845	307,959	*19%*	49,114
09-Courthouse & Grounds	144,024	146,785	150,745	274,037	246,273	243,676	*-1%*	-2,597
11-Emergency Mgt	94,165	93,601	104,971	114,617	117,980	140,797	*19%*	22,817
13-Extension Office	89,897	89,170	114,025	152,276	171,109	167,667	*-2%*	-3,442
14-Information Technology	542,144	595,557	686,355	759,948	840,916	780,674	*-7%*	-60,242
15-Elections	53,369	72,670	50,014	84,034	87,862	87,825	*0%*	-37
17-Law Enforcement Center	67,393	68,828	72,281	55,550	69,300	316,300	*356%*	247,000
18-General	283,376	270,053	458,826	442,478	460,928	460,168	*0%*	-760
19-Dispatch	427,078	532,883	557,691	611,196	549,806	725,497	*32%*	175,691
20-Jail	141,407	143,350	136,293	167,828	155,196	267,496	*72%*	112,300
21-Planning	274,980	273,702	396,197	460,430	500,002	608,954	*22%*	108,952
22-Building	277,701	311,711	376,061	424,200	435,066	411,565	*-5%*	-23,501
23-GIS	119,690	177,102	252,152	146,137	149,195	143,044	*-4%*	-6,151
31- Annex					5,000	4,000	*-20%*	-1,000
32- Buxton Ave			286,100	215,200	21,600	47,975	*122%*	26,375
Total General Fund	**6,007,584**	**6,307,648**	**7,720,456**	**8,392,075**	**8,842,792**	**9,599,963**	***9%***	**757,171**
206-61 District Court	437,783	414,445	417,837	487,444	364,867	345,509	*-5%*	-19,358
206-62 Probation	306,413	320,926	422,321	428,327	534,479	450,019	*-16%*	-84,460
220 - Revaluation	152,400	181,900	191,474	191,474	197,474	232,000	*17%*	34,526
224 -Tort	155,421	177,388	198,200	236,000	286,000	298,963	*5%*	12,963
227 - Weeds	176,313	137,443	159,346	160,364	210,360	218,030	*4%*	7,670
230-Parks & Rec	3,000	11,000	3,000	72,860	22,450	15,000	*-33%*	-7,450
282-Fairgrounds & Fair	184,245	212,332	239,161	280,073	292,091	333,995	*14%*	41,904
Total Other Property Tax Fun	**1,415,575**	**1,455,434**	**1,631,339**	**1,856,542**	**1,907,721**	**1,893,516**	***-1%***	**-14,205**
Total General + Other Funds	**7,423,159**	**7,763,082**	**9,351,795**	**10,248,617**	**10,750,513**	**11,493,479**	***7%***	**742,966**

REVENUE PROJECTIONS		
	Estimated Non-Prop Tax Revenue per Tyler	Remaining Cash
Total General Fund	**$3,248,700**	**$812,650**
206-61 District Court	244,843	4,600
206-62 Probation		
220 - Revaluation		
224 -Tort		
227 - Weeds	11,750	60,000
230-Parks & Rec	15,000	
282-Fairgrounds & Fair	130,050	37,000
Total Other Property Tax Fun	**$401,643**	**$101,600**
Total General + Other Funds	**$3,650,343**	**$914,250**

TOTALS for Funds receiving general property tax revenue

Estimated Property Tax Collections	$6,909,701
Less 12.5% R & B tax to cities	$0
County Property Tax Available	$6,909,701
Total Projected Revenue	$11,474,294
Minus Budget Requests	$11,493,479
Over/Under	-$19,185

FUNDS WITH RESTRICTED REVENUE

FUND	FY21 Adopted Budget	FY22 Adopted Budget	FY23 Actual	FY24 Actual	FY25 Budget	FY26 Proposed Budget	FY26 % chg from FY25	REVENUE PROJECTIONS: Estimated Non-Prop Tax Revenue per Tyler	REVENUE PROJECTIONS: Estimated Taxes, Fees, Penalty & Interest collected during FY 2026	REVENUE PROJECTIONS: Remaining Cash
202-Road & Bridge	2,984,956	1,844,363	3,617,055	2,779,717	4,007,433	3,534,660	*-12%*	2,232,500		$1,302,160
15-Consolidated Elections	101,704	71,228	99,178	85,396	86,722	79,931	*-8%*	76,000		3,931
23-Solid Waste	2,331,114	1,724,610	2,487,863	3,954,919	4,001,515	4,441,398	*11%*	3,060,000	900,000	481,398
209 - Court Facilities				15,000	21,000	15,000	*-29%*	2,000		13,000
233 - Special Road Levy						1,237,660	*#DIV/0!*		1,237,660	
216 - Indigent				7,000	37,000	4,000	*-89%*			4,000
41-Building	10,000		0	0	0	378,000	*#DIV/0!*			378,000
44-E 911 Communications	97,797	129,308	127,066	108,865	305,962	259,061	*-15%*	140,000		119,061
45-Extension & 4H Programs	14,650	16,500	20,300	27,550	27,500	28,350	*3%*	11,500		16,850
54-Waterways/Vessel Fund	20,000	10,000	18,074	4,500	21,500	30,500	*42%*	8,000		22,500
62-Sheriff's Grants	0		0	0	0	0	*#DIV/0!*			
75 - Health	101,919	28,420	100,000	70,000	70,000	70,000	*0%*	70,000		
86-Grants Fund	1,214,751	405,005	280,000	51,299	380,370	0	*-100%*	0		
76 - ARPA		187,743	2,000,000	1,500,000	0	0	*#DIV/0!*			
90-93 Impact Fees	513,000	340,000	360,000	320,000	1,700,000	850,000	*-50%*	500,000		350,000
	7,389,891	**4,757,177**	**9,109,536**	**8,924,246**	**10,659,002**	**10,928,560**	***19%***	**$6,100,000**	**$2,137,660**	**$2,690,900**

Each fund with restricted revenue must be balanced individually.

GRAND TOTAL for all Funds	14,813,050	12,520,259	18,461,331	19,172,863	21,409,515	22,422,039	5%			

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Dan Reyes – County Manager
ITEM TITLE:	**Action Item – MOU with Madison County for Probation Services**

Summary:

This item is for the BoCC to consider an MOU with Madison County for Probation Services.

In April, Madison County began temporary supervision of Teton County's Probation Department providing management and training for the Misdemeanor and Juvenile Probation Offices. During the supervision, Madison County's Probation Director and four probation officers visited our offices regularly to provide input and model best practices.

In June, Madison County expressed satisfaction with the probation department and ended the direct in-person supervision. They are still available to answer questions, provide input and help Teton County as needed.

Madison County Probation Director Kirk Mace has stated that he will help whomever Teton County hires as the new Probation Director to ensure they quickly brought up to proficiency.

Sponsor's & Benefactors:

Madison County

Fiscal Impact:

$4,256.72

Attachments:

MOU

SUGGESTED MOTION:

Approve the FY25 agreement for Probation Services between Teton County and Madison County.

FY25 AGREEMENT FOR PROBATION SERVICES

This Agreement for Probation Services ("Agreement") is made and entered into between Teton County, Idaho, a political subdivision of the State of Idaho ("TETON") and Madison County, Idaho, a political subdivision of the State of Idaho ("MADISON"), and is effective on the date of the last signature to this Agreement. TETON and MADISON may be referred to herein as "Party" or "Parties" as context requires.

WHEREAS the Parties independently possess the duty and authority to administer adult supervised pretrial release programs, juvenile and adult diversion programs, and juvenile and adult misdemeanor probation services (together, "Probation Programs"); and

WHEREAS TETON is in need of temporary assistance in operating all its Probation Programs; and

WHEREAS MADISON is willing and able to assist TETON through its probation office on the terms and conditions documented in this Agreement; and

WHEREAS The Board of County Commissioners of TETON and the Board of County Commissioners of MADISON each possesses the authority pursuant to Idaho Code §§ 31-801, 31-813, 31-828, 31-878, 31-880, and 67-2328(b)-(d) to enter into this Agreement ;

NOW THEREFORE, for good and valuable consideration detailed below and hereby acknowledged as sufficient, the Parties agree as follows:

1. **Scope of work.**

(a) MADISON probation officers will administer all Probation Programs for TETON.

(b) MADISON agrees to perform the following work (the "Services) :

i. Case management of clients currently being supervised in the Director's caseload, including administering case management software, keeping information about defendants accurate and up to date, and preparing declarations of probation violations.

ii. In-person intake and check-in meetings/visits with clients to clarify pretrial or misdemeanor court order requirements. MADISON agrees to make a probation officer available in-person, depending on the needs of the caseload.

iii. Execute supervision contracts and other required documents in a timely manner.

iv. Refer clients to appropriate agencies for assistance/services as needed,

and monitor clients' participation in same.

v. Monitor and track defendants' compliance with conditions of release, including, without limitation, drug/alcohol testing, remaining within a designated geographic area, and refraining from contact with alleged victims or witnesses; and timely document and report clients' non-compliance with such conditions to the court and/or Prosecuting Attorney's Office.

vi. Appear in adult court to testify as necessary.

vii. Maintain all documentation generated, acquired or compiled in connection with Probation Programs in connection with procedure prescribed by TETON and the Teton County Magistrate and District Courts.

viii. Other tasks necessary to administer the Probation Programs as may be directed by TETON.

(c) In the performance of the Services, MADISON shall:

i. Maintain strict case confidentiality and follow all applicable laws, regulations, and contractual requirements concerning the acquisition and dissemination of juvenile corrections or criminal history information.

ii. Act with dignity, integrity, and a spirit of cooperation with TETON staff and the public.

(d) Unless otherwise specified or agreed, MADISON shall furnish at its own expense, the personnel, vehicles, materials, equipment, supplies and other resources necessary to perform the Services and direct the manner and means of the completion of the Services. TETON will furnish office space in the Teton County Law Enforcement Center for MADISON probation officers to conduct in-person intake and check-in meetings with clients and their parents or legal guardians. MADISON probation officers shall communicate with the Director regarding any other resources they need from TETON to effectively provide the Services.

(e) MADISON shall comply with all laws and regulations applicable to the performance of the Services. Except as expressly required by applicable laws and regulations, TETON shall not be responsible for monitoring MADISON and its employees' compliance with any applicable laws or regulations.

2. **Compensation.**

(a) *Fees*. TETON will compensate MADISON for performance of the Services at the hourly rate MADISON pays its probation officers performing the Services, including for travel time, plus reimbursement for travel at the federal mileage rate, which is 67 cents per mile as of January 1, 2024. MADISON will pass-through to TETON the costs of overtime (at 1.5x the employee's hourly rate) reasonably incurred by MADISON in providing the Services under the Agreement. The MADISON employees anticipated to assist with providing the Services and their hourly rates are set forth below:

Ben Mattson	~~$27.06~~ per hour 29.72
Greg Malstrom	~~$26.85~~ per hour 29.12
Moni Havelange	$29.88 per hour
Mike Jones	$28.28 per hour
Kirk Mace	$51.32 per hour

TJ Kirk

(b) *Weekly Expectations*. The hours required to perform the Services each week will fluctuate, but the Parties anticipate approximately 10-15 hours of Services provided to TETON weekly (approximately 40-60 hours a month) two to three days per week. The particular days of the week Services are to be performed shall be determined between the Parties on an ongoing basis, and depending on the court calendar.

(c) *Additional expenses*. Except as otherwise set forth in this Agreement or otherwise agreed to by the Parties in writing, MADISON is responsible for all costs and expenses incurred in connection with performing the Services and is not entitled to reimbursement of such costs and expenses.

(d) *Invoices & Payment*. MADISON shall provide an invoice to TETON within five business days of the end of each calendar month. The invoices must show the total number of hours and the applicable rate billed for the preceding month. TETON shall pay invoices within 30 days of receipt, unless other payment arrangements are approved in writing by both Parties.

3. **Term.**

Services shall commence on April 21, 2025 and continue for 30 days, and will auto-renew for successive 30 day periods until termination. The Parties further acknowledge due to time constraints and the need for legal review, this Agreement will be executed near the end of or after the initial 30-day Term as above defined has already passed. The Parties agree that the timing of execution of this Agreement does not create a cause of action for breach or damages for actions taken pursuant to it.

4. **Termination.**

(a) *Termination for convenience.* Either Party may terminate this Agreement, in whole or in part, at any time, with or without cause, by providing at least 14 calendar days' prior written notice to the other Party.

(b) *Mutual termination.* This Agreement may be terminated immediately by mutual agreement in writing by both parties.

5. **Assignment.**

Neither Party may assign any portion of their rights and obligations under this Agreement without the prior written consent of the other Party.

6. **No Indemnification.**

Each Party is responsible for the commissions, omissions, or negligence (collectively, "acts") of its own employees. Each Party assumes no liability for the acts of the other Party or the other Party's employees. Nothing in this Agreement shall extend the liability or tort responsibility of any Party beyond that imposed by law, including the Idaho Tort Claims Act, Idaho Code § 6-901, et seq., and Article 8, Sections 1 and 4 of the Idaho constitution. In the performance of this Agreement, each Party is responsible for damage caused by its own employees to the property of the other Party.

7. **Insurance.**

(a) *Commercial general liability.* While this Agreement is in effect, each Party shall, at its own expense, maintain and carry insurance in full force and effect with financially sound and reputable insurers. At the time of this Agreement, each Party represents that it is a member of the Idaho Counties Risk Management Program ("ICMRP") for its insurance. The ICRMP policy provides liability limits of $500,000 for claims brought pursuant to the Idaho Tort Claims Act (Idaho Code Title 6 Chapter 9) and $3,000,000 for all other covered claims. Each Party agrees that if it terminates its membership in ICRMP, it will obtain insurance that has liability coverages and limits substantially similar to that provided in the ICRMP policy.

(b) *Worker's compensation.* Each Party shall provide workers' compensation insurance covering its own employees.

8. **Independent contractor.**

(a) *Right of control.* TETON has no right to control or direct the details, manner, or means by which MADISON performs the Services, other than in those matters explicitly set forth in this Agreement. The Director may inspect the work of MADISON probation officers solely for the purpose of determining

whether the work is completed in accordance with the terms of this Agreement.

(b) *Relationship*. MADISON is a political subdivision of the state of Idaho and coequal with TETON. MADISON is not an employee, servant, agent, partner, or taking part in a joint venture with TETON.

(c) *Taxes*. TETON will not withhold income taxes (federal, state, or local) or payroll taxes on behalf of MADISON, its employees, agents or subcontractors. TETON shall provide MADISON with an IRS Form 1099-MISC on or before January 31 following any year in which MADISON has rendered Services to TETON. MADISON is liable for all federal, state, and local taxes, including Social Security taxes, for itself, its employees, and its subcontractors. TETON will not treat MADISON, its employees, or its subcontractors as employees of TETON with respect to the Services performed hereunder.

(d) *Benefits*. MADISON, its employees, and its subcontractors are not eligible for, and may not participate in, any of TETON's benefits of employment, including, but not limited to, vacation, medical insurance, life insurance, disability insurance, employee pension, health insurance, or any other fringe benefit. TETON is not responsible for making any insurance contributions, including for unemployment or disability, or obtaining workers' compensation insurance on behalf of MADISON, its employees, or its subcontractors.

8. **Non-waiver.**

Failure of either Party to exercise any of the rights under this Agreement, or breach thereof, shall not be deemed to be a waiver of such right or a waiver of any subsequent breach.

9. **Choice of law.**

Any dispute under this Agreement, or related to this Agreement, shall be decided in accordance with the laws of the State of Idaho.

10. **Choice of forum.**

No Party may commence any action, litigation, or proceeding against the other Party in any way arising from or relating to this Agreement (including but not limited to claims sounding in contract, equity, tort, fraud, or statutory claims), in any forum other than the courts of the State of Idaho sitting in Teton County, Idaho, and any appellate court from any thereof, or, if such court does not have subject-matter jurisdiction, the United States District Court for the District of Idaho. Each party irrevocably and unconditionally

submits to the exclusive jurisdiction of such courts and must bring any such action, litigation, or proceeding only in such courts. A final judgment in any such action, litigation, or proceeding is conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

11. **Waiver of jury trial.**

The parties hereby waive their respective rights to a jury trial of any claim or cause of action based upon or arising out of this Agreement (including but not limited to claims sounding in contract, tort, breach of fiduciary duty, and all other common law or statutory claims). The Parties represent that each has reviewed this waiver and each knowingly and voluntarily waives its jury trial rights. In the event of litigation, a copy of this Agreement may be filed as a written consent to a trial by the court.

12. **Entire Agreement.**

This Agreement is the entire agreement between the Parties, and is a complete and exclusive statement of the terms of the Agreement between the Parties with respect to its subject matter.

13. **Amendments**.

No amendment to this Agreement is effective unless it is in writing and signed by the Parties.

14. **Severability**.

If any provision of this Agreement is held to be unenforceable by a court of competent jurisdiction for any reason, (a) the validity, legality, and enforceability of the remaining provisions of this Agreement (including without limitation, all portions of any provisions containing any such unenforceable provision that are not themselves unenforceable) is not in any way to be affected or impaired thereby, and (b) to the fullest extent possible, the unenforceable provision is to be deemed modified and replaced by a provision that approximates the intent of the Parties and economic effect of the unenforceable provision.

15. **Attorney fees.**

Reasonable attorney fees shall be awarded to the prevailing party in any action arising from or relating to this Agreement.

16. **Survival**.

The terms of sections 5, 9, 10, 11, and 15 survive termination or expiration of this Agreement.

17. **Counterparts**.

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

[*Signature pages follow*]

TETON COUNTY

_____ _____

Brad Wolfe Date
Teton County Commissioner, Chair

_____ _____

Ron James Date
Teton County Commissioner

_____ _____

Michael Whitfield Date
Teton County Commissioner

ATTEST: KIM KEELEY, COUNTY CLERK

_____

DATED this __ day of _____, 2025.

MADISON COUNTY

Todd Smith
Madison County Commissioner, Chair

6-9-25
Date

Brent Mendenhall
Madison County Commissioner

6/9-2025
Date

Dustin Parkinson
Madison County Commissioner

6-9-25
Date

ATTEST: KIM MUIR, COUNTY CLERK

DATED this 9th day of June, 2025.

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Dan Reyes – County Manager
ITEM TITLE:	**Action Item – Historic Preservation Commission Applications**

Summary:

This item is for the BoCC to consider two applicants to the Historic Preservation Commission

Attachments:

Applications for the HPC

SUGGESTED MOTION:

Approve the appointment of James Winans to the Historic Preservation Commission, seat to expire September 30, 2028 and Chris Larson to the Historic Preservation Commission, seat to expire September 20, 2028.

Application for Board Appointment

Name of Board: COUNTY HISTORICAL COMMITTEE

Applicant's Name: JAMES WIMMER

Mailing Address: [redacted]

Residence Address: [redacted]

Daytime Phone: [redacted] Other Phone: _____

Fax: _____ Email: [redacted]

Emergency Contact Name [redacted] Emergency Contact Phone [redacted]

Occupation/Employer: BASIC AND APPLIED RESEARCH DIVISION - DEPUTY FOR OPERATIONS AT U.S. NAVY - NAVAL INFORMATION WARFARE SYSTEM COMMAND

Why do you want to serve on this Board?

TO: DEVELOP
: ANALYSIZE
: PROMOTE
> THE HISTORY OF TETON COUNTY, ITS PEOPLE, PLACES, AND ACTIVITIES, BEFORE THEY ARE LOST TO TIME.

Please describe your qualifications for serving on this Board:

B. A. - HISTORY
M. A. - HISTORY
M. A. - SCHOOL ADMINISTRATION
U.S. FOREST SERVICE - PUBLIC USE AND MINERALS CLAIMS INSPECTOR - CAL. REGION
25 YRS. RESIDENT OF TETON COUNTY, ID.
PAST PRESIDENT OF TETON BASIN MOUNTAIN BIKERS (2001-2004) AND REP TO TRAIL CREEK IRRIGATION.

Other Comments:

THE UNIQUE GEOGRAPHY, GEOLOGY, CLIMATE ALL INFLUENCE THE ACTIONS OF PEOPLE WHO MOVE ACROSS THE LAND. CERTAINLY THIS IS TRUE IN TETON VALLEY, AND MORE SO BEFORE IT DISAPPEARS IN DEVELOPMENT. ONE HAS ONLY TO LOOK AT LANDER AGENTS THAT PASSED OVER THESE FEATURES IN THE NAMES OF PROPERTIES NOW, OR RECENT YEARS TO SEE EVIDENCE OF WHAT

If you wish, you may attach additional information to this page

Your completed application should be returned to the Office of the County Commissioners

Conflict of Interest Disclosure Form **FY2025**

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the committee applicant's or member's other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict of Interest Form (updated annually) should indicate whether the applicant or member has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be conflicted with the interests of Teton County, Idaho. The applicant or member should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Idaho State Code Section 74, Chapter 4, Ethics in Government, and Teton County Idaho established regulations and ethics guidelines must be abided by. Individuals with a conflict of interest should disclose that conflict and refrain from deliberations or decisions related to the conflicting interests.

Date: 6/1/25 **Name:** JAMES W. WINDHAM

County Position: COUNTY HISTORICAL COMMISSION

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

✓ **I have no conflict of interest to report.**

____ **I have the following conflict (s) of interest to report:**

Please specify nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. AVINDUS WINES (NAPA, CA)
2. DEXTER FARMS, (TOULON, IL.)
3. WINDHAM FAMILY PROPERTY ADMIN (VERMONT (TEXAS)
4. DELOITTE - MANAGING DIRECTOR (N.Y.)
5. RETIRED - NON EMPLOYED AT PRESENT

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: James W. Windham **Date:** 6/1/25

Application for Board Appointment

Name of Board: Historic Preservation Commission

Applicants Name: Chris Larson

Mailing Address: [redacted]

Phone: [redacted]

Emergency Contact: [redacted]

Occupation/Employer: Software Developer, The Software Ranch LLC

Why do you want to server on the board?

I've been interested in history and historic preservation for a long time. Living in Park City and being surrounded by a vast amount of mining history and historic fabric really sparked this interest.

I'd like to participate in the identification and preservation of the historic artifacts and the general history of Teton Valley.

Please describe your qualifications for serving on this board:

Park City Historic District Commission, 1990-1994

Park City Planning Commission, 1994-2002

Teton Count Planning and Zoning, 2012-2020

Conflict of Interest Disclosure Form **FY2025**

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This Conflict of Interest Form (updated annually) should indicate whether the applicant or member has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be conflicted with the interests of Teton County, Idaho. The applicant or member should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Idaho State Code Section 74, Chapter 4, Ethics in Government, and Teton County Idaho established regulations and ethics guidelines must be abided by. Individuals with a conflict of interest should disclose that conflict and refrain from deliberations or decisions related to the conflicting interests.

Date: 6/24/25 **Name:** Chris Larson

County Position: Historic Preservation Comm

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

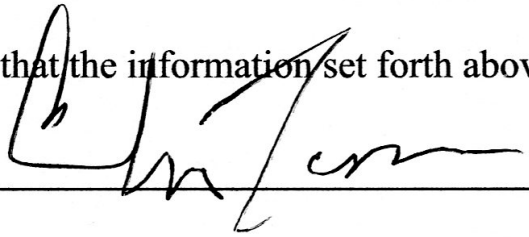
X **I have no conflict of interest to report.**

_____ **I have the following conflict (s) of interest to report:**

Please specify nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own:

1. Teton Valley Health Care Member
2. Principal, The Software Ranch LLC
3.
4.
5.

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature:  **Date:** 6/24/25

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Dan Reyes – County Manager
ITEM TITLE:	**Action Item – Supervision of River Ambassadors to go under Sheriff's Department**

Summary:

This item is for the BoCC to consider using a Sheriff's deputy to provide monitoring of the rive rather than river ambassadors.

Over the past two summers, Teton County has hired part-time seasonal employees as river ambassadors. These positions are responsible for helping manage the flow of traffic onto and off boat ramps and throughout the parking lot, to provide help to the public when needed, to report parking in the right of way or arguments to the Sheriff's department, to keep track of accidents or near-miss events, to meet with the Waterways and Recreation Advisory Committee about the state of the river, potential improvements to procedures and facilities, etc. During the last season, the ambassadors noted that without any enforcement capabilities, they were not as effective as they could have been.

The Board of County Commissioners would like to consider having a Sheriff's Deputy take on some or all of these responsibilities. The Deputy that is being considered for this position is the current School Resource officer who is currently paid at $35.86/hr, plus benefits ~ $47/hr. The County budgets $15,000 for river ambassadors which translates to about 319 hours or 7.97 weeks.

To give these funds to the Sheriff's department, they need to be used for river related activities.

Attachments:

Job Description for River Ambassador.

SUGGESTED MOTION:

Approve pay for up to 319 hours of the School Resource Officers time to patrol the river out of the Recreation fund.



Job Description:

River Ambassador
part-time / seasonal, mid-June to mid-September, 2025

FLSA Designation: Nonexempt (hourly, no benefits)

Pay Range: $20-23 hourly depending on experience

Contact:
Dan Reyes, County Administrator
Email: dreyes@tetoncountyidaho.gov
Office: 208-351-9244

Job Summary

This position will provide a visible official presence during the summer season at upper Teton River access points in the Teton Valley, near Driggs, Idaho. Ambassadors will educate visitors on river etiquette, safety and regulations contained in Teton County's Waterways Ordinance, while encouraging efficient parking and watercraft launch practices. They will also help the County understand issues and needs at the access sites. The Ambassador position is informative and educational only – seasonal employees will not be authorized to issue citations, but will have the backing of the Teton County Sheriff should they encounter serious illegal activities requiring law enforcement intervention.

Essential Functions

The River Ambassador performs a wide range of duties, including the following:

- Participate in miscellaneous training in early-to-mid June;
- Facilitate Teton County goals by creating river etiquette guidelines for the efficient operation of Teton River boat ramps and accesses;
- Actively engage recreationists about ethics and safety. Information to be conveyed includes: ramp etiquette for both commercial and private use, proper flow of traffic and parking, swimming limitations, private property restrictions along the river, appropriate fishing practices, appropriate wildlife viewing practices and information, and proper control of pets on the river;
- Floating one or more sections of the upper Teton River once per week to collect data on use and assess any issues or concerns about the reach. Watercraft will be donated by a commercial outfitter or provided by the County.
- Monitor and document volumes and types of specific uses, resource conditions, and

visitor feedback.
- Help maintain adequate trash collection and stocking of bathroom supplies by notifying County Public Works Department of capacity issues;
- Maintain access site signage by informing the County Public Works Department of issues;
- Assist recreationalists as needed, including required safety preparation information;
- Submit to the GIS Manager/Community Projects Coordinator receipts for transportation and/or shuttle expenses incurred by the end of every month to be reimbursed within two weeks;
- Communicate observations regularly to the GIS Manager/Community Projects Coordinator throughout the season. Prepare a brief report at the end of the season documenting accomplishments, observations, and any recommendations for the following year.

Requirements

Terms of Employment:

- Seasonal positions, up to 24-hours per week from mid-June through mid-September, 2025, including all weekends;
- Position is a non-exempt employee of Teton County (hourly, no benefits);
- Pay rate $20.00 to $23.00 / hour (greater experience and oversight of scheduling for up to four river ambassadors will warrant a higher pay rate)
- Employees will wear uniform shirts and caps when on-duty, identifying them as County personnel;
- Employee must provide their own vehicle to travel to and from river access sites; vehicle travel will be reimbursed for travel between river access sites at the standard IRS mileage rates (70 cents per mile in 2025).

Safety
Personal safety is the first priority. This position is aimed at promoting safe, responsible and efficient use of the river through educational means only, not through direct enforcement of regulations. Confrontations must be avoided. If a situation is chaotic, or perceived as dangerous to the ambassadors' well-being, they should contact the Teton County, Idaho Sheriff Department and, if necessary, leave the scene.

Acceptable Experience and Training

- Must be mature, friendly and self-motivated;
- Preferred (but not required): previous recreation management employment in an outdoor recreation setting;
- Preferred (but not required): Bachelor's Degree in Recreation or a similar degree; • Must have a valid driver's license and vehicle insurance with an acceptable driving record;
- Must have a basic first aid certification or be willing to acquire one prior to working in the field.

Licenses and Other Requirements

- Valid Driver's License;
- Good driving history;
- Red Cross Basic First Aid certificate (or equivalent), or the ability to obtain.

Working Conditions and Physical Efforts

- Sufficient stamina, with or without reasonable accommodation, which permits the employee to withstand working on foot for multiple consecutive hours in an outdoor setting, in sustained heat or potentially inclement weather.

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand verbal instructions and to communicate effectively on the telephone and in person;

- Sufficient visual acuity, with or without reasonable accommodation, which permits the employee to comprehend written work instructions, prepare and review documents, read maps, organize and maintain accurate files;

- Sufficient manual dexterity, with or without reasonable accommodation, which permits the employee to operate standard and job-related specialized equipment and personal watercraft on moving current.

- Sufficient personal mobility, flexibility, and balance, with or without reasonable accommodation, which permits the employee to lift or move objects that weigh up to 60 lbs. (such as watercraft);

- Jobs in this class require performing repetitive hand movement in gripping, fingering, hand/wrist/arm movements. Related job tasks may require walking, standing, climbing stairs, sitting, lifting, stooping, squatting, kneeling, bending, crouching, pushing, grasping, and reaching.

TITLE 14 - ORDINANCE # 2022-0509

TETON COUNTY WATERWAYS RECREATION ORDINANCE

TETON COUNTY, IDAHO
Amended June 10, 2024

AN ORDINANCE OF TETON COUNTY, IDAHO, TO BE ADMINISTERED AND ENFORCED BY THE TETON COUNTY SHERIFF'S OFFICE AND/OR DESIGNATED COUNTY EMPLOYEES, AND TO BE KNOWN AS **TETON COUNTY WATERWAYS RECREATION ORDINANCE,** WITH COVERAGE OF DESIGNATED PORTIONS OF THE TETON RIVER AND ITS TRIBUTARIES WITHIN THE COUNTY, ESTABLISHING REGULATIONS FOR RECREATIONAL USE OF SAID AREA IN ORDER TO PRESERVE THE ECOLOGICAL HEALTH OF THESE WATERWAYS, MAINTAIN A QUALITY RECREATIONAL EXPERIENCE, AND TO PROVIDE FOR THE ECONOMIC WELL-BEING, HEALTH, SAFETY AND GENERAL WELFARE OF CITIZENS OF THE COUNTY.

WHEREAS, the Teton County Board of Commissioners are granted general authority to enact the provisions of this chapter pursuant to the Idaho Constitution, Article XII, Section 2 and Idaho Code Section 31-714 and Section 31-807 giving counties authority to make and enforce ordinances for the protection of safety, health, and property within its limits in accordance with Idaho statute, and The Teton County Board of Commissioners is granted authority to regulate waterways pursuant to The Idaho Safe Boating Act, Idaho Code Title 67, Chapter 70 granting authority to political subdivisions to adopt ordinances with reference to the operation of vessels on any waterways within its territorial limits (Idaho Code Section 67-7031), and granting authority to appoint a waterways recreation advisory committee (Idaho Code Section 67-7012); and,

WHEREAS, the Teton County Board of Commissioners has determined, through citizen reports, workshops, surveys, and consultation with officials at the Idaho Department of Fish and Game, Friends of the Teton River, Teton Regional Land Trust, Henry's Fork Foundation, Idaho Outfitters and Guides Licensing Board, and Idaho Outfitters & Guides Association, that it is in the best interests of the residents of Teton County to institute these regulations; and,

WHEREAS, residents of Teton County desire to protect the area's natural environment, including the high-quality fresh waters of the Teton County waterways, recognizing that such outstanding natural attributes contribute to tourism, to the overall economic well-being, and to the quality of life enjoyed and appreciated by both residents and visitors alike; and,

WHEREAS, residents of Teton County value the peace and quiet associated with waterway experiences; and,

WHEREAS, the Teton River and its associated wetlands and tributaries support a diversity of wildlife and fish species that have made the Teton River Basin a documented area of critical ecological importance and a highly ranked conservation priority within the Greater Yellowstone Ecosystem (*See* R. Noss et al. 2002. A Multicriteria Assessment of the Irreplaceability and Vulnerability of Sites in the Greater Yellowstone Ecosystem; Conservation Biology 16:4; *and see* A Summary of Fish and Wildlife Resources in Teton County, Idaho, April 2022, Idaho Department of Fish and Game), an ecosystem of internationally recognized conservation importance; and

WHEREAS, the significant increase in river use and recreation has the potential to reduce the quality of the river-user experience, impact local landowners and guiding operations, and impose a danger to citizens who use the waterways, causes conflict between humans and wildlife; increased litter quantity; diminished quality of the natural environment including the general peace and quiet of the river; increased improper operation of vessels or floatation devices; diminished water quality; disturbed nearby landowners due to trespassers and loose pets that disturb or destroy land assets, domestic animals and/or agriculture; increased noise disturbance; jeopardized habitat stability; and diminished diverse fish and wildlife populations; and generally negatively impact an ecologically important and vulnerable ecosystem in ways that will be mitigated by the terms of this ordinance; and,

WHEREAS, the Teton County Board of Commissioners has thus determined that, in addition to State laws and regulations, the following Ordinance is necessary to promote and protect the economic well-being, health, safety and general welfare of Teton County residents, visitors to the area and the general public and to provide all users of the Teton County waterways with clearly articulated, local regulations, enabling a more compatible recreational experience which will result in a healthier ecosystem, and a safer, more pristine, pleasant and productive environment; and,

WHEREAS, the Ordinance will not regulate the use of lands within Teton County, nor regulate water rights or the use of water in the Teton River Basin; and

WHEREAS, the ordinance will not create excessive additional requirements for public facilities and services at public cost.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Teton County, Idaho that the following is enacted:

TITLE 14 - CHAPTER 1

TETON COUNTY WATERWAYS RECREATION ORDINANCE

14-1-1: TITLE
14-1-2: PURPOSE AND COVERAGE
14-1-3: AUTHORITY
14-1-4: DEFINITIONS
14-1-5: OPERATIONAL RULES, REGULATIONS AND BEHAVIORAL STANDARDS FOR ALL PUBLIC WATERWAYS IN TETON COUNTY
14-1-6: OPERATIONAL RULES, REGULATIONS AND BEHAVIORAL STANDARDS FOR THE UPPER TETON RIVER IN TETON COUNTY
14-1-7: APPOINTMENT OF TETON WATERWAYS RECREATION ADVISORY COMMITTEE
14-1-8: ENFORCEMENT
14-1-9: VIOLATIONS AND PENALTIES
14-1-10: EXCEPTIONS
14-1-11: SEVERABILITY

14-1-1: TITLE:

This chapter shall be known and may be cited as the **TETON COUNTY WATERWAYS RECREATION ORDINANCE.**

14-1-2: PURPOSE AND COVERAGE:

A. PURPOSE: The general purpose of the ordinance is to promote and protect the economic well-being, health, safety and general welfare of the public, to enhance waterway recreation uses and to protect public and private property and the natural environment of the waterways of Teton County. This Ordinance establishes rules for vessel and watercraft use and operation on waterways, as well as for overall river use, to accomplish the following:

1. To encourage a reasonably safe experience for all recreational users on Teton County waterways, including landowners abutting such waterways;

2. To protect the Teton County waterways against pollution from contaminants;

3. To protect the public and private property that abut Teton County waterways from erosion;

4. To conserve and enhance the habitat afforded by the waterways for avian, terrestrial and aquatic wildlife;

5. To assure continuance of Teton County's high quality of life that is closely associated with the waterways and its watershed;

6. To preserve recreational values associated with river use, especially the peace and quiet of river experiences;

7. To collaborate with, to the extent feasible all waterway-front property owners, watercraft users and owners, outfitters, guides, shuttle companies, commercial rental operations, recreationists, and other waterway recreation users in order to bring all users into voluntary compliance with this Ordinance;

8. To collaborate with, to the extent feasible, all state and federal agencies with authority over or programs affecting Teton County river recreation in order to meet the purposes of this Ordinance.

B. COVERAGE AND APPLICABILITY:

1. This Teton County Waterways Recreation Ordinance applies only to the following waterways:

a. A section of the upper Teton River, beginning one mile upstream of the White Bridge on County Road W 5750 S, as measured by the center of the stream channel, then continuing downstream to the downstream terminus of the Harrop's Bridge boat ramp,

immediately downstream of Idaho State Highway 33.

b. The lower section of Fox Creek, beginning from a point one mile upstream from its confluence with the Teton River, as measured by the center of the stream channel.

c. The lower section of Teton Creek, beginning from a point one mile upstream from its confluence with the Teton River, as measured by the center of the stream channel.

2. In addition to the provisions herein, the above-mentioned waterways in Teton County and other waterways in Teton County not covered by this Ordinance are subject to the provisions of the Idaho state boating laws as found in the Idaho Safe Boating Act, Idaho Code Title 67, Chapter 70, other applicable Idaho State Statutes and The Idaho Administrative Code, IDAPA 26.01.30

14-1-3: AUTHORITY:

The provisions of this chapter are enacted pursuant to the general authority granted to the Teton County Board of Commissioners by the Idaho Constitution, Article XII, Section 2 and Idaho Code Section 31-714 and Section 31-807 giving counties authority to make and enforce ordinances for the protection of safety, health, and property within its limits in accordance with Idaho statute.

The Teton County Board of Commissioners is granted authority to regulate waterways pursuant to The Idaho Safe Boating Act, Idaho Code Title 67, Chapter 70 and Idaho Administrative Code, IDAPA 26.01.30. Idaho Code Section 67-7031 grants authority to political subdivisions to adopt ordinances with reference to the operation of vessels on any waterways within its territorial limits. Idaho Code Section 67-7012 grants authority to appoint a waterways recreation advisory committee to serve at the pleasure of the Board of Commissioners. Idaho Code Section 67-7003 provides definitions for the Idaho Safe Boating Act. Idaho Code Section 18-6409 prohibits disturbing the peace. The Idaho Marine Sewage Disposal Act, Idaho Code Title 67, Chapter 75 prohibits discharge of sewage or other wastes into the waters with the state.

14-1-4: DEFINITIONS:

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

COMMERCIAL OPERATORS: Any individual, firm, partnership, corporation or other organization/entity or any combination thereof who provides recreation equipment to river users for primary use on the waterways of Teton County for a fee, as defined herein, or any individual, firm, partnership, corporation or other organization or any combination thereof who shuttles river users to and from the waterways of Teton County, as defined herein. Commercial Operators do not provide guided services on the river, and are distinct from Outfitters, as defined below. Commercial Operators are not regulated by the Idaho Outfitters and Guides Licensing Board.

DAY: From one hour before sunrise to one hour after sunset.

GUIDE: Any person who is employed by a licensed outfitter, as defined herein, to furnish personal services for the conduct of outdoor recreational activities directly related to the conduct of activities for which the employing outfitter is licensed, as defined by Idaho Code Section 36-2102.

GROUP: Two or more individuals who take part in recreational use of Waterways together.

NIGHT: From one hour after sunset until one hour before sunrise.

OUTFITTER: Any individual or entity as defined in Idaho Code Section 36-2102 (b) and (c), and governed by 36-2101 et. seq.. Outfitters provide guided services on the river are regulated by the Idaho Outfitters and Guides Licensing Board and are distinct from Commercial Operators, as defined above, who do not provide guided services.

OVERNIGHTING: Spending more than three (3) hours between sunset and sunrise in a vessel or on a watercraft within the waterways.

PATRONS OF SHUTTLE OR RENTAL OPERATIONS: Waterway users who rent recreation equipment and/or use the shuttle operations to recreate on waterways within Teton County.

POSTED AREA: An area of the waterways, marked with regulatory markers in order to regulate the actions of watercraft and persons.

PUBLIC WATERS: Any waterway, river, lake or other body of water within Teton County other than those which are entirely privately owned, regardless of navigability, and regardless of inclusion in the waterways as defined in this ordinance.

RESIDENT: A person who lives in Teton County permanently or at least six months per year.

SENSITIVE AREAS: Areas of land and/or water that contain natural features or ecological functions of such significance that protection is warranted.

SHERIFF'S OFFICE: The Teton County Sheriff's Office.

SHORELINE: The line of demarcation between water and land known as the Natural or Ordinary High Water Mark as established by the State of Idaho Department of Lands and as defined in IDAPA 20.03.04.010.14 (v. 9-13-90).

UNATTENDED VESSEL: A watercraft or vessel that is left without any human on board or in the immediate vicinity and is currently not being used.

TETON COUNTY BOARD OF COMMISSIONERS: The governing board of Teton County, Idaho.

VESSEL: Every description of motorized watercraft used or capable of being used as a means of transportation on water.

VOLUNTARY: Done, given or acting by one's own free will without consequences.

WATERCRAFT: Those devices used as a means of non-motorized floatation or transportation on water. This definition specifically includes, but is not limited to: inner tubes, paddle boards, kayaks, inflatable kayaks, rafts, drift boats, inflatable toys capable of creating buoyancy for a human being to remain above or at the surface of the water.

WATERWAYS: Any waterway specified in Section B, coverage and applicability. This includes the Teton River, a section of Fox Creek, and a section of Teton Creek. Waterway is physically defined as the area within the shoreline, as that term is defined in this ordinance.

TETON WATERWAYS RECREATION ADVISORY COMMITTEE: The Teton Waterways Recreation Advisory Committee, as appointed by the Teton County Board of Commissioners, will serve in an advisory capacity to the Teton County Board of County Commissioners, providing public perspective on recreation management policy implementation. The committee should include members representing a variety of river recreation stakeholders and appropriate government agencies, such as non-guided commercial river operations, guided fishing outfitters, recreational floaters, anglers, conservation advocates, river-related non-profit organizations, owners of river-adjacent properties, Teton County government and the Idaho Department of Fish and Game. The committee shall be formed, and may be disbanded, solely at the discretion of the Teton County Board of County Commissioners.

14-1-5: OPERATIONAL RULES, REGULATIONS AND BEHAVIORAL STANDARDS FOR ALL PUBLIC WATERWAYS IN TETON COUNTY:

A. PURPOSE: These rules, regulations and standards are in addition to and supplemental of those of other Teton County ordinances, as amended, the Idaho Safe Boating Act, other applicable State laws and the rules in the Idaho Administrative Code.

B. APPLICABILITY: These operational rules, regulations and standards apply to any user of waterways in Teton County including those designated as sensitive areas, except for law enforcement officials acting in their official capacity during an enforcement or emergency action:

1. BASIC OPERATIONAL STANDARD: It shall be unlawful for any person to operate or utilize any type of vessel or watercraft on Teton County waterways in such a manner as to endanger the health, safety, or welfare of any other individual. This prohibition against waterway use that endangers another does not preclude waterway users, including those operating a watercraft or vessel, from encountering the inherent risks of river recreation. It is recognized that such inherent risks cannot be eliminated, altered, or controlled.

2. OPERATION OF A VESSEL OF CERTAIN HORSEPOWER:

    a. It shall be unlawful to operate, or to allow someone to operate, a motor driven vessel at greater than ten (10) horsepower.

b. It shall be unlawful to operate, or to allow someone to operate, a motor driven vessel if the operator is a person under the age of twelve (12) years, unless the operator is under direct adult supervision.

3. LIVE ABOARD:

   a. It shall be illegal to use a vessel or watercraft to camp or live on or within Teton County waterways.

4. UNATTENDED VESSEL OR WATERCRAFT: It shall be illegal to leave a vessel or watercraft unattended for more than three (3) continuous hours on any Teton County waterway unless moored to a structure permitted by federal, state or local permitting authorities.

5. UNLAWFUL NOISE:

   a. No person, while on the waters defined in this Ordinance, shall disturb the peace of others as defined in Idaho Code Section 18-6409.

   b. Violation of this section shall be a misdemeanor, in accordance with Section 14-1-10 herein.

6. DUMPING IN WATERS OF Teton County:

   a. In addition to the statutory and regulatory laws and rules set out under the Idaho Marine Sewage Disposal Act, Idaho Code Title 67, Chapter 75, it is unlawful to discharge, deposit, dispose of, abandon, dump, spill, leak, pump, pour or emit any extraneous matter of any kind whatsoever into the public waters, on their banks, or in the surrounding vicinity of Teton County, including but not limited to sewage, garbage, refuse, docks, wood and fuel.

   b. Violation of this section shall constitute a misdemeanor, in accordance with Section 14-1-10 herein.

14-1-6: OPERATIONAL RULES, REGULATIONS AND BEHAVIORAL STANDARDS FOR THE UPPER TETON RIVER IN TETON COUNTY:

1. GROUP SIZE LIMITATIONS - ALL USERS

   a. In accordance with Section 14-1-3 herein, the Teton County Board of Commissioners are granted authority to adopt ordinances with reference to the operation of vessels on any waterways within its territorial limit to provide for the health, safety and general welfare of the public within its limits and thus implements mandatory group-size limits for groups utilizing the waterways.

   b. Groups larger than 15 individuals shall not utilize or recreate together on the waterways without a special use permit. Any groups larger than 15 must break into smaller groups of less than 15 individuals, launch at least fifteen (15) minutes apart, and remain independent and separated by a distance greater than line of sight and sound at all times throughout their use of the

waterways.

c. To allow for groups larger than 15 users, the group must obtain a Special or Temporary Use Permit from the Teton County Planning Office, as outlined in Section 14-1-10 herein.

d. Violation of this section shall constitute an infraction, in accordance with Section 14-1-10 herein.

2. PARKING PASSES

a. In accordance with Section 14-1-3 herein, the Teton County Board of Commissioners are granted authority to adopt ordinances with reference to the operation of vessels on any waterways within its territorial limit to provide for the health, safety and general welfare of the public within its limits, and if found necessary, will require mandatory parking passes or fees at river access sites.

3. LAWFUL PARKING:

a. Parking numbers will be managed with designated parking spots and limited parking availability. Parking will be limited to designated parking spots available at river access points. Vehicles shall not park on, beside, or along the county road within ½ mile of the following access sites:

i. Bates Bridge/Buxton River Park

ii. Rainey Bridge

iii. Cache Bridge (W 4000 N)

iv. Teton Creek (South Bates Rd)

v. Old Rightaway Rd

vi. Fox Creek East

vii. Fox Creek West

b. If vehicles are not parked in a designated parking spot, the owner of the vehicle may be subject to an infraction, in accordance with Section 14-1-10 herein.

4. PROTECTIONS FOR SENSITIVE AREAS:

a. Areas of particularly sensitive resources on the waterways may be identified through signage, education, and any other means deemed appropriate by Teton County personnel as may be designated by the Board of County Commissioners to sustain the health of the Teton River ecosystem.

b. Idaho Fish & Game, in accordance with Idaho Code 36-105(2), and IDAPA 13.01.03.100.01.f, has designated the waterways governed by this Ordinance (outside of the developed parking areas) as "sensitive areas," especially during spring and early summer when birds are nesting, deer and moose are

fawning and calving, and vegetation is becoming established. As such, specific protections designed to protect wildlife and the sensitive ecosystem are necessary for public health and welfare.

c. Dogs must be leashed or confined to watercraft or vessel at all reasonably feasible times while on the waterways. At any time when dogs are not leashed or confined to a watercraft or vessel, they must remain under strict, effective voice control. During designated hunting seasons, hunting dogs are not required to be leashed or confined to a watercraft or vessel, so long as they are under strict and effective voice control at all times. Dogs shall not be permitted to harass wildlife or disturb the peace at any time. This is not intended to prohibit or limit lawful hunting or trapping.

d. Dog owners shall remove all solid dog waste from the waterway and properly dispose of it upon exiting the waterway. Solid human waste shall not be left or dumped on, in, or along the waterways. All such waste shall be removed and properly disposed of by waterways users.

e. Waterway users shall refrain from harassing, disturbing, capturing, or threatening wildlife on, along, or in the waterways. This is not intended to prohibit or limit lawful hunting or trapping.

f. Waterway users shall refrain from the knowing or careless transport of invasive plant or animal species along, in, or around the waterways.

5. COMMERCIAL RIVER USE PERMITS:

a. All commercial operators, as defined in Section 14-1-4 herein, are required to have a Teton County commercial operator permit, in addition to permits required by Idaho Department of Fish & Game. The Teton County Board of Commissioners may annually evaluate the conditions and fees imposed upon such commercial operators pursuant to this ordinance.

b. Under the commercial operator permit system:

i. The total number of commercial operator permits to be issued to commercial operators, as defined in Section 14-1-4 herein, in Teton County is limited to 2.

ii. Commercial operators shuttling clients to the waterway are permitted to use only the following access sites for facilitating use of the waterway: Teton Creek/Nickerson Bridge, Bates Bridge/Buxton River Park, Rainey Bridge.

iii. Commercial operators shuttling clients from the waterway are permitted to use only the following access sites for the purposes of watercraft take-out: Bates Bridge/Buxton River Park, Rainey Bridge, Cache Bridge.

iv. Commercial operators may not shuttle clients to and from the

waterway using launch and take-out sites on private land.

v. Commercial operators with a commercial operator permit may facilitate (whether by rental of watercraft or by shuttle) no more than twelve (12) groups per day to be launched onto the waterways, subject to the further limitations herein and any terms of the commercial operator's permit. No more than six (6) launches per day will be permitted at the Buxton River Park/Bates Bridge launch point. Group size is limited to fifteen (15), as set forth in this ordinance. Commercial operators shall not transfer, sell, convey, trade, or otherwise allow another commercial operator to utilize any of their twelve (12) daily allotted launches.

vi. Commercial operators who shuttle waterway users to and from the waterway shall collect a per customer fee, in an amount determined by the County Commissioners, beginning May 1, 2022. Said fees shall be remitted to Teton County on an annual basis, to be applied toward Teton River recreation and resource management initiatives. Records of the number of customers per commercial operator upon which the fee is based shall be maintained by the commercial operator, and provided to Teton County at the time of remittance of the fees.

c. Each commercial operator shall provide educational materials or programs for patrons to learn about proper river etiquette, safety on the river, wildlife, the pristine nature of the river, and sensitive habitat.

d. The Teton County Board of County Commissioners may enact and enforce reasonable conditions upon commercial operators associated with the administration of commercial operator permits.

e. Any substantial or repeated violation of this ordinance or the terms of the permit by a commercial operator shall presumptively establish grounds for revocation of the commercial operator's permit. Records of permit infractions and/or ordinance violations may be maintained by a county designated department or employee for further enforcement of this ordinance.

f. A commercial operator may not transfer their permit to a qualified entity or individual, except upon express, written approval of the Teton County Commissioners, which approval shall not be unreasonably withheld. However, in no case shall one entity or individual, (or any entity substantially controlled by such individual or entity), hold more than one (1) commercial operator permit.

g. A commercial operator who utilizes less than thirty (30) days of its authorized use during the period from May 15 to October 1 each year, for a period of two (2) consecutive years, shall forfeit its permit.

h. A commercial operator's permit shall be valid for a period of three (3)

calendar years. At the expiration of the permit period, any entity, organization, or individual may apply for the permit. An existing commercial permit holder shall have a right of preference for renewal of such permit. The right of preference requires renewal of an existing permit unless the permittee (the existing commercial operator), has substantially or repeatedly violated this ordinance or any other laws, rules, or regulations during its operations. If the Board of County Commissioners, in its sole discretion, determines that such repeated or substantial violations have occurred, any preference for renewal is forfeit in addition to any fees or penalties that may be imposed herein, and the existing permit holder shall be required to apply for the permit along with any other interested party. The permit shall be awarded to the applicant deemed most qualified by the Board of County Commissioners, in its sole discretion.

14-1-7: APPOINTMENT OF TETON WATERWAYS RECREATION ADVISORY COMMITTEE

In accordance with Idaho Code Section 67-7012, The Board of County Commissioners is granted authority to appoint a waterways committee to serve at the pleasure of the commissioners. The Teton Waterways Recreation Advisory Committee will serve as Teton County's waterways committee and may advise the commissioners on both the implementation and necessary revision of the Teton County Waterways Ordinance. The committee shall be formed, modified, or disbanded at the sole discretion of the Board of County Commissioners.

14-1-8: ENFORCEMENT:

This chapter shall be enforced by the Teton County Sheriff's Office and/or designated County employees, agents, or personnel. Infractions may be issued by the Teton County Sheriff's Office or by those employees, agents, or personnel authorized by the Teton County Commissioners. All misdemeanor citations, however, shall be issued only by the Teton County Sheriff's Office.

14-1-9: VIOLATIONS AND PENALTIES:

A. It shall be unlawful to utilize the waterways in any manner contrary to the restrictions or prohibitions set forth in this section, and to any rules enacted pursuant to this section.

B. Unless otherwise specified herein or by the Idaho Code, a violation of any of the provisions of this Ordinance shall constitute an infraction and subject the violator to a fine not to exceed three hundred dollars ($300.00) (Idaho Code Section 18-111).

14-1-10: EXCEPTIONS:

Law enforcement, including applicable search and rescue divisions, while performing official training or rescue operations, is exempt from the prohibition on motors exceeding ten (10)

horsepower and the 15-person group size limit, as described in sections 14-1-5 and 14-1-6.

The Teton County Board of Commissioners retains the authority to issue special use or temporary permits in order to relax the requirements of this ordinance. The process to obtain such a permit is as follows:

A. Submit a request in writing using a standardized application form to be made available by Teton County Planning Office.

B. The request shall be submitted to the Teton County Planning Office no later than twenty-one (21) days in advance of the anticipated use date and shall be scheduled on the next available Teton County Board of Commissioners advisory committee agenda.

C. The Clerk shall place the request on the Teton County Board of Commissioners' agenda as an action item. The request shall be included in the agenda packet compiled by the Teton County Clerk.

D. Public comments can be made in writing and forwarded to the Teton County Clerk.

14-1-11: SEVERABILITY:

If any section, subsection, sentence, clause, phrase or portion of this chapter is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent provision and such holding shall not affect the validity of the remaining portions thereof.

NOW, THEREFORE, BE IT ORDAINED AND APPROVED by the Teton County Board of Commissioners, Teton County, Idaho this ____ day of _____, 2024.

CINDY RIEGEL, Chair

MICHAEL WHITFIELD, Commissioner

BOB HENEAGE, Commissioner

Attest:

KIM KEELEY

Teton County Clerk

Dated: 6/12/24



Compensation Administration Guidelines

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Compensation Administrative Guidelines

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Compensation Philosophy

The compensation philosophy serves as a formal declaration outlining an organization's stance on employee compensation. It not only explains the rationale behind pay practices but also establishes a framework that guides future decisions regarding compensation.

This overarching goal aims to attract, engage, and retain a skilled workforce dedicated to serving the community of Teton County. To achieve this, Teton County actively seeks talent from the local labor market and regularly assesses both internal and external employee data to ensure competitiveness.

The present document is crafted as a guide for ensuring competitiveness, appropriateness, integrity, and consistency in the implementation of our salary policy. Within these guidelines, we address various aspects, such as the process of revising the pay structure, managing employee progression within the salary range, and upholding a framework that is internally equitable, externally competitive, and fiscally responsible.

Nondiscrimination Statement and Compliance with State and Federal Pay Acts

Teton County is dedicated to upholding equal employment opportunity (EEO) principles for all individuals and adheres to the nondiscrimination provisions outlined in applicable laws. We deeply value diversity and actively seek to attract talented employees from a wide range of backgrounds. As part of our commitment, we strictly adhere to federal guidelines set forth by the Equal Employment Opportunity Commission (EEOC). It is imperative that we refrain from any form of intentional or unintentional discrimination in our compensation practices or employment procedures.

In line with these principles, salary decisions at Teton County must be made impartially, without any consideration of race, color, religion, sex, national origin, age, or disability. Furthermore, we extend our commitment to include protections against discrimination based on sexual orientation, gender expression, gender identity, military or veteran status, or any other legally protected status. This principle applies to all aspects of employment and compensation within Teton County.

Teton County shall comply with all state and Federal Pay Acts respecting the compensation of employees for services performed in the public service.

Definitions:

Pay Grade: The organization utilizes a structured system of pay grades, encompassing a defined range from a minimum to a maximum value. Each specific job is assigned to a corresponding pay grade that reflects a competitive level of compensation relative to the job's responsibilities, requiring similar knowledge, skills, and abilities. It is possible for multiple jobs to be categorized under a single pay grade.

To ensure fairness and mitigate issues of pay compression and inequities, it is essential that jobs within the same career pathway have appropriate grade differentiation. This approach facilitates a more accurate reflection of the varying levels of complexity, expertise, and contributions associated with each position. By maintaining sufficient grade separation, the organization strives to promote equitable compensation practices and minimize disparities in pay among employees.

Minimum Pay: The lowest point within the salary range of a pay grade represents the minimum compensation level that any employee within that grade can receive. It serves as a safeguard to ensure that no employee's pay falls below this designated threshold. Importantly, this point is set at a level that is fourteen percent below the market rate.

By establishing the minimum point at fourteen percent below the market rate, the organization aims to strike a balance between remaining competitive in attracting and retaining talent while also ensuring fiscal responsibility. This approach ensures that employees are compensated fairly and in alignment with market standards, while also taking into account the organization's overall financial considerations.

Midpoint: The midpoint serves as a benchmark within the pay range and reflects the market rate for a particular position. When assigning jobs to pay grades, careful consideration is given to ensure that the market rate aligns with the midpoint of the corresponding pay grade. This practice allows for a fair and accurate representation of the job's value in relation to external market conditions.

When an employee's base pay reaches the market point of their position's pay grade, further base pay increases should be approached with intention and in adherence to the pay regulations outlined in the document.

Maximum Pay Range:
The highest point within the salary range represents the maximum compensation level that any employee within that pay grade can receive. It serves as an upper limit to ensure that no employee's pay exceeds this predetermined threshold. When an employee reaches the maximum point, any further increases in their compensation will be provided as lump sum amounts rather than base pay increases until the range itself is adjusted.

This approach ensures that compensation remains within a defined range and helps maintain internal equity and consistency. By capping pay at the highest point of the salary range, the organization establishes a limit on individual employee salaries to promote fairness and avoid excessive wage disparities.

Hiring Range: The hiring range within each pay grade is a targeted area where Teton County aims to position the pay for new employees. This range is carefully designed to ensure competitiveness and alignment with the organization's overarching compensation philosophy. It encompasses the space between the minimum pay point and the midpoint.

By establishing the hiring range, Teton County seeks to attract and secure qualified candidates by offering a competitive salary package. The range is strategically set to provide flexibility in determining the starting compensation for new employees while taking into account market conditions and remaining consistent with the organization's compensation philosophy.

Compa-Ratio: The compa-ratio is a metric that assesses the relationship between an employee's actual salary and the midpoint of the corresponding salary range. This measurement provides valuable insight into an employee's position within their assigned pay grade.

By calculating the compa-ratio, organizations can determine whether an employee's salary falls below, matches, or exceeds the midpoint of the salary range. This information helps identify the employee's relative position within the pay grade and serves as a valuable tool for assessing compensation equity and competitiveness.

Full Time Regular Employee: Full-time regular employees are those individuals whose employment is ongoing and sustained, and who maintain a regular weekly schedule of at least 30 hours. As full-time regular employees, they are entitled to all employee benefits provided by Teton County, as defined in the current policies or any future changes approved by the Board of County Commissioners (The BoCC).

These benefits encompass the entirety of the employee benefits package offered by Teton County. Full-time regular employees may fall into two categories: "exempt" or "non-exempt" as defined by the provisions of the Fair Labor Standards Act (FLSA).

Part Time Regular Employee: Part-time regular employees are individuals whose employment is ongoing and sustained, and who maintain a regular weekly schedule of less than 30 hours. These employees are classified as part-time regular employees and may be eligible for retirement benefits through the Public Employee Retirement System of Idaho (PERSI). However, they are not eligible for other benefits provided to regular employees.

It is important to note that part-time regular employees hired by Teton County on or before December 31, 2008, will retain their existing benefits, and no changes will be made to their current benefits package.

In the event that a part-time regular employee transitions to a full-time regular employee, it is necessary to complete all benefit-related forms at least seven days prior to the date of the employee's first paycheck as a full-time employee. This ensures a smooth transition and timely enrollment in the full range of benefits available to full-time regular employees.

Temporary Employee

Employees who work on a temporary basis are categorized into two groups: short-term and long-term temporary employees.

Short-term temporary employees are individuals who work for a limited duration, typically less than six months, and maintain a weekly schedule of less than 30 hours. While they are eligible for benefits required by law, such as Workers' Compensation insurance and, if qualifying thresholds are met, retirement benefits through the Public Employee Retirement System of Idaho (PERSI), their eligibility for additional benefits will be determined by the BoCC.

On the other hand, long-term temporary employees are those who work more than 30 hours per week and are employed for a duration exceeding six months. These individuals are considered benefit-eligible and may have access to a broader range of benefits as determined by the BoCC.

It is important to note that all employees, including temporary employees, are entitled to benefits required by law, ensuring coverage for Workers' Compensation and potential eligibility for retirement benefits through PERSI.

The specific details of additional benefits, beyond those mandated by law, will be determined by the BoCC. This approach allows for flexibility in aligning benefits with the unique circumstances and requirements of temporary employment while ensuring compliance with applicable regulations and providing a fair and competitive compensation package.

Contract Workers

Contract workers are not covered by the county's salary plan or insurance plan.
In most cases, if the county provides office space, equipment and supervision, the worker is an employee and not a contractor. Managers are encouraged to consult with the County Clerk to be certain the county stays in compliance with the Federal Fair Labor Standards Act.

Seasonal Employee: Employees who are hired for a very limited duration to meet seasonal demand are classified as seasonal employees. These individuals will receive benefits as required by law, which includes coverage for Workers' Compensation insurance and, if they meet the qualifying thresholds, eligibility for retirement benefits through the Public Employee Retirement System of Idaho (PERSI).

The availability of additional benefits for seasonal employees will be determined by the BoCC. This means that the specific benefits beyond what is legally required will be evaluated and decided upon based on the unique circumstances and needs of seasonal employment. The Board will consider factors such as the nature of the work, duration of employment, and other relevant considerations to determine the benefits that will be provided to seasonal employees.

By allowing the BoCC to determine the additional benefits for seasonal employees, the County can ensure flexibility in aligning benefits with the specific demands of seasonal work while remaining compliant with applicable regulations. This approach allows for a fair and tailored compensation package for seasonal employees while considering the organization's resources and objectives.

Job Description: A job description is a concise overview of the essential functions of a particular job. It provides a comprehensive summary that includes the general nature of the work performed, a detailed listing of duties and responsibilities, and outlines the knowledge, skills, and abilities required to effectively perform the job.

The job description serves as a vital tool in clearly communicating the expectations and requirements of a specific role within an organization. It highlights the primary tasks and responsibilities associated with the job, allowing potential candidates or existing employees to gain a comprehensive understanding of what the role entails.

In addition to outlining the core duties and responsibilities, a well-crafted job description also specifies the knowledge, skills, and abilities necessary to perform the job successfully. This may include educational requirements, professional certifications, technical proficiencies, or other specific qualifications that are essential for the position.

ANNUAL COMPENSATION ADMINISTRATION

During the preparation of the new fiscal year budget, the BoCC should consider the following:

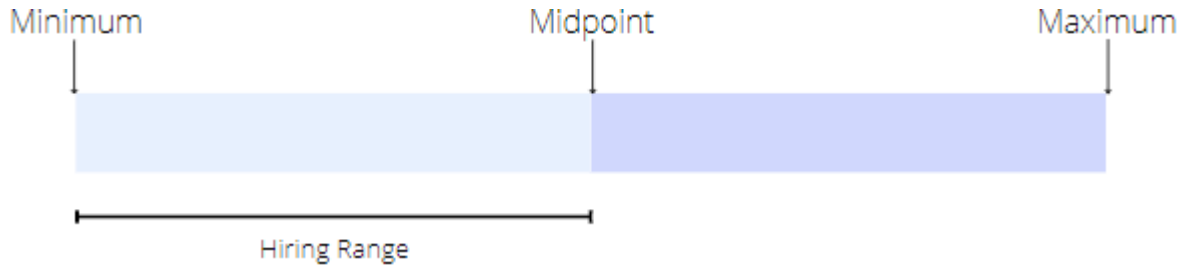
1) Budgeting for a Salary Structure Adjustment: A salary structure adjustment involves updating the points within the pay ranges, thereby shifting the entire pay structure's minimum, midpoint, and maximum rates. This adjustment is crucial to ensure that our compensation remains externally competitive in the evolving labor market. An analysis should be conducted to estimate the number of employees who will need to be brought up to the new minimums with the salary structure adjustment. *It is important to note that salary structure adjustments do not automatically provide an increase to all employees*. However, employees whose current salaries fall below the new minimum should receive an increase to bring them up to the new minimum.
2) Budgeting for an Annual Compensation Adjustment: An annual compensation adjustment should be allocated for all eligible full-time and part-time employees. This adjustment represents a base pay increase and can be determined based on individual performance or a flat across-the-board increase. If a performance-based increase is chosen, the specific increase amounts should be determined using a dynamic merit matrix that can be adjusted to fit within the allocated compensation adjustment budget.
3) Strategically plan for organization goals with Department Heads and Elected officials ensuring that resources and personnel needs are addressed, planned for and allocated.
4) Establishing a Budget Spot Awards: It is important to allocate a budget for spot awards. Spot awards can be allocated for special cases where employees have taken on specific extra duties throughout the year while still meeting their primary job responsibilities. The budget for merit adjustments and spot awards is typically maintained as a separate line item in the Commissioner's budget.

By considering these factors during the budget preparation process, the BoCC can ensure that the salary structure remains competitive, employees receive appropriate annual compensation adjustments, and exceptional performance is recognized and rewarded through spot awards.

Teton County can utilize a third-party consulting firm to run the required analysis and build compensation models to help establish these compensation administration budgets for the BoCC to review on an annual basis.

PAY RANGE STRUCTURE

The salary range is designed based on a traditional pay range consisting of a minimum, midpoint, and maximum pay points.



The pay range structure encompasses a series of salary guidelines that establish the minimum and maximum dollar values for employee compensation within Teton County. Each job is assigned to a specific pay grade, which is associated with predetermined pay points. The pay grade spans approximately 40% of the range, extending from the minimum value to the maximum value.

Within this structure, the market-point serves as a benchmark representing the average salary offered in the labor market for similar job positions. The labor market is defined as the competitive landscape where the county seeks qualified applicants and employees. It is important to note that the labor market may vary for different types of jobs. It encompasses the local area, both public and private employers, as well as counties of similar size and economic conditions within the regional area or the state of Idaho.

By referencing the market-point, Teton County ensures that its compensation remains competitive and aligned with prevailing market rates for comparable positions. This approach allows the county to attract and retain qualified talent by offering competitive salaries within the defined labor market. The consideration of local factors, economic conditions, and regional comparables helps to establish fair and competitive compensation levels that reflect the realities of the specific job market.

Setting New Hire Pay

The hiring range in Teton County serves as a designated range within which new employees are hired, providing a fair and equitable approach to establishing their initial compensation. This range spans from the minimum to the midpoint of the pay range and strikes a balance between ensuring competitive pay and fiscal responsibility.

During the determination of new hire pay, Teton County carefully evaluates various attributes of candidates, such as years of experience, education, and certifications, and compares them to others in similar positions. In certain circumstances, with proper justification and approval from the BoCC , an employee's starting pay may exceed the midpoint of the pay grade. Factors that may influence such a decision include recruiting challenges, retention concerns, exceptional qualifications, or extensive experience.

Elected officials receive a predetermined salary as established by the BoCC in the annual budget.

Salary Grade Assignment for New Jobs

The process for establishing new positions in Teton County follows a series of guidelines to ensure that the job's responsibilities and requirements are aligned with the county's needs and that proper compensation is assigned. Here is an overview of the steps involved:

1. Identification and Job Description: The supervisor or department manager identifies the business need for a new job and relates this need to the BoCC during the strategic planning and the budget preparation.

2. Review and Benchmarking: The County Clerk and County Manager review the job description, including the job summary, primary duties, and essential responsibilities. They compare this information to benchmark descriptions in market data. If market data is unavailable, the county can align the new job with similar jobs in terms of scope, responsibility level, and qualifications. For complex jobs, an external vendor should be utilized to benchmark the new job against external data.
3. Salary Grade Assignment: Using the benchmarking data, the County Clerk and County Manager identify the 50th percentile of the data provided and match it to the closest salary range midpoint in Teton County's salary structure. They also assess if any internal compression or inequities exist due to the selected grade and determine if an appropriate grade adjustment is necessary to address these issues.
4. Approval and Budget Allocation: The job description, assigned pay grade, and a summary of the departmental need are presented to the BoCC for approval. Once approved, funds for the position are allocated during the budget preparation for the following year. In rare cases, with the Commissioners' approval, funds may be allocated from the previous year's remaining balance, although it will impact the subsequent year's budget.

Outsourcing HR Function: If Teton County decides to outsource the human resource function, an external consulting firm can handle steps 1, 2 and 3. The firm will conduct an overall position analysis, recommend a grade for the newly created position, and provide a salary range for the position.

Pay Structure Adjustment

It is crucial for Teton County to regularly update its pay ranges to ensure market competitiveness. Annual pay range adjustments are necessary to attract, engage, and retain a qualified workforce by aligning the County's compensation with prevailing market rates. These adjustments, known as pay structure adjustments, specifically focus on realigning the pay ranges to reflect competitive levels.

It's important to note that pay structure adjustments differ from base salary adjustments, as they solely modify the range amounts rather than individual employee pay, unless an employee's compensation falls below the new range minimums.

The salary structure is a dynamic entity that requires regular revision to adapt to market conditions and maintain the County's competitive position. Ideally, these revisions should occur annually or every other year, based on market conditions. The objective is to ensure that the structure's market rates remain in line with current market data. To achieve this, Teton County should conduct a formal salary survey at least once every four years. This survey would be based on established benchmark positions and include analysis of comparable employers in the labor market. In years when a formal survey is not required, a smaller salary study can be conducted, focusing on specific positions of interest rather than a comprehensive review of all positions.

To determine the appropriate amount for the pay structure adjustment, Teton County can enlist the services of a third-party consulting firm. This firm would assess the market data and recommend the necessary adjustments. The final decision on the adjustment amount and the subsequent update to the pay structure rests with the BoCC, as part of the annual compensation budget review process. By involving external expertise and aligning with market conditions, Teton County can maintain a competitive compensation structure that attracts and retains highly qualified employees.

Position Change Types

Job duties and responsibilities and business needs change from time to time. Below are the types of job changes that are possible. Regardless of the type of position change, each situation must be submitted to the BoCC for review and approval.

It's important to note that the annual budget of Teton County sets the funding available for compensation in different departments. While promotions and changes in status may be recommended by officials in each department, the County Clerk reviews compensation changes within the context of the budget, and the final authority regarding promotions rests with the BoCC.

Reclassifications: Reclassification of a position may be necessary when there are significant changes in the duties and responsibilities that no longer align with the initial job description. Such changes can occur due to organizational shifts, work type modifications, scope adjustments, or technological advancements. For a reclassification to be considered, there should be a minimum of 20% change in the position's duties and responsibilities. In cases where the changes do not meet this threshold, a Pay Within Grade Adjustment should be evaluated to address any changes in the position.

Reclassification can lead to either upward or downward movement in the pay grade. It is important to note that a reclassification may result in a salary decrease for an employee, which is determined by the County Commissioners in collaboration with the relevant Elected Official. An employee whose position is reclassified to a higher level or grade may receive a salary adjustment, but it is not guaranteed. The salary adjustment for reclassification is limited to a maximum of 25% increase from the employee's current rate and must fall within the new pay grade assigned to the job. It is essential to consider internal equity, external market factors, and changes in job-related attributes when determining whether a reclassification warrants a compensation increase.

Position reclassification is not utilized solely for providing salary increases to existing employees when a vacancy occurs, nor should it be used as a means to avoid posting a vacant position. Furthermore, updates to vacant positions may necessitate reassigning the position to a different classification within the Teton County pay structure, reflecting any changes or adjustments required to accurately represent the position.

Position Reclassification Documents:

When submitting a request for classification review, the supervisor should provide the following additional information:

1) Reason/Circumstances for the Change in Position: This section should outline the factors that have necessitated the change in the position. It could include organizational restructuring, changes in departmental goals or priorities, evolving job requirements, or technological advancements that have impacted the position. Clearly explaining the reasons for the change will help the BoCC understand the context and importance of the reclassification.
2) Impact on the Department/Organization: The supervisor should highlight the implications of the position change on the department or organization as a whole. This could include discussing the effect on workflow, workload distribution, reporting relationships, team dynamics, or the overall functioning of the department. Providing a clear picture of how the reclassification will impact the broader context will aid in evaluating the request.
3) Comparison to Existing Positions: It may be helpful to compare the updated position to other existing positions within the department or organization. This can include highlighting similarities and differences in terms of responsibilities, required skills and qualifications,

level of authority or decision-making, and impact on organizational goals. This comparison will assist the BoCC in assessing the position's relative standing within the current structure.

4) Market Research/Industry Standards: If applicable, the supervisor can provide market research or industry standards that support the need for the reclassification. This can include salary surveys, job market analysis, or benchmarking data that demonstrate how similar positions in the market or industry are classified and compensated. This information will provide valuable context and justification for the requested change.

By including these additional details in the justification letter, the BoCC will have a comprehensive understanding of the circumstances surrounding the position change, enabling them to make an informed decision regarding the reclassification.

Promotions: In the process of evaluating promotions within Teton County, the following administrative review criteria are considered:

1. Pay Grade Difference: The pay grade difference between the employee's current position and the higher-level position is taken into account. This factor helps determine the appropriate adjustment in salary for the promotion. A greater disparity in pay grades may warrant a larger promotional increase.
2. Internal Equity of Department: The internal equity within the department is assessed to ensure fairness and consistency in compensation. This involves comparing the salaries of employees within the same department who perform similar roles and have similar qualifications and experience. The goal is to maintain equitable pay relationships among employees while considering the promotion.

When recommending adjusted salaries for promotions, the County Clerk, County Manager, and Department Head collaborate to assess internal equity and determine an appropriate promotional increase. The recommended adjustments are then presented to the BoCC for approval.

Promotions generally result in a minimum increase of 5% to the employee's salary. However, depending on factors such as the incumbent's current pay and internal equity considerations, an increase of up to 10% may be necessary.

Demotions: Demotions, whether voluntary or involuntary, are handled on a case-by-case basis by the County Clerk, County Manager, Department Head, and reviewed by the County's attorney. **Any change in position that is involuntary and results in a negative impact to pay or position MUST be reviewed by ICRMP, and a Waiver must be obtained before any action is taken.** A demotion involves moving an employee from their current job to a lower salary grade position. There are various situations that may lead to a demotion, including:

1. Employee Request: An employee may request a demotion due to personal reasons, an inability to perform their current job, or a preference for the type of work in a lower-graded position.
2. Poor Performance: If the County determines that an employee's performance in their current job is unsatisfactory, a demotion to a lower-level job where the employee can perform adequately or better may be considered.

The pay treatment for demotions follows a similar approach. Typically, salary adjustments resulting from a demotion will be made to the same placement within the new (lower) salary range. However, the following criteria are taken into consideration:

1. Reason for Demotion: The reason for the demotion is evaluated to understand the circumstances surrounding the employee's movement to a lower-level position.

2. Pay Grade Difference: The difference in pay grades between the employee's previous position and the new lower-level position is considered when determining the salary adjustment.
3. Internal Equity of Department: The internal equity within the department is assessed to ensure fairness and consistency in compensation. This involves considering the salaries of employees within the department who hold similar roles and have similar qualifications and experience.

The County Clerk or County Manager, Department Head, and the County's attorney review each demotion situation and make recommendations to the County Commission. The final decision regarding demotions and related pay adjustments lies with the County Commission, considering the aforementioned criteria and internal policies.

Lateral Transfer: Lateral transfers are positions that are in the same pay grade as the employees' current position and have similar positional scope and responsibilities. In rare instances an increase or decrease can be possible depending on if there are substantial changes in positions.

Compensation Adjustment Types

Compensation adjustments that do not involve changing an employee's job or pay grade are referred to as base pay adjustments or pay within grade changes. These adjustments are made to the employee's base salary without altering their position or the pay grade associated with it.

Any proposed compensation changes, including base pay adjustments, should be initially reviewed by the County Clerk and County Manager. This ensures that the adjustments comply with established policies, guidelines, and budgetary considerations. The County Clerk and County Manager play a crucial role in overseeing and managing employee compensation, ensuring consistency and fairness across the organization.

All Compensation Adjustments should be requested during the preparation of the budget for the following fiscal year.

By involving the County Clerk and County Manager in the review, Teton County can maintain transparency, adherence to policies, and appropriate compensation practices when implementing base pay adjustments. Ultimate authority resides with the BoCC.

Cost of Living Adjustment

A cost-of-living pay adjustment is an increase in income provided to employees to offset the impact of inflation and maintain their purchasing power. It is based on an estimation of the amount needed to sustain a certain standard of living, taking into account changes in the cost of goods and services. Cost-of-living pay adjustments are not guaranteed to be awarded every year and are typically reserved for periods of inflation or when deemed necessary by Teton County. The decision to grant a cost-of-living pay adjustment rests with the county and is influenced by factors such as the Consumer Price Index (CPI), which measures changes in the average prices of goods and services over time.

To determine the need for a cost-of-living pay adjustment and the appropriate amount, Teton County may engage the services of a third-party consulting firm. This helps ensure an objective analysis of economic indicators and inflationary trends. By considering external expertise, Teton County can make informed

decisions regarding cost-of-living adjustments that respond to prevailing economic conditions and maintain the financial well-being of its employees.

Non-Regular Pay Within Grade Adjustments

Non-Regular pay within grade adjustments refers to adjustments made to an employee's base pay that do not result in a change to the pay grade of their job. These adjustments are typically intended to recognize exceptional performance, increased responsibilities, or other factors that warrant a salary increase within the existing pay grade.

Non-Regular Pay Within Grade Adjustments should be requested during the preparation of the budget for the following fiscal year.

The process for initiating a Non-Regular Pay Within Grade Adjustment involves the following steps:

1. The supervisor or department head identifies the need for a pay adjustment and gathers all relevant information pertaining to the employee and the situation.
2. The supervisor or department head presents the information and request to the County Clerk and County Manager for review and initial approval.
3. The County Clerk and County Manager department reviews the request and, if deemed appropriate, forwards it to the BoCC for final approval.
4. The BoCC evaluates the request and makes a final decision on whether to approve the pay adjustment.

Below are the following types of Non-Regular Pay Within Grade Adjustments:

- **Performance Increase:** A performance increase refers to a change in an employee's compensation that is granted based on their outstanding performance and to recognize their achievements as a high performer. These increases serve as a way to reward employees for their exceptional contributions and motivate them to maintain high levels of performance.

  In the context of Teton County, performance increases should be verified against quarterly performance evaluations. These evaluations, conducted on a quarterly or semi-annual basis (determined by Elected Official), assess an employee's performance and provide a formal assessment of their accomplishments, skills, and areas for improvement. By aligning performance increases with these evaluations, Teton County can ensure that the recognition and compensation adjustments are tied to objective assessments of employee performance.

  Performance evaluations should also be utilized as a tool for professional development. Regular documented check-ins with staff should be used to formulate individual development goals, improvement goals, etc and can be considered by department heads when allocating training funds or when requesting funds during the budget cycle.

The specific process for granting performance increases may involve the following steps:

1. Performance Evaluation: Quarterly performance evaluations are conducted to assess employee performance against predetermined goals, job responsibilities, and performance standards.
2. Compensation Review: The County Clerk, County Manager, and Department Head review the assessment findings and determine the appropriate compensation adjustment based on the employee's performance. This review considers factors such as budget constraints, performance guidelines, and internal equity.
3. Approval Process: The recommendations for the performance increase are presented to the BoCC for final approval.
4. Implementation: Once approved, the performance increase is communicated to the employee, and the necessary adjustments are made to their compensation.

By tying performance increases to performance evaluations, Teton County can ensure that the recognition and compensation adjustments are based on objective assessments and promote a culture of continuous improvement and high performance. This approach also provides employees with clear performance expectations and a transparent process for advancement and recognition within the organization.

- **Market Adjustment:** A market adjustment refers to a compensation change made to a job or group of jobs in response to substantial changes in the external labor market. This type of adjustment is implemented to ensure that the organization remains competitive in attracting and retaining talented employees.

  In the context of Teton County, a market adjustment may be considered when the external market for certain positions experiences significant increases in compensation. The purpose of a market adjustment is to align the County's pay rates with the prevailing rates in the external market, thereby helping to retain employees within those specific jobs.

  The process for implementing a market adjustment may involve the following steps:
  1) Market Research: A third-party consulting firm conducts research and analysis to determine the current market rates for the specific positions in question. This research involves gathering salary data from relevant industry surveys, job market reports, and salary benchmarking studies. The BoCC may appoint a committee to oversee the Market Research.
  2) Comparison and Evaluation: The collected market data is compared to the County's existing pay rates for the affected positions. A thorough evaluation is conducted to assess the extent of the market disparity and the potential impact on employee retention.
  3) Recommendation and Proposal: Based on the market research and evaluation, a recommendation is made to the BoCC regarding the need for a market adjustment. The recommendation includes the proposed adjustments and the rationale behind them.
  4) Approval Process: The proposal for market adjustments is presented to the BoCC for review and approval. The BoCC assesses the financial implications and determines the feasibility of implementing the adjustments.

5) Implementation: Once approved, the market adjustments are applied to the affected positions' compensation structure. This typically involves increasing the pay rates for those jobs to bring them in line with the current market rates.
6) Communication: Employees affected by the market adjustments are notified of the changes to their compensation. The communication emphasizes the County's commitment to maintaining competitive pay and retaining valuable talent.

By conducting market adjustments, Teton County can respond to shifts in the external labor market and ensure that its compensation practices remain competitive. This proactive approach helps retain skilled employees, attract new talent, and maintain the organization's ability to deliver quality services.

- **Internal Equity Adjustment:**
An internal equity adjustment is a compensation change made to address internal pay disparities among employees within the same job title or job classification. Over time, various factors such as new hires, promotions, compression, or changes in market conditions can lead to inequities in compensation within the organization.

To correct these internal inequities, an internal equity analysis is conducted to assess and compare the relevant attributes of employees within a specific job title. The analysis takes into account factors such as years of experience, years of service, performance scores (if applicable), education level, certifications, and any other relevant qualifications or criteria.

The steps involved in conducting an internal equity adjustment may include:
1) Data Collection: Gathering comprehensive data on the relevant attributes of employees within the job title or job classification. This data may include information from performance evaluations, HR records, employee profiles, and other sources.
2) Attribute Assessment: Analyzing the collected data to evaluate the various attributes of each employee, such as years of experience, performance scores, and education level. This assessment helps identify any discrepancies or disparities in compensation among employees within the same job title.
3) Comparison and Evaluation: Comparing the attributes of employees and assessing the impact of any disparities on internal equity. This evaluation considers factors such as pay differentials, progression opportunities, and overall fairness within the job title or job classification.
4) Adjustment Recommendation: Based on the internal equity analysis, recommendations are made to address the identified disparities and bring about equitable compensation. This may involve proposing adjustments to the compensation of individual employees or implementing broader changes to the pay structure for the affected job title.
5) Approval and Implementation: Presenting the internal equity adjustment recommendations to the County Clerk, or County Manager, and/or oversight

committee for initial review followed by presenting the internal equity adjustment to the BoCC for final approval.

Regular monitoring and periodic internal equity analyses are essential to identify and address any emerging disparities and maintain a fair and equitable compensation structure within the organization. By conducting internal equity adjustments, Teton County can promote employee satisfaction, engagement, and retention, while fostering a sense of fairness and transparency in its compensation practices.

- **Expanded Responsibility Adjustment:** An expanded responsibility adjustment is a compensation change made to recognize and fairly compensate employees who have taken on additional responsibilities or duties that significantly impact their role but may not meet the threshold for a full reclassification. These adjustments are typically implemented when the changes do not alter the job description by 20% or more but still make a noticeable difference in the position.

  When an employee assumes expanded responsibilities, it is important to ensure that their compensation reflects the increased demands and contributions they are making. Here are the steps typically involved in implementing an expanded responsibility adjustment:

  1) Identification of Expanded Responsibilities: The supervisor or department head identifies the specific additional responsibilities or duties that the employee has taken on. These responsibilities should be significant enough to warrant a compensation adjustment but fall short of triggering a full reclassification.
  2) Assessment of Impact: The supervisor or department head assesses the impact of the expanded responsibilities on the employee's role and overall job performance. This evaluation considers factors such as the level of complexity, the degree of autonomy, the impact on decision-making, and the increased workload resulting from the additional responsibilities.
  3) Compensation Review: The County Clerk and Human Resources department review the employee's current compensation and compare it to the market value of similar positions or similar levels of responsibility within the organization. This review helps determine the appropriate adjustment to fairly compensate the employee for the expanded responsibilities.
  4) Adjustment Recommendation: Based on the assessment of the expanded responsibilities and the compensation review, a recommendation is made for an adjustment to the employee's compensation. The adjustment may be in the form of a percentage increase, a one-time bonus, or any other appropriate compensation change that reflects the additional value the employee brings to their role.
  5) Approval and Implementation: The recommendation for the expanded responsibility adjustment is presented to the County Clerk, Human Resources department, or the appropriate decision-making authority for review and approval. Once approved, the adjustment is implemented in accordance with the established processes and timelines.

It is important to conduct regular assessments and reviews to ensure that employees who have taken on expanded responsibilities are appropriately recognized and compensated. This helps maintain employee morale, motivation, and engagement, while also ensuring internal equity within the organization.

By implementing expanded responsibility adjustments, Teton County can acknowledge and reward employees for their increased contributions, encourage professional growth, and retain talented individuals who are willing to take on additional responsibilities within their roles.

Temporary Assignments and Position Premiums

Situations that call for other pay increases may occur for purposes of recognizing special assignments or premiums for a particular position. Other pay increases may be awarded as base pay increases or one-time lump-sum payments. All Temporary and Position Premiums require Board of County Commissioner Approval.

Temporary Assignments

In cases where an employee is temporarily assigned to take on the duties of a higher-grade position due to a vacancy or an authorized leave of absence lasting more than thirty (30) days, the following guidelines apply:

1. Temporary Assignment Increase: The employee taking on the temporary assignment may receive a five percent (5%) increase in their base pay as a temporary assignment allowance. This increase acknowledges the additional responsibilities and duties performed during the temporary assignment. However, the increase should not exceed fifteen percent (15%) of the employee's current base pay.
2. Temporary Reclassification for Long-Term Assignments: If the temporary assignment is expected to last for six (6) months or longer, the employee may be temporarily reclassified into the higher-grade position. In such cases, the employee will be awarded an increase in accordance with the pay guidelines associated with the higher-grade position.
3. Expiration of Acting Appointment: Once the vacant position is filled or the incumbent returns, the temporary assignment (acting appointment) comes to an end. At that point, the acting appointee will be returned to their original classification, pay grade, and pay held immediately before the temporary assignment. Any eligible pay adjustments during the temporary assignment period will be accounted for. The pay calculations for the return to the previous position will take effect on the date the employee resumes their original role.
4. Funding for Temporary Assignments: If the temporary assignment is the result of a vacant position, the funds allocated for that position will be utilized to support the temporary assignment pay increase.

It is important to follow these guidelines to ensure equitable compensation for employees taking on temporary assignments with increased responsibilities. By providing appropriate compensation and considering the duration and circumstances of the temporary assignment, Teton County can recognize and incentivize employees while maintaining a fair compensation structure.

Premium Pay Types

Premium pay refers to additional compensation provided to employees in recognition of specific circumstances or responsibilities beyond their normal duties. In Teton County, various forms of premium pay are offered to eligible employees, ensuring fair and equitable compensation practices. These premium pay types include:

- Night Differential: Employees working the night shift between 7 p.m. and 7 a.m. are eligible for a night shift differential of $2.00 per hour in addition to their regular base rate of pay. This differential compensates employees for the challenges and inconveniences associated with working during nighttime hours.
- Field Training Officer: Officers designated as Field Training Officers receive an additional 10% of their base pay per hour for their role. Budgeting for Field Training Officer positions is allocated from the Staff Training budget, which falls under the responsibility of the Sheriff's Office.
- K-9 Handlers: Employees responsible for handling the K-9 unit in Teton County receive an additional 7 hours of pay at their regular base rate each week. These additional hours do not count towards eligibility for overtime, acknowledging the extra responsibilities, skills, and knowledge required for this role.
- DUI/Grant Duties: Employees involved in DUI/Grant Duties receive time and a half for all hours worked related to these duties, regardless of their overtime eligibility status.
- Detective "On Call" Pay: Detectives designated as "On Call" during a pay period receive 4 hours of compensatory time.
- Interpreter Pay: Employees assigned as Interpreters in Teton County are eligible for additional compensation to recognize their specialized skills and responsibilities. The specific rates of additional pay depend on the employee's certification status and whether they are a court clerk.
    - Court Clerks assigned Court Clerk Interpreting duties and holding the required certification receive an additional $2 per hour on top of their regular base pay rate, reflecting the combination of court clerk responsibilities and interpreting skills.
    - Employees who are not court clerks but are willing and able to perform interpreting duties, have department head approval and meet the county's needs receive an additional $1 per hour on top of their regular base pay rate, acknowledging their contribution to providing interpreting services.

The determination of eligible positions and criteria for each type of premium pay is made by the BoCC. Employees should be informed of their eligibility, and appropriate guidelines and policies should be followed when implementing and administering premium pay.

When implementing premium pay in Teton County, the process involves:

Professional Development Plan: During quarterly performance evaluations, employees and supervisors discuss professional development goals and identify additional skills or qualifications needed for eligibility. A professional development plan is created to outline the necessary training or certifications for each type of premium pay.

Budget Process: The request for premium pay is included in the annual budget process. The department or division overseeing premium pay compiles necessary information, such as the number of eligible employees, anticipated costs, and justification for the pay

differential. This information informs the budget allocation for premium pay in the upcoming fiscal year.

Approval and Implementation: The budget proposal, including the request for premium pay, undergoes review by appropriate authorities, such as the County Clerk, Human Resources, and the BoCC. Based on the budget review and available resources, the BoCC makes a decision on implementing premium pay. If approved, the premium pay rates are communicated to eligible employees, and the additional compensation is provided according to established guidelines.

By integrating professional development planning into performance evaluations and including premium pay requests in the budget process, Teton County ensures a structured and transparent approach to implementing and administering premium pay. This approach aligns employee development goals with the county's needs and financial considerations, fostering professional growth and recognition for employees providing specialized services.

Recognition Methods

The purpose of an alternative reward program differs from other aspects of total compensation, such as salary and benefits. While salary is payment for the job and benefits protect the employee's well-being, recognition rewards or incentives are intended to engage, motivate, and reward employees for achieving desired outcomes. Unlike other forms of compensation, recognition rewards do not have to be expensive or create cost liabilities for the county. If monetary recognition is awarded, it is typically provided as a one-time payment or a gift card and is not added to the employee's base salary. It is highly recommended that Elected Officials and Department Heads utilize a combination of verbal recognition and spot awards to acknowledge and express gratitude for employees' ongoing contributions.

Teton County has established three types of recognition methods: spot awards and verbal recognition. While verbal recognition has no associated cost, spot awards should be budgeted for based on the availability of funds.

Spot Awards: The spot awards program is designed to recognize employees or groups of employees who have gone above and beyond their regular duties. It acknowledges one-time achievements rather than sustained performance over a specific period. A common form of spot award is an "on-the-spot" cash reward or a gift certificate from a local business, typically in denominations of $25, $50, or $100. Employees, or groups of employees, may receive more than one spot award per fiscal year, but the total value of all recognition awards should not exceed $100 per fiscal year. Monetary awards are included as part of the employee's regular payroll check and are subject to normal tax withholdings. It is recommended that a letter be provided to the employee outlining the reason for the spot award and the amount of the award. Spot awards must be requested by a Department Head or Elected Official and submitted for approval to the County Manager or the BoCC. A specific fund resides in the Commissioner’s budget for Spot Awards.

Verbal Recognition: Verbal recognition is a highly effective and fiscally responsible form of acknowledging employees' contributions. It fosters strong employee engagement and a sense of belonging, while also encouraging employees to replicate their exceptional efforts in the future. Research has shown that recognizing employees for their hard work and dedication motivates them to continue performing at a high level.

Longevity Award: Teton County values service longevity in the workplace and has established a series of one-time lump sum bonuses for employees who meet certain service intervals. The breakdown is as follows:

- 10 Years of Service- $300
- 15 Years of Service- $600
- 20 Years of Service- $900

These lump-sum bonuses are subject to taxes and are paid after each service interval is met.

Revised 2024_02_23

PAYROLL FORM

☐ NEW EMPLOYEE

☑ CHANGE EXISTING EMPLOYEE

REQUEST EFFECTIVE DATE: 1/1/25

EMPLOYEE NAME Kaden Moulton

TO BE COMPLETED BY SUPERVISOR

Start Date: 1/1/2025

Department: Sheriff's Office

Position: Emergency Communications Manager

Base hours per week: 40

Current Status x Full Time Part Time no benefits

REQUEST EFFECTIVE DATE: 1/1/2025

ALL NEW HIRES & PAY INCREASES MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS

Pay Rate: 33.7 Hourly

70,096.80 33.7 Salaried

Employee Pay Grade: 8

Pay Rate is 110% % of market rate

PAYROLL CHANGES CAN ONLY OCCUR AT THE BEGINNING OF A NEW PAY PERIOD

Budget Account # _____ FUND _____ DEPT _____ ACCOUNT

Change Rate of Pay:

☐ Merit Increase (attach Performance Evaluation)

☐ Promotion ☑ Other _____

From _____

To _____

_____

FALSE Termination (Must attach Employee Separation Report):

Last Day Worked: _____

Voluntary FALSE Discharged FALSE Laid Off FALSE

Comments:

TO BE COMPLETED BY EMPLOYEE

Mailing A

City, Stat

Physical

City, Stat

Email Ac

Telephor

Emerge

ER Con

TO BE

DATE O

INSURA

☐ W-4

FALSE I-9

FALSE Supporting ID for I-9

FALSE Direct Deposit

FALSE Personnel Manual Acknowledgement

FALSE PERSI Forms FALSE 118 for Law Enforcement

FALSE Seasonal Form

FALSE Report New Hire to ID Dept. of Labor

FALSE Add Benefit Sick Leave Hrs.

FALSE Notify I.T. FALSE Facilities FALSE R&B

FALS Contact AFLAC representative

FALS Contact NBS (Laura Woolston)

Accrual Activation Date for Benefited Employee _____

Entered by: _____ Date: _____

SIGNATURE

Submitted by: _____ 6/04/25 Date

Approved by the Board of County Commissioners: _____ 6/23/25 Date

Deliver this original form to the Payroll Department

AGENDA ACTION ITEM

DATE: 2025-07-14

TO: Board of County Commissioners

FROM: Dan Reyes – County Manager

ITEM TITLE: Action Item – Designation of Commissioner to 7th Judicial District Magistrate Commission

Summary:

This item is for the Board Chair to assign a fellow Commissioner to the 7th Judicial District Magistrate Commission

Attachments:

Letter to the 7th Judicial District Magistrate Commission

SUGGESTED MOTION:

Approve designating Commissioner Powers to the 7th Judicial District Magistrate Commission

(208)776-8254
bocc@tetoncountyidaho.gov

Teton County Commissioners

150 Courthouse Drive
Driggs Idaho 83422

July 14, 2025

7th Judicial District Magistrate Commission
605 N. Capital Ave,
Idaho Falls, ID 83402

RE: Appointment of a Designee by the Teton County Commission Chairman to the 7th Judicial Magistrate Commission to serve as a Magistrate Commission Member.

Dear Chairman,

Pursuant to Idaho Code §1-2203 *there is hereby established in each judicial district of the state of Idaho a district magistrates commission to be known as the "district magistrate commission of the judicial district,". The members of which shall consist of the chairman of the board of county commissioners of each county in the district or member of such board designated by the chairman,…*

As Chairman of the Teton County Commission, I hereby designate Teton County Commissioner District #2 Dan Powers as my replacement (designee) as a Magistrate Commission Member, specifically for the Bonneville County Magistrate Judge Selection process.

Sincerely,

Brad Wolfe

Chairman, Teton County Commission

AGENDA ACTION ITEM

DATE:	2025-07-14
TO:	Board of County Commissioners
FROM:	Dan Reyes – County Manager
ITEM TITLE:	**Action Item – Press Release re: Teton County FY26 budget**

Summary:

Commissioner Wolfe would like the BoCC to consider a press release explaining the challenges of this year's budget preparation for FY26 and the reason for some of the difficult decisions.

SUGGESTED MOTION:

Approve the writing and submission of a press release regarding the budget preparation.

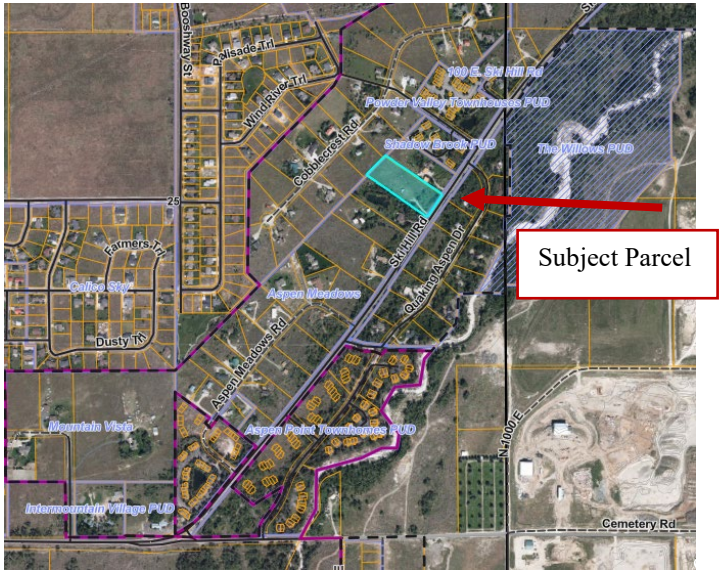
FINAL PLAT REVIEW SUBSTANTIAL PLAT AMMENDMENT HEARING

BY: Refugio Engineering
FOR: Jason, Robert and Nina Grimm
WHERE: 1138 Ski Hill Road, Driggs
REPORT PREPARED FOR: Board of County Commissioners Public Hearing July 14, 2025

REQUEST: Refugio Engineering, on behalf of their client, the Grimms, has submitted an application requesting the division of a 2.5 acre lot in Aspen Meadows Subdivision into two lots, one at 1.10 acres and the other at 1.33 acres. The property is currently accessed from a gravel driveway and proposes to utilize a shared driveway for the new lot. The project parcel is within the Scenic Corridor Overlay and Big Game Migration Corridor & Seasonal Range.

APPLICABLE COUNTY CODE: Teton County Code Title 7 Chapter 1- Driggs Area of City Impact Ordinance specifies, under A.3., Teton-County Subdivision Regulations apply, with exceptions to include City of Driggs Subdivision Design Standards (Title 1, Chapter 4), City of Driggs Subdivision Improvement Standards (Title 10, Chapter 5), and City of Driggs PUD Regulations (Title 10, Chapter6). Applicable County subdivision regulations are Title 9-7-1-B. Changes to Recorded Plats (revised 5/16/2013); City of Driggs Comprehensive Plan (dated January 19, 2010).

LEGAL DESCRIPTION: RP00030000200; LOT 20 ASPEN MEADOWS SEC 25 T5N R45E
LOCATION: 1138 Ski Hill Road
ZONING DISTRICT: ADR-1.0 – Driggs Impact Area 1.0-Acre Avg. Density Residential
Overlays: Scenic Corridor Overlay, Big Game Migration Corridor
PROPERTY SIZE: Total project acreage – 2.43 acres



PROJECT DESCRIPTION

The applicant is requesting a division of an existing lot in the Aspen Meadows Subdivision in order to create two lots from one current lot. The proposed lots are *Lot 20A and 20B.* See Draft Amended Final Plat in Exhibit C. The applicable zoning in place at this time is Driggs Area of Impact ADR-.5 (Average Density Residential). The properties are located within the City of Driggs Area of City Impact and zoning and subdivision requirements are subject to the Impact Area Agreement between the City of Driggs and Teton County, Idaho. That Agreement specifies that the applicable zoning ordinance is an older version of the City of Driggs zoning ordinance, and the relevant subdivision ordinance is the 'old' County subdivision ordinance with certain exceptions to include City improvement standards.

The zoning indicates that "Development shall be limited to one dwelling units for each one (.5) acre. This is not a minimum lot size requirement. The number of units permitted is determined by parcel size requirements. The number of units permitted is determined by parcel size divided by (.5) acre and rounding to the nearest whole number. Lot size may vary; provided, that the resulting development complies with all other requirements of this article" (City of Driggs Area of Impact, Title 9-6B-4.A.)."

The applicant provided a site plan and narrative with setbacks and proposed building locations, with the assumption that building permits would be processed under the old regulations. The applicant has updated the plat following preliminary plat review to accommodate for future buildings which could meet the standards of newly adopted zoning regulations. The County Subdivision ordinance categorizes the proposal as a "Substantial Change – Increase Scale, Impact," which includes "An increase in the number of lots." (Title 9-7-1-B-2-a).

PROJECT BACKGROUND

Aspen Meadows Subdivision was originally platted in 1977 as 21 lots ranging in size from 2-3 acres (instrument no 79600). Multiple amendments have occurred over the years, notably 9 lot splits, and 3 of the original lots being replatted for 48 townhomes.

Some lots in Aspen Meadows Subdivision are served by City water and some have individual wells. The lot was zoned .5 ADR (average density residential) at the time of application. The AOI for the City of Driggs was effectively changed by ordinance a day after the application submitted.

Aspen Meadows does not have an HOA nor any CCRs.

A Joint City-County Planning & Zoning Commission previously considered the proposal under a previous application (PA21-3). During a public hearing on March 11, 2025, they discussed setbacks and ADUs.
Ms. Jade Krueger, Planning Administrator for the City of Driggs, reviewed the application to split Lot 20 into two lots in the ADR-0.5 zone district. The lot is in Aspen Meadows accessed from Ski Hill Road.
Mr. Nick Mestre with Refugio Civil Engineering, representing the applicant, commented on the intent to split the lot in order to provide a house for their grown children. He noted the nine other lots in Aspen Meadows that have been split since the subdivision was platted, and felt it would be no different. Regarding setbacks, he brought up the old setbacks that were in place before the AOI zoning was adopted and stated the applicant wanted to maintain those rather than comply with the new zoning setbacks.

The planning and Zoning Commission reviewed and recommended approval of the final plat with the conditions outlined in the staff report with the following motion:
Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-2(C-8) can be satisfied, I move to recommend APPROVAL of the Amended Final Plat for Lot 20 of Aspen Meadows Subdivision as described in the application materials submitted on December 17, 2024 with the conditions listed in the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

1. Applicant to submit drafted deeds for the proposed new parcel.

2. The building envelopes be adjusted to not conflict with regulations at the time of building permit.
3. CCRs be updated to reflect building envelopes and setback and include general land use recommendations from Appendix 3 of the NRA.

CRITERIA FOR APPROVAL

Applications to vacate or make changes to recorded rights of way, easements, recorded plats, or master plans shall be reviewed using the following Criteria for approval:

i. The Master Plan and plat for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the current county regulations. (or applicable regulations as specified in the impact area agreement).

ii. Any proposed changes to a recorded plat or master plan that increase direct or indirect impacts may require additional mitigation pursuant to the criteria and standards of county regulations.

REVIEW

- **ROADS & UTILITIES:** No additional public roads are proposed. The two proposed lots will have access via an easement from Ski Hill Road. City of Driggs Public Works confirmed that the lot does not have access to an existing sewer line. The County Public Works had the following comment dated February 27, 2025:
  25' Driveway Easement shown is assumed to be a shared access/driveway. For clarity, it is recommended that the easement be labeled as a "shared access easement". A second access on Ski Hill Road will not be permitted.
- **FIRE PROTECTION**: Fire Marshal reported that there are no concerns approved the lot split for access.
- **WASTEWATER TREATMENT:** Eastern Idaho Public Health found that this property is suitable for sub-surface waste disposal to serve residences created by a split. The review letter (dated December 3, 2024) indicated the applicant should confirm with the city about city sewer lines given the proximity.

Public works had the following comment:

Nick,

I reviewed the location of Lot 20 and the subject lot does not have access to an existing sewer main. The closest available access (through utility easements or public ROW) is more than 1000 feet away.



JAY T. MAZALEWSKI, PE

- **PLANS & STUDIES:** The subject parcel is within the Big Game Migration Corridor and Seasonal Range. This triggered the need for an NRA, which has been submitted by the applicant. The NRA study resulted in an area recommended

During a public hearing on March 11, 2025, the BoCC reviewed the Preliminary Plat and made the following motion:
ACTION ITEM - 1:10 PM - PUBLIC HEARING: Grimm Lot 20 Aspen Meadows - Significant Plat Amendment
Mr. Chase presented the staff report for the Grimm Lot 20 Aspen Meadows significant plat amendment.
Nick Maestri, representing the applicant, believed that this lot split should be reviewed under old title 9 and therefore it should have 10' setbacks.
Public comment was opened at 2:15 PM. No one present wished to speak.
Public comment was closed at 2:16 PM.
Board deliberation. Mr. Chase stated that a plat supersedes current zoning if it lists specific setbacks. Current zoning would require a 30' side yard setback and the old zoning allowing the land division has already been replaced.
MOVER: Brad Wolfe
SECONDER: Dan Powers
Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) can be satisfied, I move to RECOMMEND APPROVAL of the Amended Preliminary Plat for Lot 20 of Aspen Meadows Subdivision as described in the application materials submitted on December 17, 2024 with the following conditions:
1. Applicant to submit drafted deeds for the proposed new parcel.
2. The building envelopes be adjusted to not conflict with regulations at the time of building permit.
3. CCRs be updated to reflect building envelopes and setback and include general land use recommendations from Appendix 3 of the NRA.
AYES (3): Brad Wolfe, Ron James, and Dan Powers
Adopted (3 to 0)

The applicants have revised the plat including the acreages and layout to meet the requirements of newly adopted zoning and have removed specific references to uses on the final plat. The plat maintains the area closest to ski hill road where wildlife habitat values were identified.

CONSIDERATION OF APPROVAL FOR FINAL PLAT:
The Commissioners shall only recommend approval if it finds that all of the following criteria (9-3-2(D)) have been met (or if it finds that some of the criteria have not been met, may recommend approval with conditions that would ensure that the proposed development meets the criteria):

a. **The application is consistent with the Comprehensive Plan.**
The subject properties are located within the Comp Plan Future Land Use area designation of ER_c (Estate Residential, 1 or fewer units per acre) and further described as:

This recommended land use category contains properties that are already developed under individual wells and septic systems, as well as properties in sensitive areas such as floodplains and wetlands and along the outer edges of the planning area where city water and sewer facilities may not reach within the 15 year outlook of this plan.

This area includes all land between Teton Creek and Ski Hill road, northeast of the Aspen Pointe development. Most of this area is within the Teton Creek floodplain and therefore considered unsuitable for dense

development. Where developments are proposed, utilization of areas outside of the floodplain should be required.

The application appears to generally conform with the density recommendation in the Comprehensive Plan, where the proposed amendment resulting in two lots of .79 acres and 1.76 acres. If each lot were allowed ADUs, the density would be higher than the desired amount of 1 or few units per acre.

b. **The application complies with all applicable County (And City of Driggs) regulations.**
This application appears to comply with applicable County regulations. Specifically, the proposal meets the density of the existing zone (ADR-.5). Any building permits that would be submitted would be subject to current regulations, which would indicate standard county setbacks for this zone of 30' for side and front and 40' for the rear. In this instance, Staff would suggest the building envelopes be adjusted to not conflict with regulations at the time of building permit. The plat was revised to address this issue.

c. **If the application is for a PUD, it complies with any regulations applicable to PUDs under Chapter 5 of Title 9, including without limitation regulations controlling the types and locations of open space to be included in the development and the required design and size of development clusters. If the application is for a Planned Community PUD, the application adequately mitigates any impacts identified in those additional studies required by Section 9-3-2(C).**
This application is not for a PUD.

d. **The application includes trails and pathways as required by Section 9-4-2(B-4) to the maximum extent feasible.**
This project is not proposing any trails. No new trails are indicated for these lots in the relevant transportation plans.

e. **The application is consistent with the results of any Nutrient-Pathogen Study required for the property and includes any conditions or changes required to avoid any potential degradation of surface or groundwater identified in that study.**
A Nutrient Pathogen Evaluation Study does not appear to be required for this application.

f. **The application is consistent with the recommendations of any report on the adequacy of the proposed sewage system for the development and includes any recommended mitigation measures identified in that report.**
A permit for the further subdivision of the lot was required through EIPH. A review dated December 3, 2024 indicated the owner should confirm with the City of Driggs about city system connection. The Public Works Director confirmed the distance for an available connection was over 1000 feet away.

g. **The application is consistent with any Traffic Impact Study required for the property and will not result in a decrease in the level of service (for example, from level of service B to C) on any State Highway or a maintained county road and includes any mitigation measures recommended in the Traffic Impact Study.**
A Traffic Impact Study is not required for this application.

h. **If the application is for land that is not adjacent to a state highway or a maintained county road, the applicant will bear the costs of constructing roads to connect the proposed development to at least one state highway or a maintained county road, and adequate for anticipated traffic and will be constructed to County Road Standards.**

The proposed additional lot created through this plat amendment application would utilize a 25' shared driveway easement to access Ski Hill Road.

i. **If a Natural Resources Analysis is required, the proposed development will avoid all mapped Overlay Areas (except the AV Airport Vicinity Overlay Area), or will minimize any unavoidable impacts to the mapped Overlay Areas to the maximum extent feasible and mitigate any unavoidable impacts. In the case of land located in the WH Overlay Area, the duty to avoid or mitigate impacts on habitat areas shall only apply if the wildlife habitat assessment reveals evidence of an indicator species or the presence of indicator habitat, and shall only apply to portions of the parcel where the evidence or habitat is found.**

The subject parcel is within the Big Game Migration Corridor and Seasonal Range and Scenic Corridor, both of which are considered Natural Resources Overlays. A natural resource analysis was completed and indicated that development of the parcels will have both direct impacts via habitat loss and indirect impacts via increased human and domestic pet increase.

Because of the scale of development, the project is likely to have minimal adverse impacts on indicator species. The eastern portion of the project area was noted as quality habitat to ungulates.

The mitigation and land management plan states the following:

MITIGATION AND LAND MANAGEMENT PLAN

Per guidance provided in Title 9, avoidance and minimization of impacts to indicator species and indicator habitat is the preferred approach to mitigate adverse impacts to these species. Efforts were made by the applicant to avoid impacts to indicator species and indicator habitat. Based on the current site plan, impacts to indicator habitat have successfully been avoided. Impacts to mule deer and to a lesser extent elk are, however, unavoidable. The applicant has proposed noxious weed management and a prohibition of perimeter fencing around the proposed parcels to assist in mitigating project-related impacts to indicator species. Although the parcels will be developed, the prohibition of perimeter fencing will allow for continued big game (likely limited to deer) movement through the property. Future land management activities will be carried out on an as-needed basis and will be performed in a manner that minimizes negative impacts to indicator species and habitat and avoids harm to natural resources.

SUMMARY AND CONCLUSION

The proposed Grimm Lot Split will result in the creation of two lots within the 2.54-acre project area. In addition to the two parcels, development plans provided by Refugio Engineering include construction of an access road and establishment of building envelopes for a main residence and a barn/ADU on each parcel. Other than the access road, no physical development is currently proposed. This NRA report, including the Wildlife Habitat Assessment, has been prepared because the project area falls within the mapped WH Overlay for big game seasonal range and migration corridors. All proposed development will occur in the fallow agricultural meadow/disturbed grassland habitat, which along with the disturbed area is the least valuable habitat in the project area. Future development in the proposed building envelopes is expected to have negligible adverse long-term impacts on big game indicator species (i.e., mule deer and elk). The site plan pushes all development to the northwestern portion of the project area, which also maximizes the scenic corridor buffer between proposed development and Ski Hill Road.

BoCC should determine if the proposal and building envelopes meet 9-3-2(C-2-c-WH) and if the mitigation measures presented are appropriate. Proposed Building envelopes solely in the western portion of the property were arranged in order to restrict development in the southeast cottonwood forest and mountain shrubland areas fronting Ski Hill Road, which serve as the highest quality wildlife habitat, according to the NRA report.

iv. Impact Analysis and Mitigation Plan: The application shall include an Impact Analysis and Mitigation Plan prepared by a qualified professional based on the Natural Resources Analysis and Wildlife Habitat Assessment required above. The Impact Analysis and Mitigation Plan shall:

(a) Identify and analyze the type, duration, and intensity of direct and indirect impacts to indicator species and indicator habitat reasonably expected to result from the proposed subdivision (inclusive of infrastructure layout, proposed recreational uses, anticipated human presence, anticipated land uses, proposed wildland fire protection measures, etc.);

(b) Address how applicant intends to avoid, or minimize and mitigate any impacts to indicator species and indicator habitat. Avoidance of impacts is preferred to minimization of impacts with mitigation;

(c) Provide a list of proposed mitigation measures, that may include habitat preservation, restoration, enhancement, and creation and an analysis of the probability of success of such measures.

-WH) 9-3-2(C-2-c-WH)

If the impact mitigation plan requires significant construction or restoration activities, the County shall require that the applicant provide a financial security in the form of a letter of credit for 125% of the estimated cost of those activities, with the letter of credit to be released when the construction or restoration has been completed as described in the impact assessment and mitigation plan. (amd. 11-14-08; amd. 05-11-10)

j. **The required Public Service/Fiscal Analysis shows that all public services provided to the proposed subdivision or PUD have adequate capacity to service it, or if they do not, the applicant has committed to mitigation or financing to ensure that those services and facilities will be provided within two (2) years after the first unit in the development is occupied and that any shortfall of tax revenues below the costs of providing the services or facilities will be covered without cost to the County.**
A Public Service/Fiscal Analysis is not required for this application.

k. **The application is consistent with any Capital Improvements Plan (CIP) adopted by the County.**
The County Capital Improvement Plan identifies this area in the Area of Impact. This projects future development to be consistent with densities found in the City.

l. **An adequate institutional structure has been created to ensure that long-term maintenance costs of roads, water, sewer, and drainage systems will be collected from within the development and used to maintain such items. If the chosen structure relies on payments of dues (for example, through a homeowners' association) rather than taxes, the county shall be granted the institutional power to enforce payments of those dues in the event the organization fails to do so.**
This is not applicable.

m. **If land ownership boundaries or natural terrain features make it impossible for the application to meet all of the criteria outlined in Section 9-3-2(C- 3), the application shall meet as many of the criteria as possible.**
This is not applicable.

n. **In addition to the above, for a Planned Community PUD, the application is consistent with the recommendations of any report on the adequacy of the school system to accommodate school aged children anticipated by the development, and includes any recommended**

mitigation measures identified in that study. If the applicant is obligated to pay an impact fee for schools, then mitigation measures identified in the report will not be required. This application is not for a planned community PUD.

OVERVIEW OF FINAL PLAT APPROVAL

This phase of the subdivision/PUD process is to present the Board of County Commissioners the completed documentation as required by this ordinance for a final review before rendering a decision to approve, deny, amend or remand this application. If the Board elects to amend the application, additional findings and reasoning shall be made in writing in accordance with state code. Otherwise the findings and reasoning should be contained in the Master Plan / Development Agreement / and Final Plat. (amd. 06-05)

In conjunction with the decision for approval, approval with conditions, or denial of an application for a subdivision or PUD, the Board shall make written findings with respect to the items required with the submission of the application and the criteria below. Additional written findings are not necessary where the public documents or records of the public hearing already provide a written record.

i. Each exception to otherwise applicable restrictions shall be identified and the reasons supporting the exceptions stated.

ii. The subdivision or PUD is consistent with the public health, safety and welfare of the County and with all applicable provisions of Title 9 and Title 8 of the Teton County code. (amd. 11-14-08)

iii. The information required in the application has been verified and is correct.

Findings: No exceptions to applicable restrictions were identified. No conflict with provisions of County Ordinances have been identified. No errors have been identified in the application.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:

Idaho Code, Title 67; Section 67-6509, and Title 9, Section 3-2-(C&D) of the Teton County Subdivision Ordinance. The public hearing for the Board of County Commissioners was duly noticed in the Teton Valley News published June 25 & July 2, 2025. Notice to adjacent property owners within 300 feet of the property boundary were sent on June 14, 2025. Notice was posted on the site July 1, 2025.

COMMENTS FROM NOTIFIED PROPERTY OWNERS AND PUBLIC AT LARGE

As of the date of this report, staff has received no public comment.

STAFF RECOMMENDATION:

Staff recommends approval of the application.

PREVIOUS CONDITIONS OF APPROVAL

1. Applicant to submit drafted deeds for the proposed new parcel. The applicant has provided legal descriptions for the proposed lots which can be incorporated into new deeds.
2. The building envelopes be adjusted to not conflict with regulations at the time of building permit. Building envelopes have defaulted to the required setbacks of the zone as discussed at the preliminary plat review. Development restrictions have remained in place adjacent to Ski Hill Road.
3. CCRs be updated to reflect building envelopes and setback and include general land use recommendations from Appendix 3 of the NRA. Updated CCRs have been submitted, they do reflect the same restrictions on the plat from building in the area with vegetation providing potential wildlife benefits. No other concerns were identified by staff in the updated CCRs.

RECOMMENDED CONDITIONS OF APPROVAL

1. Final technical survey review be completed by public works.

BOARD OF COUNTY COMMISSIONERS' ACTIONS

A. Approve the Final Amended Plat, having provided the reasons and justifications for the approval.
B. Approve the Final Amended Plat, with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.
C. Deny the Final Amended Plat application request and provide the reasons and justifications for the denial.
D. Continue to a future BoCC Public Hearing with reasons given as to the continuation or need for additional information

POSSIBLE MOTIONS

The following motions could provide a reasoned statement if a Commissioner wanted to approve or deny the application:

APPROVAL

Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-2(D) can be satisfied, I move to APPROVE of the Amended Final Plat for Lot 20 of Aspen Meadows Subdivision as described in the application materials submitted on December 17, 2024 [with the following conditions]…

Continue

Motion to continue the plat amendment request for Lot 20 of Aspen Meadows to (insert date here) until the following additional information is provided… [*to be determined by the Commission*].

DENIAL

Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-2(D) have not been satisfied, I move to DENY the Amended Final Plat for Lot 20 of Aspen Meadows as described in the application materials submitted December 17, 2024 *based on the following findings:*

Prepared by Mitzi Van Arsdell Associate Planner
Reviewed by Joshua Chase Planning Administrator

Exhibits:

A. AMENDED PLAT
B. CCRs

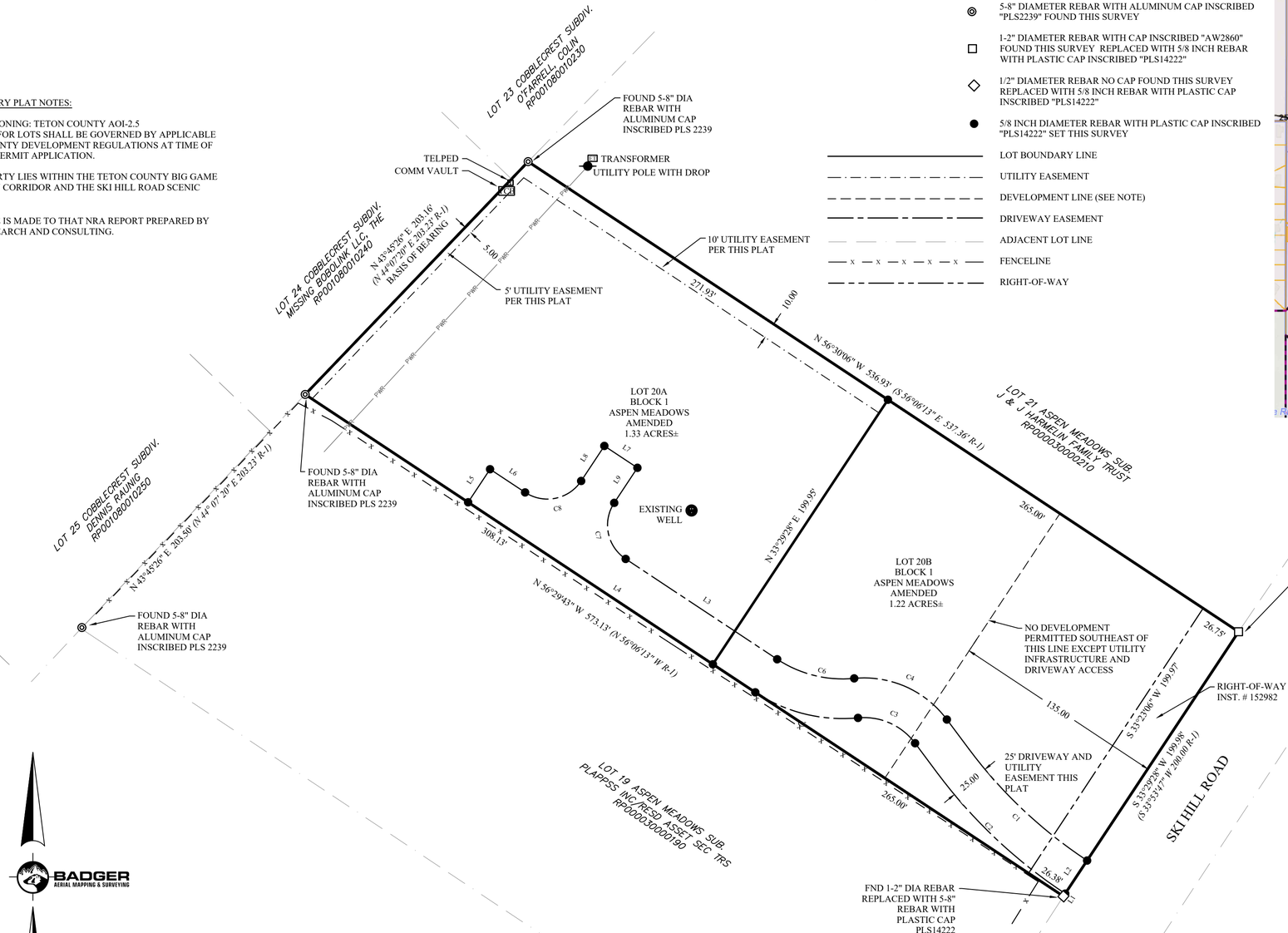
PRELIMINARY AMENDED PLAT
ASPEN MEADOWS SUBDIVISION
BEING A REPLAT OF LOT 20
LOCATED IN SECTION 24, T. 5 N., R. 45 E., B.M.
TETON COUNTY, IDAHO

PRELIMINARY PLAT NOTES:

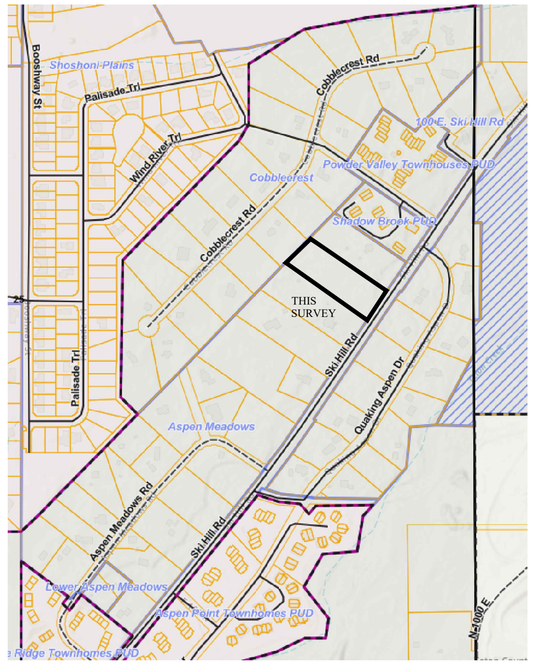
CURRENT ZONING: TETON COUNTY AOI-2.5
SETBACKS FOR LOTS SHALL BE GOVERNED BY APPLICABLE TETON COUNTY DEVELOPMENT REGULATIONS AT TIME OF BUILDING PERMIT APPLICATION.

THE PROPERTY LIES WITHIN THE TETON COUNTY BIG GAME MIGRATION CORRIDOR AND THE SKI HILL ROAD SCENIC CORRIDOR.

REFERENCE IS MADE TO THAT NRA REPORT PREPARED BY BIOTA RESEARCH AND CONSULTING.



◎	5-8" DIAMETER REBAR WITH ALUMINUM CAP INSCRIBED "PLS2239" FOUND THIS SURVEY
□	1-2" DIAMETER REBAR WITH CAP INSCRIBED "AW2860" FOUND THIS SURVEY REPLACED WITH 5/8 INCH REBAR WITH PLASTIC CAP INSCRIBED "PLS14222"
◇	1/2" DIAMETER REBAR NO CAP FOUND THIS SURVEY REPLACED WITH 5/8 INCH REBAR WITH PLASTIC CAP INSCRIBED "PLS14222"
●	5/8 INCH DIAMETER REBAR WITH PLASTIC CAP INSCRIBED "PLS14222" SET THIS SURVEY
———	LOT BOUNDARY LINE
—·—·—	UTILITY EASEMENT
– – –	DEVELOPMENT LINE (SEE NOTE)
—— ——	DRIVEWAY EASEMENT
———	ADJACENT LOT LINE
—x—x—x—	FENCELINE
—— ——	RIGHT-OF-WAY



VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE

0 50 100 150

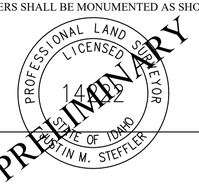
1"=50 FEET

LINE	BEARING	DISTANCE
L1	N 33°29'28" E	2.03'
L2	N 33°29'28" E	25.00'
L3	S 56°29'43" E	114.53'
L4	S 56°29'43" E	217.06'
L5	N 33°30'42" E	25.00'
L6	S 56°29'43" E	26.50'
L7	S 56°29'37" E	25.00'
L8	N 33°30'23" E	26.50'
L9	S 33°30'23" W	26.50'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	295.95'	102.90'	102.38'	N 46°40'29" W	19°55'14"
C2	320.95'	111.53'	110.97'	N 46°40'11" W	19°54'39"
C3	40.00'	41.15'	39.36'	S 66°02'51" E	58°56'52"
C4	65.00'	66.84'	63.93'	S 66°03'46" E	58°55'03"
C5	100.00'	68.02'	66.71'	S 76°02'08" E	38°58'18"
C6	75.00'	51.01'	50.04'	S 76°02'08" E	38°58'18"
C7	25.50'	40.06'	36.06'	N 11°29'40" W	90°00'06"
C8	25.50'	40.05'	36.06'	N 78°30'20" E	89°59'54"

SURVEYOR'S CERTIFICATE

I, JUSTIN M. STEFFLER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, REGISTRATION NUMBER 14222, DO HEREBY CERTIFY THAT THIS PLAT AS SHOWN HEREON WAS PERFORMED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH IDAHO STATE CODE, TITLE 55, CHAPTER 19 AND THAT ALL CORNERS SHALL BE MONUMENTED AS SHOWN HEREON.



JUSTIN M. STEFFLER DATE

SHEET 1

PRELIMINARY AMENDED PLAT
ASPEN MEADOWS SUBDIVISION
BEING A REPLAT OF LOT 20
LOCATED IN SECTION 24, T. 5 N., R. 45 E., B.M.
TETON COUNTY, IDAHO

DATE: 7/9/2025 DRAWN/CHK BY: CJK

PROJECT: 24123 - ASPEN MEADOWS LOT 20 AMENDED

BADGER
AERIAL MAPPING & SURVEYING

430 SNAKE RIVER CIRCLE
RIGBY, ID 83442
208-715-4380

PRELIMINARY AMENDED PLAT
ASPEN MEADOWS SUBDIVISION
BEING A REPLAT OF LOT 20
LOCATED IN SECTION 24, T. 5 N., R. 45 E., B.M.
TETON COUNTY, IDAHO

CERTIFICATE OF OWNERS

WE, THE UNDERSIGNED OWNERS AND PROPRIETORS HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION OF THAT PARCEL OF LAND CONVEYED BY THAT DEED RECORDED AS INSTRUMENT NUMBER 272300 IN THE OFFICE OF THE CLERK, TETON COUNTY, IDAHO, AS ILLUSTRATED AND DESCRIBED HEREON IS WITH FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES;

THAT THIS SUBDIVISION IS SUBJECT TO THE DECALARATIONS OF COVENANTS AND RESTRICTIONS IN ACCORDANCE WITH THE ASPEN MEADOWS SUBDIVISION RECORDED IN SAID OFFICE AS INSTRUMENT NO. 79600;
THAT THIS SUBDIVISION IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAYS, RESEVATIONS, AND RESTRICTIONS, OF SIGHT AND/OR RECORD;
THAT ACCESS TO THIS SUBDIVISION SHALL BE FROM SKI HILL ROAD AND THAT 25 FOOT WIDE DRIVEWAY EASEMENT AS SHOWN HEREON;
THAT THE LOTS IN THIS SUBDIVISION SHALL BE SERVICED BY INDIVIDUAL WELLS AND SEPTIC SYSTEMS;
THAT THIS PLAT REPRESENTS A SUBDIVISION OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

ALL OF LOT 20 OF THE ASPEN MEADOWS SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK, TETON COUNTY, IDAHO AS INSTRUMENT NO. 796000.

THAT LOTS 20A AND 20B, BLOCK 1 ARE TO BE DEFINED AS FOLLOWS:

LOT 20A

BEING A PORTION OF ORIGINAL LOT 20, ASPEN MEADOWS SUBDIVISION, INSTRUMENT NO. 79600, SITUATE IN SECTION 24, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 20, ASPEN MEADOWS SUBDIVISION, MARKED BY A 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222";

THENCE N 56°30'06" W, 265.00 FEET, TO THE POINT OF BEGINNING;

THENCE N 56°30'06" W, 271.93 FEET, TO A 5/8 INCH STEEL REINFORCING BAR REBAR WITH ALUMINUM CAP INSCRIBED "PLS 2239";

THENCE S 43°45'26" W, 203.16 FEET, TO A 5/8 INCH STEEL REINFORCING BAR REBAR WITH ALUMINUM CAP INSCRIBED "PLS 2239";

THENCE S 56°29'43" E, 308.13 FEET, TO A 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222";

THENCE N 33°29'28" E, 199.95 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.33 ACRES MORE OR LESS.

LOT 20B

BEING A PORTION OF ORIGINAL LOT 20, ASPEN MEADOWS SUBDIVISION, INSTRUMENT NO. 79600, SITUATE IN SECTION 24, TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 20, ASPEN MEADOWS SUBDIVISION, INSTRUMENT NO. 79600, MARKED BY A 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222";

THENCE S 33°29'28" W, 199.98 FEET, ALONG THE SOUTHEAST LINE OF SAID LOT 20 TO 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222";

THENCE N 56°29'43" W, 265.00 FEET, TO A 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222":

THENCE N 33°29'28" E, 199.95 FEET, TO A 5/8 INCH STEEL REINFORCING BAR WITH A PLASTIC CAP INSCRIBED "PLS 14222";

THENCE S 56°30'06" E, 265.00 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.22 ACRES MORE OR LESS.

_____
ROBERT LYLE GRIMM

_____
NINA W. GRIMM

_____
JASON LYLE GRIMM

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

ON THIS _____DAY OF _____, 2025 BEFORE ME UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
_____KNOWN OR IDENTIFIED TO ME AND THE PERSON WHO SUBSCRIBED TO THE ATTACHED OWNER'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF: I HAVE HEREBY SET MY HAND AND AFFIXED BY OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN ABOVE.

_____
NOTARY PUBLIC FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES_____

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

ON THIS _____DAY OF _____, 2025 BEFORE ME UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
_____KNOWN OR IDENTIFIED TO ME AND THE PERSON WHO SUBSCRIBED TO THE ATTACHED OWNER'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF: I HAVE HEREBY SET MY HAND AND AFFIXED BY OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN ABOVE.

_____
NOTARY PUBLIC FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES_____

CERTIFICATE OF EXAMINING SURVEYOR REVIEW

I, DARRYL JOHNSON, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF IDAHO, REGISTRATION NO. 13031, HEREBY CERTIFY THAT I HAVE REVIEWED THIS AMENDED PLAT BEING A REPLAT OF LOT 20 ASPEN MEADOWS SUBDIVISION AND FIND IT COMPLIES WITH IDAHO CODE.

_____
DARRYL JOHNSON PE & LS 13031

TREASURERS CERTIFICATE

I, THE UNDERSIGNED COUNTY TREASURER IN AND FOR THE COUNTY OF TETON COUNTY, STATE OF IDAHO, HAVING REVIEWED THIS PLAT PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ALL COUNTY TAXES FOR THE PROPERTY SHOWN AND DESCRIBED ON THIS PLAT AS BEING AMENDED ARE CURRENT.

_____
TETON COUNTY TREASURER DATE

ASSESSOR'S CERTIFICATE

PRESENTED TO THE TETON COUNTY ASSESSOR ON THE FOLLOWING DATE FOR APPROVAL AND ACCEPTANCE.

_____
TETON COUNTY ASSESSOR DATE

HEALTH DISTRICT CERTIFICATE OF APPROVAL

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

DATE: _____

HEALTH DISTRICT SIGNATURE:_____

PLANNING AND ZONING CERTIFICATE

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE, AT WHICH TIME THISAMENDED PLAT BEING A REPLAT OF LOT 20 ASPEN MEADOWS SUBDIVISION WAS APPROVED AND ACCEPTED.

_____
PLANNING AND ZONING CHAIRPERSON DATE

COUNTY COMMISSIONER'S APPROVAL

PRESENTED TO THE TETON COUNTY BOARD OF COUNTY COMMISSIONERS ON THE FOLLOWING DATE AT WHICH TIME THIS PLAT OF THE AMENDED PLAT BEING A REPLAT OF LOT 20 ASPEN MEADOWS SUBDIVISION WITHIN TETON COUNTY WAS APPROVED AND ACCEPTED.

_____
CHAIRPERSON TETON COUNTY COMMISSIONERS DATE

CITY OF DRIGGS PLANNING AND ZONING APPROVAL

PRESENTED TO THE CITY OF DRIGGS PLANNING AND ZONING COMMSSION ON THE FOLLOWING DATE AT WHICH TIME THIS PLAT OF THE AMENDED PLAT BEING A REPLAT OF LOT 20 ASPEN MEADOWS SUBDIVISION WITHIN TETON COUNTY WAS APPROVED AND ACCEPTED.

_____
CHAIRPERSON DRIGGS PLANNING AND ZONING DATE

CERTIFICATE OF MORTAGEE

SIGNATURE BY SEPARATE AFFIDAVIT (IF NECESSARY)

TETON COUNTY FIRE MARSHALL

I HEREBY CERTIFY THAT THE PROVISIONS FOR FIRE PROTECTION FOR THIS FINAL PLAT OF THE AMENDED PLAT BEING A REPLAT OF LOT 20 ASPEN MEADOWS SUBDIVISION MEET THE TETON COUNTY FIRE CODE, AND HAVE BEEN APPROVED BY MY DEPARTMENT.

_____
TETON COUNTY FIRE MARSHAL DATE

SURVEY NARRATIVE:

THIS SURVEY WAS CONDUCTED PER THE REQUEST OF JASON GRIMM TO SPLIT LOT 20, ASPEN MEADOWS SUBDIVISION INTO TWO LOTS AS SHOWN. MULTIPLE RECORDS OF SURVEYS RECORDED AS A "LOT SPLIT" EXIST WITHIN ASPEN MEADOWS SUBDIVISION.

RECORD INFORMATION SHOWN HEREON ARE REFERENCED TO THE FINAL PLAT FOR ASPEN MEADOWS SUBDIVISION, INSTRUMENT NO. 79600 (R-1) AND COBBLE CREST SUBDIVISION BLOCK 1, INSTRUMENT NO. 97041 (R-2) RECORDED IN THE OFFICE OF THE CLERK AND RECORDED TETON COUNTY, IDAHO.

THE BASIS OF BEARING FOR THIS SURVEY IS REFERENCED TO A DIRECT GPS MEASUREMENT FROM GEODETIC NORTH (WGS84, NAD83 2011, EPOCH 2010.00) ALONG THE NORTH LINE OF LOT 20, ASPEN MEADOWS SUBDIVISION BETWEEN BETWEEN TWO RECOVERED MONUMENTS FROM THE ORIGINAL ASPEN MEADOWS SUBDIVISION PLAT, INSTRUMENT NO. 79600, RESULTING IN A BEARING OF N 43°45'26" E.

EASEMENTS OF SIGHT AND RECORD NOT SHOWN MAY EXIST.

SURVEYOR'S CERTIFICATE

I, JUSTIN M. STEFFLER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, REGISTRATION NUMBER 14222, DO HEREBY CERTIFY THAT THIS PLAT AS SHOWN HEREON WAS PERFORMED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH IDAHO STATE CODE, TITLE 55, CHAPTER 19 AND THAT ALL CORNERS SHALL BE MONUMENTED AS SHOWN HEREON.

PROFESSIONAL LAND SURVEYOR LICENSED 14222 STATE OF IDAHO JUSTIN M. STEFFLER PRELIMINARY

_____
JUSTIN M. STEFFLER DATE

SHEET 2

PRELIMINARY AMENDED PLAT
ASPEN MEADOWS SUBDIVISION
BEING A REPLAT OF LOT 20
LOCATED IN SECTION 24, T. 5 N., R. 45 E., B.M.
TETON COUNTY, IDAHO

DATE: 7/9/2025 DRAWN/CHK BY: CJK

PROJECT: 24123 - ASPEN MEADOWS LOT 20 AMENDED

BADGER AERIAL MAPPING & SURVEYING
430 SNAKE RIVER CIRCLE
RIGBY, ID 83442
208-715-4380

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR THE AMENDED PLAT OF LOT 20 ASPEN MEADOWS

This Declaration of Covenants, Conditions, and Restrictions is for the purpose of regulating and restricting the use and development of the following described Property in Teton County Idaho: Lot 20 Aspen Meadows Subdivision, +/- 2.5 acres on Ski Hill Road, Township 5 North, Range 45 East, Section 25, in Teton County, Idaho, according to the AMENDED PLAT OF SAID LOT to be executed and filed of record in the Office of the Clerk of Teton County. The undersigned, herein referred to as "Declarant", present Owners and Developers of the Property, Robert, Nina, and Jason Grimm, desire to adopt the following restrictions and covenants of said Subdivision.

1. Purpose

These covenants, conditions, and restrictions contained herein (referred to as "Covenants") are made for the purpose of providing for the reasonable and residential use of the Property. The Declarant is adopting the Covenants to preserve and maintain the residential character and to provide for the maintenance of the Property for the benefit of all Owners of the Property or any part thereof.

2. Declaration

Declarant hereby declares that the Property and any part thereof, shall be owned, sold, conveyed, encumbered, leased, used, occupied, and developed subject to the following Covenants, Conditions, and Restrictions, which are referred to herein as the "Covenants". The Covenants shall run with the Property and any portion thereof and shall be binding upon all parties having or acquiring any legal or equitable interest in the Property, or any part thereof, and shall inure to the benefit of every Owner of any part of the Property.

3. Duration of Covenants

The Covenants shall continue and remain in full force and effect at all times against the Property. If required by law, these Covenants shall be deemed to remain in full force and effect for a period of twenty (20) years and shall be automatically renewed for additional successive ten (10) year periods, unless all the Lot Owners otherwise agree in writing.

4. Severability

Any decisions by a court of competent jurisdiction invalidating any part or paragraph of these Covenants shall be limited to the part or paragraph affected by the decision of the court, and the remainder of these Covenants shall remain in full force and effect.

5. Acceptance of Covenants

The undersigned Declarant, and every subsequent Owner or purchaser of a Lot within the Property shall be bound by and subject to all the provisions of these Covenants, and every Lot Owner or purchaser, through his or her purchase or ownership, expressly accepts and consents to all of the provisions of these Covenants.

6. Restrictions

Certain restrictions as follows are made per the requirements of the 2013 Teton County Land Development Code Title 9-4-1-I: CC&Rs.

a. HOA. A Homeowners Association (HOA) shall be formed, with representation by all lot owners in the Subdivision, to administer and enforce the provisions herein, in accordance with all applicable State of Idaho and Teton County laws & regulations.

b. Right to Farm. The Property is subject to the provisions of Idaho Code 22-4501 et seq., the Idaho right to Farm Act.

c. Setbacks. Setbacks and height restrictions for the subject property are determined by Teton County zoning regulations current at the time of building permit application. The building area on Lot 20B is restricted along the front / southeast portion of the lot, as shown on the Amended Plat. Setbacks are not applied off the shared driveway easement.

d. Building style. Architectural style and building design are per the discretion of individual lot owners.

e. Landscaping. Maintenance of open space, landscaping, and weed control. The undeveloped areas on the Property constitute open space and shall be maintained for the benefit of both Owners and wildlife. Maintenance includes control of noxious weeds, as listed by the State of Idaho.

f. Garbage and screening. Garbage areas must be screened from view by landscaping, walls, fencing, or otherwise. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, refuse, or other waste material shall not be kept except in sanitary containers and transported off-site at reasonable intervals.

g. Division of lots. No further division of lots is permitted.

h. Lighting. All development on the Property is subject to the outdoor lighting ordinances of Teton County and the City of Driggs. Regulations include, but are not limited to:

- All light fixtures must be *'fully shielded'* or *'full cutoff'* so that no light is projected above the horizontal plane of the fixture.
- All light fixtures shall limit horizontal light levels such that no direct light falls onto the adjacent property.
- Outdoor lighting will meet Driggs Exterior Lighting Standards, and will remain off when not in use for the benefit of people and wildlife.

i. Utility Location. All utilities and fuel storage tanks shall be installed underground.

j. Easements. Easements, as shown on the Amended Plat, are created and reserved for driveway access, utilities, and drainage. Within these Easements no structure, fence, or other material shall be placed or permitted to remain which may damage or interfere with the installation or maintenance of utility facilities, or change the direction of water flow through the drainage channels within the Easements. Drainage facilities required for development on individual lot/s may be located, or partially located, in these easement areas.

k. Shared Infrastructure. All shared infrastructure on the Property, which may include but is not limited to private shared driveways, power & communications, sewer, and water facilities are to be maintained for the benefit of all Owners served by the particular infrastructure by whichever party is applicable: public authority, utility company, or collective Owners served of the Subdivision. Maintenance costs associated with infrastructure not under the ownership and authority of any public authority or utility company are to be shared equally among the Owners served.
    - Shared Private Driveway Maintenance: The shared driveway accessing the property, within the Easement shown on the Amended Plat, is shared between Lot 20A & Lot 20B.
    - The owners of all lots within the Subdivision shall share all snow removal and shared driveway maintenance. The funding for these activities shall be provided through HOA dues & HOA bank account, pursuant to applicable County & State regulations; funding shall be split equally between Lot 20A & Lot 20B.
    - The HOA shall hire and retain snow removal contractor/s and arrange payment accordingly.
    - If a well is shared between properties, all applicable rules, regulations, permitting, and water rights governed by Idaho Department of Water Resources (IDWR) must be followed, and a Shared Well Agreement must be created and recorded in the Office of the Clerk of Teton County to legally bind the applicable parties to ensure functional and equitable water access in perpetuity.

l. Sanitary Rules/regulations. All private septic systems must be permitted, constructed, and maintained in accordance with applicable State of Idaho laws & regulations, as administered by Eastern Idaho Public Health (EIPH).

m. HOA no Alteration: The following items described herein cannot be altered by the HOA:
    - Weed maintenance and control
    - Teton County dark skies requirements for outdoor lighting
    - No further lot split statement
    - County setbacks and heights
    - Right to Farm Act
    - EIPH has authority over the HOA regarding septic system regulation

n. Wildlife Habitat. Development within Lot 20 Aspen Meadows is subject to *Appendix 3 – General Land Use Recommendations* as included in the *Natural Resource Analysis for the Proposed Grimm Lot Split*, prepared by Biota Research & Consulting Inc., dated 12/16/2025. These recommendations are considered Restrictions herein and are aimed at "protecting, preserving, and improving the wildlife and habitat values associated with the property". Appendix 3 is included below. Refer to this NRA report referenced above for further information.

APPENDIX 3 – GENERAL LAND USE RECOMMENDATIONS

Proposed Grimm Lot Split, Teton County, Idaho

The following recommendations, if implemented, would aid in protecting, preserving, and improving the wildlife and habitat values associated with the property.

1. **Agriculture.** Measures should be taken to reduce the likelihood of attracting deer, elk, and/or moose to hay/feed stockpiles and livestock feeding areas.
2. **Fences.** Fences can disrupt movement patterns and discourage wildlife use of areas and can present hazards to wildlife, and fence use should be avoided unless fences are intended to exclude wildlife (e.g., for gardens) or restrain domestic pets. The applicant has committed to prohibiting perimeter fencing to maintain porosity for wildlife movement.
3. **Non-native Plants.** The introduction of any non-native plants that might compete with or harm native species and result in their decline is discouraged. Exceptions to this would be the introduction of a non-native species that would improve or prevent undue damage to the natural environment (e.g., soil stabilization) or plants within the immediate confines of the building envelopes.
4. **Non-native Fauna.** The introduction into the wild of any non-native or domesticated animal species that might compete with or harm native species and result in a decline in their use is strongly discouraged.
5. **Vegetation Alteration.** The destruction, removal or alteration of native vegetation or dead trees is discouraged except when absolutely necessary. This is particularly important for properties that have wildlife use occurring within stands of woody overstory and shrubby understory vegetation. Standing dead trees, and dead and down vegetation improve habitat complexity and provide important habitat for a variety of smaller wildlife species. Woodpeckers forage for insects in standing dead trees and create nesting cavities for themselves and numerous other bird species. Fallen, rotten plant material creates shelter used by many small mammals while simultaneously returning nutrients to the soil.
6. **Roads.** The construction of roads should be minimized to the extent feasible.
7. **Habitat Enhancement.** Wildlife habitat enhancements are acceptable physical alterations. A plan describing enhancements and delineating affected areas should be developed by a qualified consultant. This plan should consider negative impacts to non-target species.
8. **Herbicides**. The use of chemical herbicides and pesticides are discouraged except for controlling noxious weeds. Application of state-approved herbicides should be done responsibly by persons appropriately licensed and trained, and label and application instructions should be strictly adhered to.
9. **Burning.** The burning of any materials or vegetation is discouraged except in accordance with government regulations, and in the case of vegetation, where burning is shown to be beneficial to wildlife.
10. **Topographic Alterations.** The filling, excavating, dredging, mining, drilling, or removing of topsoil, sand, gravel, rock, minerals, or other materials, or other changes of the topography of the property is discouraged, except where absolutely necessary or associated with approved development and enhancement plans.
11. **Domestic Pets.** Free-roaming, unrestrained domestic pets disturb wildlife. Unrestrained pets can easily disrupt wildlife use on parcels and must be controlled. Dogs will readily chase, harass, and even kill both small and large mammals, as well as birds. Although less conspicuous than dogs, free-roaming cats can be as damaging to wildlife as dogs. Cats are effective predators of small birds, and mammals and free-roaming cats have a high potential (both short- and long-term) for disturbing many wildlife species.
12. **Wildlife Feeding.** Intentionally feeding moose, deer, and elk anywhere in Teton County, Idaho is illegal.
13. **Wildlife Harassment.** Mule deer, elk, and moose may be present in the project area at various times of the year. This is because important habitats for these ungulates are found in the vicinity of the property. The presence of these and other wildlife species should be expected and tolerated. People residing or owning property within the subdivision should be both respectful of and sensitive to wintering wildlife and not purposefully harass these animals as they struggle to survive harsh winter conditions. Moose, in particular, can be expected to browse upon landscaped vegetation, and this activity can sometimes cause significant damage to shrubs and trees. Project proponents should make a concerted effort to educate themselves and future residents on how to minimize wildlife harassment.
14. **Human-Bear Conflicts.** The project area is located in bear habitat, and black bears are known to frequent the area in the spring and fall. Care should be taken to minimize bear attractants in the neighborhood. The following precautions have

been adapted from IDFG recommendations for living in bear country. These precautions can help minimize bear encounters and prevent bears from accessing human foods:

1) Garbage and Recyclables - Bear-resistant garbage and recycling containers should be used. Ensure that bear-resistant containers are properly closed and latched, and never tamper with the latching mechanism. If non bear-resistant containers are used, they should be stored inside an enclosed building or bear-resistant enclosure until the morning of waste/recycling pick-up, and promptly returned to secure storage after waste pick-up. Never leave trash/recycling outside overnight, and don't let garbage pile up or develop strong odors that can attract bears.
2) Compost Piles - If you must have a compost pile, enclose it with electric fencing. Don't put meat, fish, melon rinds and other pungent/smelly scraps in the pile. Better yet, compost only leaves and grass, not kitchen scraps. Keep the pile aerated and properly turned. Add lime to promote decomposition and reduce odor.
3) Bird Feeding - Do not feed birds, including hummingbirds, during the active bear season (March-November), and clean up any spilled bird seed.
4) Pet Food - Keep pet food inside at all times.
5) Fruit Trees/Shrubs - If fruit trees/shrubs are present, fruit should be picked promptly when it begins to ripen. Remove any fruit that has fallen to the ground as soon as possible.
6) Food storage - Do not keep coolers, refrigerators or freezers outside or on porches.
7) BBQ Grills - Thoroughly clean BBQ grills and smokers after each use. If possible, store grills and smokers inside a garage or shed when not in use.

IN WITNESS WHEREOF,

Declarant has executed this Declaration of Covenants, Conditions and Restrictions effective this_____day of_____ , year of_____.

Name of Property Owner:

Signature of Property Owner:

STATE OF IDAHO

TETON COUNTY

On this_____day of_____ , year of_____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the person whose name is subscribed above, acknowledged that he executed the foregoing instrument as_____.

Witness my hand and official seal.

_____

Notary Public

Residing at:_____.

My Commission Expires:_____.

REQUEST FOR A VARIANCE (WETLANDS) - RECONSIDERATION

FOR: Encroaching 50' wetlands setback
WHERE: West end of W 5000 S
PREPARED FOR: Board of County Commissioners
Public Hearing of July14, 2025

LANDOWNER/APPLICANT: Brian Fraiz

OVERVIEW: The applicant is requesting a reconsideration of the previous denial of a variance by the Planning and Zoning Commission (PZC) and subsequent affirmation of that decision by the Board of County Commissioners (BoCC, or Board) to develop a home, guesthouse, and driveway within the 50' setback from delineated wetlands.

The property is currently in a conservation easement with the Teton Regional Land Trust. This conservation easement has a building envelope in the NE corner that all development needs to occur within. An Aquatic Resources Inventory was completed for the property on October 6, 2022. The inventory identified areas of uplands both within and outside of the building envelope. A Nationwide Permit No. 29 was granted on December 5, 2023 with an expiration date of March 14th, 2026. The proposed driveway will encroach the 50' setback from delineated wetlands. The proposed single-family home, guesthouse, and associated improvements would be built within the delineated wetlands.

APPLICABLE COUNTY CODE: Land Development Code, Sections 4-9, 4-15, 5-2-3, and 5-4-2.
PARCEL NUMBER: RP04N45E290050
LEGAL DESCRIPTION: NE4NE4 SEC 29 T4N R45E CONSERVATION EASEMENT
ZONING DISTRICT: LA-35
PROPERTY SIZE: 40 acres

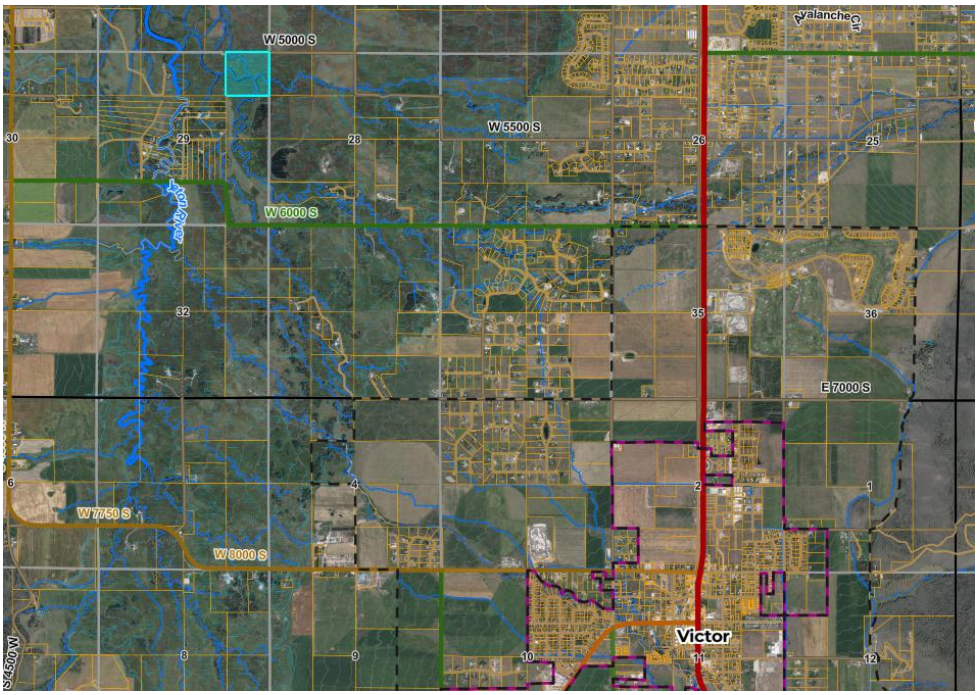


Figure 1. Vicinity Map. Subject Parcel Highlighted Blue. NW of Victor.

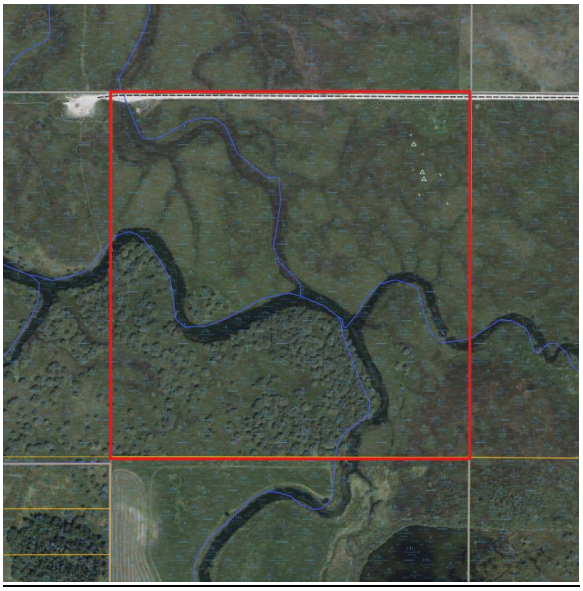


Figure 2. Aerial Image

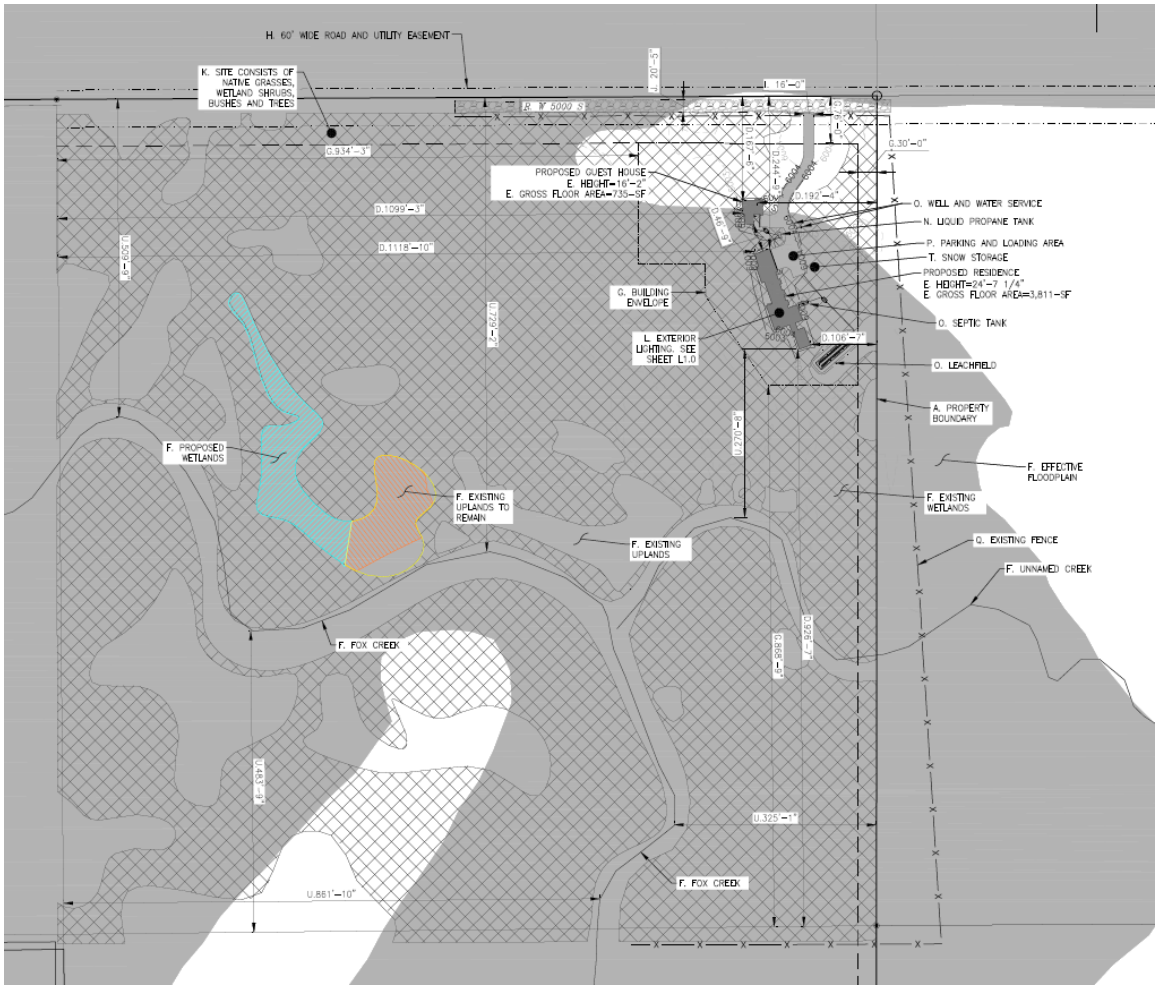


Figure 3. Site Plan



Figure 4. Wetland Delineation (green hatch pattern are wetlands)

A-1) Mitigation Site Plan

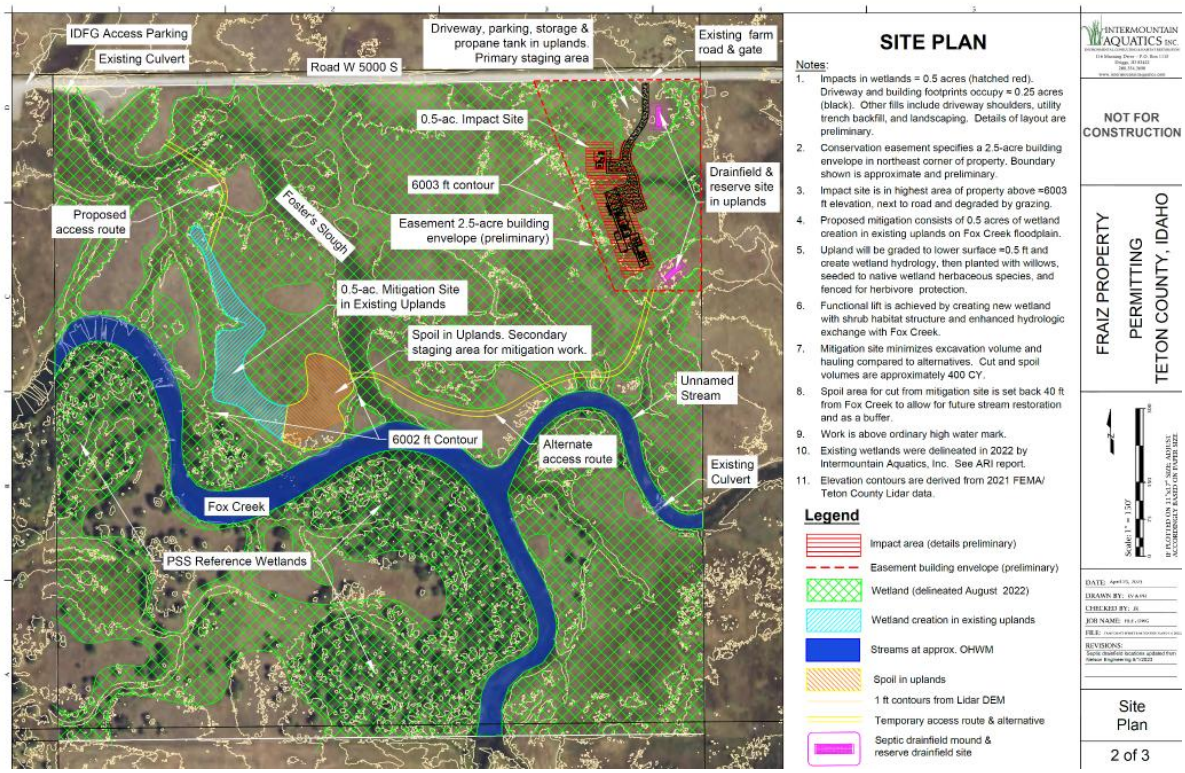


Figure 5. Mitigation Site Plan

4-15 Appeals and Reconsideration

A. Applicability

1. In addition to the remedies described in Section 1-7 of the LDC, this section provides the remedy of appeal from and requests for reconsideration of final decisions made by the Administrator, PZC, BoCC, or other County official.

2. An applicant or an affected person may avail themselves of these administrative remedies in accordance with this section.

3. An appeal of a decision will be reviewed by the PZC or BoCC, as specified in the table in Section 4-1.

The table indicates that the PZC can make decisions on requests for a variance and the BoCC can consider appeals to those decisions.

4. Appeals and requests for reconsideration must be filed with the Administrator within fourteen (14) calendar days of the date of a written decision.

The BoCC written decision was approved on May 27, 2025. An application for Reconsideration was received on June 9, 2025.

5. Any applicant or affected person seeking judicial review of a written decision must first request reconsideration of the final decision as provided here.

B. Submittals

1. A notice of appeal or request for reconsideration must be filed on a completed application form provided by the Department.

2. The application must include a narrative description of the basis for the appeal or request for reconsideration, including the specific deficiencies of the decision alleged by the applicant or affected person.

The applicant's representative submitted an application and narrative statement dated June 9, 2025.

C. Notice and Requirements

1. Notice will be provided as required for the decision being Appealed from or being reconsidered.

2. If no notice was required for the original decision, published notice will be provided in a newspaper of general circulation in Teton County, posted at the courthouse, and posted on the County's website at least fifteen (15) days prior to the hearing.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:

Idaho Code, Title 67, Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Code. The public hearing for the Board of County Commission was duly noticed in the Teton Valley News on June 25th, 2025 and July 2nd, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer area on June 18th, 2025. A notice was also posted on the property providing information about the public hearing on June 20th, 2025.

D. Procedures for Appeals and Requests for Reconsideration

1. Following notice and a hearing, as required by law, the reviewing official or body may affirm, reverse or modify the original decision after verification of compliance with applicable procedural and LDC standards.

2. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the completed appeal or request for reconsideration.

3. Where no written decision on a request for reconsideration is issued to the applicant within sixty (60) days of receipt of the completed application, the request for reconsideration is deemed denied, without further action by the applicant or the County.

No other specific criteria are provided for consideration of a reconsideration. The Board should consider the information from the original application, the review criteria for the specific request for the variance, the information provided from the deliberation and written decision document of the PZC, and the information submitted in the applicant's request for appeal.

The following information was provided in the staff report prepared for the original variance request eventually denied by the PZC. Other relevant materials can be found as attachments to this report.

The Variance request specifically pertains to the following development standards in the Land Development Code:

1. **TCC 5-2-3 (B**):
   B. Site grading within one hundred (100) feet of the Teton River or wetlands delineated by U.S. Fish and Wildlife National Wetland Inventory boundary, and within fifty (50) feet of all other waterways.
2. **TCC 5-4-2 (C)**
   C. Setback requirement: all physical development and use is required to be set back from specified resources as shown in Table 7. The area within the setback is defined as the Riparian Buffer.

Table7. Riparian Buffers

Resource	Setback Distance (A)	Measured From (B)
Teton River	100'	Ordinary high water mark
Stream or Creek	50'	Ordinary high water mark
Wetland 1	100'	U.S. Fish and Wildlife National Wetland Inventory boundary
Wetland 2	50'	Site specific *wetland delineation* approved by U.S. Army Corps of Engineers
Lake or Pond	50'	Ordinary high water mark

3. **TCC 5-4-2 (E)**
   E. The following development and activities are prohibited in a Riparian buffer:
      1. Construction of physical *development* in a riparian *buffer* except as allowed in Section 5-4-2-D above.
      2. Fertilizer, herbicide, and pesticide *application*, except as needed for approved restoration or re-vegetation.
      3. Grading that interrupts diffuse flow within the riparian *buffer*.
      4. Septic tank drain fields.
      5. Driveways and *road* crossings are prohibited unless there is no other alternative in which case driveways shall be not *disturb* more than twenty (20) feet in width and *road* crossings shall bridge the primary *riparian area*.
      6. Accessory *structures* are prohibited unless for agricultural purposes if no other alternative exists.

OVERVIEW OF VARIANCE APPROVAL:

9-4: Variances can only be approved for the modification of the bulk and placement requirements of the LDC as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other LDC provisions affecting the size or shape of a structure of the placement of the structure upon lots, or the size of lots, as outlined in Idaho State Code 67-6516. Variances are considered through a quasi-judicial process.

Idaho State Code 67-6516 – "A variance shall not be considered a special privilege, but may be granted to an applicant only upon showing of undue hardship because of characteristics of the site and that the variance is not in conflict with public interest."

The follow review of variance criteria staff analysis was presented in the original staff report prepared for the PZC.

Review Criteria	**Staff Analysis**
1. If the variance application relates to a public school facility, that the subject property is appropriate for development allowed in the proposed Zoning District, including the impacts authorized for review under Idaho Code section 67-6519(3).	Application does not pertain to a public school facility.
2. A literal interpretation of the provisions of the LDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the Zoning District in which the property is located.	A literal interpretation of the LDC standard would not allow development within wetland areas and riparian area setbacks. A 50' setback would be required along with a wetland delineation.
3. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the Zoning District in which the property is located.	The variance, if approved, would allow the applicant to build a driveway, single family home, and guest house that would encroach the 50' setback from the delineated wetlands. As shown, developing in uplands without encroaching on the setbacks would be challenging and more than likely not possible without reducing the home size. There is a conservation easement across the property that includes a building envelope for development.
4. The requested variance will be in harmony with the purpose and intent of the LDC and will not be injurious to the neighborhood or to the general welfare.	The proposal is aligned with the rest of the LDC in that this is the only variance to the regulations requested.
5. The special circumstances are not the result of the actions of the applicant.	The request would not grant a special circumstance that is the result of the applicant. The parcel was created years ago (more than likely before the lot creation policy and subdivision ordinance) without consideration of wetlands or property and access constraints.
6. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure.	It may be possible to shift the building footprint partially onto the delineated uplands. This would reduce the wetland impacts and would be considered the minimum variance.

	PZC to review and consider if the requested variance is the minimum variance to make the residential use of the property possible.
7. The variance does not permit a use of land, buildings or structures, which are not permitted by right in the Zoning District or the LDC, including Chapter 5.	All other applicable LDC standards are being met.
8. Granting of the variance is not in conflict with the public interest.	The variance may be in conflict with public interest. PZC to deliberate.
9. The variance does not reduce the lot size below the minimum lot size allowed in the Zoning District, except as provided in section 1-8.	Variance request does not adjust the minimum lot size per the zoning district.

PROJECT BACKGROUND & REVIEW HISTORY

Planning & Zoning Commission Review: The PZC reviewed and continued the application on November 12th, 2024 to obtain legal review. The continued hearing was held on January 14, 2025 at which time the application was denied.

After the continuation on November 12th, 2024, the applicant began the wetland mitigation work without an approved grading and erosion control permit. Staff placed a stop work order on the property.

The BoCC considered an appeal to the PZC decision and subsequently affirmed the decision in public hearings on April 14 and April 28, 2025. A written decision was provided to the applicant on May 27,2025. The applicant submitted a request for reconsideration on June 9, 2025.

REVIEW & INTER-AGENCY COMMENTS:

- **US Army Corps of Engineers: Nationwide Permit No.29 (December 5, 2023)**
  - We have determined that your proposed project Fraiz Residence Development is authorized in accordance with Department of the Army (DA) Nationwide Permit (NWP) No. 29: Residential Developments. This project is located within Section 29 of Township 4 North, Range 45 East, near Victor, Teton County, Idaho.
  - Project activities include the discharge of approximately 1770 cubic yards of dirt and gravel fill in 0.5 acres of wetlands considered to be Waters of the United States associated with the creation of a roadway and home site. Additional activities include the installation of a 6500 x 2-foot electric transmission line that will have a temporary impact to 0.3 acres of wetlands. The project also involves the creation of 0.5-acre scrub-shrub wetlands as compensatory mitigation. The mitigation site will be formed through the excavation of upland areas adjacent to wetlands allowing surrounding hydrology to enter the site and the planting and seeding of native hydrophytic vegetation.

- **Intermountain Aquatics: Aquatic Resource Inventory (October 6, 2022)**
  - Wetlands were found throughout the AOI totaling 32.9 acres. Wetlands are roughly two-thirds palustrine emergent sedge meadows north and east of Fox Creek and one-third scrub-

shrub wetland concentrated south of Fox Creek. Wetlands are supported by seasonal high groundwater and surface water in Fox Creek and Foster's Slough. Vegetation generally transitions from predominantly FAC to FACW species in the wetlands, to FACW to FACU in the uplands. Sample points that lacked hydrology had a higher prevalence of FACU species. Most of the sample points were characterized by dark loamy soils and many with a lighter-colored clay layer below at variable depths. Riverine resources on the property include a total of 1776 linear feet of Fox Creek (C1) and 602 linear feet of an unnamed tributary to Fox Creek.

- **Intermountain Aquatics: Compensatory Mitigation Plan (April 28, 2023)**
  - The Fraiz parcel totals 40 acres and is located 4 miles northwest of Victor in Teton County, Idaho. The landowner plans to build a driveway, single-family residence, and associated improvements. Site development impacts will result in 0.5 acres of fill in wetlands in the northeast corner of the Property. The 0.5-acre impact area consists of low functioning PEM wetlands on higher ground that have been degraded by historic grazing and depend partly on irrigation return flow. The owner plans to mitigate impacts by converting 0.5 acres of uplands to PSS wetland. Impacts and mitigation do not directly involve streams. Existing wetlands are documented in a separate Aquatic Resource Inventory report completed by Intermountain Aquatics, Inc. (IMA) in 2022 and submitted with this Plan and permit application. Other supporting documents include a conservation easement and easement baseline report.

- **Teton Regional Land Trust: Foster Deed of Conservation Easement (August 3, 1998)**
  - **Purpose**: It is the purpose of the Conservation Easement granted herein to assure that the Property will be retained forever in its natural scenic, and wetlands habitat condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property. Granters intend that this Conservation Easement will confine the use of the Property to such activities, including, without limitation, natural, wildlife habitat, limited recreational and agricultural, as are not inconsistent with the purpose of this Conservation Easement.
  - **3.1:** To reside on the Property and to designate and to develop, in accordance with the provisions of this paragraph 3.1, one "Building Area" as described below, provided that Granters agree that the "Building Area" shall not exceed 5 acres in size and that the following permitted uses and practices and restrictions apply to the "Building Area". Notwithstanding anything in this paragraph to the contrary, all structures permitted hereby shall be located within the "Building Area" defined herein. Granters shall comply with local, state, and federal regulations that deal with building construction, and acquire all appropriate local state and federal building permits. The designated "Building Area11 shall be located as described below and as indicated on the accompanying map, Exhibit D, except with the prior written permission of the Trust, which permission shall not be unreasonably withheld.

- **Federal Emergency Management Agency: Letter of Map Amendment (January 8, 2024)**
  - This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program map, we have determined the described portion of the property is not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply.

PUBLIC COMMENT:
Staff has received several additional public comments on this application as of April 9th, 2025.

APPLICANT'S REQUEST AND STAFF ANALYSIS
The applicant's representative submitted a 9-page narrative as a basis for the request for reconsideration. Some of the main points raised in the narrative include the following (applicant's comments are bulleted)

- The narrative asserts that the BoCC decision on the appeal was "arbitrary, capricious and an abuse of discretion" and "completely at odds with the written decision of the Planning and Zoning Commission's (PZC)."

The Board affirmed the PZC decision though they did rely on somewhat different criteria in their decision. They confirmed that criteria 6 related to whether the request represented the "minimum variance" was not met, but also found that the proposal was not consistent with the public interest and potentially injurious to the public and neighborhood (criterion 4/8), while the PZC emphasized that they believed the request would grant "special privileges" (criterion 3) if approved. The Board did not focus their discussion and ultimate decision on this criteria. The applicant's appeal request sought an outcome which would overturn the PZC decision but Board decision was not at odds, rather it affirmed the original decision.

- "The BOCC states in their decision that they are applying the Land Development Code (LDC) in the most liberal way possible."

This is not the language used in the written decision. The BoCC written decision emphasizes that the intent as well as the plain language of the regulations is designed to protect sensitive natural resource areas including streams and wetlands by establishing a buffer around those resources where development is limited or not allowed.

- The PZC determined that matters related to wetlands or wetland mitigation should not be considered.

The PZC decision recognizes that the USACoE has its own jurisdictional authority and discretion in relation to development within wetlands. It is an incomprehensible read of the County ordinances to state that wetlands should not be considered in this variance request, when the 50' setback is clearly established to buffer potential impacts to wetlands by limiting the proximity of development to them.

- "The applicant was told by the planning and zoning administrator, at the time, that their situation met the requirements for a setback variance." "Jade Krueger also told the applicant that a Wildlife Habitat Assessment was not be necessary because the building envelope delineated in the conservation easement already took into considerations the wildlife values."

The Planning Administrator is not a decision maker in regards to variances. Statements from the Administrator should be considered as advisory and not binding on the bodies that are identified as the decisionmaker for various applications outlined in the Land Development Code. In regards to the question of the requirement for a wildlife study, the County adopted a clarifying policy in December of 2025 which grants the Administrator discretion in applying exemptions from wildlife studies for individual building permits. A property which includes a conservation easement establishing a building envelope is an expressly stated exemption in that policy. The full context of the email clearly indicates that the Administrator, at that time, recognized and stated to the applicant that the request would require a variance and further that she did not "have the authority to

just waive that requirement" for wetlands setbacks. The inclusion of the email also makes assumptions as to what information the Administrator had available at the time to suggest how the variance may be viewed. In any case the assertion that the proposal on this site could represent an undue hardship as the email stated was not refuted by decision makers.

- "Lastly, the PZC and the BOCC both clearly stated that there is an undue hardship due to the nature of the property and that a wetland variance and wetland disturbance is necessary, yet the application was still denied."

Although state statute and local ordinance establish "undue hardship" as an initial bar for granting a variance, it is not the only criteria for consideration. Neither the PZC nor the BoCC asserted in their decisions that there was no undue hardship. In their deliberations, both bodies recognized the difficulties the site presents for building as can be found in their statements. They also suggested that some variance would likely be necessary for the proposed development. They relied on other approval criteria in supporting their findings for their decisions.

- The decision handed down by the Board of County Commissioners ignores the plain language of the LDC and the evidence/facts in the record (the detailed work conducted by Nelson engineering, Intermountain Aquatics, Eastern Idaho Public Health (EIPH) and the Army Corp of Engineers completely disregarded).

The Board discussed the facts and evidence presented by the applicant at length and sought to understand the specific details presented. They ultimately looked at and cited a number of areas of the LDC in rendering their decision. They specifically noted the challenges in siting a workable septic system with the disconnected upland areas available for this development.

- The Fraiz's meet or exceed all standards of the LDC including these standards.

LDC § 1-4(A)(1)(c) requires development to be clustered to provide meaningful open space and limit impacts on these natural resources.

The Board did not rely on finding this regulatory standard was not met in upholding the PZC denial of the variance. It is not specifically referenced in the written decision.

- The Fraiz application meets or exceeds this standard.

LDC § 5-4-1(E) The decision cites to this section, but conveniently (and it must be assumed, intentionally) leaves out the very significant language of § 5-4-1(E)(2): If impacts cannot be avoided as specified in Section 5-4-1-E, the lost habitat shall be mitigated by replacing it with similar vegetation communities at a one to one (1:1) ratio. The replacement ratio shall be higher within a half mile of riparian areas and equal a two-to-one (2:1) ratio or replacement of two vegetative components for every one that is removed. LDC § 5-4-1(E)(2).

As pointed out, The BoCC did not make specific reference to this standard or find that the proposal did not meet this requirement. It correctly indicates that the expected ratio for revegetation in riparian areas should be at a 2:1 ratio. Later the narrative asserts that …

- LDC § 1-10(F)(3) "Wetlands setbacks are measured from the edge of the boundary line established by the National Wetland Inventory Map, or the line established by a detailed site-specific delineation approved by the U.S. Army Corps of Engineers." The BOCC decision states that the above "language

does not support creation of a new artificial wetlands edge based on the placement of USACoE approved fill." This completely contradicts the clear language of the LDC.

This regulation language refers to the establishment of the edge of an existing wetland through a wetland delineation, which is subsequently submitted to the USACoE for concurrence, as opposed to relying on the less accurate National Wetlands Inventory which is a broad-brush estimate of areas likely to include wetlands (and therefore has a larger setback due to the uncertainty). It does not suggest the creation of a new wetland boundary after fill is placed in order to establish new upland areas.

A large portion of the narrative focuses on comments from Commissioner Mike Whitfield. At the end of the Board's deliberation, it appears that Commissioner Whitfield's comments were persuasive enough to other Board members, which may have relied somewhat on his experience in relation to natural resources values and local conditions within this area and his understanding of the County's regulations. Thus, the Board reached some consensus following their deliberation which resulted in a unanimous vote. The narrative specifically focuses on statements from Commissioner Whitfield in relation to the scale of the proposed building not being suited to the site, however the narrative does not acknowledge that following these statements Commissioner Whitfield stated that those personal opinions could not be relied on in their decision. A review of the written decision shows that the Board did not suggest that the applicant reduce the size of the proposed building in order to be granted a variance, but only suggested reconfiguration of the proposed development to reduce the impacts on the wetlands present on the site.

The narrative also discusses in detail the relative value of existing wetlands compared to the proposed enhancements and mitigation work. Although these may be highly accurate and relevant in providing a public benefit as asserted, the current county ordinances do not make specific provisions for evaluating different wetland types and prioritizing some over others, rather it treats all wetlands similarly in the expectation for setbacks.

- "The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure. Whitfield's suggestion that the applicant move as much infrastructure as feasible to Upland 1 as well as their primary and secondary septic sites is simply not feasible, and it still would result in a 1⁄2 acre of wetland disturbance in order to maximize the wetland setback."

At the end of the narrative an alternative site layout is presented. It appears to demonstrate that Commissioner Whitfield's suggestions are not feasible, but actually demonstrates that alternative site layouts exist. The drawing leaves out any potential reduction in the area of constructed uplands that may be reduced in this layout as the uplands are not pictured in the alternate layout and may overlap with upland 1 to some extent. Several suggestions were made that are not illustrated or explored in the alternate layout including different orientation of the buildings, a reduction in driveway length or potentially an attached accessory dwelling layout. The Board did not direct exactly how the applicants should approach a redesign but rather to present an alternative which they believed was could reduce the amount of fill and wetlands disturbance, meeting the intent of the wetland setback to a greater degree.

Criteria 8 asks the BOCC to confirm that "granting of the variance is not in conflict with the public interest." The "not in conflict" standard is a low bar that the Fraiz far exceed by actually benefitting the public.

The question related to public interest may be somewhat difficult to definitively assess. It should consider the evidence which is presented in this narrative and weigh it against other comments received from the public. Concerns related to the "public interest" included statements related to water quality impacts which are also

difficult to fully determine. Wetlands are recognized for their importance in protecting water quality by slowing flows and filtering sediment and nutrients in runoff water before entering water bodies and emphasizes the need to protect and maintain through setbacks or limiting the loss of wetlands area. Wetlands enhancement and mitigation efforts that are proposed could be considered in this context but placement of fill and development activity within wetlands are also important factors to weigh.

- "The Board's decision relied on language from the LDC which presents a broad perspective of wetlands protection in its intent rather than a narrow perspective focusing only on the letter of the setback requirement." Idaho courts have long held that there is no reason to look to intent when the language of a statute is clear. The letter of the setback requirement is the only thing the Board is at liberty to rely upon.

Criterion 4 reads "The requested variance will be in harmony with the purpose and intent of the LDC and will not be injurious to the neighborhood or to the general welfare." This criterion clearly directs the PZC and Board to consider the intent *and* specific language of the whole of the Land Development Code. The Board referenced a number of sections of Code they believed were relevant in considering this variance request. The written decision did not rely on Comprehensive Plan sections in its findings as the narrative asserts in footnote 4.

FINDINGS OF FACT:

Brian Fraiz submitted an application on October 4, 2024, for a wetland setback variance for a 40-acre parcel. The PZC reviewed and continued the application on November 12, 2024 to obtain legal review. Once legal review was received, the continuation was scheduled to be heard on January 14, 2025. The PZC then entered deliberation. The commission found that Section 4-9-E review criteria numbers 3 and 6 were not satisfied with the proposal as presented. The Planning & Zoning Commission moved to DENY this variance request based on the review criteria in LDC § 4-9, 5-2-3, and 5-4-2. The PZC written decision was approved on February 11, 2025 and signed on February 13, 2025. On February 24, 2025, the Planning Department received an Appeals and Reconsideration Application. As documented above, the Board affirmed the original decision on an appeal. The BoCC has received a further request for reconsideration. This request is reviewed under Chapter 4-15 of the Land Development Code as outlined above.

STAFF RECCOMMENDATION:

The Board should consider whether information presented in the application and narrative are compelling enough to modify or overturn the Board's previous action, otherwise the Board should affirm its decision. Staff would recommend specifically to consider whether the information presented is sufficient to reach a different conclusion on the facts and criteria relied upon in the original decision. Specifically, did the applicant demonstrate that the proposal clearly shows a public benefit or addresses concerns raised in public comments that the proposal is not in the public interest. Further does the proposal meet the "minimum variance" necessary to develop the proposed buildings based on the alternate site plan presented. Planning staff has presented a perspective within the analysis section and would suggest that this has not been adequately demonstrated.

BOARD OF COUNTY COMMISSIONERS ACTION:

A. AFFIRM the Previous Board Decision of the appeal of the Planning and Zoning Commission decision to deny the Variance request, having provided the reasons and justifications for the affirmation.
B. OVERTURN the BoCC appeal decision to deny a Variance request, having provided the reasons and justifications for overturning the decision, thus granting the variance request.

C. MODIFY the original BoCC and Planning and Zoning Commissions denial of the Variance request, specifying how the request is modified and providing the reasons and justifications for the modifications to the application request, or adding conditions.
D. Continue to a future BoCC Public Hearing with reasons given as to the continuation or need for additional information.

MOTIONS:

AFFIRMATION
Having concluded that the Review Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, 5-2-3, and 5-4-2, have not been satisfied, I move to AFFIRM the Planning and Zoning Commissions Action to DENY the Variance and for Brian Fraiz as requested in the application materials submitted October 4th, 2024, for the following reasons:

OVERTURNING
Having concluded that the Review Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, 5-2-3, and 5-4-2, can be satisfied (with the inclusion of the following conditions of approval, (if any)**,** I move to OVERTURN the Planning and Zoning Commission decision and APPROVE the Variance for Brian Fraiz as requested in the application materials submitted October 4th, 2024 and subsequent request for reconsideration with the following findings:

MODIFICATION
Having Reviewed the Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, 5-2-3, and 5-4-2, I move to MODIFY the Planning and Zoning Commission decision to DENY the variance in the following way and with the following findings:

CONTINUE
I move to CONTINUE the Board of County Commissioner's Public Hearing for the following …(with reasons given as to the continuation or need for additional information) to a specific future date & time.

Prepared by: Joshua Chase, Planning Administrator,

Attachments:

A. Staff Report (13 pages)
B. Reconsideration Application (2 pages)
C. Reconsideration Attachment (1 page)
D. Spitzer Law Narrative (9 pages)
E. Jade Krueger email w/PA (1 page)
F. Aquatic Resource Inventory (39 pages)
G. Conservation Easement (26 pages)
H. Mitigation Plan (32 pages)
I. Nationwide Permit (87 pages)
J. Stop Work Order (1 page)
K. Written Decision Variance Request (3 pages)
L. Written Decision Variance Denial Appeal (12 pages)
M. Trentadue/Hunstman Public Comment (3 pages)

End of Staff Report

Planning & Zoning Department

APPEALS AND RECONSIDERATION

Appeals and reconsideration provide the remedy of appeal from and requests for reconsideration of final decisions made by the Administrator, PZC, BoCC, or other County official. An applicant or affected person may avail themselves of these administrative remedies in accordance with section 4-16 of the LDC. An appeal of a decision will be reviewed by the PZC or BoCC (specified in table in section 4-1-1-). Appeals and requests for reconsideration must be filed with the Administrator within 14 calendar days of the date of a written decision. Any applicant of affected person seeking judicial review of a written decision must first request reconsideration of the final decision.

For Office Use Only

Fees Paid

☐ Check # _____ ☐ Credit Card ☐ Cash _____

Fees are non-refundable.

Requirement for Submittal: Ensure all requirements are included. *Incomplete applications will not be put on hold*. Incomplete and partial applications will be returned to applicant.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Applicant Info:

Applicant Name: Brian Fraiz

Email: brianfraiz@gmail.com Phone: (317) 213-3604

Primary Contact (if not applicant): _____

Appeal/Request Info:

Topic of Final Decision: Wetland Variance

Decision made by: ☐ PZC ☑ BoCC ☐ Planning Administrator ☐ Other County official

Short Summary of Appeal/Request: Fraizes are seeking a reconsideration of the denial of a wetland variance due to undue harship and an inability to meet the required 50 foot setback from wetland.

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and reviewed by the Planning Administrator and scheduled for public hearing.

Applicant Signature: _____ Date: 06/09/25

I, the undersigned, am the owner of the referenced property and do hereby give my permission to to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property to find it to be correct.

Owner Signature: _____ Date: 06/09/25

Checklist

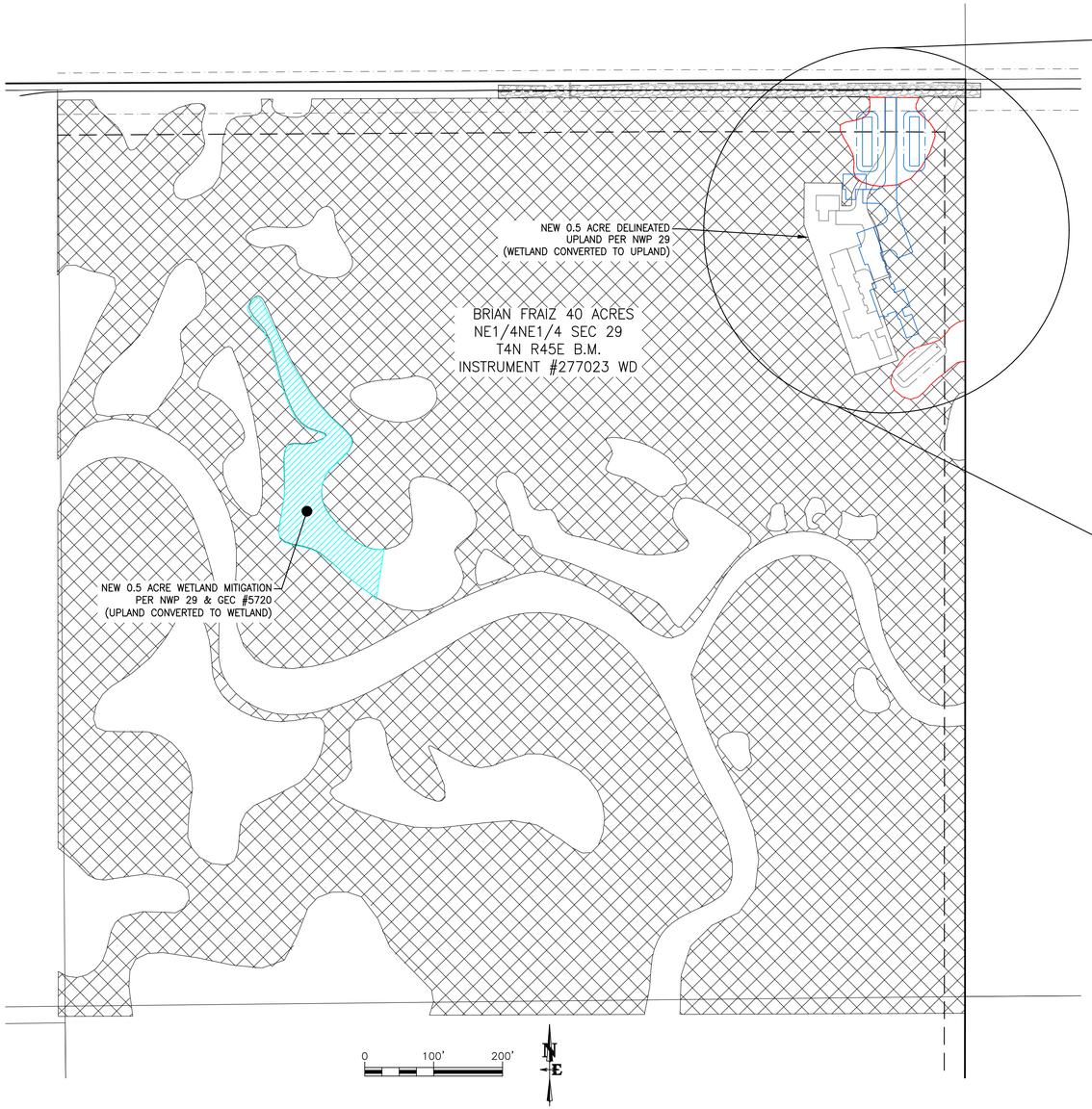
All items need digital copies as well as paper copies.

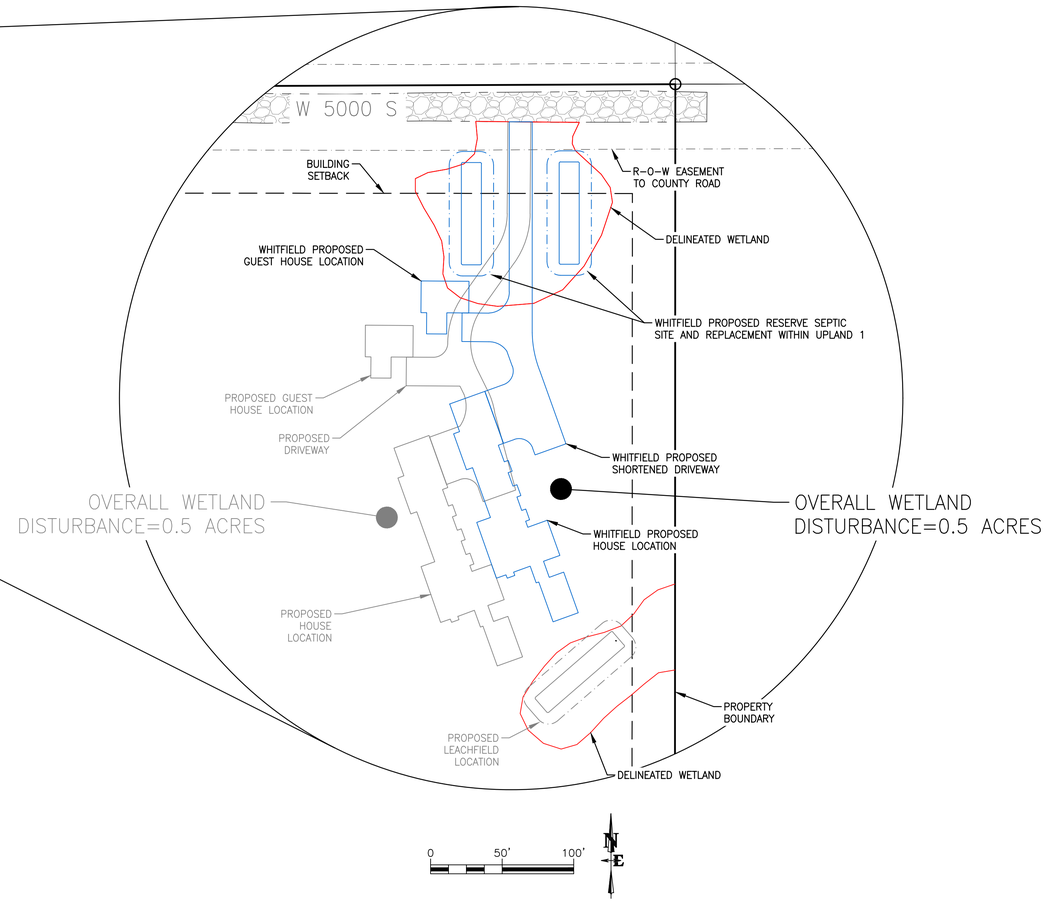
- ☐ A notice of appeal or request for reconsideration must be filed on a complete application form provided by the Department.
- ☐ The application must include a narrative description of the basis for the appeal or request for reconsideration, including the specific deficiencies of the decision alleged by the applicant or affected person.

SECTION III: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is submitted on the _____ day of _____ , 20___.

Application is deemed complete and accepted on the _____ day of _____ , 20___.


NEW 0.5 ACRE DELINEATED
UPLAND PER NWP 29
(WETLAND CONVERTED TO UPLAND)
BRIAN FRAIZ 40 ACRES
NE1/4NE1/4 SEC 29
T4N R45E B.M.
INSTRUMENT #277023 WD
NEW 0.5 ACRE WETLAND MITIGATION
PER NWP 29 & GEC #5720
(UPLAND CONVERTED TO WETLAND)
0
100'
200'
N
E


W 5000 S
BUILDING
SETBACK
R-O-W EASEMENT
TO COUNTY ROAD
DELINEATED WETLAND
WHITFIELD PROPOSED
GUEST HOUSE LOCATION
WHITFIELD PROPOSED RESERVE SEPTIC
SITE AND REPLACEMENT WITHIN UPLAND 1
PROPOSED GUEST
HOUSE LOCATION
PROPOSED
DRIVEWAY
WHITFIELD PROPOSED
SHORTENED DRIVEWAY
OVERALL WETLAND
DISTURBANCE=0.5 ACRES
OVERALL WETLAND
DISTURBANCE=0.5 ACRES
WHITFIELD PROPOSED
HOUSE LOCATION
PROPOSED
HOUSE
LOCATION
PROPERTY
BOUNDARY
PROPOSED
LEACHFIELD
LOCATION
DELINEATED WETLAND
0
50'
100'
N
E

Docusign Envelope ID: F7084E2C-4455-47E2-A5D8-14F3F3D19795

Kathy Spitzer
Licensed in ID & WY

Christopher Lundberg
Licensed in ID & WY

SPITZER LAW, PLLC

252 South Main Street
P.O. Box 858
Victor, ID 83455
Cell: (307) 413-7484
kathy@spitzerfirm.com

June 9, 2025

To: Teton County Board of County Commissioners
RE: Narrative for Fraiz Variance Reconsideration Request

The Board of County Commissioner's (BOCC's) denial of the variance request for the Fraiz 40 acres was arbitrary, capricious and an abuse of discretion. The BOCC's decision is completely at odds with the written decision of the Planning and Zoning Commission's (PZC). The PZC decision specifically states that it "did not consider matters related to wetlands or wetlands mitigation, which is not within the scope of the PZC's review of this application." Yet the BOCC's denial is completely based on matters related to wetlands and wetlands mitigation. The BOCC states in their decision that they are applying the Land Development Code (LDC) in the most liberal way possible: "The Board reads its Land Development Code *broadly* in relation to wetlands and the riparian corridors/buffers." The BOCC decision even goes so far as to say that the LDC can be applied "in a *layered fashion* which allows the county to impose *higher standards beyond those imposed by other agencies or regulatory entities*." This is a far cry from the PZC's determination that matters related to wetlands or wetland mitigation should not be considered. Also, during the previous administration (in September 2024) the applicant was told by the planning and zoning administrator, at the time, that their situation met the requirements for a setback variance. Attached to his letter is an email from Jade Krueger stating "the variance request should be pretty straight forward since it would be an undue hardship to meet those setbacks given the property conditions and delineation." Jade Krueger also told the applicant that a Wildlife Habitat Assessment was not be necessary because the building envelope delineated in the conservation easement already took into considerations the wildlife values it is

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meant to protect. Lastly, the PZC and the BOCC both clearly stated that there is an undue hardship due to the nature of the property and that a wetland variance and wetland disturbance is necessary, yet the application was still denied.

In addition to the above inconsistencies, the decision handed down by the Board of County Commissioners ignores the plain language of the LDC and the evidence/facts in the record (the detailed work conducted by Nelson engineering, Intermountain Aquatics, Eastern Idaho Public Health (EIPH) and the Army Corp of Engineers completely disregarded). Every section of the LDC cited in the BOCC decision is met or exceeded in the Fraiz application, yet the BOCC's written decision disregards the plain language of the code and insinuates that the Fraiz variance application does not meet the below code provisions (the decision states that its "broad" reading of the LDC "is supported in several locations in the LDC, including …" and then cites to the below with no explanation of how the application does not meet these code sections). Even though these code sections are not even applicable to a setback application, the Fraizes meet or exceed these standards.

> LDC § 1-4(A)(1)(c) requires development to be clustered to provide meaningful open space and limit impacts on these natural resources.

The Fraizes are proposing to place a residence that comprises 1.25% of their land. This is "clustered" and will provide meaningful open space for the remaining 98.75% of their property. The Fraiz design should be lauded for its meaningful open space and tight clustering. Yet, the BOCC written decision indicates they are not clustering, but fails to state *anything* in the Fraiz application that shows they are not clustering or even mentions that they are building on only 0.5 acre in the northeast corner of the property. The Fraiz application meets or exceeds this standard.

> **LDC § 5-4-1(E)** The decision cites to this section, but conveniently (and it must be assumed, ***intentionally***) **leaves out** the very significant language of **§ 5-4-1(E)(2):**
>
> > If impacts cannot be avoided as specified in Section 5-4-1-E, the lost habitat shall be mitigated by replacing it with similar vegetation communities at a one to one (1:1) ratio. The replacement ratio shall be higher within a half mile of riparian areas and equal a two-to-one (2:1) ratio or replacement of two vegetative components for every one that is removed. **LDC § 5-4-1(E)(2).**

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This mitigation is ***exactly*** what the Fraizes are doing, and what is required by the ACOE as documented in their Nationwide Permit 29. In fact, the Fraizes are exceeding both the ACOE and LDC standard of 1:1 mitigation by replacing low functioning marginal emergent wetland with high functioning shrub-scrub wetland resulting in what is deemed a functional lift, which is more costly.

> **LDC § 1-10(F)(3)** "Wetlands setbacks are measured from the edge of the boundary line established by the National Wetland Inventory Map, **or the line established by a detailed site-specific delineation approved by the U.S. Army Corps of Engineers**."

The BOCC decision states that the above "language **does not support** creation of a new artificial wetlands edge based on the placement of USACoE approved fill." This completely contradicts the clear language of the LDC. The LDC specifically supports measurement from "the USACoE approved fill." A site specific delineation is required in order to get a NWP 29 and this delineation does *establish the boundary line for the wetland setback*. The Fraizes must build their home in the resulting USACoE delineated upland, which has been approved by the USACoE via their NWP 29. All of this information was provided to the County by Intermountain Aquatics and is in the staff report.

At that May 1st meeting, the conversation was dominated by one commissioner. In August of 1998 the property was placed in a conservation easement; this easement was drafted by that commissioner, Michael Whitfield ("Whitfield"). Rather than discuss the evidence in the over 200 pages of submittals on the requested variance, at the hearing Whitfield instead focused on his personal opinions of house size/home design, and conservation concerns for which he provided no supporting evidence. During the deliberation Whitfield criticizes the applicant for wanting to build a 3,811sq. ft. house, and a 735 sq. ft. guest house on only 0.5 acre site of a 40 acre parcel for their family of five, stating:

- "It's not a piece of property that's appropriate for the scale of house that he wants to build at the outset"
- "I don't like the magnitude of the house. I don't think it's appropriate for the location."

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- "He can't get all of his house on the upland at the magnitude that he's suggesting."
- "I don't think, Commissioner James, it's a high bar to build a 4,000 sq foot in this kind of landscape. I don't buy it."

Ironically, Whitfield drafted the conservation easement to specifically allow for a 4000 sq foot main residence and a 1000 square foot guest house along with other normal residential and farming buildings (including but not limited to garages, corrals, loading chutes and outbuildings) spread over 2.5 acres. Not only is the Fraiz home **smaller** than what the conservation easement allows, the ½ acre of development land is 5 times smaller than what the conservation easement allows.

It is apparent that Whitfield was not looking at the application as a setback variance at all, but a chance to increase the restrictions on the 40 acres (and to set a precedence for the Fraiz' next door neighbor, Clayton Dennington as well[1]). For example, at the start of the meeting, Whitfield states that the question before the board is actually *not* about a variance from the required setback, "but there is another issue that is equally important … the whole thing is in indicator habitat. We want to minimize the disturbance of that habitat. It's not just the setbacks that we are talking about." But it is just setbacks that the BOCC should have been talking about. Instead the BOCC acts as if they are reviewing an application to build in wetlands. Indicator species and habitat are not part of the criteria for a setback variance[2], but even if they were the expert evidence in the over 200 page staff report clearly shows that the homesite is located entirely on low quality wetlands on higher ground with marginal wetland hydrology, outside the 100 year/ 1% AEP floodplain. Any sensitive habitat on the Property has been degraded by decades of livestock grazing, land mismanagement, erosion, de-vegetation, and changes in hydrology. The ***facts*** show that if development were allowed to proceed, the **required**

[1] Notably, the conservation easement that Whitfield drafted in 1998 covered 80 acres – 40 now owned by the Fraiz family and the other 40 now owned by Clayton Dennington. Without reference to his previous involvement in his property, Whitfield disregards Clayton's positive comments as the closest neighbor and instead surmises that Clayton will just "be looking for the same king of variance … he is on 40 acres with the same kind of layout."
[2] The decision also fails to mention that the fact that a Wildlife Habitat Assessment was performed as part of the conservation easement.

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mitigation actually **benefits** wildlife by creating new palustrine scrub-shrub wetlands. The compensatory mitigation would drastically increase the health of the aquatic and terrestrial habitat of the entire area which would be a ***massive public benefit***.[3] Furthermore, the Fraizes have partnered with Friends of the Teton River to do a complete restoration of both Fox creek and Little Fox creek. The Fraizes have spent tens of thousands of dollars on field work, data collection, and design for a complete restoration of both Fox Creek and Little Fox Creek that run through the Property. Without the Fraizes restoration efforts, this degradation of habitat that has occurred over the last century would go unmitigated. The mitigation plan approved by the Army Corps would convert this low functioning, degraded roadside PEM wetland into high functioning PSS wetland which would benefit the Foster Slough landscape and complement future stream restoration work. The proposed mitigation site was selected for (1) physical conditions favorable for creating self-sustaining, high functioning wetlands with reliable hydrology and (2) placing the new wetlands where they can provide the greatest benefit to wildlife given the surrounding landscape. Onsite mitigation makes sense here because a degraded, roadside PEM wetland can be replaced with a higher functioning PSS wetland with high value in the context of the Foster Slough landscape. None of this is mentioned in the written decision.

The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure. Whitfield's suggestion that the applicant move as much infrastructure as feasible to Upland 1 as well as their primary and secondary septic sites is simply not feasible, and it **still would result in a ½ acre of wetland disturbance** in order to maximize the wetland setback. The septic permit calls for a raised leech field and an enhanced septic system. This is not a gravity fed septic system. The effluent from the septic tank will need to be pumped uphill to the leech field. If the County requires the Fraizes to build their home further

[3] This mitigation is also what meets Section 5-4-1-E: "the lost habitat shall be mitigated by replacing it with similar vegetation communities at a one to one (1:1) ratio. The replacement ratio shall be higher within a half mile of riparian areas and equal a two-to-one (2:1) ratio or replacement of two vegetative components for every one that is removed."

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away from the leech field, there is a higher risk of septic failure, resulting in potential water quality issues in Fox Creek and the Upper Teton River. There have been instances of homes in the area who had to rebuild their septic systems multiple times due to failures. The Fraizes are trying to minimize risk of this happening. The Fraizes are using the majority of Upland 1 for secondary septic site (which needs to be a reasonable distance from driveway for safety reasons), driveway access to their residence, and propane tank. As shown in the attached exhibit prepared by Nelson Engineering, **it is impossible to fit the guesthouse, driveway, primary septic site, and secondary septic site in upland 1.** In Whitfield's configuration, either one of the septic sites or the guesthouse will have to be placed in wetland. The site of the leech field is of utmost importance for this project. The Fraizes conducted a perc test with at water monitoring well that had to be checked on a weekly basis for almost 8 months from December of 2021 to July of 2022. Upland 3 was identified as the likeliest best site for a leech field. Toward the end of the perc test from December of 2021 to July of 2022, Kathleen Price from EIPH and Brian Fraiz walked the entirety of the 2.5 acre building envelope to confirm that upland 3 is in fact the best site for the septic system. Kathleen Price stated that Upland 3 was even drier than Upland 1 and stated that Upland 3 was really best place for the leech field. Kathleen Price has many years of experience in identifying areas suitable areas for septic in wet areas. The BOCC's conclusion that the Fraizes do not meet criterion 6 is completely unsupported by the LDC, the law[4] and fact and therefore was arbitrary, capricious and an abuse of discretion.

Criteria 8 asks the BOCC to confirm that "granting of the variance is not in conflict with the public interest." The "not in conflict" standard is a low bar that the Fraiz far exceed by actually benefitting the public. The Fraizes are converting low functioning marginal emergent wetland that has been heavily grazed into high functioning shrub-scrub wetland resulting in a functional lift. The Fraizes are planting 340 new willow plants. They are also restoring the

[4] Idaho law is clear that comprehensive plans cannot be used to turn down site specific land applications such as variances and may only be used as a guide to draft ordinances. Although the comprehensive plan actually would support the approval of this variance, it cannot be used as a reason for approval or denial.

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decimated stretch of Fox creek and Little Fox Creek on their property. The Fraizes stopped grazing their land in 2022 and the land has responded very favorably. The Fraizes have been referenced and thanked by Teton Valley Lodge residents and surrounding land owners for discontinuing their grazing, stating that they have had the best hopper fishing in decades on the Upper Teton River. What the Fraizes have done with their property has already resulted in public benefit and allowing them to build their home, which is their right, will result in mitigation and restoration that will continue to have massive public benefit.

Lastly, the written decision states at several points that it relies on legislative intent versus the language in the setback requirement.

> The Board's decision relied on language from the LDC which presents a broad perspective of wetlands protection in its intent rather than a narrow perspective focusing only on the letter of the setback requirement.

Idaho courts have long held that there is no reason to look to intent when the language of a statute is clear. Florek v. Sparks Flying Service, Inc., 83 Idaho 160, 359 P.2d 511 (1961); State v. Lawler, 81 Idaho 171, 175, 338 P.2d 264, 266 (1959) ("[W]here the language of a statute is unambiguous, the clear express intent of the legislature must be given effect and there is no occasion of construction.") The *letter of the setback requirement* is the only thing the Board is at liberty to rely upon.

For the abundant reasons touched on above, the Board's decision must be reconsidered and the variance granted.

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From: Jade Krueger <jkrueger@tetoncountyidaho.gov>
Sent: Tuesday, September 10, 2024 11:03 AM
To: Jeff Klausmann <jeff@intermountainaquatics.com>
Cc: Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>
Subject: Re: Fraiz GEC permit

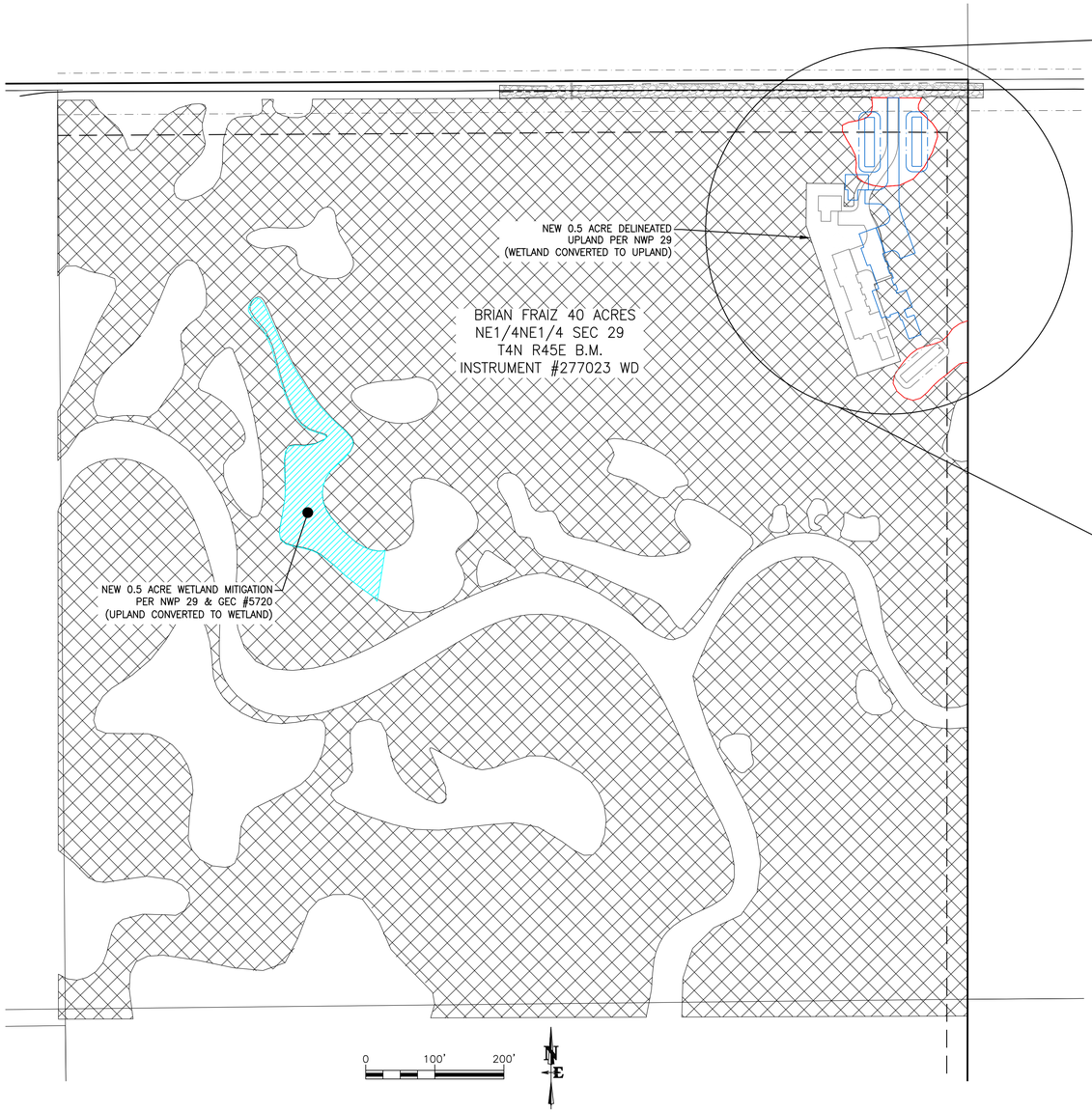
Hi Jeff,

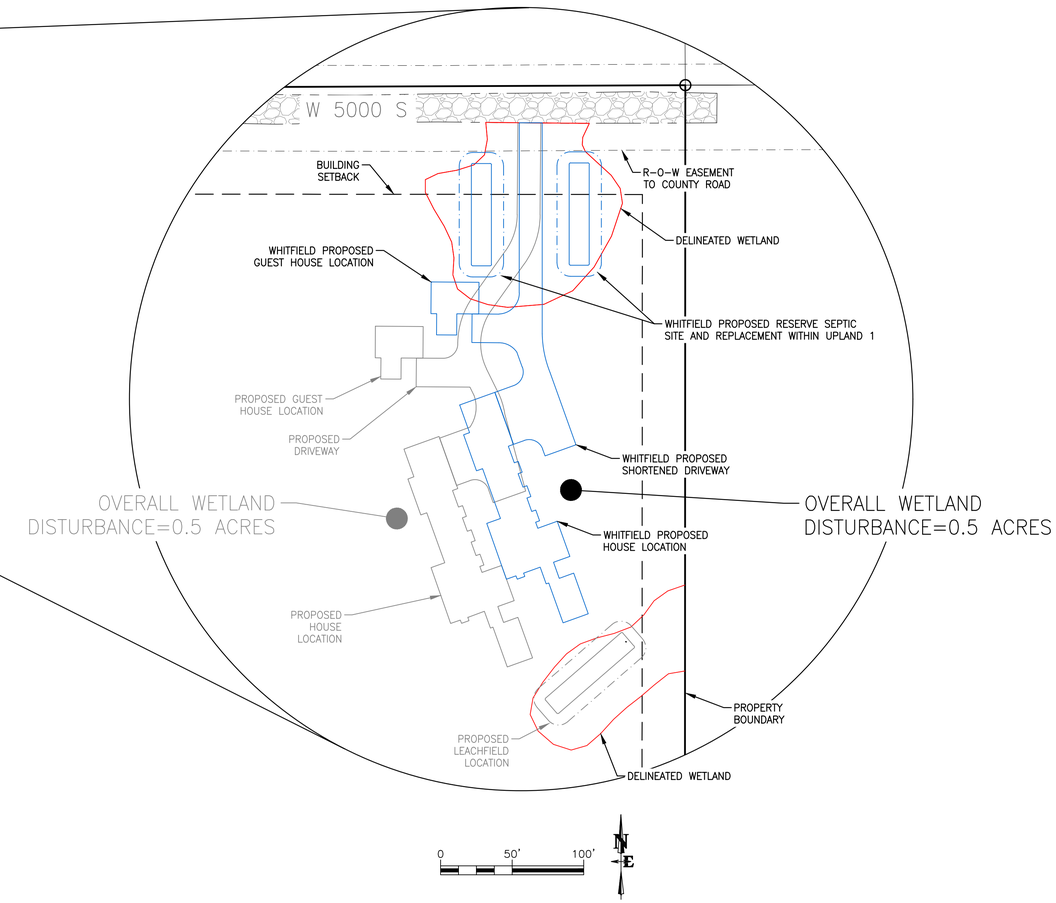
I agree re: no need for an A-WHA because of the building envelope. However, the wetland setbacks and the actual development (Driveway/house/garage, etc)... I don't have the authority to just waive that requirement. That should be done through a variance with the PZC. The variance request should be pretty straight forward since it would be an undue hardship to meet those setbacks given the property conditions and delineation.

On Mon, Sep 9, 2024 at 1:14 PM Jeff Klausmann <jeff@intermountainaquatics.com> wrote:
They are seeking a building permit and need to build a road. They also need wetland mitigation as part of the Corps permit to develop both. That mitigation is supposed to happen concurrently with any development. Both the Conservation Easement and the Corps permit paint very tight sideboards on the locations of the house and road. The property is in the NRO but most of it is already conserved under the easement and the building site (as per the Land Trust restrictions) is close to the road and away from the creek and sited to minimize impacts to wetlands. I just want to make sure we are permitted (as far as the County is concerned) to start the wetland mitigation. At this stage I see this as a classic case of where a WHA exemption is in order but even as it relates to a wetland variance I'm not sure how that could apply either because of the easement and Corps permit restrictions. I am pressing this because with conditions being as dry as they are the silver lining is that it makes for good construction (for the mitigation).
Let me know if you want to get on the phone. Tim Grimes has been working on the GEC and Nelson on the FPDP. We are focused on the wetland permit and compensatory mitigation.
Thanks
JK

Jeffrey Klausmann *(owner)*
Restoration Ecologist
Intermountain Aquatics, Inc.
116 Mustang Drive/P.O. Box 1115
Driggs, ID 83422
Office: 208-354-3690
Cell: 208-313-6929
www.intermountainaquatics.com

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To: Jeff Klausmann <jeff@intermountainaquatics.com>
Cc: Torin Bjorklund <tbjorklund@tetoncountyidaho.gov>
Subject: Re: Fraiz GEC permit

Hi Jeff,

I agree re: no need for an A-WHA because of the building envelope. However, the wetland setbacks and the actual development (Driveway/house/garage, etc)... I don't have the authority to just waive that requirement. That should be done through a variance with the PZC. The variance request should be pretty straight forward since it would be an undue hardship to meet those setbacks given the property conditions and delineation.

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Office: 208-354-3690
Cell: 208-313-6929
www.intermountainaquatics.com

OCTOBER 6, 2022

FRAIZ PROPERTY

AQUATIC RESOURCE INVENTORY

PREPARED BY:

Jeff Klausmann and Emma Vautour
Intermountain Aquatics, Inc.
116 Mustang Dr. Driggs, ID 823422

PREPARED FOR:

Brian and Whitney Fraiz
11005 Pleasantview Drive
Carmel IN 46033

INTERMOUNTAIN AQUATICS INC.

EXECUTIVE SUMMARY

Aquatic resources within a 40-acre area of interest (AOI) on private property on W 5000 S in Victor, ID were delineated based on standard field procedures and review of maps and aerial imagery.

Waters of the U.S. identified included 32.9 acres of wetlands and stream within the 40-acre area of interest (AOI).

Aquatic resources presented in this report were delineated according to the 1987 manual, subsequent memorandums and the 2010 Western Mountains, Valleys & Coast supplement. The Western Mountains, Valleys & Coast 2020 Regional Wetland Plant List (US Army Corp of Engineers) was used to determine plant indicator status. Soils were classified using the NRCS Field Indicators of Hydric Soils in the United States (version 8.0, 2016).

The dominant hydrologic influence within the AOI is surface water and associated high groundwater from Foster's Slough, Fox Creek, and irrigation ditches.



Map of Wetland Features delineated 2022

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APPENDICES

Appendix A – Aquatic Resource Inventory Map
Appendix B – Summary of Sample Point Information
Appendix C – On-Site Photographs
Appendix D – Plant List
Appendix E – Wetland Delineation Data Forms
Appendix F – Conservation Easement

1. INTRODUCTION

Intermountain Aquatics visited the site in June and August of 2022 to investigate the presence and extent of aquatic resources and to delineate jurisdictional wetlands. The property is located in Teton County, northwest of Victor, ID. The owners are developing plans for the site including a homesite and associated structures. An existing conservation easement held by Teton Regional Land Trust specifies a 5-acre building envelope in the northeast corner of the property.

This report facilitates efforts to:

- Avoid or minimize impacts to aquatic resources when evaluating development options.
- Document aquatic resource boundary determinations for review by regulatory authorities.

2. CONTACT INFORMATION

Applicant / Property Owner:

Brian and Whitney Fraiz
11005 Pleasantview Drive
Carmel IN 46033

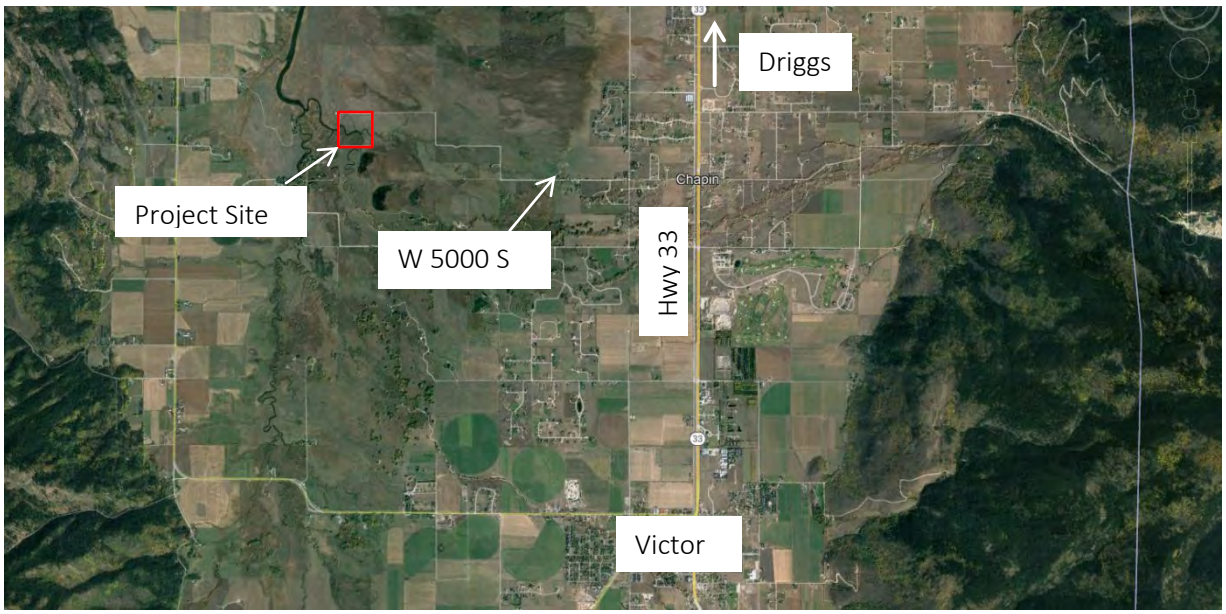
Agent:

Jeffrey Klausmann
Intermountain Aquatics, Inc.
116 Mustang Dr. / PO Box 1115
Driggs, ID 83422

3. LOCATION

The Fraiz Property is located in Teton County, Idaho, near Victor (Figure 1) in NE4 NE4 SEC 29 T4N R45E. The property is private land. It is situated on Fox Creek at the south end of Foster's Slough, a half mile from the Teton River. The property is accessed from W 5000 S.

Figure 1. Vicinity Map



4. LANDSCAPE SETTING

The Fraiz property is located within the Teton River Basin within a large complex of emergent wetlands. Fox Creek and an unnamed tributary run through the south side of the property. Foster Slough extends across the northwest quadrant of the property to Fox Creek near the center of the 40-acre parcel. Three large culverts allow water to pass under W 5000 S into the main portion of Foster Slough. The property is relatively flat with slight topographic variation formed around a network of swales branching off Foster's Slough. An irrigation ditch enters the property in the northeast quarter at which point irrigation water appears to return to natural swales.

The property has been grazed for many years and there is a relative lack of woody vegetation on the north side of Fox Creek compared to the south side which is more difficult for cattle to access. The site is dominated by herbaceous species, primarily sedges and grasses. Woody vegetation includes primarily willows and shrubby cinquefoil.

The property's main hydrologic influences are surface water and associated high groundwater in Fox Creek, the unnamed tributary, and Foster Slough as well as an unknown amount of irrigation water entering the property on the northeast corner. Foster Slough was historically more connected from the south side to the north side of W 5000 S, enough so that boats could pass through from Fox Creek. Recently, the channel has been mostly disconnected and boats can no longer float though Foster Slough, and upper Foster Slough was dry during every site visit in 2022.

5. METHODS

5.A. DATA SOURCES & FIELD DATA COLLECTION

Prior to conducting field investigations, various data sources were reviewed to gather preliminary information on land use history, vegetation, soils, and hydrologic characteristics of the site. The following data sources were reviewed prior to the field investigation:

- U.S.G.S topographic maps
- Aerial Photographs (Google Earth, NAIP)
- National Wetlands Inventory (U.S. Fish and Wildlife Service)
- FEMA Flood Hazard GIS maps
- Historic aerial imagery
- USDA NRCS Soil Survey
- National Hydrography Dataset

Wetlands were delineated according to the 1987 manual, memorandums and the 2010 Western Mountains, Valleys, and Coast Region supplement. The Western Mountains, Valleys, and Coast Region 2020 Regional Wetland Plant List (US Army Corp of Engineers) was used to determine plant indicator status. Soils were classified using the NRCS Field Indicators of Hydric Soils in the United States (version 8.0, 2016).

During multiple site visits conducted in August 2022 IMA identified the presence and extent of wetlands and other aquatic resources within the AOI. Sample points were located in potential wetland and upland areas. Field data was recorded on data sheets copied from the 2010 Western Mountains, Valleys, and Coast Region supplement. A test pit was dug at each sample location to characterize soils and hydrology. Wetland determinations were made at each

sample point to confirm and/or refine the initial wetland mapping. Wetlands were then delineated from a change in vegetation and topography. Wetlands were field mapped, recorded by using GPS tracks and/or sketched onto aerial imagery.

5.B. MAPPING RELEVANT TO DELINEATION & LANDSCAPE SETTING

Figure 2. 2020 USGS Topo of Area of Interest

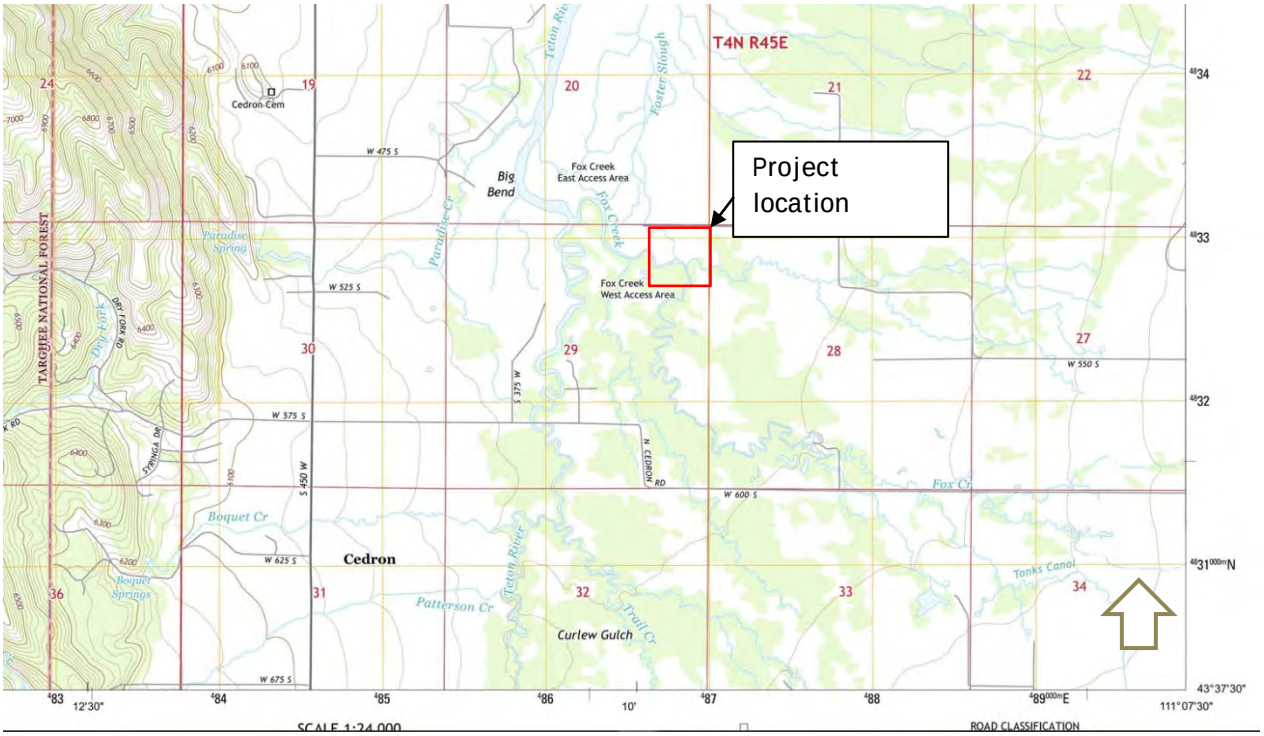


Figure 3. 1992 USGS Topo of Area of Interest

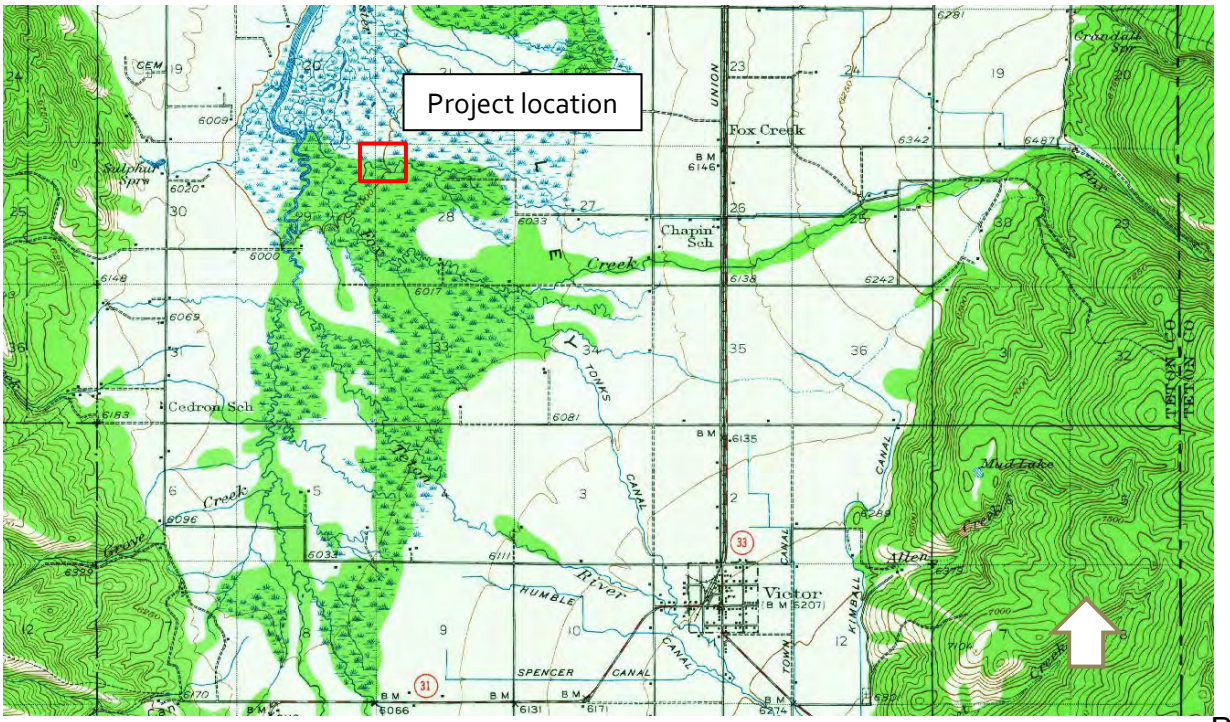


Figure 4. 2019 NAIP Aerial Image

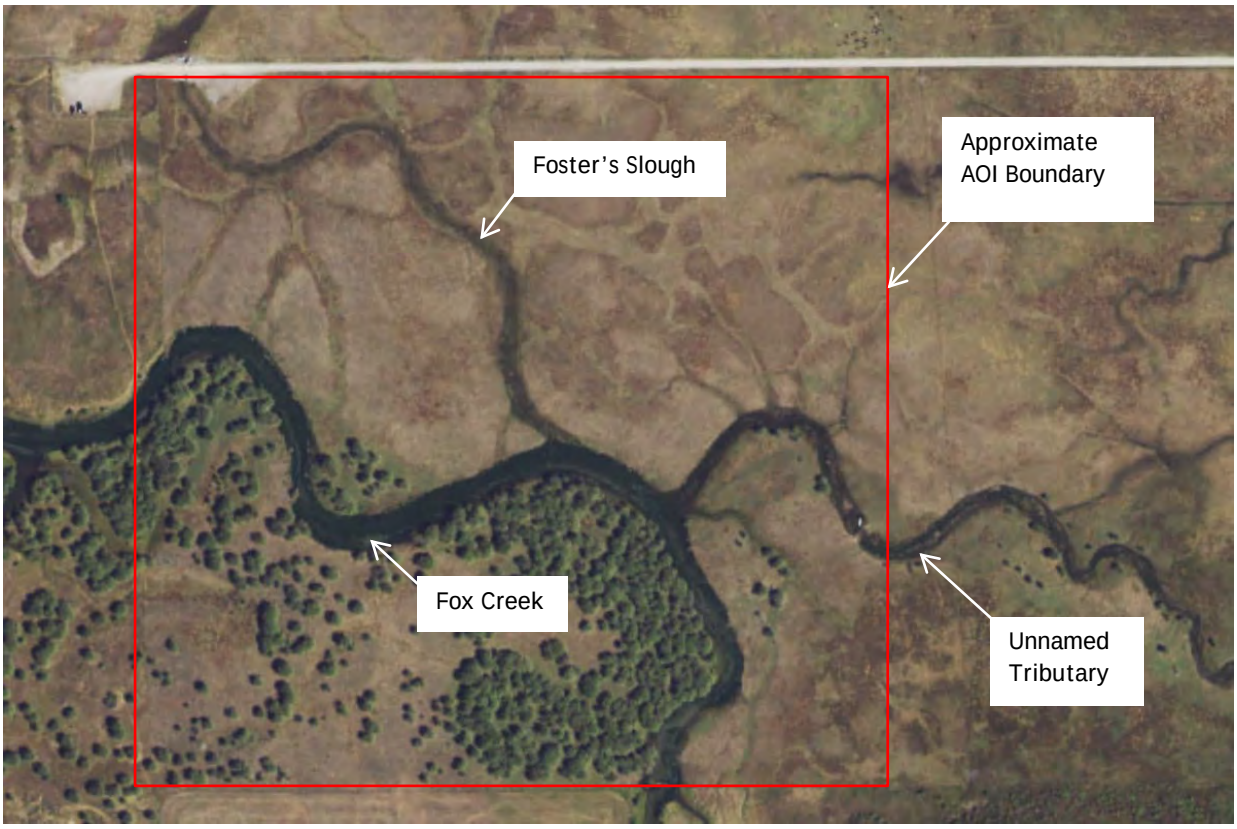


Figure 5 Google earth image aerial June 2017



Figure 6 Google earth image aerial July 2016



Figure 7.Google earth image aerial June 2009

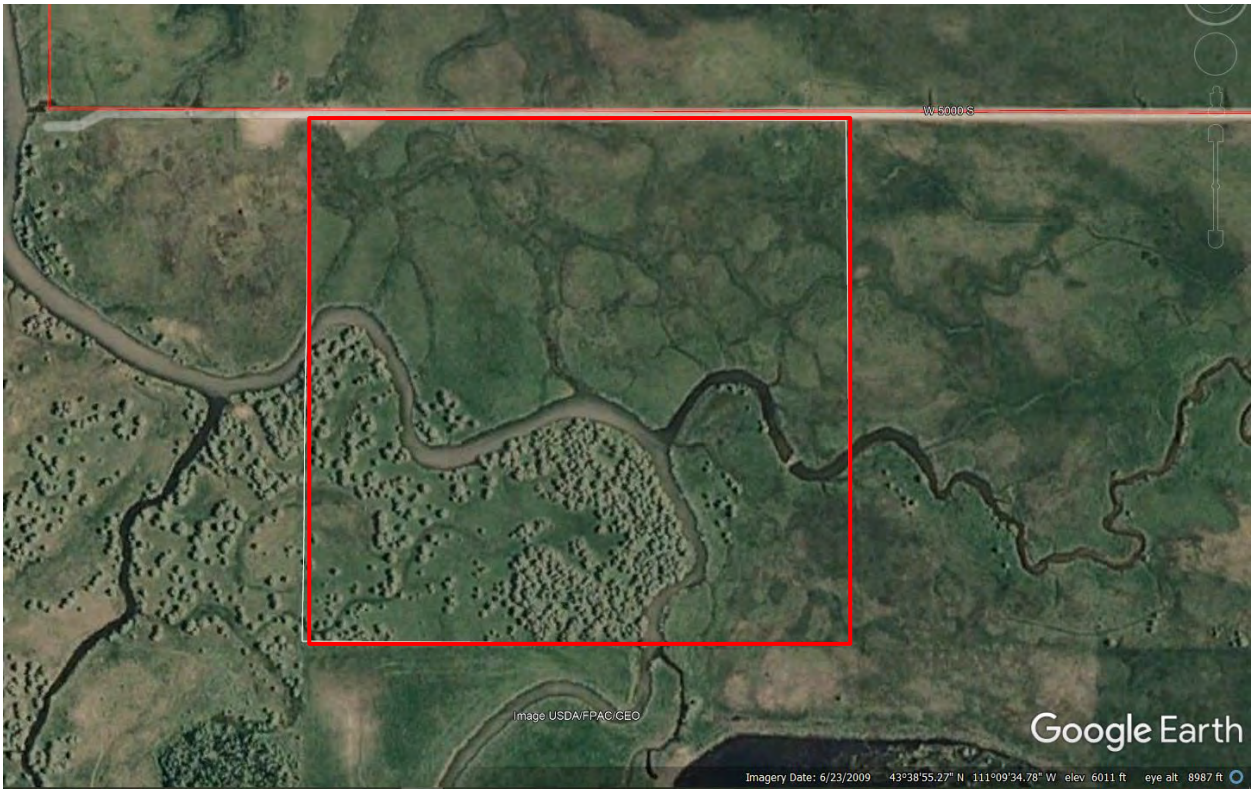


Figure 8 Google earth image aerial July 1999

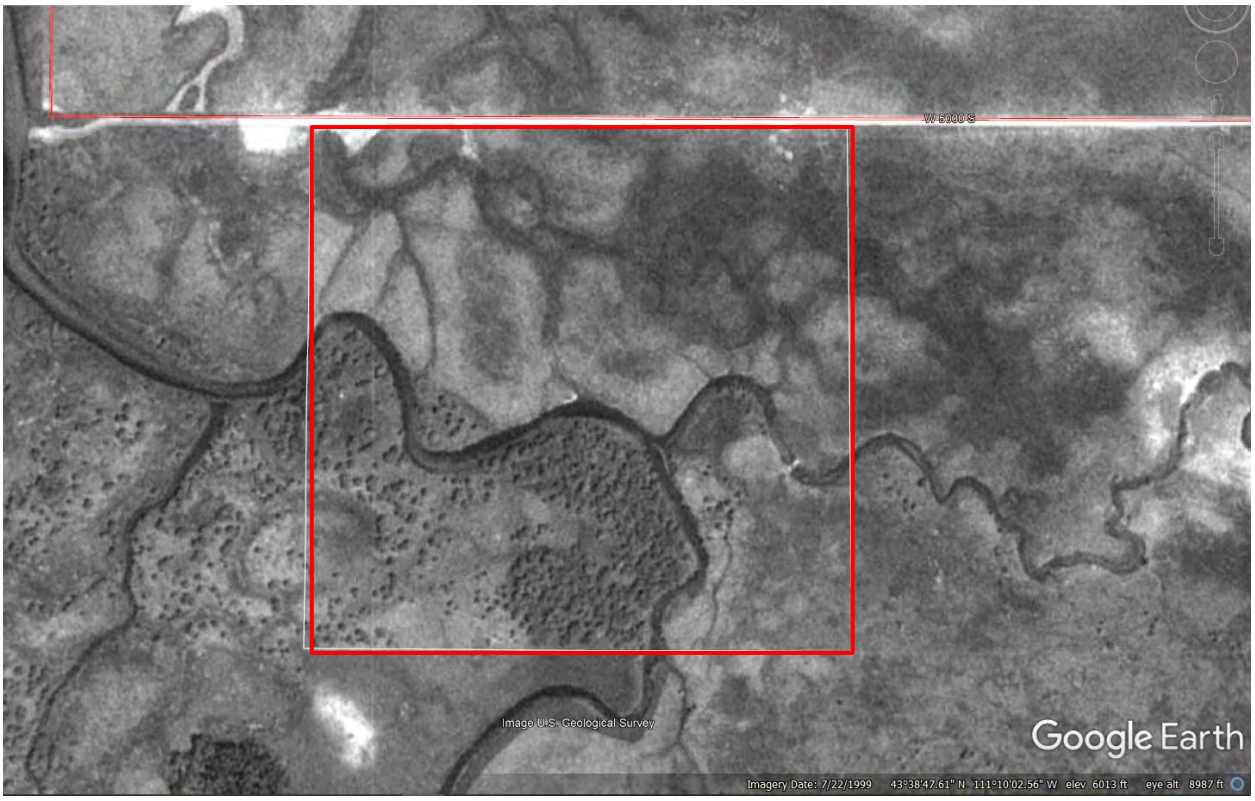


Figure 9 Google earth image aerial June 1992

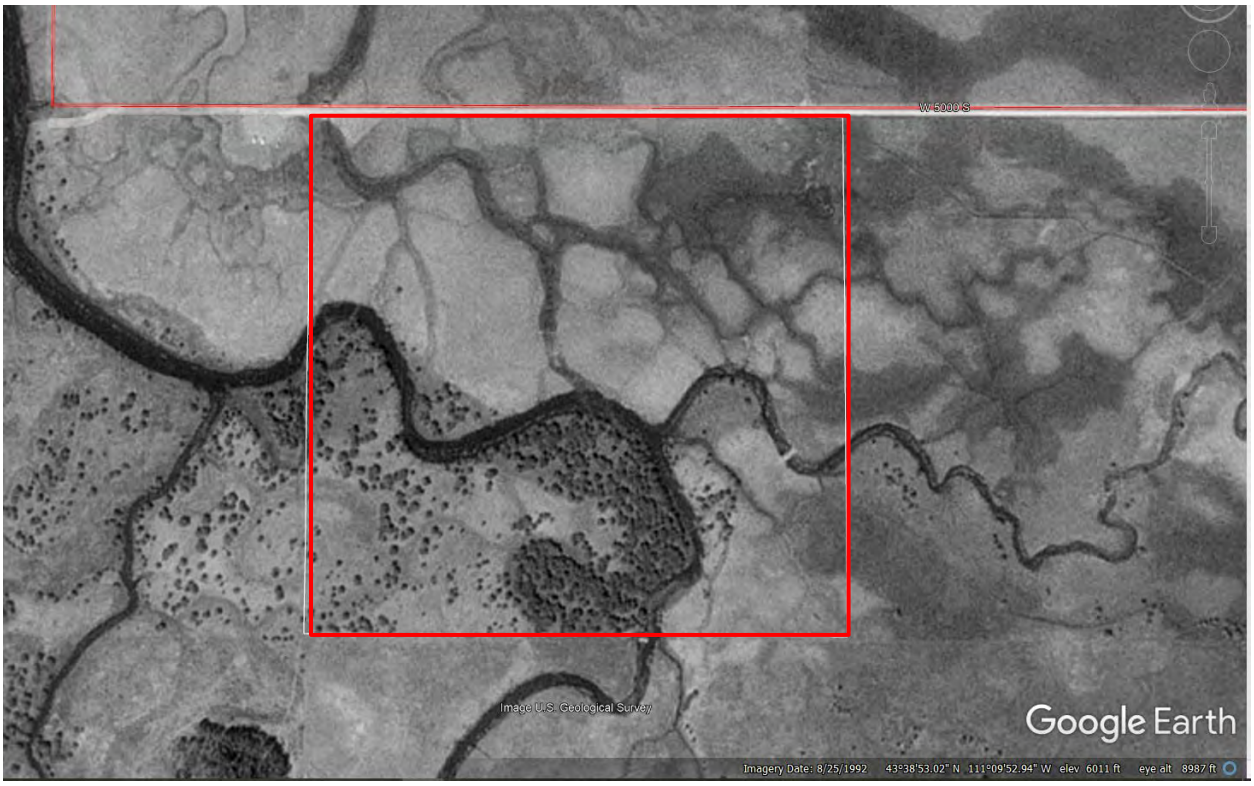


Figure 10 NWI Map of Area of Interest

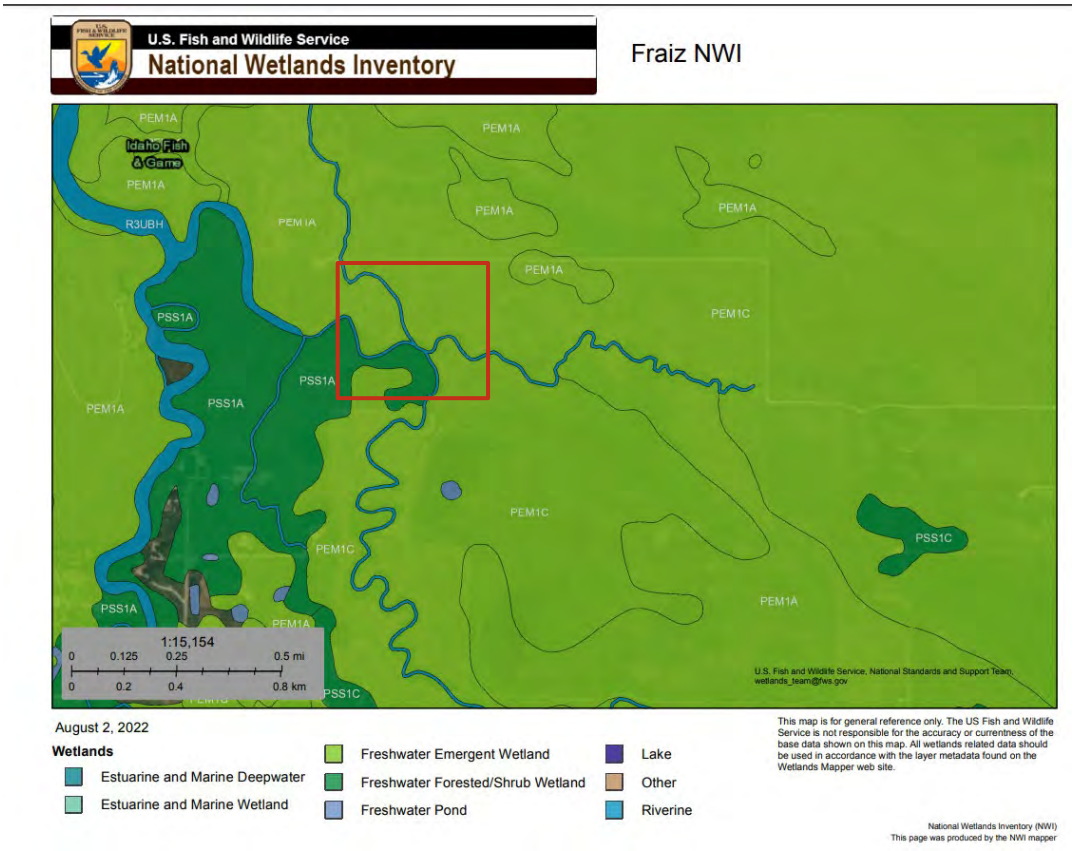


Figure 11 USGS National Hydrography Map of Project Location

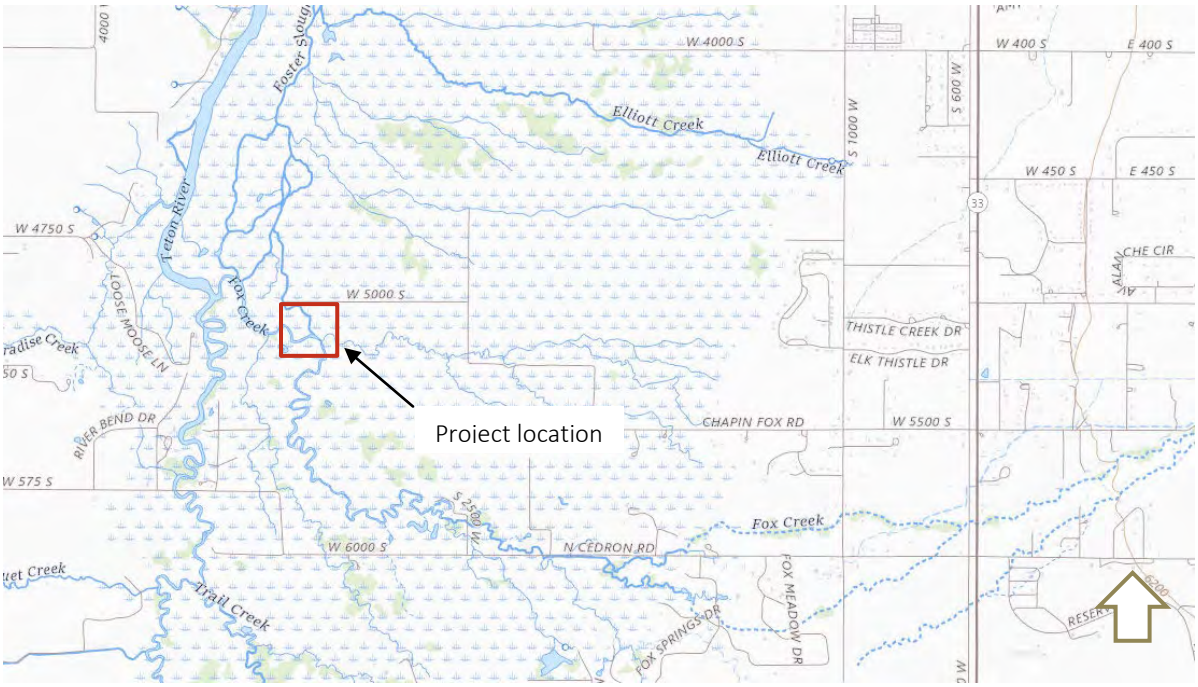
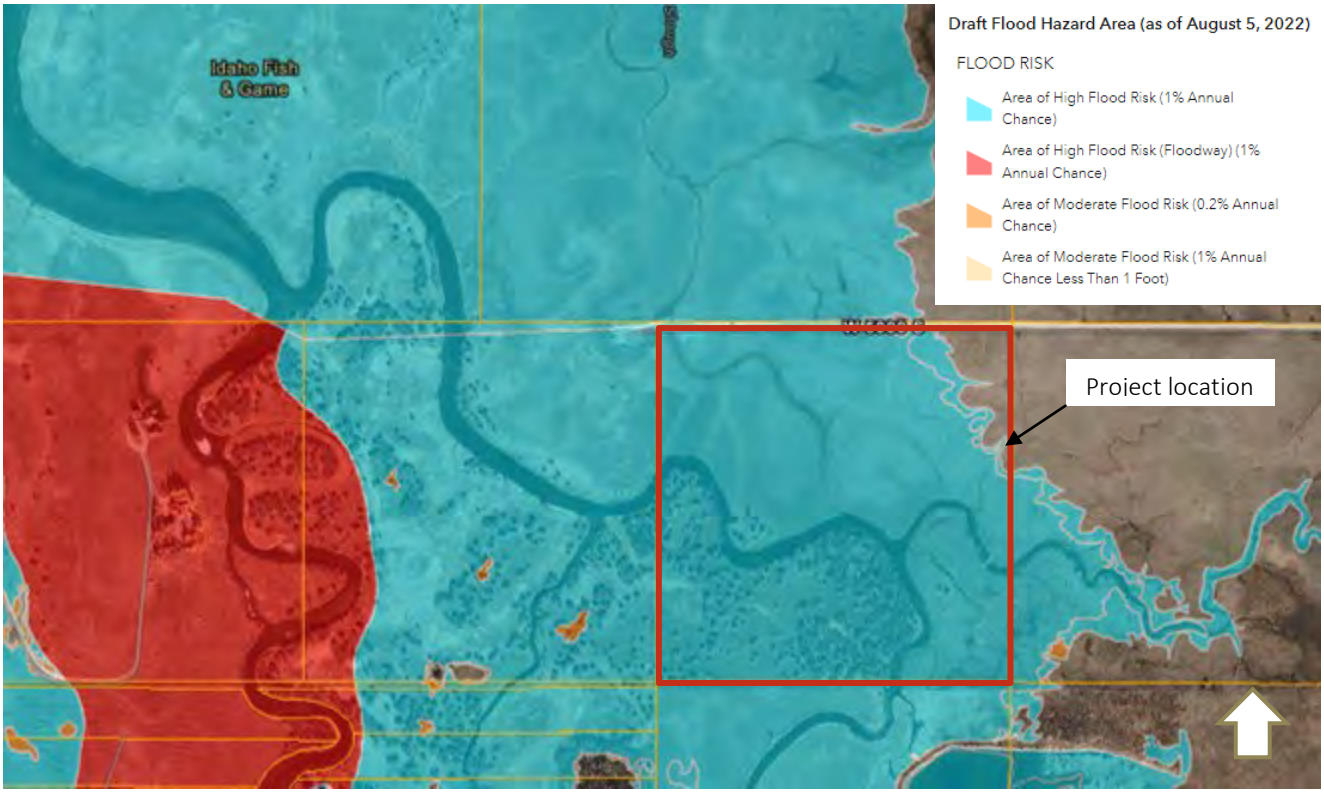


Figure 12. Draft FEMA Floodplain Flood Risk Map



6. AQUATIC RESOURCES

Wetlands were found throughout the AOI totaling 32.9 acres. Wetlands are roughly two-thirds palustrine emergent sedge meadows north and east of Fox Creek and one-third scrub-shrub wetland concentrated south of Fox Creek. Wetlands are supported by seasonal high groundwater and surface water in Fox Creek and Foster's Slough. Vegetation generally transitions from predominantly FAC to FACW species in the wetlands, to FACW to FACU in the uplands. Sample points that lacked hydrology had a higher prevalence of FACU species. Most of the sample points were characterized by dark loamy soils and many with a lighter-colored clay layer below at variable depths. Riverine resources on the property include a total of 1776 linear feet of Fox Creek (C1) and 602 linear feet of an unnamed tributary to Fox Creek.

Table 1. Aquatic Resources within the Area of Interest

Aquatic Resource Name	Aquatic Resource Type	Cowardin Classification	Location (WGS84)	Area (acres)	Linear Feet
W1	Wetland	PEM1	43°38'58.18"N, 111° 9'49.89"W	17.3	n/a
W2	Wetland	PEM1	43°38'51.14"N, 111° 9'41.86"W	4.5	n/a
W3	Wetland	PSS	43°38'50.80"N, 111° 9'54.31"W	8.7	n/a
C1	Creek	R3UB1H	43°38'54.19"N, 111° 9'51.30"W	1.9	1776
C2	Creek	R3UB1H	43°38'55.38"N, 111° 9'44.52"W	0.5	662

7. REFERENCES

Environmental Laboratory. 1987 Corps of Engineers Wetlands Delineation Manual. US Army Corps of Engineers. Wetlands Research Program Technical Report Y-87-1.

Google Earth Historical Imagery

Merdel, M.K., Lichvar, R.W. A Guide to Ordinary High Water Mark (OHWM) Delineation for Non-Perennial Streams in the Western Mountains, Valleys, and Coast Region of the United States. US Army Corps of Engineers

Lichvar, R.W, D.L. Banks, W.N. Kirchner, and N.C. Melvin. Western Mountains, Valleys & Coast 2020 Regional Wetland Plant List. US Army Corps of Engineers

National Wetlands Inventory. https://www.fws.gov/wetlands/data/mapper.HTML. U.S. Fish and Wildlife Service.

NRCS. 2016 Field Indicators of Hydric Soils in the United States. Version 8.0

US Army Corps of Engineers. 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountain, Valleys, and Coast Region (V. 2.0). Wetlands Regulatory Assistance Program. ARDC/EL TR-10-3

USDA NRCS Soil Survey. https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm. Custom Soil Resource Report for Teton Area, Idaho and Wyoming

USGS. 7.5 minute series topographic maps

USGS. 2015, Streamer online mapping application available online at https://txpub.usgs.gov/DSS/streamer/web/.

APPENDIX A – AQUATIC RESOURCE INVENTORY MAP



INTERMOUNTAIN AQUATICS INC.
ENVIRONMENTAL CONSULTING & HABITAT RESTORATION
P.O. Box 1115 - 116 Mustang Drive
Driggs, ID 83422
tel:208.354.3690 fax:208.247.0941
www.intermountainaquatics.com

FRAIZ PROPERTY

SEPTEMBER 22, 2022

Teton Co Idaho

N

Scale: 1" = 150'

0 75' 150' 300'

IF PLOTTED ON 11"x17" SIZE: ADJUST ACCORDINGLY BASED ON PAPER SIZE

DATE:

DRAWN BY: EV

CHECKED BY: JK

JOB NAME: FRAIZ DELINEATION

FILE:

REVISIONS:

Wetland Delineation

APPENDIX B – SUMMARY OF SAMPLE POINT INFORMATION

Sample Point Information

Sample Point	Lat	Long	Resources Present	Feature Label
1	43°39'1.08"N	111° 9'41.87"W	Upland	NA
2	43°39'0.06"N	111° 9'41.81"W	Wetland	W1
3	43°38'58.26"N	111° 9'40.93"W	Upland	NA
4	43°38'57.48"N	111° 9'42.80"W	Wetland	W1
5	43°38'53.62"N	111° 9'42.30"W	Upland	NA
6	43°38'55.86"N	111° 9'50.79"W	Upland	NA
7	43°38'53.22"N	111° 9'55.38"W	Upland	NA
8	43°38'52.51"N	111° 9'57.22"W	Wetland	W3



1A Sample Point



1B Sample Point



2A Sample Point



2B Sample Point



3A Sample Point



3B Sample Point



4A Sample Point



4B Sample Point



5A Sample Point



5B Sample Point



6A Sample Point



6B Sample Point



7A Sample Point



7B Sample Point



8 Sample Point

APPENDIX C – PHOTOGRAPHS

General Photo Points



From W 5000 S looking south along Foster Slough



From W 5000 S looking southeast from Foster Slough



Northwest corner of property looking east



Center property near Fox Creek looking west



Fox Creek north side looking southeast



Fox Creek north side looking south



Foster's Slough looking south toward Fox Creek



Confluence of unnamed creek and Fox Creek looking south



North side of unnamed creek looking east



Unnamed creek looking southwest



Northeast side of property looking east



Northeast side of property looking



Swale on east side of property looking northwest



Unnamed creek looking southwest



Existing culvert crossing across unnamed creek



Fox creek bank erosion, north side



Upland area on north west side of property looking west



Foster's slough looking northwest



Connection between Foster's Slough and Fox Creek



Foster's slough looking northwest



North central property looking southeast



Northeast property looking south



Willow stands south of Fox Creek



Willow stands south of Fox Creek



Willow stands south of Fox Creek

APPENDIX D: PLANT LIST

Genus	species	Common	WIS
Achillea	*millefolium*	Common yarrow	FACU
Agrostis	*stolonifera*	Creeping bentgrass	FACW
Alopecurus	*pratensis*	field meadow foxtail	FACW
Aster	*laevis*	Smooth aster	FACU
Bromus	*inermis*	Smooth brome	FAC
Carex	*nebrasensis*	Nebraska sedge	FACW
Carduus	*nutans*	Musk thistle	FAC
Cirsium	*arvense*	Canada thistle	FAC
Iris	*missouriensis*	Western blue flag iris	FACW
Juncus	*arcticus (aka balticus)*	Arctic rush	FACW
Medicago	*lupulina*	black medic	FACU
Phleum	*pratense*	timothy	FAC
Plantago	*major*	Broadleaf plantain	FAC
Potentilla	*pulcherrima*	Soft cinquefoil	FAC
Taraxacum	*officinale*	Dandelion	FACU

APPENDIX E – WETLAND DELINEATION DATA FORMS

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 1

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°39'1.08"N | Long: 111° 9'41.87"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** Yes	No X
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	25	Yes	FACW
2. *Plantago major*	10	No	FAC
3. *Medicago lupulina*	10	No	FACU
4. *Taraxacum officinale*	5	No	FACU
5. *Fac Grasses*	50	Yes	FAC
6.			
7.			
8.			
9.			
10.			
11.			
	100 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	25	x 2 =	50
FAC species	60	x 3 =	180
FACU species	15	x 4 =	60
UPL species	0	x 5 =	0
Column Totals:	100 (A)		290 (B)

Prevalence Index = B/A = 2.90

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks:

SOIL

Sampling Point: 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-2	10YR 3/3	100						
2-10	10YR 3/2	100						
10-14	10YR 4/1	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

Soil, crumbly, dry, without much structure

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 2

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°39'0.02"N | Long: 111° 9'41.62"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** **Yes** X **No**
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes X	No	

Remarks:
bottom of shallow swale

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	95	Yes	FACW
2. *Juncus balticus*	5	No	FACW
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	100 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		200 (B)

Prevalence Index = B/A = 2.00

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- X 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No**

Remarks:

SOIL

Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 2/2	100						
4-10	10YR 3/2	100						
10-16	10YR 4/2	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

Soil, crumbly, dry, without much structure

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- X Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

soil moist but not saturated

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 3

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°38'58.22"N | Long: 111° 9'40.96"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** Yes No X
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes	No X	

Remarks:
knoll near septic test well

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	5	No	FACW
2. *Iris missouriensis*	30	Yes	FACW
3. *Aster laevis*	1	No	FACU
4. *Achillea millefolium*	10	No	FACU
5. *Potentilla pulcherrima*	1	No	FAC
6. *Taraxacum officinale*	1	No	FACU
7. *Fac Grasses*	60	Yes	FAC
8.			
9.			
10.			
11.			
	108 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	35	x 2 =	70
FAC species	61	x 3 =	183
FACU species	12	x 4 =	48
UPL species	0	x 5 =	0
Column Totals:	108 (A)		301 (B)

Prevalence Index = B/A = 2.79

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks:

SOIL

Sampling Point: 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/3	100						
4-10	10YR 3/1	100						
10-16	10YR 4/2	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
no soil moisture within sample point

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 4

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°38'57.48"N | Long: 111° 9'42.80"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** **Yes** X **No**
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes X	No	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	100	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	100 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		
% Bare Ground in Herb Stratum			

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		200 (B)

Prevalence Index = B/A = 2.00

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- X 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No**

Remarks:

SOIL

Sampling Point: 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-2	10YR 3/3	100					peat	
2-14	10YR 2/2	100					Loamy/Clayey	
14-18	10YR 4/1	100					Mucky Loam/Clay	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes X	No ___	Depth (inches): 14

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 5

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°38'53.59"N | Long: 111° 9'42.26"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	No X	**Is the Sampled Area within a Wetland?** Yes No X
Hydric Soil Present?	Yes	No X	
Wetland Hydrology Present?	Yes	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	3	No	FACW
2. *Achillea millefolium*	5	No	FACU
3. *Aster laevis*	5	No	FACU
4. *Taraxacum*	10	No	FAC
5. *Fac Grasses*	75	Yes	FAC
6.			
7.			
8.			
9.			
10.			
11.			
	98 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	3	x 2 =	6
FAC species	85	x 3 =	255
FACU species	10	x 4 =	40
UPL species	0	x 5 =	0
Column Totals:	98 (A)		301 (B)

Prevalence Index = B/A = 3.07

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No X

Remarks:

SOIL

Sampling Point: 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 2/1	100					Loamy/Clayey	
6-9	10YR 3/1	100					Loamy/Clayey	
9-12	10YR 5/1	100					Mucky Loam/Clay	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:
soil structure granular

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 6

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°38'53.22"N | Long: 111° 9'55.38"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** Yes No X
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	5	No	FACW
2. *Aster laevis*	5	No	FACU
3. *Carduus nutans*	1	No	UPL
4. *Taraxacum officinale*	5	No	FAC
5. *Cirsium arvense*	10	No	FAC
6. *Juncus balticus*	15	Yes	FACW
7. *Fac grasses*	40	Yes	FAC
8. *Achillea millefolium*	5	No	FACU
9.			
10.			
11.			
	86 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	20	x 2 =	40
FAC species	55	x 3 =	165
FACU species	10	x 4 =	40
UPL species	1	x 5 =	5
Column Totals:	86 (A)		250 (B)

Prevalence Index = B/A = 2.91

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks:

SOIL

Sampling Point: 6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-2	10YR 3/2	100						
2-12	10YR 2/1	100						
12-16	10YR 3/1	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Fraiz | City/County: Teton | Sampling Date: 8/4/22

Applicant/Owner: Brian Fraiz | State: ID | Sampling Point: 7

Investigator(s): EV | Section, Township, Range: NE4NE4 SEC 29 T4N R45E

Landform (hillside, terrace, etc.): | Local relief (concave, convex, none): | Slope (%):

Subregion (LRR): LRR E, MLRA 43B | Lat: 43°38'53.22"N | Long: 111° 9'55.38"W | Datum: WGS84

Soil Map Unit Name: Furniss-Boquet complex | NWI classification: PEM

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No	**Is the Sampled Area within a Wetland?** Yes No X
Hydric Soil Present?	Yes X	No	
Wetland Hydrology Present?	Yes	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5' x 5')			
1. *Carex nebrascensis*	1	No	FACW
2. *Agrostis stolonifera*	5	No	FAC
3. *Potentilla pulcherrima*	5	No	FAC
4. *Phleum pratense*	85	Yes	FAC
5. *Cirsium arvense*	10	No	FAC
6.			
7.			
8.			
9.			
10.			
11.			
	106	=Total Cover	
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	1	x 2 =	2
FAC species	105	x 3 =	315
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	106 (A)		317 (B)

Prevalence Index = B/A = 2.99

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- X 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- 5 - Wetland Non-Vacular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No

Remarks:

SOIL

Sampling Point: 7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 2/2	100						
4-8	10YR 2/1	100						
8-16	10YR 5/1	100						

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
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- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) (**LRR A**)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water-Stained Leaves (B9) (**MLRA 1, 2 4A, and 4B**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) (**LRR A**)
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present?	Yes ___	No X	Depth (inches): ___
Water Table Present?	Yes ___	No X	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No X	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

FILED
AT THE REQUEST OF
Michael Whitfield
AT 00 MINUTES PAST 11 a.m.
DATE Aug. 3, 1998
Asa D. Drake
CLERK OF RECORD
BY Dora Rigby
DEPUTY

RECEIVED
AUG 0 3 1998
TETON CO., ID
CLERK RECORDER

131118

CONSERVATION EASEMENT

THIS GRANT DEED OF CONSERVATION EASEMENT is made this the third day of August, 1998, by David George and Carolyn A. Foster, having an address at P.O. Box 193, Driggs, ID, 83422, ("Grantors"), in favor of The Teton Regional Land Trust, Inc., a non-profit Idaho corporation, whose mailing address is P.O. Box 247, Driggs, Idaho 83422, ("Grantee").

WITNESS THAT

WHEREAS, Grantors are the sole owners in fee simple of certain real property located in Teton County, Idaho (the "Property"), described more particularly in Exhibit A (Property Legal Description), attached hereto and by this reference made a part thereof, which property remains largely in an undeveloped and natural state; and

WHEREAS, the Property possesses substantial natural, scenic and wildlife values (collectively, "Conservation Values") of great importance to the Grantors, Grantee, the people of Teton Valley and the people of Idaho and the United States, and their protection will yield a significant public benefit; and

WHEREAS, Grantors have the potential of building multiple residences on the Property in locations that would degrade fish and wildlife habitats, and Grantors do not wish to build multiple residences nor build in inappropriate locations; and

WHEREAS, the Property is situated within Teton Valley, Idaho and Wyoming, which includes portions of Targhee National Forest, nationally recognized views of the Teton Mountain Range, significant wildlife habitats including wetlands of great regional significance, and is an important portion of the Greater Yellowstone Ecosystem; and

WHEREAS, the Property has substantial natural, wildlife, and scenic values (collectively, "Conservation Values") of great importance to the Grantor, the Trust, the people of Teton Valley and the people of Idaho and the United States, and their protection will yield a significant public benefit; and

WHEREAS, the Property contains wetlands, flood plains and riparian habitats vital to the protection of wildlife populations, nutrient cycling, water quality, erosion control, and ground water recharge; and

WHEREAS, the Property is within one-quarter mile of the Teton River, a major river in the Henry's Fork Snake River Watershed, and includes a portion of Fox Creek, a major tributary of the Teton River, and several spring creeks which feed Fox Creek; and shares ecosystems with and contributes to the ecological viability of the watershed; and

WHEREAS Fox Creek is recognized as an important Yellowstone cutthroat trout spawning stream by the State of Idaho Department of Fish and Game and is specifically protected by the Comprehensive State Water Plan for the Henry's Fork Watershed, and is therefore, accorded specific recognition by the State of Idaho; and

WHEREAS, the Property contains portions of important shorebird and waterfowl migratory and wintering habitat for species of special concern such as trumpeter swans, whooping cranes, and long-billed curlew ; and

WHEREAS, the Property supports a diversity of wildlife species, including federal and state listed threatened, endangered and sensitive species, and many other species which are dependent upon the Property's streams, wetlands, and uplands; and

WHEREAS, the Idaho Department of Fish and Game, United States Natural Resources Conservation Service and United States Fish and Wildlife Service have recognized the important fish and wildlife habitats found on the Property; and

WHEREAS, the present conservation values of the Property are to be documented in an inventory of relevant features of the Property and filed at the offices of the Grantee and incorporated by this reference ("Baseline Documentation"), Exhibit B, which shall consist of reports, maps, photographs, and other documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant, and which is intended to serve as an objective, though non inclusive, information baseline for monitoring compliance with the terms of this grant; and

WHEREAS, the substantial development prohibited by this Conservation Easement would seriously impair the conservation values of the Property; and

WHEREAS, protection of this Property by means of a Conservation Easement is consistent with and will further the goals and policies of the Teton County Comprehensive Plan, which became effective on June 28, 1993 and is consistent with the wetlands element of that Plan, which endorses wetland protection; and

WHEREAS, Grantor desires to preserve and protect forever the natural, wildlife, and scenic features and values of the Property; and

WHEREAS, on the third day of August, 1998, a map depicting the Property and presenting information referred to by this Conservation Easement ("the Map of the Property") was filed in the office of the Clerk of Teton County, Idaho; and

WHEREAS, for the purposes of convenience only and not as a substitute for the Map of the Property, an incomplete and not totally accurate reproduction of the Map of the Property is attached to this Conservation Easement as Exhibit C (Foster Fox Creek Property Map); and

WHEREAS, Grantors further intend, as owners of the Property, to convey to Grantee the right to preserve and protect the conservation values of the Property in perpetuity; and

WHEREAS, Grantee is a publicly supported, tax-exempt nonprofit organization, qualified under Section 501(c)(3) and 170(h) of the Internal Revenue Code as of 1986, as amended, whose primary purpose is the conservation of the natural and agricultural resources, significant ecosystems, scenic open spaces, and traditional lifestyles of Idaho and Wyoming and the Upper Snake River Valley; and

WHEREAS, Grantee has agreed to accept this grant of certain interests in the Property upon the condition and understanding that the intentions of the Grantors regarding the future uses and preservation of the Property as expressed in this document shall be forever honored and defended; and

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Idaho and in particular Idaho Code §§ 55-2101 to 55-2109 (1988), and with the intention of making a voluntary and irrevocable gift in perpetuity, Grantors hereby voluntarily grant and convey to Grantee a Conservation Easement in perpetuity over and across the Property of the nature and character and to the extent hereinafter set forth:

1. Purpose. It is the purpose of the Conservation Easement granted herein to assure that the Property will be retained forever in its natural, scenic, and wetlands habitat condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property. Grantors intend that this Conservation Easement will confine the use of the Property to such activities, including, without limitation, natural, wildlife habitat, limited recreational and agricultural, as are not inconsistent with the purpose of this Conservation Easement.

1.1. Paragraphs 2 and 3 of this Conservation Easement identify rights conveyed to Grantee and rights reserved to Grantors respectively. It is the intention of this instrument to better define those rights so that Grantors and Grantee can accomplish the purposes of this Conservation Easement in a cooperative and amicable manner.

2. Affirmative Rights Conveyed by the Conservation Easement to Grantee. To accomplish the purpose of the Conservation Easement, the following rights are conveyed to Grantee by this easement:

2.1. To identify, preserve and protect in perpetuity the conservation values of the Property, subject to the terms of the grant of this easement and in keeping with permitted practices noted in Paragraph 3.

2.2. To enter upon the Property to enforce the rights herein granted and in connection therewith to inspect, observe, study, and make scientific observations

of the Property, all in a manner that will not unreasonably interfere with the proper uses being made of the Property at the time of such entry, provided that, except in cases where Grantee determines that immediate entry upon the Property is essential to prevent or mitigate a significant violation of this Conservation Easement, such entry shall be upon reasonable prior notice given by or on behalf of Grantee to one or more of the then owners of the Property, and Grantee shall not in any case unreasonably interfere with Grantors' use and quiet enjoyment of the Property; and

2.3. To prevent any unpermitted activity on or unpermitted use of the Property that is inconsistent with the purpose of this Conservation Easement or which may have a significant adverse impact on the conservation interests associated with the Property, and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use, pursuant to the remedies set forth in paragraph 6.

2.4. To place and maintain on the Property a sign that a Conservation Easement has been conveyed to Grantee, subject to the approval of Grantors as to design, size, and location.

3. Permitted Uses and Practices. Grantors reserve to themselves, and to their personal representatives, heirs, successors, and assigns, all rights accruing from their ownership of the Property, including the right to engage or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of this Conservation Easement and will not result in significant injury to or the destruction of a significant conservation value. Without limiting the generality of the foregoing, the following rights are expressly reserved by Grantors:

3.1. To reside on the Property and to designate and to develop, in accordance with the provisions of this paragraph 3.1, one "Building Area" as described below, provided that Grantors agree that the "Building Area" shall not exceed 5 acres in size and that the following permitted uses and practices and restrictions apply to the "Building Area". Notwithstanding anything in this paragraph to the contrary, all structures permitted hereby shall be located within the "Building Area" defined herein. Grantors shall comply with local, state, and federal regulations that deal with building construction, and acquire all appropriate local, state and federal building permits. The designated "Building Area" shall be located as described below and as indicated on the accompanying map, Exhibit D, except with the prior written permission of the Trust, which permission shall not be unreasonably withheld.

3.1.1. To construct, use, own, occupy, lease, repair, and reconstruct within the designated Building Area: two "Principal Residences", two "Guest Houses", and normal residential and farming structures, including, but not

limited to two garages, corrals, loading chutes and outbuildings. Notwithstanding anything in this paragraph to the contrary, all structures permitted hereby shall be located within the "Building Area" defined herein.

The two "Principal Residences" shall not exceed 4,000 square feet of living area nor 25 feet in height from the ground level individually, except with the prior written permission of the Trust, which permission shall not be unreasonably withheld.

The Guest House(s) shall not exceed 1,000 square feet of living area and shall be used only occasionally by the owner of the Principal Residence for themselves or guests, and shall not be used as a personal residence nor for commercial purposes, provided that the guest house may be used as a residence for Property owners in the event that the Principal Residence is not yet built or is under construction.

3.1.2. To install and maintain all reasonably necessary water, sewage, and other utilities in connection with the permitted structures described in the subparagraphs of this Paragraph 3.1, so long as all such utilities are installed and maintained underground, it being understood that any septic system must be constructed in strict conformity with all applicable state and local laws.

3.1.3. To construct, maintain and use for pedestrian and vehicular access, roadways as needed to access the Building Area as determined by mutual written agreement of Grantors and the Trust. Grantors agree to provide the Trust with prior written notice pursuant to paragraph 6.1 herein before any construction of new roadways.

3.1.4. Anywhere within the designated Building Area, to construct, locate, maintain, repair and use minor, insubstantial structures and improvements which might be considered part of usual residential and farming activities, including but not limited to equipment storage buildings, outdoor walkways, decks attached to buildings, landscaping, lawns and flower and vegetable gardens and associated fences.

3.1.5. Within the designated Building Area only, normal residential ashes, trash and garbage may be stored on a temporary basis for burning or disposal off the property. Building materials may be stored temporarily during construction activities.

3.1.6. No residential buildings or associated developments or utilities except those specifically permitted by this paragraph 3.1 for the Building Area shall be constructed or located anywhere on the Property.

3.1.7. Use of the Property for lawful "home-occupancy" commercial use is permitted, provided that said use occurs solely inside a residential building and has no effect on the wildlife, scenic, agricultural and natural values of the Property, and in particular has, at most, negligible impact on the amount and character of traffic on the Property.

3.1.8. Pets, most specifically dogs, shall be under the control of property owners such that harassment of wildlife is prevented.

3.2. To pasture, graze, feed, water, and care for livestock in compliance with the standards and specifications of a grazing plan to be prepared by the United States Department of Agriculture, Natural Resources Conservation Service, for the purpose of improving local range and protecting the natural and wildlife resources of the Property, the terms and conditions of which grazing plan shall, upon completion, be attached hereto and by this reference made a part hereof as Exhibit E (Grazing Plan).

3.2.1 To construct or develop on the Property improvements needed for normal livestock grazing operations, including corrals and catch pens, provided that such construction or development takes place within the "Building Area" and shall be in compliance with the intent of this Conservation Easement.

3.3. To construct, maintain, and repair: (1) Fences along the property boundaries; and (2) Cross fences and riparian fences within pasture areas as needed to manage livestock and prevent excessive grazing in accordance with the above mentioned Natural Resources Conservation Service grazing plan; and (3) fences as may be necessary or appropriate for the Building Area as defined in subparagraph (3.1) provided that all such fences shall be located within an area designated as "Building Area" on the Map of the Property; and (4) only those additional fences as may be necessary or appropriate within the intent of this Conservation Easement; provided, however, that all fences shall comply with the following requirements, except by prior written permission of the Trust which permission shall not be unreasonably denied:

3.3.1. Where a fence must cross a major animal migration route, it shall be designed to minimize obstruction of migration routes.

3.3.2. Fences which are constructed to run parallel to any streams must be located at least 25 feet from open water.

3.4. To construct or develop on the Property wildlife habitat improvements, provided that any such construction or development shall be in compliance with the intent of this Conservation Easement, which is to conserve the diversity of wildlife species native to the Upper Snake River Watershed and found on the Property.

3.4.1. Grantors agree to consult with Grantee before taking actions to develop wildlife habitat improvements.

3.5 To lawfully use agrochemicals, including, but not limited to, fertilizer, herbicides, and biocides, only in those amounts and with that frequency of application constituting the minimum necessary to accomplish reasonable agricultural and habitat management purposes, provided that the use of such chemicals shall in all cases be in compliance with local, state, and federal regulations, standards, and guidelines and conducted in such a manner as to minimize adverse effects upon the underlying natural habitat values, and surface and subsurface water resources of the Property.

3.6. To reintroduce, plant, and maintain native plant and wildlife species, meaning those species whose natural distributions include the Upper Snake River Watershed, which have been reduced or extirpated from their former range or exist below normal densities, and whose reintroduction is intended to protect, preserve and enhance the natural, aesthetic, scenic, and wildlife habitat values of the Property.

3.7. To conduct studies on resident wildlife species, including those which involve capturing and marking of individual animals, provided that all such studies are to be conducted by competent wildlife researchers with all necessary permits as required by law to conduct such studies.

3.8. To remove trees, bushes, grasses and other vegetation from the Property only if the removal constitutes an action that is compatible with the purpose of this Conservation Easement.

3.8.1. Actions which are not compatible with the purpose of this Conservation Easement, unless specifically permitted by the prior written consent of Grantee, include, but are not limited to: clearcutting of native vegetation, wide-scale removal of vegetation or soil, grading, and similar activities.

3.9. To use the Property for walking, hiking, horseback riding, skiing, snowmobiling, use of all-terrain-vehicles, fishing, hunting, picnicking and other recreational uses consistent with the purpose of this Conservation Easement and all applicable governmental regulations in regard to taking of fish and wildlife.

3.10. To introduce and maintain non-native vegetation and animal species on the Property to protect, preserve and enhance the wildlife habitat values of the Property, but only with the prior written consent of Grantee which consent may be refused or limited in Grantee's discretion.

3.11. The eradication, abatement, and control of toxic or noxious weeds or animals are permitted.

3.12. Grantors specifically retains all rights, title and interest in and to all tributary and non-tributary water, water rights, and related interests, in, on, under or appurtenant to the Property.

4. Prohibited Uses and Practices. Any activity on or use of the Property inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

4.1. Division, subdivision or defacto subdivision through sales, leases or for residential development beyond that permitted by a subparagraph of Paragraph 3 above, or otherwise.

4.2. Any residential, commercial or industrial buildings, structures of any kind, or associated developments or utilities.

4.3. Drilling, filling, excavating, dredging, mining or removal of topsoil, sand, gravel, rock, minerals, hydrocarbons, or other materials on or below the surface of the Property, or other significant changing of the topography of the Property.

4.4. Dumping or storing of ashes, trash, garbage, junk or other unsightly or offensive materials, except as necessary for uses permitted by a subparagraph of Paragraph 3 above .

4.5. Manipulation or alteration of natural watercourses, except as necessary for uses permitted by a subparagraph of Paragraph 3 above .

4.6. Manipulation or alteration of vegetation, except as necessary for uses permitted by a subparagraph of Paragraph 3 above .

4.7. Outdoor burning of any materials except where the burning is in conformity with applicable governmental controls and regulations and, in the case of vegetation, where the burning is also beneficial to wildlife.

4.8. Off-road use of vehicles, except as necessary for uses permitted by a subparagraph of Paragraph 3 above.

4.9. Establishment or maintenance or any livestock feedlots or game farms.

4.10. Commercial timbering of any kind.

4.11. Construction of any road.

4.12. Any industrial use.

4.13. Dude ranching is prohibited.

4.14. Harassment of wildlife by any person or domestic animal is prohibited.

4.15. Use of the Property for commercial uses is prohibited, except as necessary for uses permitted by a subparagraph of Paragraph 3 above.

4.16. All other uses which are inconsistent with the purpose of this Conservation Easement are prohibited.

5. Documentation of Use and Condition of Property--Baseline Documentation. In order to establish the present condition of the natural and wildlife resources and man-made features of the Property, so as to be able to properly monitor future uses of the Property and assure compliance with the terms hereof, an inventory of the Property's relevant resources, features and conditions has been prepared, which inventory is attached hereto and by this reference made a part hereof as "Exhibit B". Grantors and Grantee agree that said inventory is an accurate representation of the Property at the time of the signing of this conveyance. In the event a controversy arises with respect to the nature and/or extent of the historical and/or present use of the Property or the physical condition of the Property as of the date of the signing of this Conservation Easement, the parties shall not be foreclosed from utilizing all relevant or material documents, surveys, reports, and other evidence to assist in the resolution of the controversy.

6. Notice and Approval.

6.1. Notice of Intention to Undertake Certain Permitted Actions. The purpose of requiring Grantors to notify Grantee prior to undertaking certain permitted activities, as provided in paragraph 3, is to afford Grantee an adequate opportunity to monitor the activities in question to ensure that they are designed and carried out in a manner that is not inconsistent with the purpose of this Conservation Easement. Whenever notice is required, Grantors shall notify Grantee in writing not less than sixty (60) days prior to the date Grantors intend to undertake the activity in question. The notice shall inform Grantee of all aspects of the proposed activity, including, but not limited to, the nature, situs, magnitude, and any other material aspect of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency the purpose of this Conservation Easement. Such notice shall be sent by registered or certified mail, return receipt requested, addressed to the following: The Teton Regional Land Trust, P.O. Box 247, Driggs, Idaho, 83422, or to such other address as Grantee may previously designate to Grantors in writing.

6.2. Grantee's Approval. Where Grantee's approval is required, as set forth in paragraphs 3 and 4, Grantee shall grant or withhold its approval in writing within sixty (60) days of receipt of Grantors' written request therefor. Grantee's approval

may be withheld only upon a reasonable determination by Grantee that the action as proposed would be inconsistent with the purpose of this Conservation Easement.

6.3. Arbitration. If a dispute arises between the parties concerning the consistency of any proposed use or activity with the purpose of this Conservation Easement, and Grantors agree not to proceed with the use or activity pending resolution of the dispute, either party may refer the dispute to arbitration by request made in writing to the other. Within thirty (30) days of the receipt of such a request, the parties shall elect a single arbitrator to hear the matter. In the event that Grantee exercises this right, if Grantors and Grantee agree upon selection of one person to serve as arbitrator, there shall be only one (1) arbitrator. If the parties are unable to agree on the selection of a single arbitrator within thirty (30) days after the demand for arbitration, there shall be three (3) arbitrators, one named by Grantee and one named by the Grantors within sixty (60) days after the demand for arbitration, and a third chosen by those two designated arbitrators. The decision of the arbitrator (or a majority of the arbitrators, as the case may be), shall be binding and may be confirmed by a court of competent jurisdiction upon application by Grantors or Grantee. All costs of the arbitration, including arbitrators' fees and reasonable attorneys' fees, shall be borne by the losing party.

7. Grantee's Remedies.

7.1. Notice of Violation; Corrective Action. If Grantee determines that a violation of the terms of this Conservation Easement has occurred or is threatened, Grantee shall give written notice to Grantors' of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the purpose of this Conservation Easement, to restore the portion of the Property so injured to its prior condition in accordance with a plan approved by Grantee.

7.2. Injunctive Relief. If Grantors fail to cure the violation within thirty (30) days after receipt of notice thereof from Grantee, or under circumstances where the violation cannot reasonably be cured within a thirty (30) day period, fail to begin curing such violation within the thirty (30) day period, or fail to continue diligently to cure such violation until finally cured, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction, and to require the restoration of the Property to the condition that existed prior to any such injury.

7.3. Damages. Grantee shall be entitled to recover damages for violation of the terms of this Easement or injury to any conservation values protected by this Conservation Easement, without limitation, damages for the loss of scenic, aesthetic, or natural resource values. Without limiting Grantors' liability therefor,

Grantee, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property.

7.4 Emergency Enforcement. If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the Property, Grantee may pursue its remedies under this section 7 without prior notice to Grantors or without waiting for the period provided for cure to expire.

7.5. Scope of Relief. Grantee's rights under this section 7 apply equally in the event of either actual or threatened violations of this Conservation Easement. Grantors agree that Grantee's remedies at law for any violation of the Conservation Easement are inadequate and that Grantee shall be entitled to injunctive relief described in paragraph 7.2, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Conservation Easement, without the necessity of proving either actual damages or the inadequacy of other legal remedies. Grantee's remedies described in this Section 7 shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

7.6. Costs of Enforcement. All reasonable costs incurred by Grantee in enforcing the terms of this Conservation Easement against Grantors, including, without limitation, costs and expenses of suit and reasonable attorneys' fees, and any costs of restoration necessitated by Grantors' violation of the terms of this Conservation Easement shall be borne by Grantors; provided, however, that if Grantors ultimately prevail in a judicial enforcement action each party shall bear its own costs.

7.7. Forbearance. Forbearance by Grantee to exercise its rights under this Conservation Easement in the event of any breach of any term of this Conservation Easement by Grantors shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any term of this Conservation Easement or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantors shall impair such right or remedy or be construed as a waiver.

7.8 Waiver of Certain Defenses. Grantors hereby waive any defense of laches, estoppel, or prescription.

7.9 Acts Beyond Grantors' Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantors for any injury to or change in the Property resulting from causes beyond Grantors' control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantors under emergency

conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

8. Access. No right of access by the general public to any portion of the Property is conveyed by this Conservation Easement pursuant to U.S. Treasury Regulations §§ 1.170A-14(d)(4)(ii)(B) and §§ 1.170A-14(d)(4)(ii)(C).

9. Costs, Liabilities, Taxes, and Environmental Compliance.

9.1. Costs, Legal Requirements, and Liabilities. Grantors retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate general liability insurance coverage. Grantors remain solely responsible for obtaining any applicable governmental permits and approvals for any construction or other activity or use permitted by this Conservation Easement, and all such construction or other activity or use shall be undertaken in accordance with all applicable federal, state, or local laws, regulations, and requirements. Grantors shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantors.

9.2. Taxes. Grantors shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Conservation Easement, and shall furnish Grantee with sufficient evidence of payment upon request.

9.3. Representations and Warranties. Grantors represent and warrant that, after reasonable investigation and to the best of their knowledge:

(a) Any handling, transportation, storage, treatment or use of any substance defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, that has occurred on the Property prior to the date of this Conservation Easement has been in compliance with all applicable federal, state, and local laws, regulations, and requirements. No deposit, disposal, or other release of any hazardous substance or toxic waste has occurred on or from the Property, which is free of all such contamination;
(b) There are not now any underground storage tanks located on the Property, whether presently in service or closed, abandoned, or decommissioned, and no underground storage tanks have been removed from the Property in a manner not in compliance with the applicable federal, state, and local laws, regulations, and requirements;
(c) Grantors and the Property are in compliance with all federal, state, and local laws, regulations, and requirements applicable to the Property and its use;

(d) There is no pending or threatened litigation in any way affecting, involving, or relating to the Property; and

(e) No civil or criminal proceedings or investigations have been instigated at any time or are now pending, and no notices, claims, demands, or orders have been received, arising out of any violation or alleged violation of, or failing to comply with, any federal, state, or local law, regulation, or requirement applicable to the Property or its use, nor do there exist any facts or circumstances that Grantors might reasonably expect to form the basis for any such proceedings, investigations, notices, claims, demands, or orders.

9.4. Remediation. If, at any time, there occurs, or has occurred, a release in, on, or about the Property of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, soil, or in any way harmful or threatening to human health or the environment, Grantors agree to take all steps necessary to assure its containment and remediation, including any cleanup that may be required, unless the release was caused by Grantee, in which case Grantee shall be held responsible therefor.

9.5. Control. Nothing in this Conservation Easement shall be construed as giving rise, in the absence of a judicial decree, to any right or ability in Grantee to exercise physical or managerial control over the day-to-day operations of the Property, or any of Grantor's activities on the Property, or otherwise to become an operator with respect to the Property within the meaning of The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), and corresponding state statutes.

10. Hold Harmless. Grantors hereby release and agree to hold harmless, indemnify, and defend Grantee and its members directors, officers, employees, agents, and contractors and the heirs, personal representatives, successors, and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or in any way connected with: (1) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; (2) the violation or alleged violation of, or other failure to comply with, any state, federal, or local law, regulation, or requirement, including, without limitation, CERCLA and corresponding state statutes, by any person other than any of the Indemnified Parties, in any way affecting, involving, or relating to the Property; (3) the presence or release in, on, from, or about the Property, at any time, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, unless caused solely by any of the Indemnified Parties; and (4) the obligations, covenants, representations, and warranties of paragraph 9.

11. Extinguishment of Conservation Easement.

11.1. Extinguishment. If circumstances arise in the future that render the purpose of this Conservation Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished by judicial proceedings in a court of competent jurisdiction. The amount of the proceeds to which Grantee shall be entitled, after the satisfaction of prior claims, from any sale, exchange, or involuntary conversion of all or any portion of the Property subsequent to termination or extinguishment, shall be the stipulated fair market value of the Conservation Easement, or proportionate part thereof, as determined in accordance with this Paragraph 11.

11.2. Valuation. This Conservation Easement constitutes a real property interest immediately vested in Grantee upon the execution of this Conservation Easement, which, for the purposes of this Paragraph 11, the parties stipulate to have a fair market value determined by multiplying (1) the fair market value of the Property unencumbered by the Conservation Easement (minus any increase in value after the date of this grant attributable to improvements) by (2) a fraction, the numerator of which is the value of the Conservation Easement at the time of this conveyance and the denominator of which is the value of the Property, without deduction for the value of this Conservation Easement, at the time of this grant. (The values at the time of this grant [are-or-shall be] those values used to calculate the deduction for federal income tax purposes allowable by reason of this grant, pursuant to Section 170(h) of the Internal Revenue Code of 1986, as amended. For the purposes of this Paragraph 11, the ratio of the value of this Conservation Easement to the value of the Property unencumbered by this Conservation Easement shall remain constant.

11.3. Condemnation. If all or any part of the Property is taken by exercise of the power of eminent domain or acquired by purchase in lieu of condemnation, whether by public, corporate, or other authority, so as to terminate this Conservation Easement, in whole or in part, Grantors and Grantee shall act jointly to recover the full value of the interests in the Property subject to the taking or in lieu purchase and all direct or incidental damages resulting therefrom. All expenses reasonably incurred by Grantors and Grantee in connection with the taking or in lieu purchase shall be paid out of the amount received. Grantee's share of the balance of the amount recovered shall be determined by multiplying that balance by the ratio set forth in paragraph 11.2. Grantee shall have the right to appear as a party in any eminent domain proceeding concerning the Property.

11.4. Application of Proceeds. Grantee shall use all any proceeds received under the circumstances described in this paragraph 11 in a manner consistent with the conservation purposes exemplified in this Conservation Easement.

12. Amendment. If circumstances arise under which an amendment to or modification of this Easement would be appropriate, the Grantors and Grantee are free to jointly amend this Easement; provided that no amendment shall be allowed that will affect the qualification of this Easement or the status of Grantee under applicable laws, including Idaho §§ 55-2101 to 55-2109 (1988) or Section 170(h) of the Internal Revenue Code of 1986, as amended, and any amendment shall be consistent with the purposes of this Conservation Easement, and shall not affect its perpetual duration. Any such amendment shall be recorded in the official records of Teton County, Idaho.

13. Assignment. This Conservation Easement is transferable, but Grantee may assign its rights and obligations under this Conservation Easement only to an organization that is a qualified organization at the time of transfer under Section 170(h) of the Internal Revenue Code of 1986, as amended, (or any successor provision then applicable), or the laws of the United States. As a condition of such transfer, Grantee shall require that the conservation purpose that this grant is intended to advance continue to be carried out. Grantee agrees to give written notice to Grantors of an assignment at least thirty (30) days prior to the date of such assignment. The failure of Grantee to give such notice shall not affect the validity of such assignment nor shall it impair the validity of this Conservation Easement or limit its enforceability in any way.

14. Conservation Easement Granted in Perpetuity. The Conservation Easement herein granted shall be a burden upon and shall run with the Property in perpetuity and shall bind the Grantors and Grantors' heirs, successors and assigns forever.

15. Subsequent Transfers. The Grantors agree to incorporate the terms of this Conservation Easement by specific reference in a separate paragraph, along with the recording data of this Conservation Easement, in any deed or other legal instrument by which Grantors divest themselves of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. The Grantors further agree to give written notice by certified mail to Grantee of the transfer of any interest at least twenty (20) days prior to the date of such transfer. The failure of the Grantors to perform any act required by this paragraph shall not impair the validity of this Conservation Easement or limit its enforceability in any way.

16. Estoppel Certificates. Upon request by Grantors, Grantee shall within twenty (20) days execute and deliver to Grantors, or to any party designated by Grantors, any document, including an estoppel certificate, which certifies, to the best of Grantee's knowledge, Grantors' compliance with any obligation of Grantors contained in this Conservation Easement or otherwise evidences the status of this Conservation Easement. Such certification shall be limited to the condition of the Property as of Grantee's most

recent inspection. If Grantors request more current documentation, Grantee shall conduct an inspection, at Grantors' expense, within thirty (30) days of receipt of Grantors' written request therefor.

17. Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage prepaid to such address as either party from time to time shall designate by written notice to the other.

18. Recordation. Grantee shall record this instrument in timely fashion in the official records of Teton County, Idaho, and may re-record at any time as may be required to preserve its rights in this Conservation Easement.

19. General Provisions.

19.1. Controlling Law. The interpretation and performance of this Conservation Easement shall be governed by the laws of the State of Idaho.

19.2. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Easement shall be liberally construed in favor of the grant to effect the purpose of this Conservation Easement and the policy and purpose of Idaho Code §§ 55-2201 to 55-2109 (1988). If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

19.3. Severability. If any provision of this Conservation Easement, or application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Conservation Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

19.4. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Easement, all of which are merged herein. No alteration of variation of this instrument shall be valid or binding unless contained in an amendment that complies with Paragraph 12 above.

19.5. No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantors' title in any respect.

19.6. Joint Obligation. The obligations imposed by this Conservation Easement upon Grantors shall be joint and several.

19.7. Successors. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property. The terms "Grantors" and "Grantee" wherever used herein, and any pronouns used in place thereof, shall include, respectively, the above-named Grantors and their personal representatives, heirs, successors, and assigns, and the above named "Grantee" and its successors and assigns.

19.8. Termination of Rights and Obligations. A party's rights and obligations under this Conservation Easement terminate upon transfer of the party's interest in the Conservation Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

19.9. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not part of this instrument and shall have no effect upon construction or interpretation.

19.10. Counterparts. The parties may execute this instrument in two or more counterparts, which shall, in the aggregate be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF, the Grantors and Grantee have set their hands on the day and year first above written.

By _____
David George Foster "GRANTOR"

By _____
Carolyn A Foster "GRANTOR"

By _____
Lewis M. Mithun "GRANTEE"

By _____
Mary E. Maj "GRANTEE"

STATE OF IDAHO)
) ss
COUNTY OF Teton)

On this third day of August, 1998, before me, _____ a Notary Public in and for said State, personally appeared (David George and Carolyn A. Foster) known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

S
E
A
L

LAYNE W. PRICE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

Teton County
My Commission Expires 11-19-2000

Notary Public for Idaho
Residing at: DRIGGS
My Commission Expires: 11-19-2000

STATE OF IDAHO)
) ss
COUNTY OF Teton)

On this third day of August, 1998, before me, LAYNE W PRICE a Notary Public in and for said State, personally appeared (Lewis M. Mithun and Mary E. Maj), known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the Teton Regional Land 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.

S
E
A
L

LAYNE W. PRICE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

Teton County
My Commission Expires 11-19-2000

Notary Public for Idaho
Residing at: DRIGGS, ID.
My Commission Expires: 11-19-2000

EXHIBIT A PROPERTY LEGAL DESCRIPTION

LEGAL DESCRIPTION of Property held by David George and Carolyn A. Foster, as tenants with full rights of survivorship, from Warranty Deed executed on 3rd day of August, 1998, in Teton County, Idaho. Legal description of the Douglas Ray Clinger and Chuck Clinger Property was attained from a Title Search conducted by American Land Title Company on May 22, 1998.

The subject property is located approximately five (5) miles to the south and west from Driggs and within ½ mile to the east from the Teton River in the south-central portion of Teton County, Idaho. The Property held by David George and Carolyn A. Foster is described as the Northwest Quarter of the Northwest Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 29, both in Township 4 North, Range 45 East of the Boise Meridian, Teton County, Idaho.

CONTAINS 80 acres.

TOGETHER WITH two homesites of 2.5 acres being further described by the Warranty Deed referenced above.

EXHIBIT B BASELINE DOCUMENTATION
(In preparation)

Baseline Data for a Conservation Easement
Granted by David George and Carolyn A. Foster
On the Foster Fox Creek Property
Teton County, Idaho

to The Teton Regional Land Trust

Prepared by

THE TETON REGIONAL LAND TRUST
P. O. BOX 247
DRIGGS, ID 83422

Principal Authors

Mary Maj, Wildlife Ecologist

Michael B. Whitfield, Conservation Biologist

Date

EXHIBIT C FOSTER FOX CREEK PROPERTY MAP

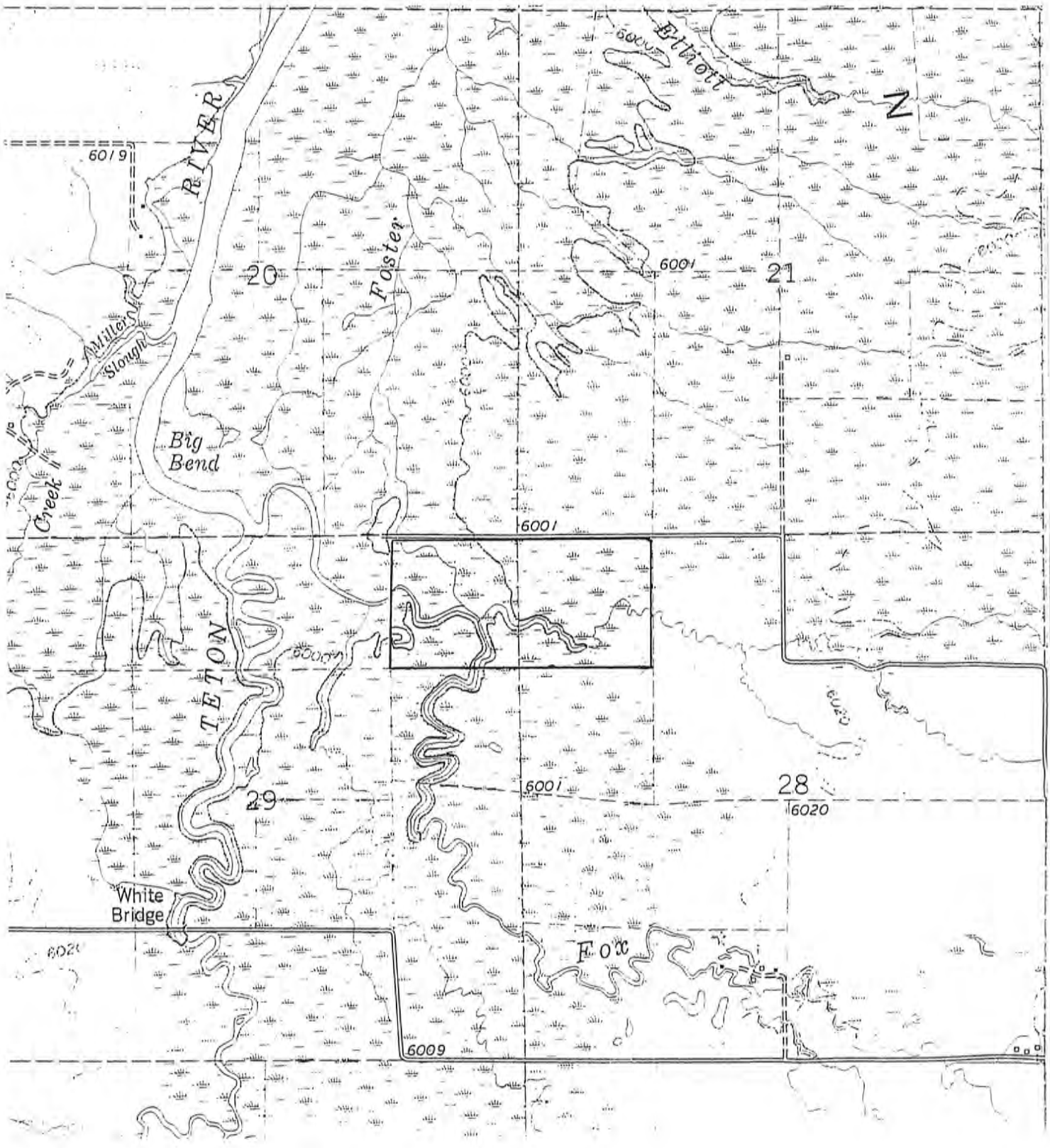
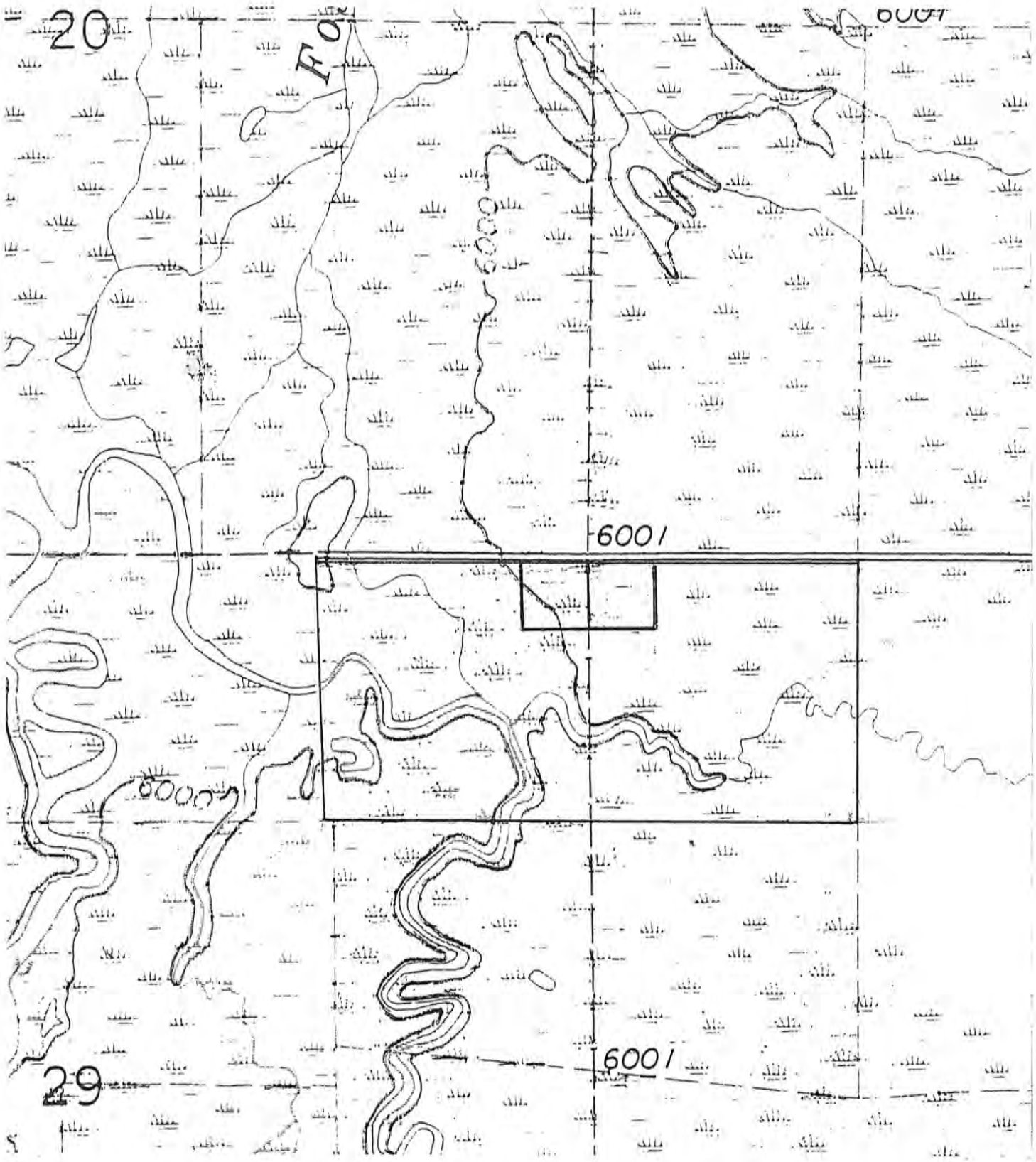


EXHIBIT D MAP OF FOSTER FOX CREEK PROPERTY WITH APPROXIMATE LOCATION OF BUILDING AREA



Grazing Plan
for the Foster Fox Creek Property

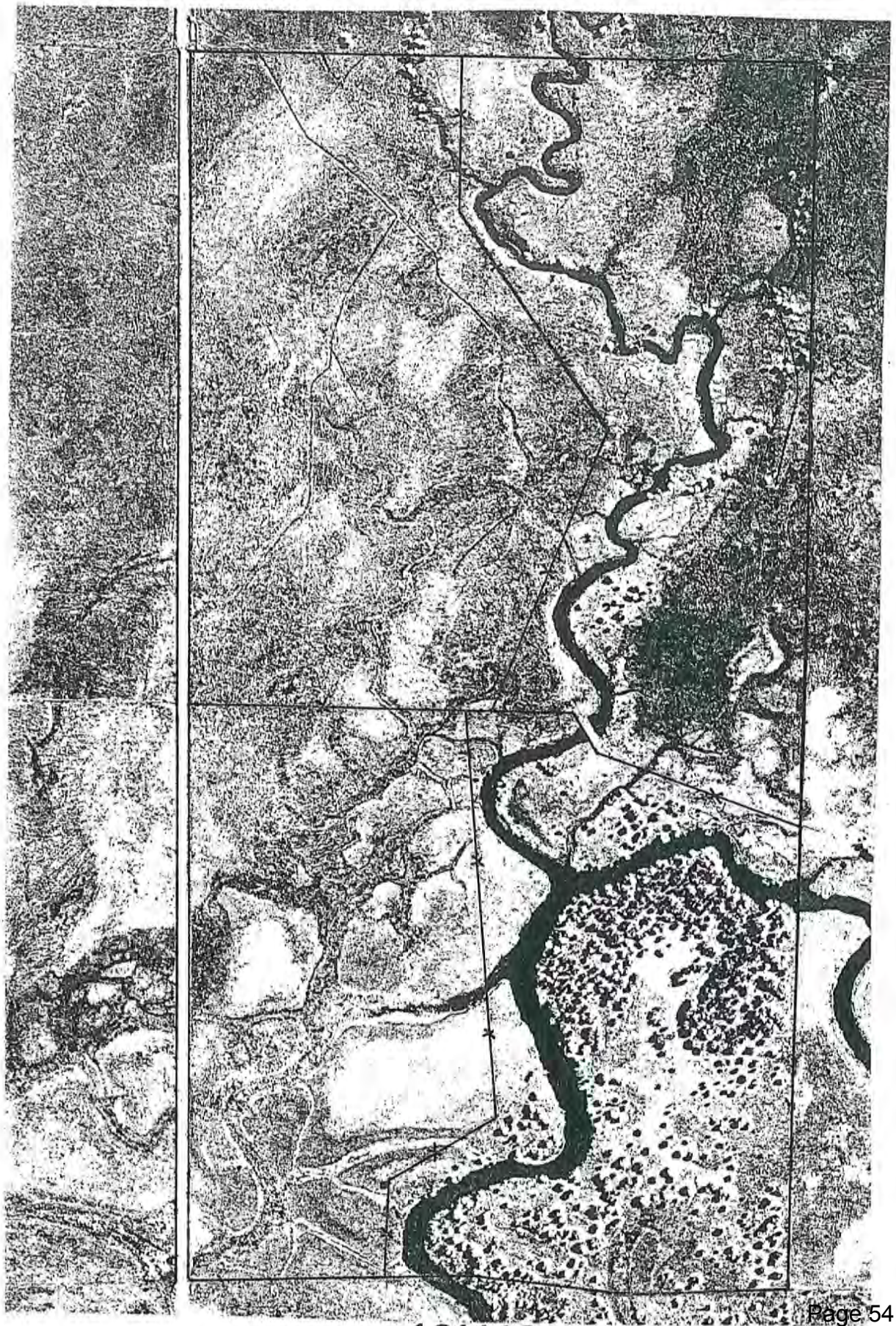
General Management Strategy: To create a four (4) pasture rotation system for beef cattle which would be grazed throughout the summer season. The southwest pasture which includes most of the willow and riparian habitat will be grazed less than the other three (3) pastures. The objective of livestock grazing in this pasture will be to minimize the invasion of undesirable plants.

Following a map depicting the approximate layout of all four (4) pastures and the internal fences needed to create the pastures. Capacity and rotation schedules will be developed after further examination of the property this summer (1998) by Natural Resource Conservation Service (NRCS). Capacity will be determined by a combination of grass types, soils and livestock and wildlife habitat objectives.

There may be opportunities for the landowner to participate in one of the NRCS's cost-share programs which are available for property owners wishing to protect riparian, fish and wildlife habitats. The Idaho Department of Fish and Game have also made fence materials available for protection of fish and wildlife habitat in the past.

EXHIBIT E GRAZING PLAN
(Being Prepared by Natural Resource Conservation Service)

MAP A: Four (4) Pasture System for the Foster Fox Creek Property Showing Approximate Fence Layout



APRIL 28, 2023

FRAIZ RESIDENCE

COMPENSATORY MITIGATION PLAN

(Joint Application Block 18)

PREPARED BY:

Intermountain Aquatics, Inc.
116 Mustang Dr.
Driggs, ID 83422

PREPARED FOR:

Brian and Whitney Fraiz
11005 Pleasantview Drive
Carmel IN 46033

INTERMOUNTAIN AQUATICS INC.

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INTRODUCTION

The Fraiz parcel totals 40 acres and is located 4 miles northwest of Victor in Teton County, Idaho, in the NE ¼ NE ¼ of Section 29, Township 4N, Range 45E (Figure 1). The landowner plans to build a driveway, single-family residence, and associated improvements. Site development impacts will result in 0.5 acres of fill in wetlands in the northeast corner of the Property. The 0.5-acre impact area consists of low functioning PEM wetlands on higher ground that have been degraded by historic grazing and depend partly on irrigation return flow. The owner plans to mitigate impacts by converting 0.5 acres of uplands to PSS wetland. Impacts and mitigation do not directly involve streams.

Existing wetlands are documented in a separate Aquatic Resource Inventory report completed by Intermountain Aquatics, Inc. (IMA) in 2022 and submitted with this Plan and permit application. Other supporting documents include a conservation easement and easement baseline report.

1. MITIGATION OBJECTIVES

The objective of the proposed mitigation is to provide 1:1 area replacement for 0.5 acres of fill in low functioning PEM wetlands and provide net functional lift by converting uplands to palustrine scrub-shrub wetland. Establishing new wetlands on the same property will provide functional lift mainly through increased vegetative structure and habitat value (breeding, forage, and cover habitat) as well as small increases in flood storage capacity and other physical and biogeochemical functions.

At the watershed scale, the Property is on Fox Creek 0.5 miles above its confluence with the Teton River. A side channel called Foster Slough exits Fox Creek on the Property. The surrounding Foster Slough wetland complex is regionally significant for wildlife habitat and important for flood water storage in the Teton Basin. Area streams are important to cold-water fisheries including Yellowstone Cutthroat Trout. Mitigation objectives focus on wetland habitat. Effects on streams are small, indirect, and positive.

2. SITE SELECTION

The development site was selected for its relatively low existing and future functional condition and dryness. The proposed mitigation site was selected for (1) physical conditions favorable for creating self-sustaining, high functioning wetlands with reliable hydrology and (2) placing the new wetlands where they can provide the greatest benefit to wildlife given the surrounding landscape. Onsite mitigation makes sense here because a degraded, roadside PEM wetland can be replaced with a higher functioning PSS wetland with high value in the context of the Foster Slough landscape.

2.A. LANDSCAPE SETTING, HYDROLOGY AND AQUATIC RESOURCES

The Fraiz Property is within the Teton River Subbasin HUC-8 (17040204) at the lower end of the Fox Creek-Teton River HUC-12 (170402040107) (Figures 1 and 2). The Fox Creek watershed above the site is approximately 29 square miles. The Property is at the intersection of Fox Creek and Foster Slough at the east edge of the Teton River floodplain and is relatively flat (<1% overall slope).

The Property is zoned LA-35 Lowland Agriculture and includes areas in several Teton County natural resource overlays for wetland and bird habitat. Much of the Foster Slough wetland complex including the Fraiz Property is under conservation easements (Figure 3). Most of the landscape is pasture and wildlife habitat. There is some residential development to the west, south, and east. IDFG owns a neighboring parcel.

Figures 4 and 5 show site characteristics and project work areas. See Appendix B and the ARI for a more detailed site plan, additional aerial images, a 2022 draft FEMA floodplain map, and mapped aquatic resources. Most of the Property, including the mitigation site, is in a Riverine hydrogeomorphic setting in the draft 100-year floodplain. Lidar data shows that wetland-upland transitions on the floodplain occur at around 6002.1-6002.6 ft elevation (Figure 5). The NE corner of the Property, ≈3-4 acres, is on the toe of an alluvial fan and has some Slope HGM characteristics. Most of this corner is above the 100-year draft floodplain (> ≈6002.6 ft elevation here). Preliminary floodplain analysis by Nelson Engineering found that proposed fills are outside the floodplain (Braden Olson, personal communication 4/27/2023).

Existing aquatic resources mapped in the ARI include 21.8 acres of PEM1 wetlands north and east of Fox Creek, 8.7 acres of PSS wetlands south of Fox Creek, and 2.4 acres (2,438 linear ft) of perennial streams. The are no significant areas of open water outside stream channels. The remaining 7.1 acres are uplands in more than 20 scattered patches ranging from less than 0.1 acres to 1.1 acres in size.

Stream and floodplain hydrology are natural except for minor irrigation diversion. Floodplain hydrology features a shallow water table, seasonal to perennial inundation or saturation in swales and other low-lying areas from overbank flooding, and local runoff. Flooding in typical years is ankle to calf deep in swales and less in other areas. Higher elevation wetlands are saturated during and after snowmelt runoff. Foster Slough has limited through-flow during high water. Groundwater discharge on the Property is uncertain and likely minor, but some comparable sites in the Foster Slough area have substantial discharge. Wetlands in the NE corner of the Property are outside the floodplain and fed by local runoff to swales, flood irrigation return flow from the neighboring property (Figure 4), and shallow groundwater.

Human disturbance that affects wildlife is increasing in this neighborhood. Livestock grazing and habitat will remain the main land uses due to conservation easements and planning and zoning codes that limit residential development, but there are existing subdivisions to the south and west. Human disturbance is increasing due to the IDFG public access west of the Property, which results in heavy vehicle traffic on Road W 5000 S and growing recreational use of Fox Creek, the Teton River, and IDFG lands.

Based on these factors, in the absence of development the impact site's already poor condition would be expected to remain relatively poor or decline due to increased traffic or reductions in flood irrigation upgradient. The mitigation site is relatively buffered from human disturbance and hydrologic change and can be expected to be self-sustaining once established. Most importantly, the landscape position on low ground near the valley bottom, in the Teton River and Fox Creek floodplain, makes it likely that hydrology will remain reliable.

Figure 1. Fraiz Property location (red) in the southern Teton Basin. USGS National Map base with 12-digit HUCs (magenta). Stippled hatch includes the Foster Slough wetland complex.

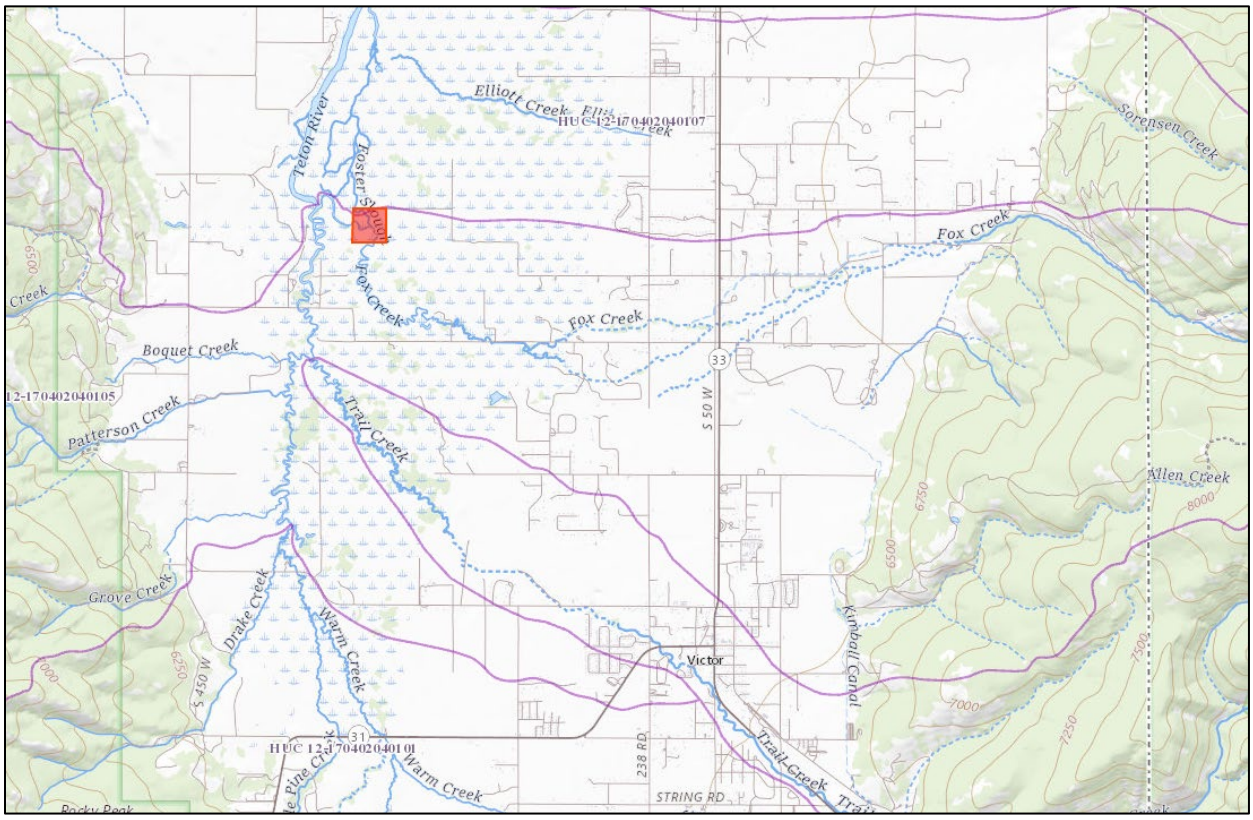


Figure 2. National Wetlands Inventory map for Project vicinity. Fraiz Property (red) is within the Foster Slough wetland complex. Coarse-scale NWI polygons contain unmapped upland inclusions.



Figure 3. Conservation easements held by the Teton Regional Land Trust (green) and others (orange) in the southern Teton Valley as of 2016 including the Project Property (outlined red). http://www.tetonlandtrust.org/images/stories/articles/maps/Public_Map1.jpg.

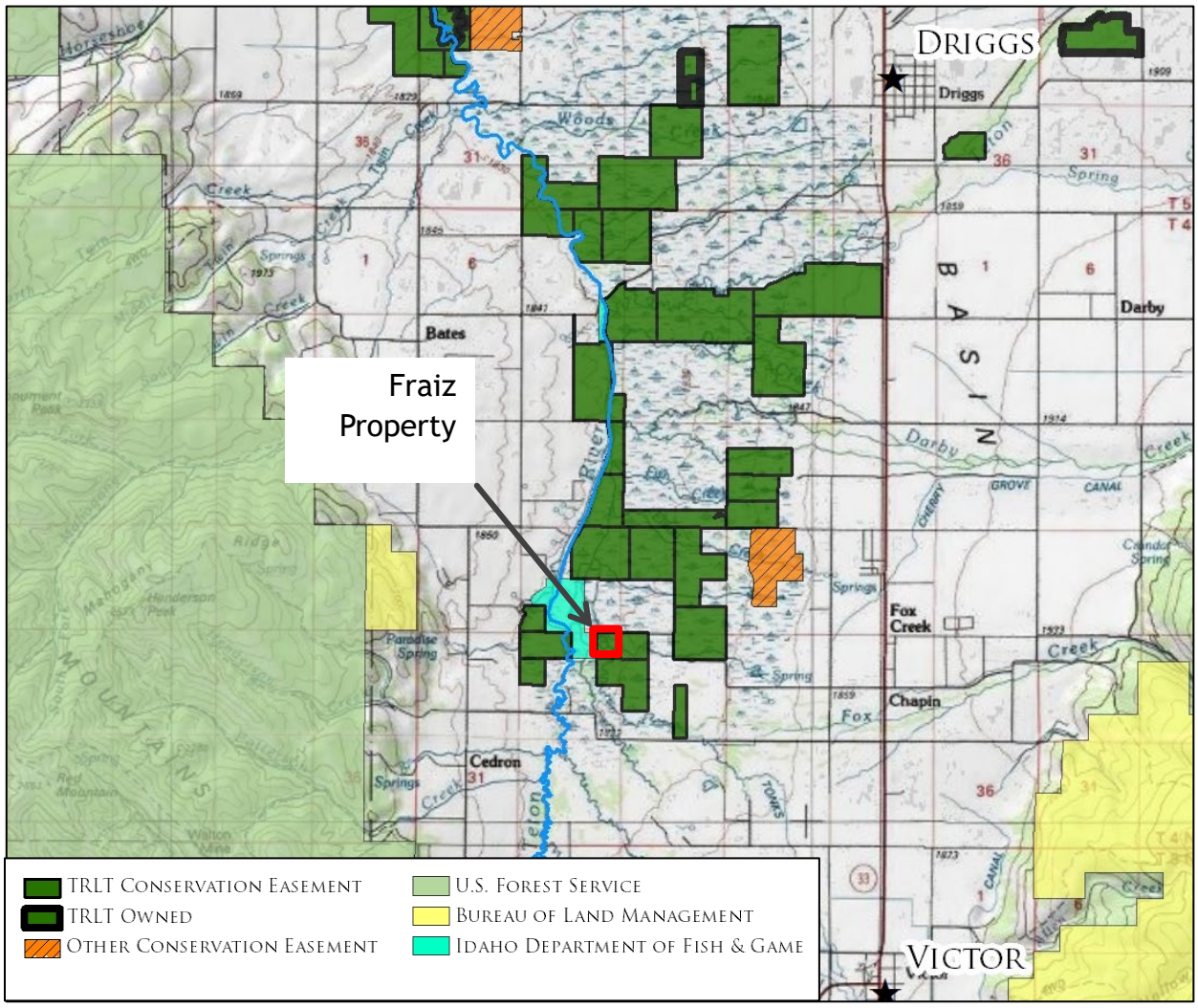


Figure 4. Impact and mitigation site locations within the 40-acre Fraiz Property. Yellow polygons enclose uplands mapped in the ARI. Green polygon is mitigation site. USGS NAIP Plus image base.

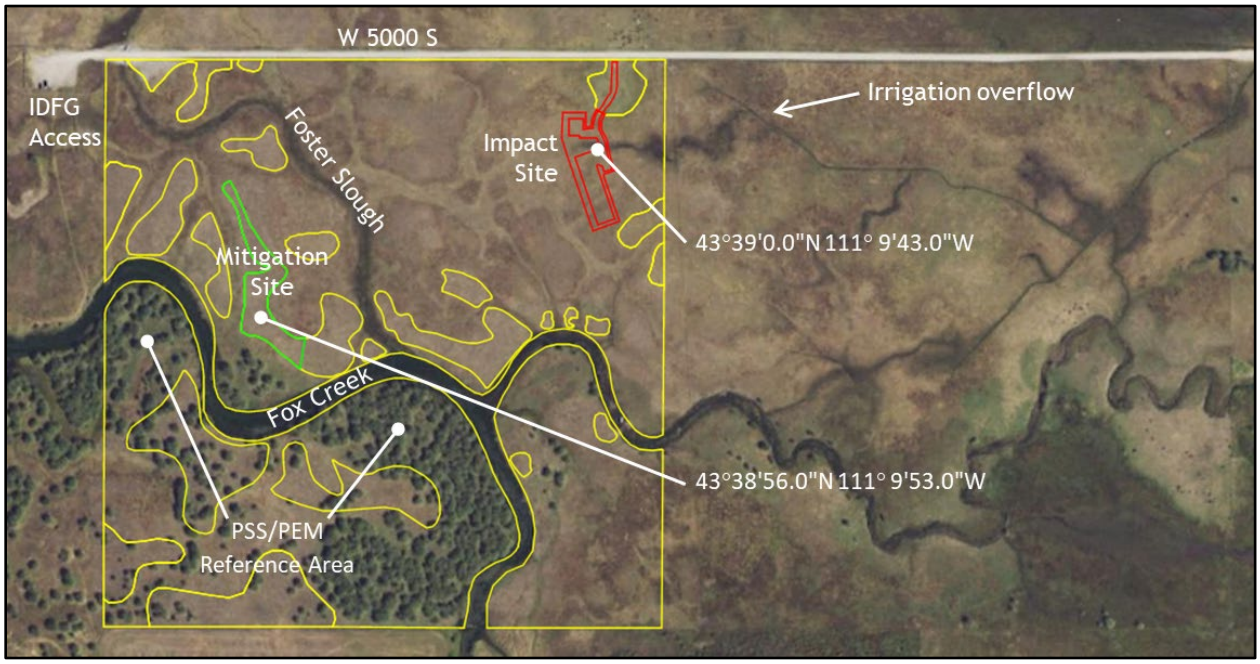
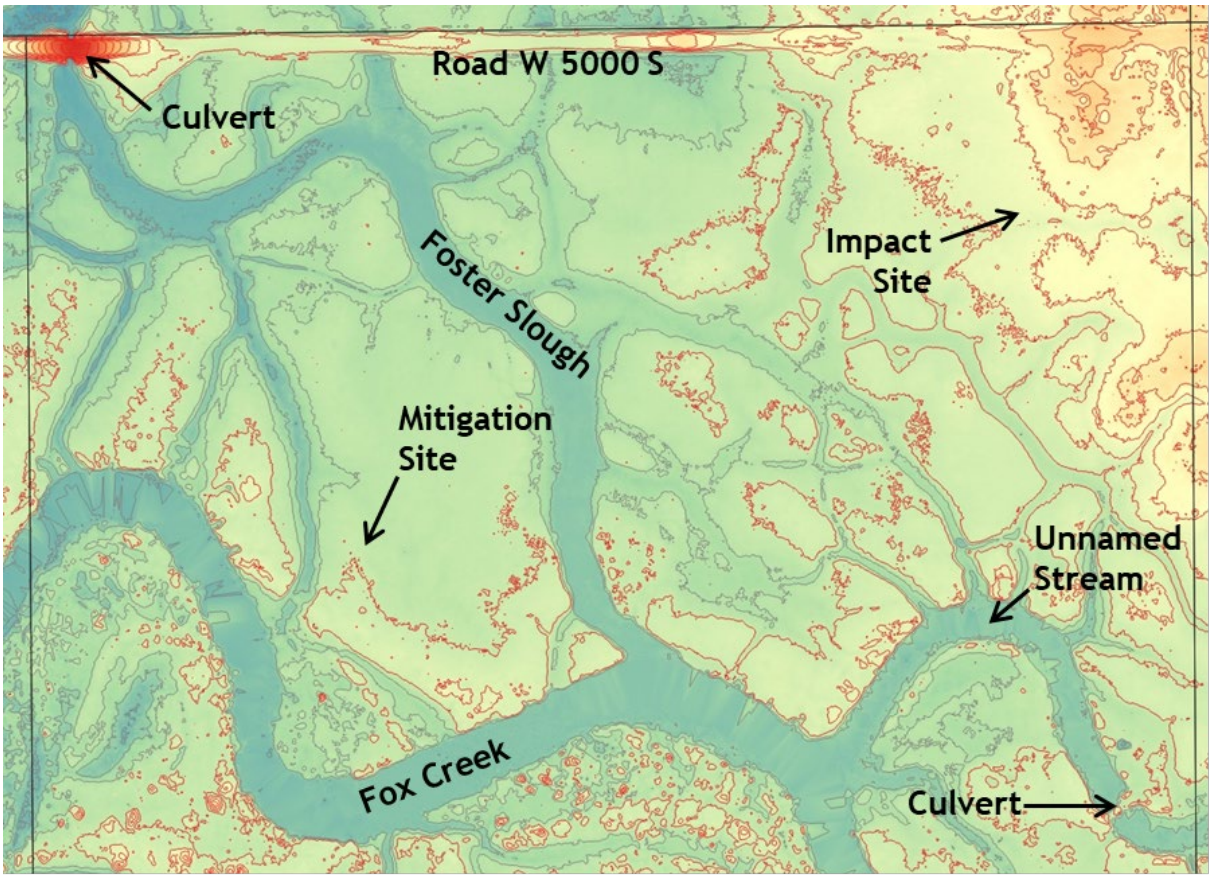


Figure 5: 2020 Lidar topographic map with half-foot contours (gray). Red contours are at 6002.5 ft and higher elevations. Note higher elevation of impact site.



2.B. IMPACT SITE

The impact site is 0.5 acres of palustrine emergent wetland dominated by native grasses/graminoids with some non-native grasses and noxious weeds (Figure 6). Development is restricted to the northeast corner of the Property by the TRLT conservation easement. This corner of the Property is on higher ground outside of the 100-year floodplain (draft 2022 FEMA FIRM). The ground surface is 1-4 feet higher than the wetlands and streams that occupy most of the site. Existing wetland hydrology here depends partly on irrigation return flow from a ditch that ends just east of the Property's northeast edge (visible on Figure 4). The 1998 TRLT baseline report, historic aerial imagery, and onsite observations show that the impact site is crossed by a longstanding farm access road and has been heavily used by livestock grazing and traveling to a feeding area in the upland next to road W 5000 S.

This site has relatively low functional value compared with the rest of the Property due to its higher elevation, isolation from streams, limited hydrology, historic grazing impacts, and lack of vegetation structure. Like the rest of the northern edge of the property, it is next to a well-used county road. Impacts due to fill for buildings, a driveway, utilities, and landscaping will be permanent and will include minor losses of low-quality habitat, off-stream runoff storage, and pollutant removal. No direct impacts to streams or other open water will occur.

Figure 6. Impact site at drier (left) and wetter (right) areas.



2.C. MITIGATION SITE

Mitigation will create 0.5 acres of new palustrine scrub-shrub wetlands from uplands to compensate for the minor losses of habitat, hydrologic storage, and pollutant removal functions on the impact site. Site selection was based on standard suitability criteria including hydrology, soils, relation to watershed and landscape scale functions, compatibility with adjacent land uses and anticipated development trends and landuse changes, compatibility with regional conservation goals, and reasonably foreseeable effects on ecologically important wetland/aquatic resources. The site has favorable hydrology, is similar to existing high-functioning PSS/PEM wetlands, is under easement, is part of a largely protected landscape in an area of ongoing stream and wetland restoration efforts, and is likely to be self-sustaining with minimal management.

The proposed mitigation site is an upland "island" north of Fox Creek and west of Foster Slough (Figures 4 and 7). It is dominated by FAC herbaceous species with smaller cover of FACU, FACW, and UPL species. Plants include native and introduced grasses, graminoids, and forbs. The site has been degraded by grazing. Canada thistle and musk thistle are common. There are no shrubs or trees.

The general area containing the mitigation site includes a mix of wetlands and uplands in the 100-year floodplain (Figures 4-5 and ARI). Hydrology and vegetation vary strongly with microtopography. Lidar data shows that the mitigation area is 0.1-0.8 ft higher than adjacent wetlands. Immediately adjacent wetlands include sedge dominated PEM along Foster Slough and in a swale west of the upland and a degraded willow stand mapped as PEM with willow patches visibly affected by grazing and browsing. Lowering the surface to match adjacent wetlands will realistically provide wetland hydrology.

The floodplain on the opposite, south side of Fox Creek is dominated by patchy shrub vegetation in both wetland and upland areas, presumably due to the more limited access for livestock. This area has much more complex vegetation structure including large willows, smaller understory shrubs, and herbaceous flora in the understory and provides a template. Based on the adjacent degraded willows, the south-of-Fox-Creek PSS/PEM vegetation, topography, and hydrology, the mitigation site can support healthy scrub-shrub wetland vegetation if the surface is lowered and livestock grazing is removed or reduced.

Figure 7. Mitigation site at drier upland area (left) and facing south from upland towards Fox Creek with PEM/patchy willows on adjacent lower ground and PSS wetland on opposite bank (right).





3. SITE PROTECTION INSTRUMENT

The mitigation site is protected from development under the existing conservation easement (Deed recorded by Teton County Clerk as Instrument #131118 August 3, 1998). Terms provide a framework for habitat restoration and enhancement and for memorializing commitments to management plans in writing. The easement is granted in perpetuity and runs with the Property. The Grantee is the Teton Regional Land Trust (TRLT).

Prohibited Uses and Practices include subdivision, development outside a designated 2.5-acre Building Area, alteration of natural watercourses except as permitted and consistent with Conservation Values, and alteration of native vegetation without prior consent of Grantee, and others. The easement also gives the Grantee the right to enter the Property to inspect conditions and a suite of remedies including notices of violation and corrective action, injunctive relief, damages, and enforcement.

The activities required by the Mitigation Plan will be agreed upon between the landowner and TRLT and recorded in writing. This will include the initial site manipulation and planting, fencing, any limits on livestock access and use, short and long-term maintenance (weed management, fences, additional planting), and monitoring. Intermountain Aquatics, Inc. will be responsible for maintaining the site until performance criteria are met. Supplemental plantings of shrubs and herbaceous plants will be installed if shrub mortality is excessive or if herbaceous performance criteria are not met in 3 years.

4. BASELINE INFORMATION

This section summarizes ecological conditions. Information on landscape setting, hydrology and general types and extents of aquatic resources is in Section 2A. Plant species, soils, and hydrology at specific sites are documented in the Aquatic Resource Inventory. Functional characteristics and species are described in Section 5 and Appendix B of this Plan and the TRLT Ecological Baseline Inventory.

Intermountain Aquatics inspected the site in the summer and fall of 2022 and collected field data for a wetland delineation in August 2022. Recent grazing made it challenging to identify some plant species, but physical conditions and general vegetation characteristics were clear. The NWI maps the entire area as wetland, but the 2022 delineation found many upland patches across the Property including in or around the development and mitigation sites.

The Property has been grazed for many decades, continuing through 2022. It is dominated by sedges, rushes, and grasses north and East of Fox Creek, where livestock access is greater, and mixed shrub and herbaceous cover south of Fox Creek. Grazing has nearly eliminated scrub-shrub cover north of Fox Creek and its unnamed tributary. Only one small stand of ten willows remains in this area, immediately south of the mitigation site. In 1943 aerial imagery, 80 years ago, there were other sparse clusters of willows along creeks and swales that are no longer present.

Site observations in 2022 were consistent with the more detailed baseline resource inventory done by the Teton Regional Land Trust in 1998. The baseline report included the Fraiz Property and the adjacent 40-acre parcel to the east, both then owned by David and Carolyn Foster and referred to at the “Foster Fox Creek Property”. Habitat resources named in the 1998 baseline report that were considered in the functional assessment (Section 5) and the Mitigation Plan include:

A. Unique resources of the Foster Slough area: This regionally significant wetland complex includes the Property. Hydrology of the Foster Slough channel has changed historically due to reduced flow between Fox Creek and wetlands north of the Property.
B. Wet meadow habitat: About 60% of the Fraiz Property is loosely classified as wet meadow.
C. Willow-dominated riparian and off-stream habitat: This makes up about 30% of the Property but is the highest value habitat on the Property and relatively scarce across the watershed.

D. The Property provides habitat for raptors, waterfowl and shorebirds, and songbirds. Specific species of concern are listed in Appendix B.

E. Cold water fisheries in Fox Creek: Cold water trout fisheries (importantly Yellowstone cutthroat trout) have been in decline throughout the Teton River watershed, but a trout fishery is still present and restoration efforts elsewhere on Fox Creek have been beneficial.

Existing conditions vary across the Property. They are worst in the northeast corner, which includes the impact site, and the far northwest corner where foot traffic and loose dogs on the IDFG property create disturbance. They are best in the southwest third where grazing has caused less damage and mixed riparian shrub and herbaceous vegetation create complex structure. The mitigation site is a moderately degraded upland "island". Herbaceous vegetation in the adjacent sedge-dominated wetlands is fairly healthy, but residual willows are sparse and damaged by livestock and wild ungulates.

Table 1 summarizes similarities and differences between the impact and mitigation sites and nearby points of reference. All except the impact site are on the floodplain and differ due to microtopography or grazing and browsing. Microtopography affects water table depth, frequency of flooding, and overall hydroperiod. Greater herbivory north of Fox Creek kills, suppresses, or damages shrubs and degrades herbaceous vegetations. The impact site is at the at the toe of an alluvial fan and rarely if ever is flooded from streams. Its hydrology involves a combination of irrigation overflow, local surface runoff, and shallow groundwater. It is in the most ecologically degraded part of the Property.

Stream resources are not directly involved in the Project but may be affected indirectly. The *Teton River Subbasin 2016 Total Maximum Daily Loads and Five-Year Review* report identifies temperature and lack of shade as the main concerns on Fox Creek. Shade is limited along streams on the Property and has been for at least 80 years. Sediment and phosphorus are concerns for the upper Teton River as a whole but not specifically listed for Fox Creek in the TMDL report.

5. DETERMINATION OF CREDITS

Functions were rated using the Montana Wetland Assessment Method (MWAM) method with slight modifications to better reflect conditions in the Teton Basin and Project Property, specifically adding more detail to evaluation of woody vegetation structure and its habitat value. The functional analysis is described in Appendix B and summarized here.

The wetland functional assessment evaluated three wetland conditions: (1) the entire PEM 17.3-acre PEM assessment area north of Fox Creek, (2) impact site existing condition, and (3) mitigation site future condition. Existing wetland functions were not rated for the mitigation site because it is upland, and future conditions were not rated for the impact site because that area will be lost. Reference sites were not rated but were used to develop ratings for the projected functions of the PSS mitigation site.

Functional losses from fill will be small due to the impact site's elevated, hydrologically marginal location and its historic degradation by grazing (Table 2). There will be small hydrologic impacts and minimal effects on pollutant removal and carbon export. Wildlife habitat losses will be relatively minor because existing vegetation structure is simple and nearly uniform and the site is directly next to a road.

Table 1. Baseline Information Summary. Adjacent and reference conditions (*) are shown to represent site potential and were used to develop functional ratings for the PSS mitigation wetland. GW = groundwater.

	Impact Site – Existing Conditions	Mitigation Site – Adjacent Conditions	Mitigation Site – Projected Conditions	Reference Site – Existing Conditions	Mitigation Site – Existing Conditions
Cowardin Classification	PEM	PEM	PSS	PSS *	UPLAND
Area	0.5 acres	0.5 acres*	0.5 acres	0.5 acres*	0.5 acres
Wetland Rating: Functional Units	0.57	Not rated	2.65	Not rated	0
Watershed context	Near mouth of Fox Creek, a significant Teton River tributary, within the regionally important Foster Slough wetland complex				
HGM Class	Slope/Riverine	Riverine (floodplain)			
Hydrology	GW <18", overbank flooding rare, limited surface storage & GW exchange, irrigation infl.	Groundwater at <18", significant overbank flooding & runoff storage, some groundwater exchange			GW >18", overbank flooding infrequent, little or no surface runoff storage
Vegetation type	Dominated by native grasses/graminoids and some non-natives		Patchy native scrub-shrub with herbaceous understory and openings		Mixed native/non-nat. grass/gram. and forbs
Veg. comments	Drier, some noxious weeds	Wetter, robust sedges	Not as diverse as ref. in short-term	Moderately diverse herbaceous flora	Significant noxious weed cover
Wildlife use	Limited use due to grazing and lack of scrub-shrub structure and cover		High use by birds, mammals and amphibians		Ltd use due to grazing and lack of structure
Existing Use	Moderate-heavy livestock grazing		—	Habitat, open space and recreation	Moderate-heavy livestock grazing
Future Use	Residential	Habitat, open space and recreation			Converted to PSS/PEM
Current owner	Brian Fraiz				

* The 8.7 acres of wetlands south of Fox Creek are mapped collectively as PSS in the ARI but are a mosaic of PSS and PEM patches.

Proposed mitigation will establish new PSS wetland by converting degraded upland pasture. The main changes will involve lowering the ground surface to create wetland hydrology, planting riparian shrubs, and seeding with native herbaceous species. This will enhance hydrologic functions, boost pollutant retention and food chain support, and improve vegetation structure and wildlife habitat. Given the site's location, these changes will benefit the larger Foster Slough landscape.

The planned wetland creation is estimated to add 2.65 Functional Units versus a loss of 0.57 Functional Units from development for a net gain of 2.08 Functional Units (Table 2). As documented in Appendix B, functional gains by wetland creation involve a combination of wildlife habitat, flood storage, food chain support, and other functions. Functional losses at the impact site include minor runoff storage, herbaceous production, and habitat value. Due to its degraded condition and non-floodplain, roadside location, functional losses from filling are less on a per-acre basis than gains at the new PSS site. As a result, 1:1 area replacement is estimated to yield a significant functional lift.

Ratings for the future condition of the mitigation site are based on the PSS reference south of Fox Creek and the odds of successfully reproducing many of its key features, especially patchy willow structure and associated habitat for songbirds, raptors, big game, and other animals and floodwater storage and exchange. Areas south of Fox Creek provide a template. The degraded willow patch between the mitigation site and Fox Creek and the patchy willows in older aerial images indicate that willows north of Fox Creek are suppressed by herbivory and could be more abundant.

The specific mitigation site and approach were chosen for their suitability for establishing patchy willow PSS wetland using simple, proven methods and for relative isolation from areas of high human activity. Seasonally flooded/saturated sedge swales immediately adjacent to the mitigation site support the expectation that minor grading can establish wetland hydrology, and the site is surrounded by similar low-lying active floodplain wetlands. The small relict patch of degraded willows between the mitigation site and Fox Creek indicates good potential for willows. Shrub plantings on sites with suitable hydrology have a proven track record for enhancing wildlife habitat in this landscape. Thus, it is realistic that the proposed mitigation can enhance wildlife habitat, wetland hydrology, overbank flooding, surface runoff and groundwater storage, and associated material exchange functions.

Table 2. Summary of functional losses and gains.

Site and condition	Functional points	Functional loss or gain	Area (acres)	Functional units (score*acres)	Loss or gain (units)
Existing condition of proposed residential development site	1.13		0.5	0.57	
Projected condition of residential development site	0	-1.13	0.5	0	-0.57
Existing condition of mitigation site in off-stream uplands	0		0.5	0	
Projected condition of mitigation site PSS wetlands	5.29	+5.29	0.5	2.65	2.65
Net gain					2.08

6. MITIGATION WORK PLAN

The proposed mitigation is on the north side of Fox Creek towards the west side of the Property and involves 0.5 acres of minor grading, willow planting, and herbaceous seeding. The work area location and typical cross-sections are shown in Appendix A.

A. Excavation of uplands will remove an average of ≈0.5 ft of soil to bring the ground surface down to the level of adjacent wetlands and closer to groundwater and create wetland hydrology. The shallow cut makes it highly likely that the resulting surface will be in soil suitable for revegetation, but organic matter may be amended if soil is too clayey or too coarse.

B. The resulting ≈400 cubic yards of cut will spoiled in the remaining contiguous 0.4 acres of upland at an average thickness of 0.75 ft. The soil source and shallow thickness ensure that the surface will be suitable for revegetation, nearly level, and visually inconspicuous.

C. Earth work will occur during drier or frozen seasonal conditions (fall-winter) using low-ground-pressure tracked equipment. Access will be from W 5000 S. Swamp mats or other stabilization will be used as necessary to minimize damage. Spoil haul routes will be within the upland work area.

D. All equipment will be cleaned before entering site to minimize introduction of invasives. Existing noxious weeds (Canada and musk thistle) will be treated with approved herbicides before work. Soil from heavily infested areas will be segregated for removal or follow-up post-construction control.

E. Routine water quality protection practices will be used: staging in uplands; equipment storage, fueling, and maintenance in uplands; containment of fuel storage; and sediment control BMPs such as straw wattles or silt fence around the perimeter of the disturbed area. The site will be seeded with a temporary cover crop for erosion protection after grading and before native revegetation.

F. The mitigation site will be planted with native, custom grown, 5-gallon container willows spaced approximately 8 ft on center. Species of willow will be selected based on existing species in the vicinity and those that will tolerate existing soil conditions as noted in baseline report. Planting will ideally occur when plants are dormant either in the fall or spring.

G. Bare ground in the mitigation site and associated upland spoil area will be seeded with custom native seed mixes for wetland and upland/transitional areas.

H. Planted areas will be fenced with 6 ft welded wire fencing to protect them from herbivory during establishment (approximately 3-5 years).

The preliminary mitigation work schedule calls for grading in fall 2023 before or concurrent with initial development site grading, followed by seeding in spring 2024 and shrub installation in fall 2024. Fall wetland seeding has relatively poor results compared to spring seeding in this landscape. Native shrubs are currently scarce at nurseries, and planting in 2024 will allow production of locally sourced material.

The mitigation layout and grading plan were developed using Lidar data and AutoCAD Civil3D. The proposed layout is estimated to require the least excavation and hauling based on the Lidar topographic surface. Conditions will be confirmed in field. Alternative layouts within the proposed upland “island” or ones using other upland patches north of Fox Creek are feasible and would achieve the same outcomes. See Appendix A for additional details.

7. MAINTENANCE PLAN

Maintenance through the first growing season will include weed control and fence repair as needed. Regular site visits will confirm whether site hydrology is behaving as expected and identify emerging problems such as: plant stress, mortality, or damage; ungulate incursion or fence damage; and noxious weeds. Given ambient hydrology, vegetation is expected to be self-sustaining once established, and willows planted at appropriate depths are expected to establish without irrigation. Based on experience at nearby sites, survival is expected to be very high. IMA will replace shrubs if survival drops below 75% during the monitoring period.

Annual maintenance in years 2-5 will include regular weed control and fence repair as needed. Weed control will include carefully spot treating with herbicide suitable for site conditions and consistent with easement terms and environmental regulations. Because existing vegetation includes some naturalized nonnative pasture grasses and some common non-noxious farm weeds, control will focus on state-listed noxious weeds and aggressive invasives. The owners will be responsible for watching for livestock trespass, fence damage, and noxious weeds after the monitoring period is complete and performance standards have been met, and for responding as needed. The owners do not plan to graze livestock as part of normal use but might use grazing as a management tool with TRLT approval. The mitigation site will not be grazed during the establishment period.

Wildlife exclusion fences may be kept in place longer than required to meet performance standards to improve long-term results. Browsing by wildlife, particularly moose, is a concern in this landscape. Once shrubs or trees are large enough, browsing damage generally is not a problem.

8. PERFORMANCE STANDARDS

Performance will be evaluated based on (1) establishing wetland hydrology, hydric soils, and hydrophytic vegetation in the 0.5-acre mitigation area to meet Cowardin PSS criteria within 5 years and (2) achieving shrub density and vigor consistent with development of structure comparable to reference area in the future. Specific standards are listed in Table 3.

Functional benefits of the mitigation work are from (1) establishment of wetland conditions and (2) the structure, shade, and stabilization provided by woody plants. Proposed standards recognize that willows will take more than 5 years to mature and that reference sites are patchy with a range of shrub vs herbaceous cover in a PSS/PEM mosaic. The near-term vegetation objective is to have enough wetland shrub and herbaceous species cover to stabilize the site, avoid increases in weeds and invasives, and meet criteria for PSS wetlands. Given the longer timeline for willows to fill in and mature, the near-term (5-year) objective for shrubs is to establish enough healthy, growing individuals to meet a 30% cover standard and be on course to develop into a robust willow stand. Existing PSS wetlands south of Fox Creek are very heterogeneous but typically have 30-80% willow canopy cover distributed as about 25-90 clumps per acre, each ≈10-50 ft in diameter and made up of an indeterminate number of individuals. The planting density (8 ft spacing or ≈680 shrubs/acre) will ensure that the 30% cover target can be met in 5 years and cover similar to reference can be reached with normal future growth if the 75% survival target is met (net density >500 shrubs/acre if survival ≥75%).

Table 3. Performance Standards and Target Values.

Component	Parameter	Target
1. Hydrology	Hydrology similar to adjacent wetlands and supports wetland vegetation and functions	
1. A	Grading establishes elevations matching existing wetlands and design	As-built ground surface elevations no higher that adjacent existing wetlands
1. B	Wetland hydrology present throughout the mitigation site	Wetland hydrology present for at least 14 days during the growing season
2. Vegetation	Overall patchy shrub/emergent wetland structure similar to reference PSS	
2. A	Herbaceous cover meets Cowardin class PEM criteria in areas between shrubs	30% aerial cover of wetland plants
2. B	Shrub survival and density	≥75% survival of planted willows including replacements, ≥500 live stems/acre
2. C	Shrub height and vigor	Height ≥6 ft, canopy healthy and expanding
2. D	Shrub cover	Shrub cover >30%
3. Soils	Hydric soils	Hydric indicators throughout mitigation area

* Field indicators of hydric soils may not develop during monitoring period due to recent disturbance but are expected to be present in subsoil given existing hydrology. If field indicators are lacking due to disturbance, criteria for problematic hydric soils in Chapter 5 of the Regional Supplement will be used.

9. MONITORING PLAN

Monitoring will be conducted annually for 5 years, near the end of each growing season after mitigation construction and planting is completed, or until performance standards are met. Monitoring and reporting will be performed by Intermountain Aquatics or another qualified party acceptable to the Corps. A concise report meeting the requirements of Corps *Regulatory Guidance Letter No. 08-03* will be submitted annually by December 31 and will evaluate overall mitigation site condition, progress toward meeting performance standards, and any adaptive management or remedial actions proposed. Key topics covered each year will be:

Year 1: Document as-built site layout, size, and elevations, permanent monitoring plots and photo points, wetland hydrology, and vegetation performance.

Year 2-3: Vegetation performance and wetland indicators.

Year 4-5: Vegetation performance and Cowardin class wetland acreage.

For efficient and repeatable monitoring of shrubs, three permanent 30 X 30 ft plots will be set up across the site at roughly equal spacing. At this size, each plot will include ≈10 planted willows. These plots will also be used for other observations. Evaluation of surface elevations and extent of wetlands will include the entire mitigation site. Determination of the extent of wetlands (year 4-5) will use wetland determination data forms and follow the 1987 manual, memorandums and the 2010 Western

Mountain, Valleys and Coast supplement and allowing for recent soil disturbance. In addition to the systematic permanent plot sampling, the entire mitigation site will be walked on each visit to visually evaluate shrub survival, vegetation development, hydrology, weeds, fences, and other conditions.

Table 4. Monitoring Methods and Schedule

Component	Parameter	Target	Methods	Years
1. Hydrology	Hydrology similar to adjacent wetlands			
1. A	Elevations match existing wetlands and design	As-built ground surface elevations no higher that adjacent existing wetlands	GPS and/or laser survey	1
1. B	Wetland hydrology across mitigation site	Wetland hydrology present ≥14 days in growing season	Field observation of saturation/inundation	1, 4, 5
2. Vegetation	Patchy shrub/emergent wetland structure			
2. A	Herbaceous cover meets Cowardin PEM criteria	30% aerial cover of wetland plants	Ocular estimates in 3 30X30 ft permanent plots	All
2. B	Shrub survival & density	≥75% survival of planted willows, ≥500 live stems/acre	Counts in 3 30X30 ft permanent plots	All
2. C	Shrub height and vigor	Willow height at 5 years ≥6 ft, canopy healthy and expanding	Heights & visual ratings in permanent plots	All
2. D	Shrub cover	Shrub cover >30%	Ocular estimates in permanent plots	All
3. Soils	Hydric soils	Hydric soil indicators present throughout the mitigation area	Depleted matrix or other field indicators*	1, 4, 5

* Allowing for recent disturbance. See Table 3 footnote.

10. LONG-TERM MANAGEMENT PLAN

Wetland hydrology and protection from excessive herbivory are the main requirements for long-term success. Suitable hydrology will be confirmed during the monitoring period. Experience in this landscape has shown that the vegetation objectives are feasible without exceptional efforts.

The owners commit to managing livestock grazing at an acceptably low level to allow willows to continue to mature and thrive if fencing is removed. The owners acquired the Property in 2022 and are still evaluating options for stream and wetland restoration, improved livestock management or removal, recreation, and other aspects of site management. A management plan will be developed for the mitigation area and memorialized in writing as stipulated in the Conservation Easement.

The owners will be responsible for long-term management. The intent is to deal with management plans, legal obligations, and remedies within the existing Conservation Easement framework. The

easement holder (TRLT) will be responsible for ensuring that long-term management is consistent with mitigation objectives. The required management is within the scope of normal rural land management and does not require additional financial commitments beyond the obligation to replace/repair unacceptable plant losses or fencing damage resulting from neglect or mismanagement.

11. ADAPTIVE MANAGEMENT PLAN

The mitigation site and design were selected for high odds of success based on landscape conditions and similarity to nearby high-functioning wetlands. IMA will be responsible for overseeing construction and revegetation, for annual monitoring, and for recommending changes in design or management. IMA or the owners or their representatives will notify the Corps if a significant modification of the Project is planned, or if monitoring suggests that mitigation is not on track to meet performance standards.

The Project design will be evaluated during construction. Specifically, site topography, soils, and hydrology conditions will be evaluated with pre-construction survey, exploratory excavation, and during grading. The depth of grading or specific mitigation location will be modified if site conditions require.

Field observations will identify deficiencies in physical conditions, vegetation, or site protection during the 5-year monitoring period. Common challenges including weed control, fence repair, and shrub replacement are addressed in the Maintenance Plan. Livestock trespass can be a problem on rural properties, but protective fencing will exclude animals from the mitigation site. The IDGS access raises the risk of human and dog trespass, which could require additional boundary fencing and signage.

Irrigation should not be needed given the depth to the water table and proposed grading. In our experience 5-gallon willows have high survival and growth in comparable settings. Irrigation will be provided if extraordinary drought or low stream levels cause the upper soil to be drier than expected.

Dealing with livestock trespass, human/dog trespass, and weed management falls within the scope of normal rural land management and will be the owners' responsibility once the monitoring period is finished. Unforeseen challenges after monitoring will be identified and addressed jointly by the owners and the conservation easement holder (TRLT).

Changes that cannot be anticipated include major increases in native herbivores and browsing, novel invasive species or pathogens, and shifts in area hydrology. Groundwater-and-snowmelt-fed wetland and stream hydrology is expected to remain relatively reliable (within normal variation), but climate change or changes in irrigation in the surrounding landscape could alter hydrology. The mitigation site's location and topography should buffer it from such changes; it is a floodplain with extensive swales in a valley bottom area where multiple streams converge and groundwater discharges. If significant changes in hydrology do occur, they will be happening across the landscape and watershed and will need to be addressed at that larger scale jointly by TRLT, landowners, and agencies.

Existing conservation easements, IDFG ownership to the west, and constraints imposed by wetland and landuse regulations and physical conditions make it very unlikely that land immediately adjacent to the mitigation site will be developed or put into cultivation. Given the extent of contiguous and nearby easements, problems that may emerge across the landscape will be recognized by TRLT and other local conservation professionals.

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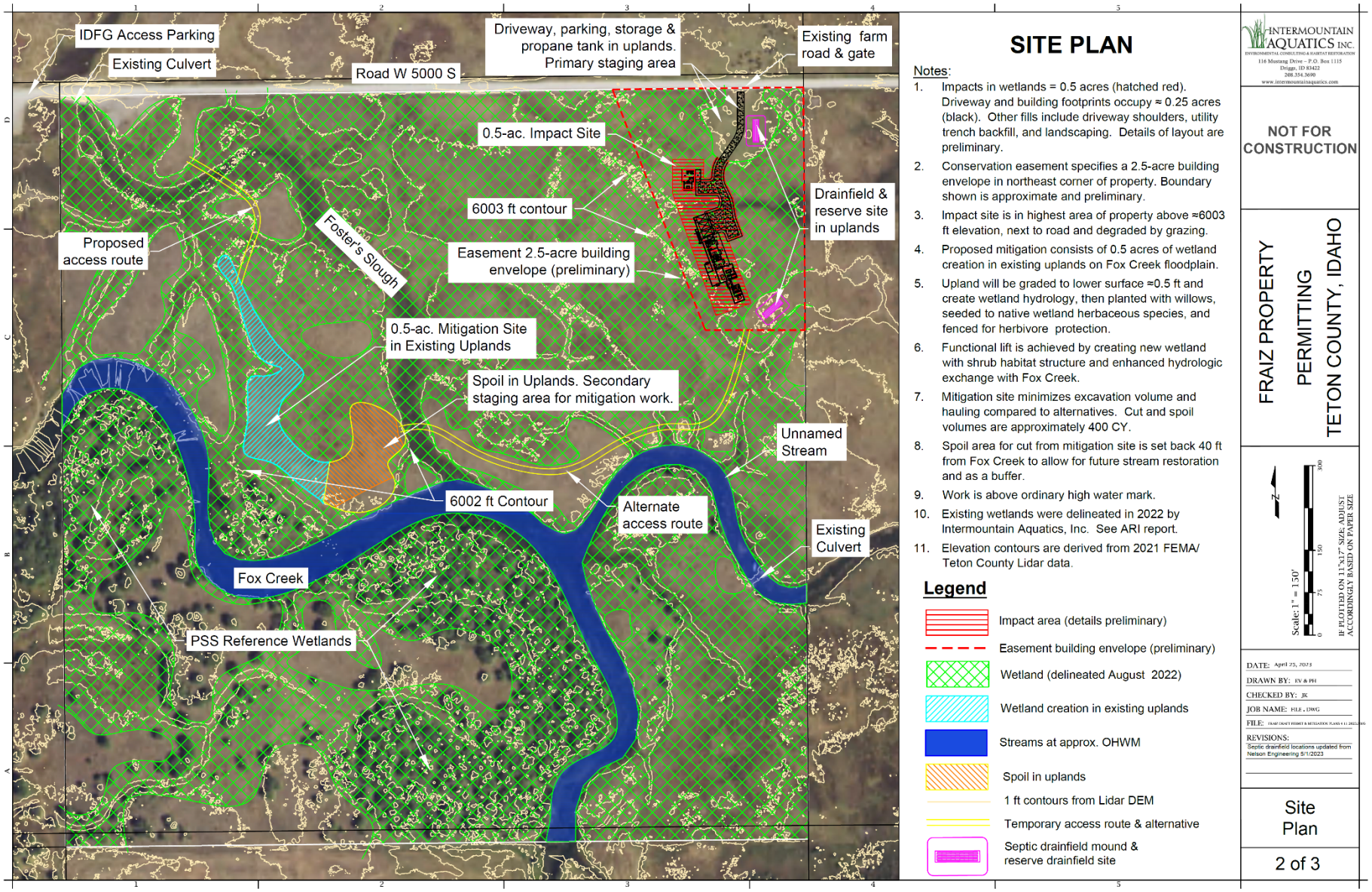
Teton County, Idaho 2022 Draft Floodplains, FEMA online RiskMAP site available via Teton County GIS website, https://tetonidaho.maps.arcgis.com/home/index.html

Flood Insurance Study # 16081CV001B: Teton County, Idaho. 2018. Federal Emergency Management Agency. Report Volume 1, version 2.3.3.2, and Map panel 16081C0268D, version 2.3.3.4, available via FEMA Flood Map Service Center, https://msc.fema.gov/portal/advanceSearch.

Teton River Subbasin 2016 Total Maximum Daily Loads and Five-Year Review, October 2016, Idaho Department of Environmental Quality, Idaho Falls and Boise, Idaho. https://www2.deq.idaho.gov/admin/LEIA/api/document/download/12115

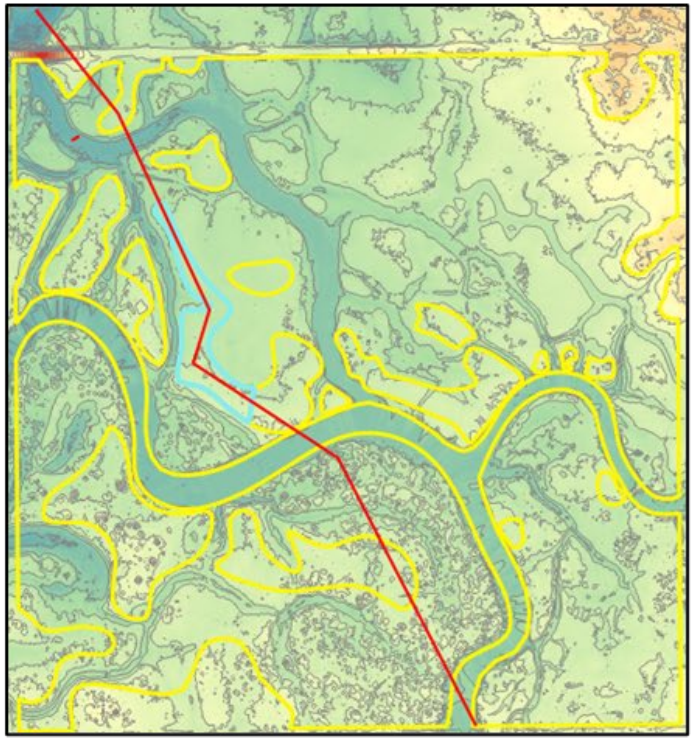
APPENDIX A: MITIGATION PLAN DRAWINGS

A-1) Mitigation Site Plan



A-2) Mitigation Site Cross-Section

Right: Lidar image with cross-section from county road W 4000 S to south boundary (red line), half-foot contours (gray), uplands (yellow), and mitigation site (blue).

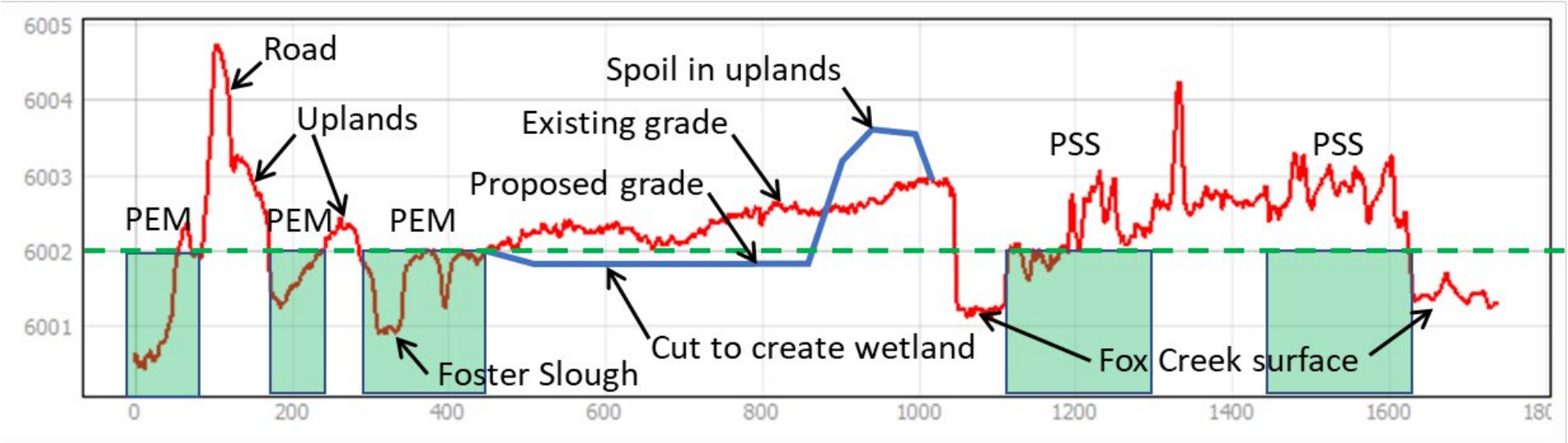


Below: Cross-section through mitigation site and floodplain.

Grading will lower 0.5 acres of marginal uplands to ≤6002 ft elevation, removing ≈400 CY of soil with 0.2-0.8 ft of cut (average ≈0.5 ft). Lowering the mitigation site surface to <6002 ft will provide hydrology similar to existing PEM wetlands and PSS wetlands.

Cut will be spoiled in the contiguous upland at an average thickness of 0.75 ft with a 40 ft setback from Fox Creek to allow for future stream restoration.

The target elevation of ≤6002 ft was determined by comparing floodplain wetland boundaries to Lidar data. All areas below ≈6002 ft elevation are currently wetlands (green). Wetland to upland transitions generally occur at 6002.1-6002.6 ft elevation. Most areas higher than 6002 ft are uplands.



APPENDIX B: WETLAND FUNCTIONAL ASSESSMENT

Project name & assessment purpose: Fraiz Residence, pre-construction mitigation planning

Evaluation date: October 26, 2022, updated 4/19/2023

Evaluator: Emma Vautour & Paul Hook, Intermountain Aquatics, Inc.

Location: Upper Teton River watershed, Teton County, NE4NE4 SEC 29 T4N R45E

Assessment Area size: 17.3 acres PEM excluding upland islands within the 23 acres hatched below

Figure B-1. Project Property with Assessment Area (AA) hatched in white.



B-1) INTRODUCTION

This appendix documents the functional assessment for the Fraiz Mitigation Plan. A modified version of the MDT Montana Wetland Assessment Method ("MWAM", Berglund and McEldowney 2008) that scores 12 types of functions and values was used to calculate debits and credits. Site characterization and functional assessment ratings followed the MWAM manual guidance and MWAM Assessment Form rating matrices where applicable. Some criteria were modified to better reflect conditions in the Teton Basin and Project Property, specifically adding more detail to evaluation of woody vegetation structure and its habitat value. Other modifications were applying weighting factors to the functional categories.

Sections 2 and 3 describe and rate the assessment area, overall site conditions, and ecological resources. Section 4 highlights distinctive characteristics of impact, mitigation, and reference sites that affect ratings. Section 5 contains rating forms. Overall results are summarized in Mitigation Plan section 5.

B-2) ASSESSMENT AREA OVERVIEW

The 17.3-acre Assessment Area (AA) includes contiguous wetlands and adjoining open water on the north half of the Fraiz Property. Under 4 acres of uplands distributed as nearly 20 scattered patches of <0.1 acres to 0.9 acres occur within the hatched area in Figure B-1 but are not included in the AA. The AA is palustrine emergent wetland, lacks significant areas of shrubs and trees, and contrasts with the areas to the south of the AA. The entire AA is grazed by livestock. Historic aerial imagery shows losses of shrubs in the mid-20th century, and robust willow stands south of Fox Creek suggest that the AA could support more shrubs. The site is nearly flat. Vegetation and ecological functions vary across the AA based mainly on microtopography and proximity to Fox Creek.

The south edge of the AA consists of ≈2 acres of Fox Creek and an unnamed tributary. Proposed impacts and mitigation do not involve the streams directly because the mitigation work area is set back from the banks. Streambanks near the mitigation site are approximately 2-3 ft high and steep with some erosion caused by livestock and lack of vegetation. Future stream restoration is being considered.

Characteristics of the entire Assessment Area are summarized below as background for assessing impact and mitigation areas. Also see section 2 of the Mitigation Plan.

Landscape Setting: Wetland complex occupying geomorphic floodplain and alluvial fans

The site is located at the southern end of a regionally significant wetland complex, Foster Slough, and is surrounded by other wetlands. It lies near the confluence of Fox Creek and the Teton River in a depositional setting with a mix of floodplain and alluvial fan features. All of the AA except the northeast corner is in the 100-year floodplain (1988 effective and 2022 draft FIRM maps). Microtopography is dominated by swales in former stream channels and side channels. The AA includes Fox Creek (~45' average bankfull width), an unnamed tributary (~35' average bankfull width), ≈17.3 acres of PEM wetlands not counting ≈3.8 acres of upland inclusions (2022 Aquatic Resource Inventory Report).

Relative Abundance of Similarly Classified Sites within Major Watershed Basin: Abundant

Wetlands similar to the AA are abundant in the landscape and the Teton River Watershed. Teton County wetlands occupy ≈27,000 acres, mainly in the Teton Basin between Highway 33 and the river. Roughly 90% are mapped as PEM in the National Wetland Inventory. PSS and PFO wetlands are much less common than PEM wetlands locally and in the larger Henry's Fork watershed (Jankovsky-Jones 1996).

General Condition: Vegetation and streambanks degraded by historic grazing

Disturbance is moderately high within the AA, which has been grazed by livestock for many decades. It fits the MWAM description, "Heavy to moderate cattle grazing resulting in severe loss of most shrubs…" Based on adjacent healthy PSS wetlands to the south, the AA probably once featured patches of robust willows with an understory dominated by sedges, rushes and other wetland plants in a mixed PSS, PEM, and grassland mosaic. The Property south of Fox Creek is less accessible to cattle and has significant areas of relatively intact willow thickets. Sedge dominated swales in the AA remain relatively healthy compared to the upland islands. Within the AA Fox Creek is over-widened with significant siltation. Some banks are eroded by livestock. Shrub cover along banks has been greatly reduced since the earliest aerial image from 1943.

Noxious weeds are present but not dominant in the AA. They include Canada thistle, musk thistle, and hounds' tongue. These are most abundant in upland islands and drier, marginal wetlands.

Structural Diversity: Very low

Structural diversity (type, stature, and spatial arrangement of plants) is very low due to grazing. There are almost no woody plants north of Fox Creek. Riparian shrubs are scarce and damaged by browsing.

B-3) SITE-WIDE FUNCTIONAL ASSESSMENT FOR CURRENT CONDITIONS

Following the MWAM scheme, up to 12 functions are scored from 0 to 1. Ratings followed MWAM manual guidance and MWAM Assessment Form rating matrices where applicable. Some criteria were modified to better reflect conditions in the Teton Basin and Project Property, specifically adding more detail to the evaluation of woody vegetation structure and its habitat value. Numeric ratings are tabulated in section B-5 of this appendix.

A. Habitat for Federally Listed or Proposed Threatened or Endangered (T&E) Plants or Animals

No listed or proposed T&E species are documented or suspected to occur in the Assessment Area.

B. Habitat for Plants or Animals Rated S1, S2, or S3 in the Idaho Natural Heritage Program

Existing habitat value for S1-S3 species is rated low/moderate due to the combination of degraded habitat in the AA partially offset by high-quality habitat in parts of the surrounding landscape.

Use of the Assessment Area by S1-S3 species is possible but speculative. Observations from the 1998 baseline report for the Conservation Easement are the main source for this assessment. Non-intensive surveys in 1998 observed sign of white-tailed deer, moose, fox, coyote, and many small mammals (mice, voles, weasels, etc.). The baseline inventory included both the 40-acre Project Property and the adjacent 40-acre Property to the east both referred to as the Foster Fox Creek Property.

The easement baseline report lists 43 species currently ranked as S1, S2, or S3 in the Idaho Species Conservation Status database (accessed 11/14/22). The baseline report mentions Yellowstone cutthroat trout (S4), Swainson's hawk (S5) and Bald Eagle (S5), which have been downgraded since the baseline.

The habitat value of southern Teton Basin wetlands results largely from watershed and landscape-scale characteristics. The Teton River and tributaries have relatively natural hydrology and few major fish barriers. Thousands of acres of intact wetlands are concentrated in the Foster Slough complex, a mosaic of emergent wetlands, grasslands, and hay fields, with smaller areas of shrub/scrub and forested wetlands. Surface water occurs in streams, swales, and depressional wetlands. Some sites such as fens have unique characteristics, but habitat value is due mainly to landscape-scale diversity of cover types and hydrologic environments, which provide habitat niches and resources for different life cycle needs. Large areas are protected by easements, and roads and development are limited.

> ***Table A-1, next page. Idaho Natural Heritage Program S1, S2, and S3 species "suspected to be present on the Foster Fox Creek Property" in 1998 baseline report.*** *Codes: S1, critically imperiled; S2, imperiled because rarity or other factors create vulnerability to extinction; S3, rare or uncommon but not imperiled; S4 = not rare and apparently secure, but with cause for long-term concern; S5 = widespread, abundant, and secure.*

Common Name	Scientific Name	Category	S-Rank	Distribution Population
Spotted Sandpiper	*Actitis macularius*	Bird	S3B	Breeding
Moose	*Alces alces*	Mammal	S3	Year-round
Green-winged Teal	*Anas crecca*	Bird	S4B,S3N	Year-round
Blue-winged Teal	*Anas discors*	Bird	S2B	Breeding
Gadwall	*Anas strepera*	Bird	S3	Year-round
Golden Eagle	*Aquila chrysaetos*	Bird	S3	Year-round
Short-eared Owl	*Asio flammeus*	Bird	S3	Year-round
Lesser Scaup	*Aythya affinis*	Bird	S3B,S3N	Year-round
American Bittern	*Botaurus lentiginosus*	Bird	S1B	Breeding
Bufflehead	*Bucephala albeola*	Bird	S1B,S1N	Year-round
Barrow's Goldeneye	*Bucephala islandica*	Bird	S3B,S3N	Year-round
Western Sandpiper	*Calidris mauri*	Bird	S3M	Transient
Veery	*Catharus fuscescens*	Bird	S3B	Breeding
Black Tern	*Chlidonias niger*	Bird	S2B	Breeding
American Dipper	*Cinclus mexicanus*	Bird	S3	Year-round
Yellow-billed Cuckoo	*Coccyzus americanus*	Bird	S1B	Breeding
Trumpeter Swan	*Cygnus buccinator*	Bird	S1B,S4N	Year-round
Bobolink	*Dolichonyx oryzivorus*	Bird	S2B	Breeding
Snowy Egret	*Egretta thula*	Bird	S1B	Breeding
Least Flycatcher	*Empidonax minimus*	Bird	S2B	Breeding
Big Brown Bat	*Eptesicus fuscus*	Mammal	S3	Year-round
Peregrine Falcon	*Falco peregrinus*	Bird	S3B	Breeding
Northern Shrike	*Lanius excubitor*	Bird	S3N	Non-breeding
Loggerhead Shrike	*Lanius ludovicianus*	Bird	S3	Year-round
California Gull	*Larus californicus*	Bird	S3B, S2N	Year-round
Ring-billed Gull	*Larus delawarensis*	Bird	S2B,S2N	Year-round
Hoary Bat	*Lasiurus cinereus*	Mammal	S3	Year-round
Marbled Godwit	*Limosa fedoa*	Bird	S2M	Transient
Hooded Merganser	*Lophodytes cucullatus*	Bird	S2B,S2N	Year-round
Common Merganser	*Mergus merganser*	Bird	S3	Year-round
Long-eared Myotis	*Myotis evotis*	Mammal	S3	Year-round
Long-billed Curlew	*Numenius americanus*	Bird	S2B	Breeding
American White Pelican	*Pelecanus erythrorhynchos*	Bird	S3B	Breeding
White-faced Ibis	*Plegadis chihi*	Bird	S2B	Breeding
Eared Grebe	*Podiceps nigricollis*	Bird	S1N,S2B	Year-round
Pied-billed Grebe	*Podilymbus podiceps*	Bird	S3	Year-round
Virginia Rail	*Rallus limicola*	Bird	S2N,S3B	Year-round
American Avocet	*Recurvirostra americana*	Bird	S3B,S3M	Breeding
Forster's Tern	*Sterna forsteri*	Bird	S2B	Breeding
Lesser Yellowlegs	*Tringa flavipes*	Bird	S2M	Transient
Greater Yellowlegs	*Tringa melanoleuca*	Bird	S3M	Transient
Willet	*Tringa semipalmata*	Bird	S3B	Breeding
Solitary Sandpiper	*Tringa solitaria*	Bird	S1M	Transient

***S1 species*:** The Assessment Area could potentially provide primary or secondary habitat for critically imperiled waterbirds, but open water habitat other than Fox Creek is limited and shallow. The species listed above with S1 rankings were not observed on the Property in 2022.

***S2 and S3 species*:** The existing habitat in the AA is most likely to be used for foraging by species that nest, perch, or bed in less disturbed habitats outside the AA: in shrubs south of Fox Creek and on adjacent properties (e.g., raptors, moose), ponds south of the project Property, or grassland/wetland/ cropland mosaics around Foster Slough (curlews, cranes). Low structural diversity and lack of security cover in the AA likely limits habitat value for many species, but short-statured grasslands can be important habitat for some birds including Long-billed Curlews. Adding structure locally within the AA could enhance onsite nesting, perching, and foraging opportunities for songbirds and big game while providing a mosaic of complementary habitats. Habitat value may be compromised by traffic on the road to the Fox Creek East IDFG public access and recreational use of IDFG lands and streams.

C. General Wildlife Habitat

Overall rating of existing wildlife habitat and use in the AA is low based on a combination of low quality and low/moderate use. Existing habitat features are rated low due to low structural diversity and disturbance. The two perennial streams make up roughly 12% of the AA. The Foster Slough channel and other swales experience semi-permanent to seasonal flooding.

Wildlife use is moderate despite habitat degradation because the AA is embedded in a high functioning landscape. Moose and other native ungulates are common in the landscape, as are diverse songbirds, shorebirds, waterfowl, and raptors. Wildlife sign on the AA was not clear due to recent grazing. Use by birds that require significant woody plant structure is low. Use by native ungulates is likely reduced by forage and browse depletion by livestock, but adjacent woody habitats provide good security cover.

D. General Fish Habitat

Fish habitat is rated moderate. Fox Creek supports cold-water fish including Yellowstone Cutthroat Trout. Fox creek is perennial and is thermally buffered by groundwater discharge, but fish habitat in the AA is degraded by over-widening, siltation, loss of riparian vegetation, and lack of shading, a cause of temperature degradation. Teton River tributaries are subject to a TMDL for temperature. Stream restoration on properties near the AA has achieved significant improvements in Fox Creek fisheries.

E. Flood Attenuation

Flood attenuation is rated high/moderate. Based on the 2022 FEMA Draft 1% AEP floodplain, aerial images, and Lidar data, over 90% of the AA is likely to flood in extreme events. Overbank flooding probably covers less than 10% of the AA in most years, but a larger area of swales stores local runoff. No man-made structures at risk of damage by flooding occur in the AA or immediately downstream.

F. Short and Long-Term Surface Water Storage

Short-term surface water storage is rated moderate/high. The flatness of the site and abundant small swales and depressions provide storage to attenuate storm and snowmelt runoff. It is likely that one-third to half the area holds several inches to one foot of water for several weeks during runoff, amounting to 5-10 acre feet in most years.

G. Sediment/Nutrient/Toxicant Retention and Removal

Pollutant retention function is rated low/moderate. Topography and hydrology provide high potential to retain pollutants, but loading is limited due to surrounding land use dominated by pasture, hay, and wildlands. Livestock cause minor sediment and nutrient inputs. Stream sediment pulses occur during runoff, and some sediment is deposited in side channels (visible in 6/21/2017 Google Earth image).

H. Sediment/Shoreline Stabilization

This function is rated moderate/low due to the combination of over-steepened banks on the north side of Fox Creek and the tributary and limited vegetation/exposed soil in many places.

I. Production Export/Food Chain Support

This is rated moderate based on moderate primary production, large area of vegetated wetlands, presence of surface outlets and lateral exchange between streams and floodplains, and perennial flow. Aquatic and wetland biological activity is rated moderate based on wildlife and fish habitat factors.

J. Groundwater Discharge/Recharge

Groundwater discharge function is moderate. The Assessment Area is mainly floodplain with some HGM Slope wetland characteristics. The water table is shallow. Perennially saturated areas occupy less than half of the area. Unambiguous discharge indicators were not observed in the AA, but discharge is common in the Foster Slough wetland complex. Swales could act as seasonal recharge areas.

K. Uniqueness

Uniqueness is rated moderate. The grazed, structurally simple PEM wetlands in the Assessment Area are unexceptional. Any uniqueness value comes from being part of a regionally significant wetland complex with limited development and large areas protected by conservation easements.

L. Recreation/Education Potential

Recreation/education potential is rated low/moderate. Being next to a public access parking area could facilitate educational use if the owner wishes, but disturbance from recreation is already higher than desirable. Given existing access to adjacent IDFG land, Fox Creek, and the Teton River, public recreational access to the AA would have lower value than habitat protection.

B-4) Functional Assessment of Impact and Mitigation Sites

Credits and debits were calculated based on ratings for the specific impact and mitigation sites within the AA, using the PSS wetlands south of Fox Creek as a reference for mitigation. This section summarizes key factors that affect ratings and credits. The main factors producing net functional lift are the mitigation site's proximity to Fox Creek and more favorable future hydrology and shrub structure. Specifically, structure will enhance habitat for birds, big game, and other, lowering the surface will provide a slight increase in flood storage and associated pollutant removal functions, and the combination of increased production and more frequent inundation will boost organic matter export.

Impact site: The impact site in the northeast corner of the Property is relatively low functioning compared to the AA as a whole. It is at a slightly higher elevation (mostly at 6002.5-6004 ft elevation)

and drier than areas with higher quality wetlands (at 6000-6002 ft elevation). Vegetation in the impact site is heavily grazed and there is no woody vegetation. The site is at the edge of and mostly outside the 100-year floodplain as shown both by the 2022 draft FEMA FIRM map and the 1988 FIRM (exact boundaries differ). It is >200 ft from the Fox Creek, the tributary, and Foster Slough and is a15 ft from a road. Wetland fill will have impacts, but functional condition is already low.

Small areas of swales are present, and some are seasonally saturated or have temporary standing water during snowmelt runoff. Wetland hydrology is influenced by irrigation on neighboring properties to the east (upgradient); a minor ditch ends just east of the property line. Higher, drier, grass-dominated areas show greater degradation by grazing than average for the AA, probably due to higher use and lower capacity for regrowth than wetter areas (grazed sedges in lower, wetter areas appeared healthy). Historic aerials show that this corner of the Property has had concentrated cattle use for decades, likely associated with mineral blocks or supplemental feeding. This corner is also the longstanding entrance to a two-track farm road (1998 TRLT Baseline Report).

Due to its location, the development site has no fish habitat, overbank flood attenuation, or shoreline stabilization function, minimal pollutant removal function, and relatively little surface runoff storage or groundwater discharge/recharge function. These functions are rated lower than the average for the Assessment Area. Wildlife habitat in the impact area is slightly below average for the AA due to greater effects of grazing on vegetation structure and lower forage production.

Mitigation and reference sites: The proposed mitigation site is an upland island at lower elevation than the impact site, well within the 100-year floodplain, close to Fox Creek, and mostly surrounded by wetlands typical of the AA. Vegetation on and around the mitigation site is degraded by grazing. It is entirely herbaceous except for a small patch of 10 scattered willows directly south of the mitigation site. As an upland, zero wetland functions are zero by definition.

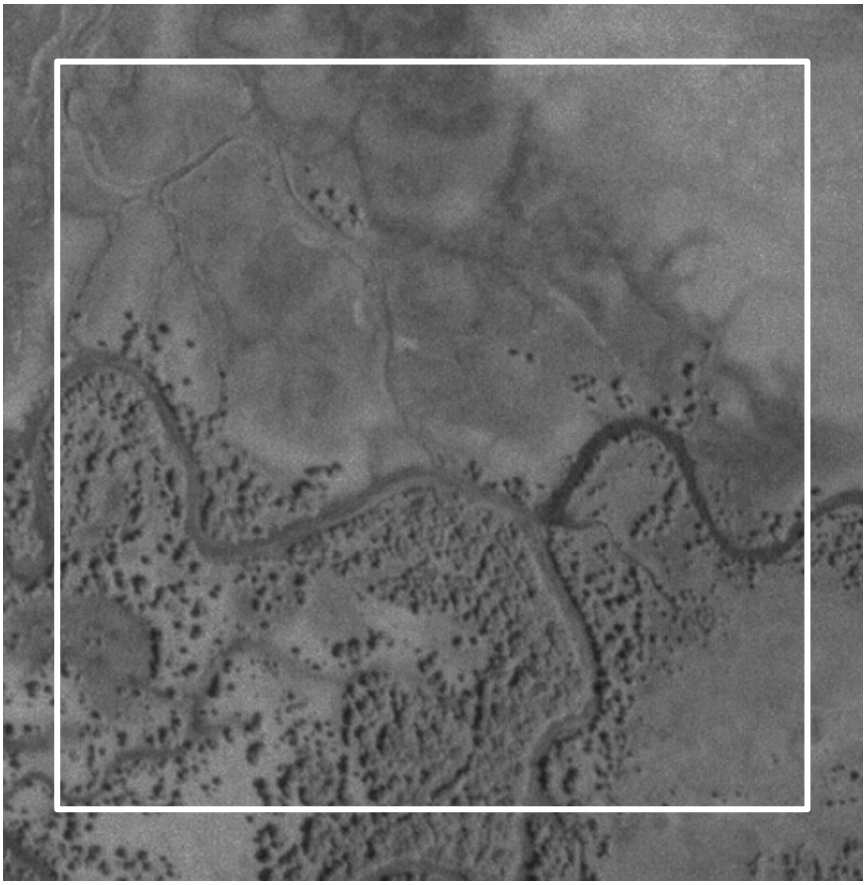
PSS & PEM reference areas were used to develop ratings for the projected functions of the mitigation site. The mitigation site was chosen for potential to create favorable hydrology with minor grading and achieve shrub cover with planting and protection. Potential hydrology can be estimated from directly adjacent PEM wetlands. These have relatively low function due to grazing, but they include vigorous sedge-dominated, seasonally flooded swales that are higher functioning than the impact site. Off-stream wetlands (>20-50 ft from Fox Creek) have moderate flood attenuation, pollutant removal, and food chain support functions but no fish habitat or shoreline stabilization function. Surface runoff storage, groundwater discharge/recharge functions, and wildlife habitat functions are typical of the AA. Overall, adjacent conditions indicate that it will be possible to create wetland from the existing upland island via minor grading and deliver hydrology-related functions.

Maximizing functional lift will require planting willows and protecting them from grazing and browsing. Feasibility of achieving PSS habitat functions is based largely on existing PSS wetlands on the south side of Fox Creek, which have complex structure with large willows, smaller understory shrubs, and sedges and other graminoids under and between shrubs. Historic aerial images with good resolution show that willows were more common along the north bank of Fox Creek in 1943 but not thick (Figure B-2), diminished markedly by 1980, and further depleted since 1980. A cluster of ten heavily browsed willows directly south of the mitigation site remains. The upland island that contains the mitigation site is near

the north bank of Fox Creek, but shrubs will not provide channel shading or bank stabilization. Proposed work does not involve Fox Creek directly because the mitigation work, including the upland spoil area, is set back 40 ft from the channel to allow for future stream restoration work. However, flood water exchange may enhance pollutant retention, organic matter export, and food web support.

The PSS wetland mapped south of Fox Creek in the ARI has thickets of tall shrubs (mainly willows) with the understory and openings dominated by sedges, rushes, and other wetland plants. Willow density varies widely, and PSS areas are mixed with PEM wetlands and upland grasslands in a mosaic. Structure provides diverse habitat niches for birds, big game, and other animals for foraging, nesting/bedding, and security cover (see photos on page 19 of ARI report). Cowardin wetland class depends partly on scale of mapping. Looking at any specific 0.5-acre area within the 8.7 acres mapped as PSS, vegetation ranges from dense willow thicket PSS to wet meadow PEM with scattered willows. The dense PSS areas show the "best case" potential for the mitigation site. Fully reaching that potential may take more than a decade, but important functions can realistically be achieved within 5 years based on the mitigation site's elevation, the relatively good condition and hydrology of adjacent sedge swales, and the PSS/PEM wetland south of Fox Creek. Ratings and performance standards for the proposed mitigation wetland are based largely on the PSS/PEM mosaic south of Fox Creek but do not assume conditions on the mitigation site will reach those of the mature comparison site within the 5-year monitoring period.

Figure B-2. 1943 Aerial Photo with approximate property boundary. Willows are more abundant north and east of Fox Creek than in later images but were probably already reduced by decades of grazing.



B-5) FUNCTIONAL RATING TABLES

Assessment Area:	**Fraiz Property north of Fox Creek & tributary excluding stream channel and uplands**
Purpose:	Background for impact and mitigation site selection and ratings
Size, acres:	17.3
Minor & Major Watershed:	Fox Creek, tributary to Teton River
USFWS Cowardin Class:	PEM
HGM Class:	Predominantly riverine with slope features in northeastern corner
Relative abundance of type:	Abundant in Teton River watershed
General condition:	Degraded by historic grazing with nearly complete loss of woody plants, altered streambanks, reduced shading, and diminished wildlife and fish habitat quality
Structural diversity:	Very low due to loss of shrubs from overgrazing
Rationale for weightings (weightings are neutral [≈9-10%] except as justified)	Pollutant removal function weighting reduced because there is little off-site chemical loading, only episodic sediment pulses, and minor internal loading from livestock.
	Uniqueness weighting is reduced because general wetland type and condition is well represented in the landscape and in areas under easement.
	Recreation/Education weighting is reduced because land is private and there is already public access to adjacent IDFG lands.
	Shoreline stabilization weighting is reduced because of limited bank length and relatively low energy (erosion potential) of streamflow.

Function & Value Variables	**Weighting***	**Rating**	**Functional points**	**Weighted points**
	(% of total)		(0 to 1)	(maximum=10)
A. Listed/Proposed T&E Species Habitat	9	L	0.1	0.09
B. Idaho NHPSpecies Habitat	9	L/M	0.4	0.36
C. General Wildlife Habitat	9	L	0.2	0.18
D. General Fish Habitat	9	M	0.5	0.45
E. Flood Attenuation	9	H/M	0.8	0.72
F. Short and Long Term Surface Water Storage	9	M/H	0.7	0.63
G. Sediment/Nutrient/Toxicant Removal	8	L/M	0.3	0.24
H. Sediment/Shoreline Stabilization	8	M/L	0.4	0.32
I. Production Export/Food Chain Support	9	M	0.6	0.54
J. Groundwater Discharge/Recharge	9	M	0.6	0.54
K. Uniqueness	6	M	0.5	0.3
L. Recreation/Education	6	M	0.5	0.3
Totals:	100		5.6	4.67
Percent of Possible Score				47%
Functional units (ac. X points)	17.3	Acres		80.8

Site:	**Residential development site (impact site)**			
System State:	Existing condition of proposed driveway and building site			
Size, acres:	0.5			
Minor & Major Watershed:	Fox Creek, tributary to Teton River			
USFWS Cowardin Class:	PEM			
HGM Class:	Borderline slope/riverine			
Relative abundance of type:	Abundant in Teton River watershed			
General condition:	Degraded by historic grazing with nearly complete loss of woody plants and diminished wildlife fish habitat quality			
Structural diversity:	Very low due to loss of shrubs from overgrazing			
Rationale for ratings that differ from AA	Development area is in higher elevation, drier area that is >200 ft from creek.			
	As a result, it has no fish habitat or shoreline stabilization function and reduced flood attenuation function.			
	In avoiding most lower/wetter microsites, it has little surface water storage, groundwater discharge, pollutant removal, or food chain support function.			
	Wildlife habitat is typical of the drier and less productive PEM wetlands in the AA (below average).			
	Drier, degraded condition reduces uniqueness and potential educational value.			
	In summary, the selected development site has relatively low wetland function due to being overgrazed and dryer than most of the AA.			
Function & Value Variables	**Weighting***	**Rating**	**Functional points**	**Weighted points**
	(% of total)		(0 to 1)	(maximum=10)
A. Listed/Proposed T&E Species Habitat	9	L	0	0
B. Idaho NHPSpecies Habitat	9	L/M	0.3	0.27
C. General Wildlife Habitat	9	L	0.2	0.18
D. General Fish Habitat	9	NA	0	0
E. Flood Attenuation	9	L	0.1	0.09
F. Short and Long Term Surface Water Storage	9	L/M	0.3	0.27
G. Sediment/Nutrient/Toxicant Removal	8	L	0.1	0.08
H. Sediment/Shoreline Stabilization	8	NA	0	0
I. Production Export/Food Chain Support	9	L	0.1	0.09
J. Groundwater Discharge/Recharge	9	L	0.1	0.09
K. Uniqueness	6	L	0.1	0.06
L. Recreation/Education	6	L	0	0
Totals:	100		1.3	1.13
Percent of Possible Score				11%
Functional units (ac. X points)	0.5	Acres		0.57
Functional units lost due to fill				-0.57

Site:	**Mitigation site**			
System State:	Projected condition of proposed mitigation site after PSS creation			
Size, acres:	0.5			
Minor & Major Watershed:	Fox Creek, tributary to Teton River			
USFWS Cowardin Class:	PSS with robust willows			
HGM Class:	Riverine			
Relative abundance of type:	Common in Teton River watershed			
General condition:	Robust woody vegetation and associated wildlife habitat following planting and protection from grazing and browsing			
Structural diversity:	High due to even mix of riparian shrubs and herbaceous wetland plants			
Rationale for ratings that differ from AA	Mitigation area is >40 ft from Fox Creek, so aquatic and water quality functions are minimally affected by this restoration.			
	The main differences from the existing AA are due to woody vegetation structure, overall habitat diversity, and general and sensitive wildlife habitat.			
	This PSS type is fairly common in the landscape but much less abundant than PEM.			
	In summary, restoration will lift structural diversity, overall habitat quality, and support for general wildlife and sensitive species.			
Function & Value Variables	**Weighting***	**Rating**	**Functional points**	**Weighted points**
	(% of total)		(0 to 1)	(maximum=10)
A. Listed/Proposed T&E Species Habitat	9	L/M	0.2	0.18
B. Idaho NHPSpecies Habitat	9	H/M	0.8	0.72
C. General Wildlife Habitat	9	H	0.9	0.81
D. General Fish Habitat	9	NA	0	0
E. Flood Attenuation	9	H/M	0.8	0.72
F. Short and Long Term Surface Water Storage	9	M/H	0.8	0.72
G. Sediment/Nutrient/Toxicant Removal	8	M	0.5	0.4
H. Sediment/Shoreline Stabilization	8	NA	0	0
I. Production Export/Food Chain Support	9	M	0.6	0.54
J. Groundwater Discharge/Recharge	9	M	0.6	0.54
K. Uniqueness	6	M/H	0.6	0.36
L. Recreation/Education	6	M	0.5	0.3
Totals:	100		6.3	5.29
Percent of Possible Score				53%
Functional units (ac. X points)	0.5	Acres		2.65
Functional units gained by wetland creation				2.65

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 NORTH SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1700

December 5, 2023

WALLA WALLA DISTRICT
REGULATORY DIVISION

SUBJECT: NWW-2023-00298-I04, Fraiz Residence Development

Brian Fraiz
11005 Pleasant View Drive
Carmel, IN 46033

Dear Mr. Fraiz:

We have determined that your proposed project *Fraiz Residence Development* is authorized in accordance with Department of the Army (DA) **Nationwide Permit (NWP) No. 29: Residential Developments**. This project is located within Section 29 of Township 4 North, Range 45 East, near coordinates 43.649501º N latitude and -111.162475º W longitude, near Victor, Teton County, Idaho. Please refer to File Number NWW-2023-00298-I04 in all future correspondence with our office regarding this project.

Project activities include the discharge of approximately 1770 cubic yards of dirt and gravel fill in 0.5 acres of wetlands considered to be Waters of the United States associated with the creation of a roadway and home site. Additional activities include the installation of a 6500 x 2-foot electric transmission line that will have a temporary impact to 0.3 acres of wetlands. The project also involves the creation of 0.5-acre scrub-shrub wetlands as compensatory mitigation. The mitigation site will be formed through the excavation of upland areas adjacent to wetlands allowing surrounding hydrology to enter the site and the planting and seeding of native hydrophytic vegetation. All work shall be done in accordance with the enclosed drawings, titled: *fraiz joint permit drawings.*

DA permit authorization is necessary because your project may involve the discharge of fill material into waters of the U.S. This authorization is outlined in Section 404 of the Clean Water Act (33 U.S.C. 1344).

You must comply with all general, regional, and special conditions, for this verification letter to remain valid and to avoid possible enforcement actions. The general and regional permit conditions for *NWP No. 29: Residential Developments* are attached and also available online[1]. In addition, you must also comply with the special conditions listed below.

[1] http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/

The following Special Conditions include:

Special Condition 1: Mitigation shall be implemented prior to or concurrent with the discharges authorized by this permit and as described in the August 2023 final mitigation plan entitled, “Fraiz Mitigation Plan & Functional Assessment.”

Special Condition 2: Deed restrictions, covenants or other mechanisms to protect the mitigation site in perpetuity must be submitted to the Corps of Engineers within 30 days of the date of the permit or prior to the start of the permitted project, for approval. Once the deed restriction is approved by the Corps, it must be recorded with the county recorder within 30 days of approval. The document must prohibit dredge or fill activities in the mitigation site and prohibit domestic livestock grazing, burning, wholesale spraying of herbicides, mowing, tree and shrub cutting other than selective pruning, and any other incompatible use that might otherwise jeopardize the objectives of the compensatory mitigation project.

Special Condition 3: The wetland boundaries shall be clearly marked with flagging or fencing prior to construction. No fill material shall be placed in wetlands unless the wetland fill is specifically authorized and shown on the permit drawings.

You must also comply with the conditions detailed in the attached Section 401 Water Quality Certification (WQC) issued by the Idaho Department of Environmental Quality (IDEQ) on December 4, 2020. If you have any questions regarding the conditions set forth in the WQC, please contact IDEQ directly at 208-528-2650, Idaho Falls Regional Office.

Nationwide Permit General Condition 30 (Compliance Certification) requires that every permittee who has received NWP verification must submit a signed certification regarding the completed work and any required mitigation. This Compliance Certification form is enclosed for your convenience and must be completed and returned to us within 30 days of your project’s completion.

This letter of authorization does not convey any property rights, or any exclusive privileges and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect this work.

This verification is valid until **March 14, 2026**, unless the NWP is modified, suspended or revoked. If your project, as permitted under this NWP verification, is modified in any way you must contact our office prior to commencing any work activities. In the event that you have not completed construction of your project by March 14, 2026, please contact us at least 60-days prior to this date. A new application

and verification may be required.

We actively use feedback to improve our delivery and provide you with the best possible service. If you would like to provide feedback, please take our online survey[2]. If you have questions or if you would like a paper copy of the survey, please contact the Walla Walla District Regulatory. For more information about the Walla Walla District Regulatory program, you can visit us online[3].

If you have any questions or need additional information about this permit authorization, you can contact Brendan Jones by phone at (208) 522-1645, by mail at the address in the letterhead, or email at Brendan.V.Jones@usace.army.mil. For informational purposes, a copy of this letter has been sent to: Jade Kruger (Teton County), Alex Bell (IDEQ), and Katie Salsbury (Intermountain Aquatics)

Sincerely,

James M. Joyner

James M. Joyner
Chief, Upper Snake and
Idaho Panhandle Branch

Encls
Transfer of Nationwide Permit Form
fraiz joint permit drawings
NWP29_Permit Conditions

[2] https://regulatory.ops.usace.army.mil/customer-service-survey/
[3] http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/

TRANSFER OF NATIONWIDE PERMIT

When the structures or work authorized by this Nationwide Permit, NWW-2023-00298-I04, Fraiz Residence Development, are still in existence at the time the property is transferred. The terms and conditions of this Nationwide Permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this Nationwide Permit, the associated liabilities and compliance with the terms and conditions the transferee must sign and date below.

Name of New Owner:

Street Address:

Mailing Address:

City, State, Zip:

Phone Number:

_____ _____

Signature of TRANSFEREE *DATE*

COMPLIANCE CERTIFICATION

US Army Corps of Engineers
Walla Walla District

Permit Number: NWW-2023-00298-I04

Name of Permittee: Brian Fraiz

Date of Issuance: December 5, 2023

Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Walla Walla District
Idaho Falls Regulatory Office
900 North Skyline Rd., Suite A
Idaho Falls, Idaho 83402-1718

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit. The required mitigation was also completed in accordance with the permit conditions.

_____ _____

Signature of PERMITEE *DATE*

NATIONWIDE PERMIT 29

Residential Developments:

Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

WATER QUALITY CERTIFICATION, NWP 29:

Agency responsible for administration of water quality, based on project location is listed below. If DENIED, then an Individual Water Quality Certification or Waiver of Certification is required, prior to the commencement of any work activities and/or issuance of a DA verification, authorization and/or permit.

State of Idaho: **PARTIALLY DENIED**;
Activities Denied Certification:
- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in a loss in excess of ½ acre of jurisdictional wetlands

Coeur d'Alene Tribal Lands: **DENIED**

Shoshone-Bannock Tribal Lands: **DENIED**

U.S. Environmental Protection Agency for all other Tribal Lands: **DENIED**

2021 Nationwide Permits
Regional Conditions
Walla Walla District Regulatory Division (State of Idaho)

March 15, 2021

The following Nationwide Permit (NWP) regional conditions are required in the state of Idaho and apply to all 2021 NWPs[1]. Regional conditions are established by individual Corps Districts to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns. This document also includes regional additions to the NWP General Conditions, notification procedures pertaining to certain NWP's, and regional additions to the definitions.

REGIONAL CONDITIONS

A. Watersheds Requiring Pre-Construction Notification, Specific to Anadromous Fish

This Regional Condition applies to all 2021 NWPs.

- Pre-construction notification (PCN) will be required for the above listed nationwide permits in the geographic area as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021.

B. Vegetation Preservation and Replanting

- To avoid impacts to aquatic habitat and to reduce sedimentation and erosion, permittee shall avoid and minimize the removal of vegetation in waters of the U.S. to the maximum extent practicable. Areas subject to temporary vegetation removal in waters of the U.S. during construction shall be replanted with appropriate native[2] species by the end of the first growing season, unless conditioned otherwise. Permittee shall avoid introducing or spreading noxious or invasive plants[3].

- Replanted vegetation that does not survive the first growing season shall be replanted before the end of the next growing season. Re-plantings shall continue to occur until desired vegetation densities are achieved. Re-vegetation densities should be based on reference conditions.

[1] For the list of 2017 Nationwide Permits please see: https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/
[2] Idaho Department of Transportation, Native Plants for Idaho Roadside Restoration and Revegetation Programs: https://itd.idaho.gov/wp-content/uploads/2016/06/RP171Roadside_Revegetation.pdf
[3] U.S. Department of Agriculture, Natural Resource Conservation Service Plant Database of introduced, invasive, and noxious plants for Idaho: https://plants.usda.gov/java/noxious?rptType=State&statefips=16.

C. De-watering & Re-watering (as applicable)

- Cofferdams shall be constructed of non-erosive material such as concrete jersey barriers, bulk bags, water bladders, sheet pile, and other similar non-erosive devices. Cofferdams may not be constructed by using mechanized equipment to push streambed material through flowing water.

- Diversion channels constructed to bypass flow around the construction site shall be lined with plastic, large rock, pipe or otherwise protected from erosion prior to releasing flows into or through the diversion channel.

- Water removed from within the coffered area shall be pumped to a sediment basin or otherwise treated to remove suspended sediments prior to its return to the waterway.

- To prevent unwanted passage of state or federally-protected fish, if present, from the coffered area, Water pipe intakes shall be screened with openings measuring < 3/32 inch to prevent entrainment of fish trapped in the coffered area.

- Should fish be present within the coffered areas contact your local Idaho Department of Fish and Game (IDFG) office prior to performing fish removal or salvage. Fish shall be collected by electrofishing, seining or dip net, or otherwise removed and returned to the waterway upstream of the project area. If electrofishing is used, the National Marine Fisheries Service (NMFS) guidelines for electrofishing should be followed[4], unless conditioned otherwise.

- Stream channels that have been dewatered during project construction shall be re-watered slowly to avoid lateral and vertical erosion of the de-watered channel, prevent damage to recently reclaimed work areas and/or damage to permitted work.

- Temporary stockpiles in waters of the United States shall be removed in their entirety so as not to form a berm or levee parallel to the stream that could confine flows or restrict overbank flow to the floodplain.

D. In-Water Structures and Complexes

- PCN notification in accordance with General Condition 32 is required for all non-federal applicants with activities involving gabion baskets placed below the ordinary high water mark.
- Stream meanders, riffle and pool complexes, pool stream structures, rock/log barbs, rock J-hooks, drop structures, sills, engineered log jams or similar structures/features when used shall be site specifically designed by an appropriate professional with experience in hydrology or fluvial geomorphology.

[4] Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act (June 2000) https://archive.fisheries.noaa.gov/wcr/publications/reference_documents/esa_refs/section4d/electro2000.pdf

E. Temporary Sidecasting

- Materials from exploratory trenching and installation of utility lines may be temporarily side cast into a de-watered coffered area for up to 30 days but not within flowing waters. Material from exploratory trenching and installation of utility lines in wetlands may be temporarily side cast for up to 30 days.

F. Suitability of Sediments for Open Water Disposal and us as Fill

- Sampling for determination of suitability of sediments for open water disposal or for use as fill, must comply with the Sediment Evaluation Framework for the Pacific Northwest (SEF)[5].

G. Avoidance and Minimization

- In addition to information required under General Condition 32(b), the applicant shall include information about previous discharges of fill material into waters of the United States within the project area. This is only for non-federal applicants where a PCN is required.

- Discharges of dredged or fill material into waters of the U.S., including wetlands, to meet set back requirements are not authorized under NWP.

H. Erosion Control

- Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

I. Reporting Requirement for Federal Permittees

- Federal Agencies with projects that require compensatory mitigation for loss of waters of the U.S. and who propose to purchase credits from an approved wetland and/or stream mitigation bank must provide proof of purchase within 30 days of when the credits were purchased. Purchase of credits from an approved mitigation bank must be IAW the Mitigation Banking Instrument of Record.

[5] Northwest Regional Sediment Evaluation Team (RSET) 2016. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, July 2016, 160 pp plus appendices. http://nwd.usace.army.mil/Missions/Civil-Works/Navigation/RSET/SEF

REGIONAL ADDITIONS TO THE GENERAL CONDITIONS

General Condition 4. Migratory Bird Breeding Areas. Regional Addition: For additional information please contact the US Fish and Wildlife Service at the following field office locations: State Office (Boise) at (208) 387-5243; Northern Idaho Field Office (Spokane) at (509) 891-6839; or the Eastern Idaho Field Office (Chubbuck) at (208) 237-6975. https://www.fws.gov/idaho/promo.cfm?id= 177175802

General Condition 6. Suitable Material. Regional Addition: Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

General Condition 9. Management of Water Flows. Regional Addition: To obtain information on State of Idaho definition of high water refer to Idaho Department of Water Resources (IDAPA 37.03.07. Rule 62.03.04.a). For culverts or bridges located in a community qualifying for the national flood insurance program, the minimum size culvert shall accommodate the 100-year flood design flow frequency (IDAPA 37.03.07. Rule 62.03.04.c).

General Condition 12. Soil Erosion and Sediment Controls. Regional Addition: For additional information refer to the Idaho Department of Environmental Quality Catalog of Stormwater Best Management Practices for Idaho Cities and Counties, available online at: https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/guidance/.

General Condition 18. Endangered Species. Regional Addition: For additional information on ESA listed species in north Idaho please contact the US Fish and Wildlife Service (USFWS) Northern Idaho Field Office (Spokane) at (509) 893-8009, for all other counties in Idaho contact the USFWS State Office (Boise) at (208) 378-5388.

General Condition 20. Historic Properties. Regional Addition: Property is generally considered “historic” if it is at least 50 years old, and is not limited to buildings. For additional information on the potential for cultural resources in proximity to the project site, contact the Idaho State Historic Preservation Office at (208) 334-3847 located in Boise, Idaho.

NOTIFICATION PROCEDURES BY THE CORPS FOR CERTAIN NATIONWIDE PERMITS

Waivers: For nationwide permits with a waiver provision, District coordination with Idaho Department of Environmental Quality (IDEQ) and Environmental Protection Agency (tribal lands) will be conducted prior to the District Engineer making a waiver determination to ensure the proposed activity is in compliance with Section 401 Water Quality Standards.

Select Waters and Wetlands: The Corps will coordinate with the Idaho Department of Fish and Game (IDFG) for activities in the following waters and wetlands that require notification and are authorized by NWP:

- Waters: Anadromous waters as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021; Henry's Fork of the Snake River and its tributaries; South Fork Snake River and its tributaries; Big Lost River and its tributaries upstream of the US 93 crossing; Beaver, Camas, and Medicine Lodge Creeks; Snake River; Blackfoot River above Blackfoot Reservoir; Portneuf River; Bear River; Boise River including South Fork, North Fork and Middle Fork; Payette River including South Fork, North Fork and Middle Fork; Coeur d'Alene River, including the North Fork; St. Joe River; Priest River; Kootenai River; Big Wood River; and Silver Creek and its tributaries.

- Wetlands identified in Idaho Department of Fish and Game, Wetland Conservation Strategy as Class I, Class II and Reference Habitat Sites[6].

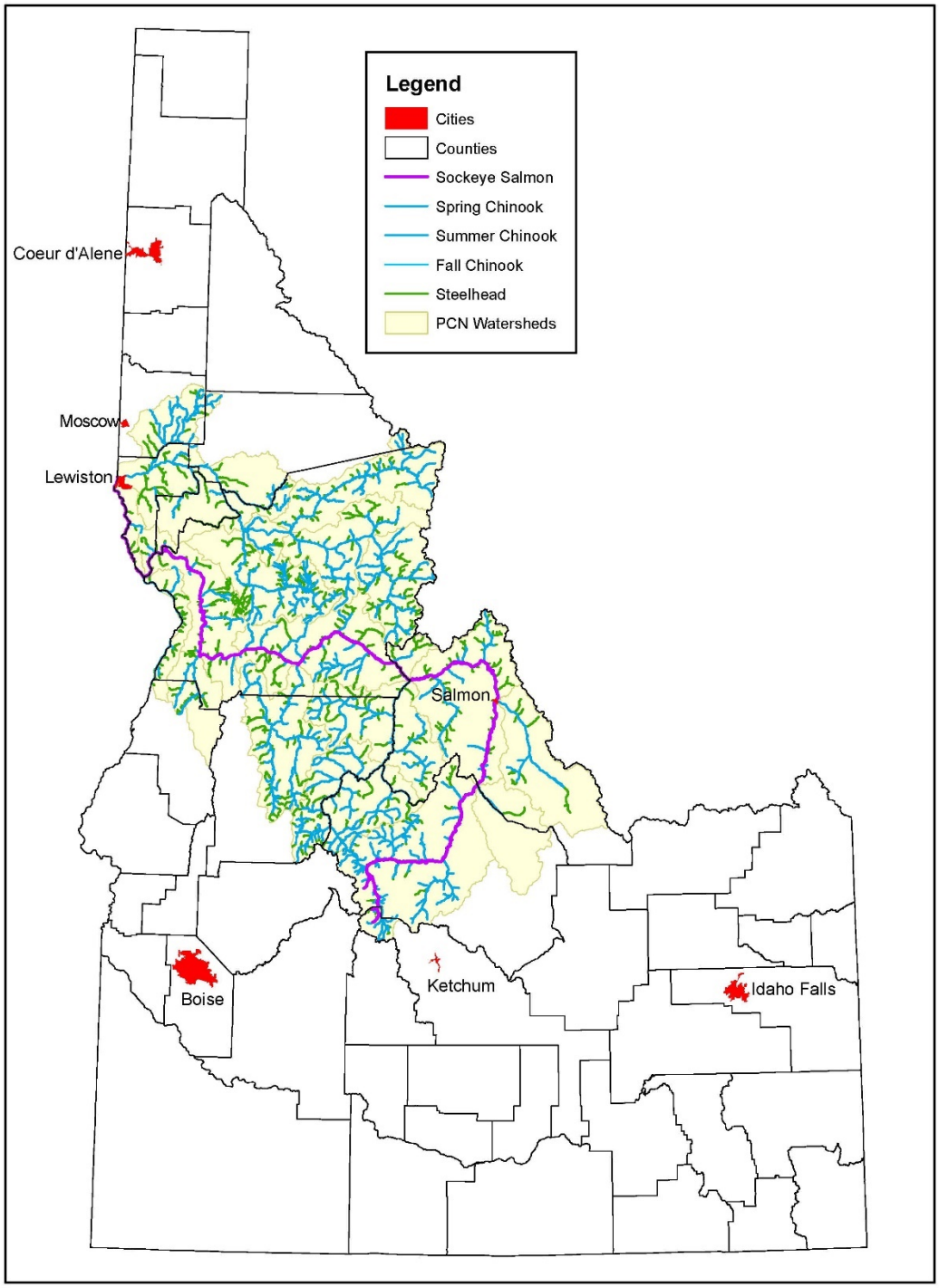
- Wetlands identified in the Idaho Wetland Conservation Prioritization Plan-2012[7].

[6] Idaho Department of Fish and Game (IDFG) Wetland Conservation Strategies have been developed for the Henrys Fork Basin, Northern Idaho, Big Wood River, Southeast Idaho, East-Central Idaho and Spokane River Basin, Middle and Western Snake River and tributaries, and the Upper Snake River–Portneuf Drainage, Weiser River Basin, and West Central Mountain Valleys and adjacent wetlands. Closed basins of Beaver-Camas Creeks, Medicine Lodge Creek, Palouse River and lower Clearwater River sub-basins, Middle Fork and South Fork Clearwater Basins and Camas Prairie in northern Idaho. Refer to the internet site at: http://fishandgame.idaho.gov/content/page/wetlands-publications-idaho-natural-heritage-program#reports

[7] Murphy, C., J. Miller and A. Schmidt. 2012. https://idfg.idaho.gov/species/bibliography/project/wetlands

Figure 1

Watersheds Requiring Pre-Construction Notification



US Army Corps of Engineers

6 January 2021

2021 Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements

No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas

Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas

Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds

No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material

No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes

No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments

If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows
To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains
The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment
Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls
Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills
Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance
Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project
The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers
(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency

with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights

No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be

affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take'' means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at

http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles

The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)).

Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts

Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters

Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment,

additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. <u>Mitigation</u>

The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of

streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14)

must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. <u>Safety of Impoundment Structures</u>

To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have

been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management.

In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions

The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits

The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated

bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1⁄3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications

If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

_____

(Transferee)

_____

_____

(Date)

30. Compliance Certification

Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory

mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States

If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification

(a) *Timing*. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification*: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining

why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatenedspecies (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification*: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination*: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii)

NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 N Hilton Street, Boise, ID 83706
(208) 373-0502

Brad Little, Governor
Jess Byrne, Director

December 4, 2020

Kelly J. Urbanek, Chief
U.S. ACOE Regulatory Division
Walla Walla District
720 East Park Boulevard, Suite 245
Boise, Idaho 83712-7757

Subject: Final §401 Water Quality Certification for 2020 Nationwide Permits in Idaho

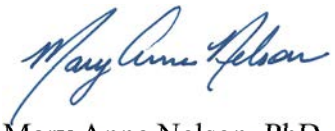
Dear Ms. Urbanek:

Enclosed please find the Idaho Department of Environmental Quality (DEQ) final water quality certification for the 2020 Nationwide Permits in Idaho. DEQ offered a 21-day public comment period, beginning on November 2, 2020, and ending on November 23, 2020.

DEQ received a single comment letter. After review of the comments received, minor modifications were made to the final certification in order to provide additional clarity.

If you have any questions or concerns regarding this certification, please contact Jason Pappani at (208) 373-0515 or via email at jason.pappani@deq.idaho.gov.

Sincerely,



Mary Anne Nelson, PhD
Surface and Wastewater Division Administrator

MAN:JP:lf

cc: Jason Pappani, DEQ State Office
DEQ Regional Administrators
James Joyner, ACOE Walla Walla District
Brent King, Idaho Attorney General's Office

Idaho Department of Environmental Quality

Final §401 Water Quality Certification

December 4, 2020

2020 U.S. Army Corps of Engineers §404 Nationwide Permits (NWPs)

Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended; 33 U.S.C. Section 1341(a)(1); and Idaho Code §§ 39-101 et seq. and 39-3601 et seq., the Idaho Department of Environmental Quality (DEQ) has authority to review activities receiving Section 404 dredge and fill permits and issue water quality certification decisions.

Based upon its review of the proposed 2020 Nationwide Permits published in the Federal Register on September 15, 2020, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE), along with the conditions set forth in this water quality certification, then activities will comply with the applicable water quality requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02), and other appropriate water quality requirements of state law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations, or permits, including without limitation, the approval from the owner of a private water conveyance system, if one is required, to use the system in connection with the permitted activities.

1 Antidegradation Review

The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

- Tier I Protection. The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier I review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.07).
- Tier II Protection. The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

- Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

1.1 Pollutants of Concern

The primary pollutant of concern, for projects permitted under the 2020 NWPs administered by the ACOE, is sediment. In locations where heavy metals are present due to mining activities, or where high concentrations of nutrients may be associated with sediments, additional considerations may be necessary. If the project reduces riparian vegetation, then temperature (thermal loading) may also be of concern.

The procedures outlined in the Sediment Evaluation Framework for the Pacific Northwest[1] may be applied to assess and characterize sediment to determine the suitability of dredged material for unconfined aquatic placement, to determine the suitability of post dredge surfaces, and to predict effects on water quality during dredging (See Section 2.4 for more details).

As part of the Section 401 water quality certification, DEQ is requiring the applicant to comply with various conditions to protect water quality and to meet Idaho WQS, including the criteria applicable to sediment.

1.2 Receiving Water Body Level of Protection

The ACOE NWPs authorize construction activities in waters of the United States. In Idaho, jurisdictional waters of the state can potentially receive discharges either directly or indirectly from activities authorized under the NWPs. DEQ applies a water body by water body approach to determine the level of antidegradation protection a water body will receive. (IDAPA 58.01.02.052.05).

All waters in Idaho that receive discharges from activities authorized under a NWP will receive, at minimum, Tier I antidegradation protection because Idaho's Tier I antidegradation policy applies to all state waters (IDAPA 58.01.02.052.01). Water bodies that fully support their aquatic life or recreational uses are considered *high quality waters* and will receive Tier II antidegradation protection (IDAPA 58.01.02.051.02). Because of the statewide applicability, the antidegradation review will assess whether the NWP permit complies with both Tier I and Tier II antidegradation provisions (IDAPA 58.01.02.052.03).

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs), it is possible for a water body to be designated as an ORW during the life of the NWPs.

[1] Northwest Regional Sediment Evaluation Team (RSET). 2018. Sediment Evaluation Framework for the Pacific Northwest. *Prepared by* the RSET Agencies, May 2018, 183 pp plus appendices.

Because of this potential, the antidegradation review also assesses whether the permit complies with the outstanding resource water requirements of Idaho's antidegradation policy (IDAPA 58.01.02.051.03).

To determine the support status of the receiving water body, the most recent EPA-approved Integrated Report, available on Idaho DEQ's website, is to be used: http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/. (IDAPA 58.01.02.052.05).

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified in Category 3 of DEQ's Integrated Report. These waters require a case by case determination to be made by DEQ based on available information at the time of the application for permit coverage (IDAPA 58.01.02.052.05.b). For activities occurring on unassessed waters under this certification, DEQ has determined that complying with the conditions of the NWP, the regional conditions, and this certification will ensure the provisions of IDAPA 58.01.02.052 are met.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a TMDL has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as "impaired", for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. With the exception, if the aquatic life uses are impaired for any of these three pollutants—dissolved oxygen, pH, or temperature—and the biological or aquatic habitat parameters show a healthy, balanced biological community, then the water body shall receive Tier II protection, in addition to Tier I protection, for aquatic life uses (IDAPA 58.01.02.052.05.c.i).

DEQ's webpage also has a link to the state's map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format: http://www.deq.idaho.gov/assistance-resources/maps-data/.
Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the support status of the receiving water body is desired, please feel free to contact your nearest DEQ regional office or the State Office (Table 1).

Table 1. Idaho DEQ Regional and State Office Contacts

Regional Office	*Address*	*Phone Number*	*Email*
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300 Pocatello 83201	208-236-6160	matthew.schenk@deq.idaho.gov
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls 83301	208-736-2190	balthasar.buhidar@deq.idaho.gov
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	jason.pappani@deq.idaho.gov

1.3 Protection and Maintenance of Existing Uses (Tier I Protection)

A Tier I review is performed for all new or reissued permits or licenses, applies to all waters subject to the jurisdiction of the Clean Water Act, and requires demonstration that existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected (IDAPA 58.01.02.051.01; 052.01 and 04). The numeric and narrative criteria in the WQS are set at levels that ensure protection of existing and designated beneficial uses.

Water bodies not supporting existing or designated beneficial uses must be identified as water quality limited, and a total maximum daily load (TMDL) must be prepared for those pollutants causing impairment (IDAPA 58.01.02.055.02). Once a TMDL is completed, discharges of causative pollutants shall be consistent with the allocations in the TMDL (IDAPA 58.01.02.055.05). Prior to the completion of a TMDL, the WQS require the application of the antidegradation policy and implementation provisions to maintain and protect beneficial uses (IDAPA 58.01.02.055.04).

The general (non-numeric) effluent limitations in the NWPs and associated Regional Conditions for the ACOE Walla Walla District address best management practices (BMPs) aimed at minimizing impacts to the aquatic environment, especially sediment and turbidity impacts including: vegetation protection and restoration, de-watering requirements, erosion and sediment controls, soil stabilization requirements, pollution prevention measures, prohibited discharges, and wildlife considerations. Although the NWPs do not contain specific (numeric) effluent limitations for sediment or turbidity, the conditions identified in the permits and in this water quality certification will ensure compliance with DEQ's water quality standards, including the narrative sediment criteria (IDAPA 58.01.02.200.08) and DEQ's turbidity criteria (IDAPA 58.01.02.250.02.e).

In order to ensure compliance with Idaho WQS, DEQ has included a condition requiring the permittee(s) to comply with Idaho's numeric turbidity criteria, developed to protect aquatic life

uses. The criterion states, "Turbidity shall not exceed background turbidity by more than 50 nephelometric turbidity units (NTU)[2] instantaneously or more than 25 NTU for more than 10 consecutive days" (IDAPA 58.01.02.250.02.e). DEQ is requiring turbidity monitoring when project activities result in a discharge to waters of the United States that causes a visible sediment plume (IDAPA 58.01.02.054.01) (See Section 2.5 for more details).

If an approved TMDL exists for a receiving water body that requires a load reduction for a pollutant of concern, then the project must be consistent with the provisions of that TMDL (IDAPA 58.01.02.055.05).
For authorized activities requiring a pre-construction notification (PCN), the Corps will have the opportunity to evaluate the NWP activities on a case by case basis to ensure that the activity will not cause more than a minimal adverse environmental effect, individually and cumulatively. The Corps has agreed to forward the verification letters to the appropriate DEQ regional office (Table 1) for all authorized activities including the NWP activities that require a PCN. This will better inform DEQ of the authorized activities that are occurring throughout the state and determine if additional conditions will need to be implemented when the ACOE reissues the NWPs.

1.3.1 DEQ's Determination

DEQ concludes that, given the nature of the activities authorized by the 2020 NWPs, such activities will comply with Idaho's Tier I requirements under IDAPA 58.01.02.051.01 and 58.01.02.052.07, provided the permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions set forth in this water quality certification.

1.4 Protection of High-Quality Waters (Tier II Protection)

Water bodies that fully support their beneficial uses are recognized as high-quality waters and will be provided Tier II protection in addition to Tier I protection (IDAPA 58.01.02.051.02; 58.01.02.052.05.a). Water quality parameters applicable to existing or designated beneficial uses must be maintained and protected under Tier II, unless a lowering of water quality is deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

The ACOE does not authorize projects with more than minimal individual and cumulative impacts on the aquatic environment under a NWP (33 U.S.C.A. § 1344(e)). As required by the National Environmental Policy Act (NEPA) the Corps has analyzed the individual and cumulative effects for the NWP activities. DEQ recognizes that short term changes in water quality may occur with respect to sediment as a result of the authorized activities, but has determined that adherence to the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE or Corps), along with the conditions set forth in this water quality certification will ensure that there are no long-term adverse changes to water quality or beneficial use support as a result of any activity authorized under this certification (IDAPA 58.01.02.052.03). As a general principle, DEQ believes degradation of water quality should be viewed in terms of permanent or long-term adverse

[2] *NTU is a unit of measure of the concentration of suspended particles in the water (turbidity). It is determined by shining a light through a sample and measuring the incident light scattered at right angles from the sample.*

changes. Short-term or temporary reductions in water quality, if reasonable measures are taken to minimize them (such as the certification conditions in Section 2), may occur without triggering a Tier II analysis (IDAPA 58.01.02.052.03; 080.02).

To ensure proposed regulated activities will not cause more than minimal individual and cumulative impacts on the aquatic environment, certain NWPs require project proponents to notify district engineers (in the form of a PCN) of their proposed activities prior to conducting regulated activities. This level of review gives the district engineer the opportunity to evaluate activities on a case by case basis to determine whether additional conditions or mitigation requirements are warranted to ensure that the proposed activity results in no more than the minimal individual and cumulative impacts on the aquatic environment.

DEQ has denied certification for NWP 16, NWP 23, and NWP 53 (see Section 3.1); and for certain activities associated with NWP 3, NWP 12, NWP 13, NWP 14, NWP 21, NWP 29, NWP 39, NWP 40, NWP 42, NWP 43, NWP 44, NWP 50, NWP 51, NWP 52, NWP C, NWP D, and NWP E (see Section 3.2). Projects seeking coverage under these NWPs will need to request individual certification from DEQ. DEQ will consider any additional conditions or denial of certification if necessary to ensure no lowering of water quality occurs for any of these projects proposed on Tier II water.

Additionally, if an authorized project causes a visible sediment plume then turbidity monitoring is required (see Section 2.5 for more details).

1.4.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWPs and this certification will comply with Idaho's Tier II requirements under IDAPA 58.01.02.051.02 and 58.01.02.052.08 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions of this water quality certification.

1.5 Protection of Outstanding Resource Waters (Tier III Protection)

Idaho's antidegradation policy requires that the quality of outstanding resource waters (ORWs) be maintained and protected from the impacts of point and nonpoint source activities (IDAPA 58.01.02.051.03). No water bodies in Idaho have been designated as ORWs to date. Because it is possible waters may become designated during the term of the 2020 NWPs, DEQ has evaluated whether the NWPs comply with the ORW antidegradation provision.

DEQ has denied certification for any activities on any Outstanding Resource Water (ORW) (see Section 3) and is requiring that any activities proposed on an ORW apply for individual certification (see Section 2.3).

1.5.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWPs and this certification will comply with Idaho's Tier III requirements under IDAPA 58.01.02.051.03 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions of this water quality certification.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
IDAHO FALLS REGULATORY OFFICE
900 NORTH SKYLINE DRIVE, SUITE A
IDAHO FALLS, IDAHO 83402-1700

December 5, 2023

WALLA WALLA DISTRICT
REGULATORY DIVISION

SUBJECT: NWW-2023-00298-I04, Fraiz Residence Development

Brian Fraiz
11005 Pleasant View Drive
Carmel, IN 46033

Dear Mr. Fraiz:

We have determined that your proposed project *Fraiz Residence Development* is authorized in accordance with Department of the Army (DA) **Nationwide Permit (NWP) No. 29: Residential Developments**. This project is located within Section 29 of Township 4 North, Range 45 East, near coordinates 43.649501º N latitude and -111.162475º W longitude, near Victor, Teton County, Idaho. Please refer to File Number NWW-2023-00298-I04 in all future correspondence with our office regarding this project.

Project activities include the discharge of approximately 1770 cubic yards of dirt and gravel fill in 0.5 acres of wetlands considered to be Waters of the United States associated with the creation of a roadway and home site. Additional activities include the installation of a 6500 x 2-foot electric transmission line that will have a temporary impact to 0.3 acres of wetlands. The project also involves the creation of 0.5-acre scrub-shrub wetlands as compensatory mitigation. The mitigation site will be formed through the excavation of upland areas adjacent to wetlands allowing surrounding hydrology to enter the site and the planting and seeding of native hydrophytic vegetation. All work shall be done in accordance with the enclosed drawings, titled: *fraiz joint permit drawings.*

DA permit authorization is necessary because your project may involve the discharge of fill material into waters of the U.S. This authorization is outlined in Section 404 of the Clean Water Act (33 U.S.C. 1344).

You must comply with all general, regional, and special conditions, for this verification letter to remain valid and to avoid possible enforcement actions. The general and regional permit conditions for *NWP No. 29: Residential Developments* are attached and also available online[1]. In addition, you must also comply with the special conditions listed below.

[1] http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/

The following Special Conditions include:

Special Condition 1: Mitigation shall be implemented prior to or concurrent with the discharges authorized by this permit and as described in the August 2023 final mitigation plan entitled, “Fraiz Mitigation Plan & Functional Assessment.”

Special Condition 2: Deed restrictions, covenants or other mechanisms to protect the mitigation site in perpetuity must be submitted to the Corps of Engineers within 30 days of the date of the permit or prior to the start of the permitted project, for approval. Once the deed restriction is approved by the Corps, it must be recorded with the county recorder within 30 days of approval. The document must prohibit dredge or fill activities in the mitigation site and prohibit domestic livestock grazing, burning, wholesale spraying of herbicides, mowing, tree and shrub cutting other than selective pruning, and any other incompatible use that might otherwise jeopardize the objectives of the compensatory mitigation project.

Special Condition 3: The wetland boundaries shall be clearly marked with flagging or fencing prior to construction. No fill material shall be placed in wetlands unless the wetland fill is specifically authorized and shown on the permit drawings.

You must also comply with the conditions detailed in the attached Section 401 Water Quality Certification (WQC) issued by the Idaho Department of Environmental Quality (IDEQ) on December 4, 2020. If you have any questions regarding the conditions set forth in the WQC, please contact IDEQ directly at 208-528-2650, Idaho Falls Regional Office.

Nationwide Permit General Condition 30 (Compliance Certification) requires that every permittee who has received NWP verification must submit a signed certification regarding the completed work and any required mitigation. This Compliance Certification form is enclosed for your convenience and must be completed and returned to us within 30 days of your project’s completion.

This letter of authorization does not convey any property rights, or any exclusive privileges and does not authorize any injury to property or excuse you from compliance with other Federal, State, or local statutes, ordinances, regulations, or requirements which may affect this work.

This verification is valid until **March 14, 2026**, unless the NWP is modified, suspended or revoked. If your project, as permitted under this NWP verification, is modified in any way you must contact our office prior to commencing any work activities. In the event that you have not completed construction of your project by March 14, 2026, please contact us at least 60-days prior to this date. A new application

and verification may be required.

We actively use feedback to improve our delivery and provide you with the best possible service. If you would like to provide feedback, please take our online survey[2]. If you have questions or if you would like a paper copy of the survey, please contact the Walla Walla District Regulatory. For more information about the Walla Walla District Regulatory program, you can visit us online[3].

If you have any questions or need additional information about this permit authorization, you can contact Brendan Jones by phone at (208) 522-1645, by mail at the address in the letterhead, or email at Brendan.V.Jones@usace.army.mil. For informational purposes, a copy of this letter has been sent to: Jade Kruger (Teton County), Alex Bell (IDEQ), and Katie Salsbury (Intermountain Aquatics)

Sincerely,

James M. Joyner

James M. Joyner
Chief, Upper Snake and
Idaho Panhandle Branch

Encls
Transfer of Nationwide Permit Form
fraiz joint permit drawings
NWP29_Permit Conditions

[2] https://regulatory.ops.usace.army.mil/customer-service-survey/
[3] http://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/

TRANSFER OF NATIONWIDE PERMIT

When the structures or work authorized by this Nationwide Permit, NWW-2023-00298-I04, Fraiz Residence Development, are still in existence at the time the property is transferred. The terms and conditions of this Nationwide Permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this Nationwide Permit, the associated liabilities and compliance with the terms and conditions the transferee must sign and date below.

Name of New Owner:

Street Address:

Mailing Address:

City, State, Zip:

Phone Number:

_____ _____

Signature of TRANSFEREE *DATE*

COMPLIANCE CERTIFICATION

US Army Corps of Engineers
Walla Walla District

Permit Number: NWW-2023-00298-I04

Name of Permittee: Brian Fraiz

Date of Issuance: December 5, 2023

Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Walla Walla District
Idaho Falls Regulatory Office
900 North Skyline Rd., Suite A
Idaho Falls, Idaho 83402-1718

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit. The required mitigation was also completed in accordance with the permit conditions.

_____ _____

Signature of PERMITEE *DATE*

NATIONWIDE PERMIT 29

Residential Developments:

Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. This NWP does not authorize discharges of dredged or fill material into non-tidal wetlands adjacent to tidal waters.

Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 32.) (Authorities: Sections 10 and 404)

WATER QUALITY CERTIFICATION, NWP 29:

Agency responsible for administration of water quality, based on project location is listed below. If DENIED, then an Individual Water Quality Certification or Waiver of Certification is required, prior to the commencement of any work activities and/or issuance of a DA verification, authorization and/or permit.

State of Idaho: **PARTIALLY DENIED**;
Activities Denied Certification:
- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in a loss in excess of ½ acre of jurisdictional wetlands

Coeur d'Alene Tribal Lands: **DENIED**

Shoshone-Bannock Tribal Lands: **DENIED**

U.S. Environmental Protection Agency for all other Tribal Lands: **DENIED**

2021 Nationwide Permits
Regional Conditions
Walla Walla District Regulatory Division (State of Idaho)

March 15, 2021

The following Nationwide Permit (NWP) regional conditions are required in the state of Idaho and apply to all 2021 NWPs[1]. Regional conditions are established by individual Corps Districts to ensure projects result in no more than minimal adverse impacts to the aquatic environment and to address local resources concerns. This document also includes regional additions to the NWP General Conditions, notification procedures pertaining to certain NWP's, and regional additions to the definitions.

REGIONAL CONDITIONS

A. Watersheds Requiring Pre-Construction Notification, Specific to Anadromous Fish

This Regional Condition applies to all 2021 NWPs.

- Pre-construction notification (PCN) will be required for the above listed nationwide permits in the geographic area as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021.

B. Vegetation Preservation and Replanting

- To avoid impacts to aquatic habitat and to reduce sedimentation and erosion, permittee shall avoid and minimize the removal of vegetation in waters of the U.S. to the maximum extent practicable. Areas subject to temporary vegetation removal in waters of the U.S. during construction shall be replanted with appropriate native[2] species by the end of the first growing season, unless conditioned otherwise. Permittee shall avoid introducing or spreading noxious or invasive plants[3].

- Replanted vegetation that does not survive the first growing season shall be replanted before the end of the next growing season. Re-plantings shall continue to occur until desired vegetation densities are achieved. Re-vegetation densities should be based on reference conditions.

[1] For the list of 2017 Nationwide Permits please see: https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/Nationwide-Permits/
[2] Idaho Department of Transportation, Native Plants for Idaho Roadside Restoration and Revegetation Programs: https://itd.idaho.gov/wp-content/uploads/2016/06/RP171Roadside_Revegetation.pdf
[3] U.S. Department of Agriculture, Natural Resource Conservation Service Plant Database of introduced, invasive, and noxious plants for Idaho: https://plants.usda.gov/java/noxious?rptType=State&statefips=16.

C. De-watering & Re-watering (as applicable)

- Cofferdams shall be constructed of non-erosive material such as concrete jersey barriers, bulk bags, water bladders, sheet pile, and other similar non-erosive devices. Cofferdams may not be constructed by using mechanized equipment to push streambed material through flowing water.

- Diversion channels constructed to bypass flow around the construction site shall be lined with plastic, large rock, pipe or otherwise protected from erosion prior to releasing flows into or through the diversion channel.

- Water removed from within the coffered area shall be pumped to a sediment basin or otherwise treated to remove suspended sediments prior to its return to the waterway.

- To prevent unwanted passage of state or federally-protected fish, if present, from the coffered area, Water pipe intakes shall be screened with openings measuring < 3/32 inch to prevent entrainment of fish trapped in the coffered area.

- Should fish be present within the coffered areas contact your local Idaho Department of Fish and Game (IDFG) office prior to performing fish removal or salvage. Fish shall be collected by electrofishing, seining or dip net, or otherwise removed and returned to the waterway upstream of the project area. If electrofishing is used, the National Marine Fisheries Service (NMFS) guidelines for electrofishing should be followed[4], unless conditioned otherwise.

- Stream channels that have been dewatered during project construction shall be re-watered slowly to avoid lateral and vertical erosion of the de-watered channel, prevent damage to recently reclaimed work areas and/or damage to permitted work.

- Temporary stockpiles in waters of the United States shall be removed in their entirety so as not to form a berm or levee parallel to the stream that could confine flows or restrict overbank flow to the floodplain.

D. In-Water Structures and Complexes

- PCN notification in accordance with General Condition 32 is required for all non-federal applicants with activities involving gabion baskets placed below the ordinary high water mark.
- Stream meanders, riffle and pool complexes, pool stream structures, rock/log barbs, rock J-hooks, drop structures, sills, engineered log jams or similar structures/features when used shall be site specifically designed by an appropriate professional with experience in hydrology or fluvial geomorphology.

[4] Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act (June 2000) https://archive.fisheries.noaa.gov/wcr/publications/reference_documents/esa_refs/section4d/electro2000.pdf

E. Temporary Sidecasting

- Materials from exploratory trenching and installation of utility lines may be temporarily side cast into a de-watered coffered area for up to 30 days but not within flowing waters. Material from exploratory trenching and installation of utility lines in wetlands may be temporarily side cast for up to 30 days.

F. Suitability of Sediments for Open Water Disposal and us as Fill

- Sampling for determination of suitability of sediments for open water disposal or for use as fill, must comply with the Sediment Evaluation Framework for the Pacific Northwest (SEF)[5].

G. Avoidance and Minimization

- In addition to information required under General Condition 32(b), the applicant shall include information about previous discharges of fill material into waters of the United States within the project area. This is only for non-federal applicants where a PCN is required.

- Discharges of dredged or fill material into waters of the U.S., including wetlands, to meet set back requirements are not authorized under NWP.

H. Erosion Control

- Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

I. Reporting Requirement for Federal Permittees

- Federal Agencies with projects that require compensatory mitigation for loss of waters of the U.S. and who propose to purchase credits from an approved wetland and/or stream mitigation bank must provide proof of purchase within 30 days of when the credits were purchased. Purchase of credits from an approved mitigation bank must be IAW the Mitigation Banking Instrument of Record.

[5] Northwest Regional Sediment Evaluation Team (RSET) 2016. Sediment Evaluation Framework for the Pacific Northwest. Prepared by the RSET Agencies, July 2016, 160 pp plus appendices. http://nwd.usace.army.mil/Missions/Civil-Works/Navigation/RSET/SEF

REGIONAL ADDITIONS TO THE GENERAL CONDITIONS

General Condition 4. Migratory Bird Breeding Areas. Regional Addition: For additional information please contact the US Fish and Wildlife Service at the following field office locations: State Office (Boise) at (208) 387-5243; Northern Idaho Field Office (Spokane) at (509) 891-6839; or the Eastern Idaho Field Office (Chubbuck) at (208) 237-6975. https://www.fws.gov/idaho/promo.cfm?id= 177175802

General Condition 6. Suitable Material. Regional Addition: Erosion control blanket or fabric used in or adjacent to waters of the U.S. shall be comprised of biodegradable material, to ensure decomposition and reduced risk to fish, wildlife and public safety, unless conditioned otherwise. If the applicant proposes to use materials other than as indicated above they must demonstrate how the use of such materials will not cause harm to fish, wildlife and public safety.

General Condition 9. Management of Water Flows. Regional Addition: To obtain information on State of Idaho definition of high water refer to Idaho Department of Water Resources (IDAPA 37.03.07. Rule 62.03.04.a). For culverts or bridges located in a community qualifying for the national flood insurance program, the minimum size culvert shall accommodate the 100-year flood design flow frequency (IDAPA 37.03.07. Rule 62.03.04.c).

General Condition 12. Soil Erosion and Sediment Controls. Regional Addition: For additional information refer to the Idaho Department of Environmental Quality Catalog of Stormwater Best Management Practices for Idaho Cities and Counties, available online at: https://www.deq.idaho.gov/public-information/laws-guidance-and-orders/guidance/.

General Condition 18. Endangered Species. Regional Addition: For additional information on ESA listed species in north Idaho please contact the US Fish and Wildlife Service (USFWS) Northern Idaho Field Office (Spokane) at (509) 893-8009, for all other counties in Idaho contact the USFWS State Office (Boise) at (208) 378-5388.

General Condition 20. Historic Properties. Regional Addition: Property is generally considered “historic” if it is at least 50 years old, and is not limited to buildings. For additional information on the potential for cultural resources in proximity to the project site, contact the Idaho State Historic Preservation Office at (208) 334-3847 located in Boise, Idaho.

NOTIFICATION PROCEDURES BY THE CORPS FOR CERTAIN NATIONWIDE PERMITS

Waivers: For nationwide permits with a waiver provision, District coordination with Idaho Department of Environmental Quality (IDEQ) and Environmental Protection Agency (tribal lands) will be conducted prior to the District Engineer making a waiver determination to ensure the proposed activity is in compliance with Section 401 Water Quality Standards.

Select Waters and Wetlands: The Corps will coordinate with the Idaho Department of Fish and Game (IDFG) for activities in the following waters and wetlands that require notification and are authorized by NWP:

- Waters: Anadromous waters as shown on Figure 1: *Watersheds Requiring Pre-Construction Notification*, dated January 6, 2021; Henry's Fork of the Snake River and its tributaries; South Fork Snake River and its tributaries; Big Lost River and its tributaries upstream of the US 93 crossing; Beaver, Camas, and Medicine Lodge Creeks; Snake River; Blackfoot River above Blackfoot Reservoir; Portneuf River; Bear River; Boise River including South Fork, North Fork and Middle Fork; Payette River including South Fork, North Fork and Middle Fork; Coeur d'Alene River, including the North Fork; St. Joe River; Priest River; Kootenai River; Big Wood River; and Silver Creek and its tributaries.

- Wetlands identified in Idaho Department of Fish and Game, Wetland Conservation Strategy as Class I, Class II and Reference Habitat Sites[6].

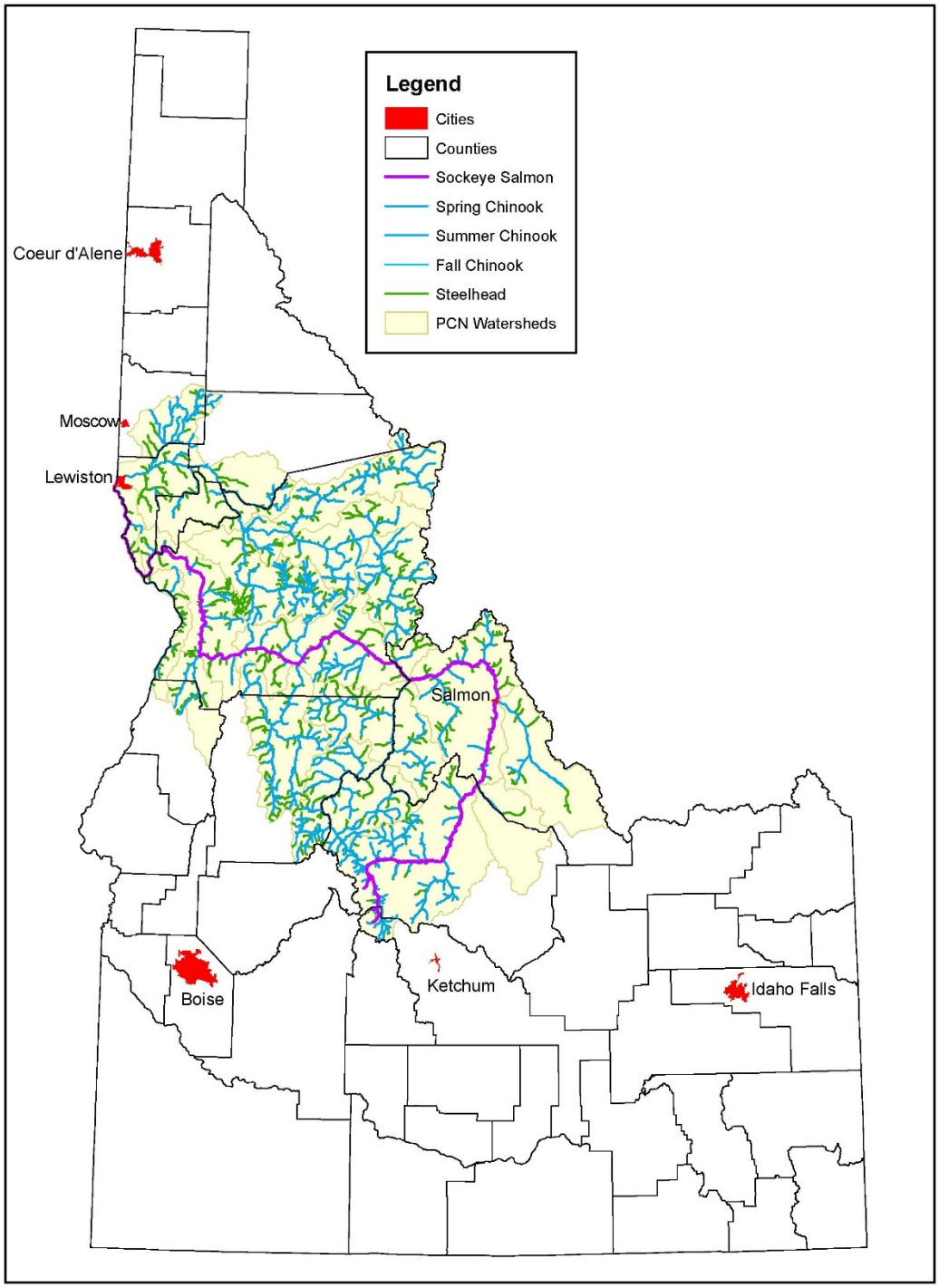
- Wetlands identified in the Idaho Wetland Conservation Prioritization Plan-2012[7].

[6] Idaho Department of Fish and Game (IDFG) Wetland Conservation Strategies have been developed for the Henrys Fork Basin, Northern Idaho, Big Wood River, Southeast Idaho, East-Central Idaho and Spokane River Basin, Middle and Western Snake River and tributaries, and the Upper Snake River–Portneuf Drainage, Weiser River Basin, and West Central Mountain Valleys and adjacent wetlands. Closed basins of Beaver-Camas Creeks, Medicine Lodge Creek, Palouse River and lower Clearwater River sub-basins, Middle Fork and South Fork Clearwater Basins and Camas Prairie in northern Idaho. Refer to the internet site at: http://fishandgame.idaho.gov/content/page/wetlands-publications-idaho-natural-heritage-program#reports

[7] Murphy, C., J. Miller and A. Schmidt. 2012. https://idfg.idaho.gov/species/bibliography/project/wetlands

Figure 1

Watersheds Requiring Pre-Construction Notification



US Army Corps of Engineers

6 January 2021

2021 Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his or her authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements

No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas

Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas

Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds

No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material

No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes

No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments

If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows
To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains
The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment
Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls
Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Structures and Fills
Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance
Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project
The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers
(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency

with direct management responsibility for that river. Permittees shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights

No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species

(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of "effects of the action" for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding "activities that are reasonably certain to occur" and "consequences caused by the proposed action."

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be

affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take'' means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at

http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles

The permittee is responsible for ensuring that an action authorized by an NWP complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the U.S. Fish and Wildlife Service to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties

(a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)).

Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts

Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters

Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment,

additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation

The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of

streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. If restoring riparian areas involves planting vegetation, only native species should be planted. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f).)

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14)

must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). If permittee-responsible mitigation is the proposed option, and the proposed compensatory mitigation site is located on land in which another federal agency holds an easement, the district engineer will coordinate with that federal agency to determine if proposed compensatory mitigation project is compatible with the terms of the easement.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan needs to address only the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. <u>Safety of Impoundment Structures</u>

To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state or federal, dam safety criteria or have

been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality

(a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires pre-construction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management.

In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). If the permittee cannot comply with all of the conditions of a coastal zone management consistency concurrence previously issued by the state, then the permittee must obtain an individual coastal zone management consistency concurrence or presumption of concurrence in order for the activity to be authorized by an NWP. The district engineer or a state may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions

The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its CWA section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits

The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions:

(a) If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated

bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1⁄3-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 1/2-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

29. Transfer of Nationwide Permit Verifications

If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

_____

(Transferee)

_____

_____

(Date)

30. Compliance Certification

Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation.

The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory

mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States

If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification

(a) *Timing*. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) *Contents of Pre-Construction Notification*: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) (i) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project, and does not change those non-PCN NWP activities into NWP PCNs.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial and intermittent streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining

why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatenedspecies (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an NWP activity that requires permission from, or review by, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from, or review by, the Corps office having jurisdiction over that USACE project.

(c) *Form of Pre-Construction Notification*: The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) *Agency Coordination*: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii)

NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure that the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 N Hilton Street, Boise, ID 83706
(208) 373-0502

Brad Little, Governor
Jess Byrne, Director

December 4, 2020

Kelly J. Urbanek, Chief
U.S. ACOE Regulatory Division
Walla Walla District
720 East Park Boulevard, Suite 245
Boise, Idaho 83712-7757

Subject: Final §401 Water Quality Certification for 2020 Nationwide Permits in Idaho

Dear Ms. Urbanek:

Enclosed please find the Idaho Department of Environmental Quality (DEQ) final water quality certification for the 2020 Nationwide Permits in Idaho. DEQ offered a 21-day public comment period, beginning on November 2, 2020, and ending on November 23, 2020.

DEQ received a single comment letter. After review of the comments received, minor modifications were made to the final certification in order to provide additional clarity.

If you have any questions or concerns regarding this certification, please contact Jason Pappani at (208) 373-0515 or via email at jason.pappani@deq.idaho.gov.

Sincerely,

Mary Anne Nelson, PhD
Surface and Wastewater Division Administrator

MAN:JP:lf

cc: Jason Pappani, DEQ State Office
DEQ Regional Administrators
James Joyner, ACOE Walla Walla District
Brent King, Idaho Attorney General's Office

Idaho Department of Environmental Quality

Final §401 Water Quality Certification

December 4, 2020

2020 U.S. Army Corps of Engineers §404 Nationwide Permits (NWPs)

Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended; 33 U.S.C. Section 1341(a)(1); and Idaho Code §§ 39-101 et seq. and 39-3601 et seq., the Idaho Department of Environmental Quality (DEQ) has authority to review activities receiving Section 404 dredge and fill permits and issue water quality certification decisions.

Based upon its review of the proposed 2020 Nationwide Permits published in the Federal Register on September 15, 2020, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE), along with the conditions set forth in this water quality certification, then activities will comply with the applicable water quality requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02), and other appropriate water quality requirements of state law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations, or permits, including without limitation, the approval from the owner of a private water conveyance system, if one is required, to use the system in connection with the permitted activities.

1 Antidegradation Review

The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

- Tier I Protection. The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier I review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.07).
- Tier II Protection. The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

- Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

1.1 Pollutants of Concern

The primary pollutant of concern, for projects permitted under the 2020 NWPs administered by the ACOE, is sediment. In locations where heavy metals are present due to mining activities, or where high concentrations of nutrients may be associated with sediments, additional considerations may be necessary. If the project reduces riparian vegetation, then temperature (thermal loading) may also be of concern.

The procedures outlined in the Sediment Evaluation Framework for the Pacific Northwest[1] may be applied to assess and characterize sediment to determine the suitability of dredged material for unconfined aquatic placement, to determine the suitability of post dredge surfaces, and to predict effects on water quality during dredging (See Section 2.4 for more details).

As part of the Section 401 water quality certification, DEQ is requiring the applicant to comply with various conditions to protect water quality and to meet Idaho WQS, including the criteria applicable to sediment.

1.2 Receiving Water Body Level of Protection

The ACOE NWPs authorize construction activities in waters of the United States. In Idaho, jurisdictional waters of the state can potentially receive discharges either directly or indirectly from activities authorized under the NWPs. DEQ applies a water body by water body approach to determine the level of antidegradation protection a water body will receive. (IDAPA 58.01.02.052.05).

All waters in Idaho that receive discharges from activities authorized under a NWP will receive, at minimum, Tier I antidegradation protection because Idaho's Tier I antidegradation policy applies to all state waters (IDAPA 58.01.02.052.01). Water bodies that fully support their aquatic life or recreational uses are considered *high quality waters* and will receive Tier II antidegradation protection (IDAPA 58.01.02.051.02). Because of the statewide applicability, the antidegradation review will assess whether the NWP permit complies with both Tier I and Tier II antidegradation provisions (IDAPA 58.01.02.052.03).

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs), it is possible for a water body to be designated as an ORW during the life of the NWPs.

[1] Northwest Regional Sediment Evaluation Team (RSET). 2018. Sediment Evaluation Framework for the Pacific Northwest. *Prepared by* the RSET Agencies, May 2018, 183 pp plus appendices.

Because of this potential, the antidegradation review also assesses whether the permit complies with the outstanding resource water requirements of Idaho's antidegradation policy (IDAPA 58.01.02.051.03).

To determine the support status of the receiving water body, the most recent EPA-approved Integrated Report, available on Idaho DEQ's website, is to be used: http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/. (IDAPA 58.01.02.052.05).

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified in Category 3 of DEQ's Integrated Report. These waters require a case by case determination to be made by DEQ based on available information at the time of the application for permit coverage (IDAPA 58.01.02.052.05.b). For activities occurring on unassessed waters under this certification, DEQ has determined that complying with the conditions of the NWP, the regional conditions, and this certification will ensure the provisions of IDAPA 58.01.02.052 are met.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a TMDL has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as "impaired", for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. With the exception, if the aquatic life uses are impaired for any of these three pollutants—dissolved oxygen, pH, or temperature—and the biological or aquatic habitat parameters show a healthy, balanced biological community, then the water body shall receive Tier II protection, in addition to Tier I protection, for aquatic life uses (IDAPA 58.01.02.052.05.c.i).

DEQ's webpage also has a link to the state's map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format: http://www.deq.idaho.gov/assistance-resources/maps-data/.
Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the support status of the receiving water body is desired, please feel free to contact your nearest DEQ regional office or the State Office (Table 1).

Table 1. Idaho DEQ Regional and State Office Contacts

Regional Office	*Address*	*Phone Number*	*Email*
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	chantilly.higbee@deq.idaho.gov
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300 Pocatello 83201	208-236-6160	matthew.schenk@deq.idaho.gov
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls 83301	208-736-2190	balthasar.buhidar@deq.idaho.gov
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	jason.pappani@deq.idaho.gov

1.3 Protection and Maintenance of Existing Uses (Tier I Protection)

A Tier I review is performed for all new or reissued permits or licenses, applies to all waters subject to the jurisdiction of the Clean Water Act, and requires demonstration that existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected (IDAPA 58.01.02.051.01; 052.01 and 04). The numeric and narrative criteria in the WQS are set at levels that ensure protection of existing and designated beneficial uses.

Water bodies not supporting existing or designated beneficial uses must be identified as water quality limited, and a total maximum daily load (TMDL) must be prepared for those pollutants causing impairment (IDAPA 58.01.02.055.02). Once a TMDL is completed, discharges of causative pollutants shall be consistent with the allocations in the TMDL (IDAPA 58.01.02.055.05). Prior to the completion of a TMDL, the WQS require the application of the antidegradation policy and implementation provisions to maintain and protect beneficial uses (IDAPA 58.01.02.055.04).

The general (non-numeric) effluent limitations in the NWPs and associated Regional Conditions for the ACOE Walla Walla District address best management practices (BMPs) aimed at minimizing impacts to the aquatic environment, especially sediment and turbidity impacts including: vegetation protection and restoration, de-watering requirements, erosion and sediment controls, soil stabilization requirements, pollution prevention measures, prohibited discharges, and wildlife considerations. Although the NWPs do not contain specific (numeric) effluent limitations for sediment or turbidity, the conditions identified in the permits and in this water quality certification will ensure compliance with DEQ's water quality standards, including the narrative sediment criteria (IDAPA 58.01.02.200.08) and DEQ's turbidity criteria (IDAPA 58.01.02.250.02.e).

In order to ensure compliance with Idaho WQS, DEQ has included a condition requiring the permittee(s) to comply with Idaho's numeric turbidity criteria, developed to protect aquatic life

uses. The criterion states, "Turbidity shall not exceed background turbidity by more than 50 nephelometric turbidity units (NTU)[2] instantaneously or more than 25 NTU for more than 10 consecutive days" (IDAPA 58.01.02.250.02.e). DEQ is requiring turbidity monitoring when project activities result in a discharge to waters of the United States that causes a visible sediment plume (IDAPA 58.01.02.054.01) (See Section 2.5 for more details).

If an approved TMDL exists for a receiving water body that requires a load reduction for a pollutant of concern, then the project must be consistent with the provisions of that TMDL (IDAPA 58.01.02.055.05).
For authorized activities requiring a pre-construction notification (PCN), the Corps will have the opportunity to evaluate the NWP activities on a case by case basis to ensure that the activity will not cause more than a minimal adverse environmental effect, individually and cumulatively. The Corps has agreed to forward the verification letters to the appropriate DEQ regional office (Table 1) for all authorized activities including the NWP activities that require a PCN. This will better inform DEQ of the authorized activities that are occurring throughout the state and determine if additional conditions will need to be implemented when the ACOE reissues the NWPs.

1.3.1 DEQ's Determination

DEQ concludes that, given the nature of the activities authorized by the 2020 NWPs, such activities will comply with Idaho's Tier I requirements under IDAPA 58.01.02.051.01 and 58.01.02.052.07, provided the permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions set forth in this water quality certification.

1.4 Protection of High-Quality Waters (Tier II Protection)

Water bodies that fully support their beneficial uses are recognized as high-quality waters and will be provided Tier II protection in addition to Tier I protection (IDAPA 58.01.02.051.02; 58.01.02.052.05.a). Water quality parameters applicable to existing or designated beneficial uses must be maintained and protected under Tier II, unless a lowering of water quality is deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

The ACOE does not authorize projects with more than minimal individual and cumulative impacts on the aquatic environment under a NWP (33 U.S.C.A. § 1344(e)). As required by the National Environmental Policy Act (NEPA) the Corps has analyzed the individual and cumulative effects for the NWP activities. DEQ recognizes that short term changes in water quality may occur with respect to sediment as a result of the authorized activities, but has determined that adherence to the terms and conditions imposed by the permits, including the Regional Conditions set forth by the Army Corps of Engineers (ACOE or Corps), along with the conditions set forth in this water quality certification will ensure that there are no long-term adverse changes to water quality or beneficial use support as a result of any activity authorized under this certification (IDAPA 58.01.02.052.03). As a general principle, DEQ believes degradation of water quality should be viewed in terms of permanent or long-term adverse

[2] *NTU is a unit of measure of the concentration of suspended particles in the water (turbidity). It is determined by shining a light through a sample and measuring the incident light scattered at right angles from the sample.*

changes. Short-term or temporary reductions in water quality, if reasonable measures are taken to minimize them (such as the certification conditions in Section 2), may occur without triggering a Tier II analysis (IDAPA 58.01.02.052.03; 080.02).

To ensure proposed regulated activities will not cause more than minimal individual and cumulative impacts on the aquatic environment, certain NWPs require project proponents to notify district engineers (in the form of a PCN) of their proposed activities prior to conducting regulated activities. This level of review gives the district engineer the opportunity to evaluate activities on a case by case basis to determine whether additional conditions or mitigation requirements are warranted to ensure that the proposed activity results in no more than the minimal individual and cumulative impacts on the aquatic environment.

DEQ has denied certification for NWP 16, NWP 23, and NWP 53 (see Section 3.1); and for certain activities associated with NWP 3, NWP 12, NWP 13, NWP 14, NWP 21, NWP 29, NWP 39, NWP 40, NWP 42, NWP 43, NWP 44, NWP 50, NWP 51, NWP 52, NWP C, NWP D, and NWP E (see Section 3.2). Projects seeking coverage under these NWPs will need to request individual certification from DEQ. DEQ will consider any additional conditions or denial of certification if necessary to ensure no lowering of water quality occurs for any of these projects proposed on Tier II water.

Additionally, if an authorized project causes a visible sediment plume then turbidity monitoring is required (see Section 2.5 for more details).

1.4.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWPs and this certification will comply with Idaho's Tier II requirements under IDAPA 58.01.02.051.02 and 58.01.02.052.08 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions of this water quality certification.

1.5 Protection of Outstanding Resource Waters (Tier III Protection)

Idaho's antidegradation policy requires that the quality of outstanding resource waters (ORWs) be maintained and protected from the impacts of point and nonpoint source activities (IDAPA 58.01.02.051.03). No water bodies in Idaho have been designated as ORWs to date. Because it is possible waters may become designated during the term of the 2020 NWPs, DEQ has evaluated whether the NWPs comply with the ORW antidegradation provision.

DEQ has denied certification for any activities on any Outstanding Resource Water (ORW) (see Section 3) and is requiring that any activities proposed on an ORW apply for individual certification (see Section 2.3).

1.5.1 DEQ's Determination

DEQ concludes that the activities authorized by the 2020 NWPs and this certification will comply with Idaho's Tier III requirements under IDAPA 58.01.02.051.03 providing permitted activities are carried out in compliance with the limitations and associated requirements of the 2020 NWPs, Regional Conditions, and conditions of this water quality certification.

2 Conditions Necessary to Ensure Compliance with Water Quality Standards or Other Appropriate Water Quality Requirements of State Law

For all activities covered under this certification, the following conditions are necessary to ensure that permitted projects comply with water quality requirements.

2.1 Design, Implementation, and Maintenance of Appropriate Best Management Practices

Best Management Practices (BMPs) must be designed, implemented, and maintained by the permittee to fully protect and maintain the beneficial uses and ambient water quality of waters of the state and to prevent exceedances of WQS (IDAPA 58.01.02.350.01.a).

BMPs must be selected and properly installed. Proper installation and operation of BMPs are required to ensure the provisions of IDAPA 58.01.02.052 are met. In order to ensure that BMPs are operating properly and to demonstrate that degradation has not occurred, the permittee must monitor and evaluate BMP effectiveness daily during project activities to assure that water quality standards are being met.

Approved BMPs for specific activities (mining, forestry, stream channel alteration, etc.) are codified in IDAPA 58.01.02.350. Additionally, DEQ provides a catalog of storm water best management practices, available at: http://www.deq.idaho.gov/media/60184297/stormwater-bmp-catalog.pdf. This catalog presents a variety of BMPs that can be used to control erosion and sediment during and after construction. Other sources of information are also available and may be used for selecting project appropriate BMPs.

This condition is necessary meet the following water quality requirements:

Control of erosion, sediment, and turbidity to maintain beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

2.2 TMDL Compliance

If there is an approved or established TMDL, then the permittee must comply with the established loads in the TMDL. Approved TMDLs can be found on DEQ's website (https://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/) or by contacting the appropriate regional office contact (Table 1).

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This condition is necessary to meet the following water quality requirements:

Ensure projects are consistent with waste load and load allocations established in approved TMDLs (IDAPA 58.01.02.055.04 and .05).

2.3 Outstanding Resource Waters

If waters become designated as ORWs during the term of the NWPs, a permittee proposing a project on an ORW must contact the appropriate DEQ regional office and apply for individual certification.

This condition is necessary to meet the following water quality requirements:

Ensure there is no lowering of water quality in any ORW as required by the Idaho Antidegradation Policy (IDAPA 58.01.02.051.03).

2.4 Fill Material

Material subject to suspension, including suspended dredge material, shall be free of easily suspended fine material. The fill material to be placed in waters of the United States shall be clean material only. If dredged material is proposed to be used as fill material and there is a possibility the material may be contaminated, then the permittee must apply the procedures in the *Sediment Evaluation Framework for the Pacific Northwest* (RSET, 2018) to assess and characterize sediment to determine the suitability of dredged material for unconfined-aquatic placement; determine the suitability of post dredge surfaces; and to predict effects on water quality during dredging.

This condition is necessary to meet the following water quality requirements:

Prevent suspension of fine sediment and turbidity in order to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)
- Point source wastewater treatment requirements (IDAPA 58.01.02.401.02)

Prevent suspension of hazardous, toxic, or deleterious materials or other pollutants that may be associated with fill material in order to ensure beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), deleterious materials (IDAPA 58.01.02.200.03), excess nutrients (IDAPA 58.01.02.200.06), or oxygen demanding materials (IDAPA 58.01.02.200.09)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

2.5 Turbidity

If no visible sediment plume is present, it is reasonable to assume that there is no potential violation of the water quality criteria for turbidity (IDAPA 58.01.02.250.02.e). Therefore, turbidity monitoring is only required when activities cause a visible sediment plume.

A properly and regularly calibrated turbidimeter is required for measurements analyzed in the field, but grab samples may be collected and taken to a laboratory for analysis. When monitoring is required a sample must be taken at an undisturbed area immediately up-current from in-water disturbance or discharge to establish background turbidity levels. Background turbidity, latitude/longitude, date, and time must be recorded prior to monitoring down-current. Then a sample must be collected immediately down-current from the in-water disturbance or point of discharge and within any visible sediment plume. The turbidity, latitude/longitude, date, and time must be recorded for each sample. The downstream sample must be taken immediately following the upstream sample in order to obtain meaningful and representative results.

Results from the down-current sampling point must be compared to the up-current or background level to determine whether project activities are causing an exceedance of state WQS. If the downstream turbidity is 50 NTUs or more greater than the upstream turbidity, then the project is causing an exceedance of the WQS (IDAPA 58.01.02.250.02.e).
Any exceedance of the turbidity standard must be reported to the appropriate DEQ regional office (Table 1) within 24 hours.

The following steps should be followed to ensure compliance with the turbidity standard:

1. If a visible plume is observed, collect turbidity measurements at 1) an upstream location; and, 2) from within the plume, and compare the results to Idaho's instantaneous numeric turbidity criterion (50 NTU over background).
2. If turbidity in the plume is less than 50 NTU instantaneously over the background turbidity continue monitoring as long as the plume is visible. If turbidity exceeds background turbidity by more than 50 NTU instantaneously then stop all earth disturbing construction activities immediately and proceed to Step 3. If turbidity exceeds background turbidity by more than 25 NTU, or if a visible plume is observed for more than 10 consecutive days, then stop all earth disturbing construction activities and proceed to Step 3.
3. Notify the appropriate DEQ regional office within 24 hours of any turbidity criteria exceedance. Take action to address the cause of the exceedance. That may include inspecting the condition of project BMPs. If the BMPs are functioning to their fullest capability, then the permittee must modify project activities and/or BMPs to correct the exceedance.
4. Earth disturbing activities may continue once turbidity readings return to within 50 NTU over background instantaneously; or, if turbidity has exceeded 25 NTU over background for more than ten consecutive days, once turbidity readings have no longer exceeded 25 NTU over background for at least 24 consecutive hours.

Copies of daily logs for turbidity monitoring must be available to DEQ upon request. The report must describe all exceedances and subsequent actions taken, including the effectiveness of the action.

This condition is necessary to meet the following water quality requirements:

Ensure that activities do not impair beneficial uses, and ensure and document compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

2.6 Mixing Zones

No mixing zones are authorized through this certification. If a mixing zone, or alternatively, a point of compliance, is desired, the permittee must apply for an individual certification and must contact the appropriate DEQ regional office (Table 1) to request authorization for a mixing zone.

This condition is necessary to meet the following water quality requirements:

Ensure any mixing zone is properly authorized in accordance with the Idaho Mixing Zone Policy (IDAPA 58.01.02.060).

2.7 Culverts

To prevent road surface and culvert bedding material from entering a stream, culvert crossings must include best management practices to retain road base and culvert bedding material. For perennial waters, the permittee should consider the Idaho Stream Channel Alterations rules (IDAPA 37.03.07). Another source of BMPs for culvert installation can be found in the Idaho Forest Practices Act (IDAPA 20.20.01). Examples of best management practices include, but are not limited to: parapets, wing walls, inlet and outlet rock armoring, compaction, suitable bedding material, anti-seep barriers such as bentonite clay, or other acceptable roadway retention systems.

This condition is necessary to meet the following water quality requirements:

Control of erosion, sediment, and turbidity to provide beneficial use support and compliance with the following water quality standards:

- General Surface Water Criteria for Sediment (IDAPA 58.01.02.200.08)
- Numeric Turbidity Criteria for Aquatic Life (IDAPA 58.01.02.250.02.e)
- Numeric turbidity criteria for protection of domestic water supply (IDAPA 58.01.02.252.01.b)

2.8 Wood Preservatives

DEQ's *Guidance for the Use of Wood Preservatives and Preserved Wood Products In or Around Aquatic Environments* must be considered when using treated wood materials in the aquatic environment. Within this guidance document DEQ references the *Best Management Practices*

for the Use of Treated Wood in Aquatic and Wetland Environments[3]. This document provides recommended guidelines for the production and installation of treated wood products destined for use in sensitive environments.

This condition is necessary to meet the following water quality requirements:

Ensure that toxic chemicals are not introduced into waters and to ensure compliance with the following water quality standards:

- General Surface Water Criteria for hazardous materials (IDAPA 58.01.02.200.01), toxic substances (IDAPA 58.01.02.200.02), and deleterious materials (IDAPA 58.01.02.200.03)
- Numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210)

2.9 Reporting of Discharges Containing Hazardous Materials or Deleterious Materials

All spills of hazardous material, deleterious material or petroleum products which may impact waters (ground and surface) of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriate DEQ regional office in Table 2 during normal working hours or Idaho State Communications Center after normal working hours. If the spilled volume is above federal reportable quantities, contact the National Response Center.

For immediate assistance: Call 911

National Response Center: (800) 424-8802

Idaho State Communications Center: (800) 632-8000

Table 2. Idaho DEQ regional contacts for reporting discharge or spill of hazardous or deleterious materials.

Regional Office	*Toll Free Phone Number*	*Phone Number*
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	877-541-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-270-1663	208-736-2190

[3] Western Wood Preservers Institute, Wood Preservation Canada, Southern Pressure Treaters' Association, and Southern Forest Products Association. 2011. "Best Management Practices: For the Use of Treated Wood in Aquatic and Wetland Environments" Vancouver, WA: Western Wood Preservers Institute.

This condition is necessary to meet the following water quality requirements:

Ensure compliance with the following water quality standards:

- Hazardous Material Spills (IDAPA 58.01.02.850)
- Petroleum release reporting, investigation, and confirmation (IDAPA 58.01.02.851)
- Petroleum release response and corrective action (IDAPA 58.01.02.852)

2.10 Other Conditions

This certification is conditioned upon the requirement that if there are material modifications of the NWPs or the permitted activities—including without limitation, significant changes from the draft NWPs to final NWPs, or significant changes to the draft Regional Conditions, then DEQ must re-evaluate the certification to determine compliance with Idaho WQS and to provide additional certification pursuant to Section 401.

This condition is necessary to ensure that DEQ can evaluate any material modification to ensure it meets water quality requirements and complies with the Idaho antidegradation policy (IDAPA 58.01.02.051) and its implementation (IDAPA 58.01.02.052), general surface water quality criteria (200), numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210), numeric criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

3 Projects for Which Certification Is Denied

DEQ cannot certify that the following activities will comply with water quality requirements, including State WQS and other appropriate requirements of state law, and is therefore denying certification for the activities listed below.

For activities for which certification has been denied, the applicant will be required to request an individual certification before the activity can be conducted. Individual certification requests will provide DEQ with the opportunity to review project details and determine if additional conditions are necessary to ensure that water quality requirements will be met.

Upon review and evaluation of individual certification requests, DEQ may 1) certify without condition, 2) provide individual certification with conditions necessary to ensure water quality requirements will be met, or 3) deny certification for projects that will not meet water quality requirements.

3.1 NWPs denied

DEQ denies certification for all activities proposed to occur on waters designated as ORWs during the term of the permit. This denial is necessary to ensure compliance with the water quality requirements of Idaho's antidegradation policy (IDAPA 58.01.02.051.03) and implementation procedures (IDAPA 58.01.02.052.09.g).

In addition, the following NWPs are denied certification for all Idaho waters. Projects seeking coverage under these NWPs must request individual certification from DEQ.

NWP 16 - Return Water from Upland Contained Disposal Areas

Basis for denial:

Return water from upland disposal areas has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

To ensure that discharge from upland contained disposal areas meets water quality requirements, DEQ must evaluate the quality of the return water and evaluate the potential pollutants associated with return water on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

NWP 23 - Approved Categorical Exclusions

Basis for denial:

DEQ is unable to determine that meeting the requirements for categorical exclusion under the National Environmental Policy Act will meet state water quality requirements.

DEQ will evaluate categorically excluded activities on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

NWP 53 – Removal of Low-Head Dams

Basis for denial:

Material released from the removal of low head dams has the potential to contribute turbidity, sediment, and other toxic and non-toxic pollutants to receiving waters.

In order to ensure that release of materials from the removal of low head dams meets water quality requirements, DEQ must evaluate the potential pollutants associated with this release on a case-by-case basis to determine compliance with general surface water quality criteria (IDAPA 58.01.02.200); numeric toxics criteria for aquatic life and human health (IDAPA 58.01.02.210); and use specific criteria for aquatic life (IDAPA 58.01.02.250), recreation (IDAPA 58.01.02.251), and water supply uses (IDAPA 58.01.02.252).

3.2 NWPs partially denied

The following activities have the potential to disturb significant areas and could disturb a significant fraction of entire Assessment Units, causing permanent and significant impairment of designated and existing beneficial uses. The conditions associated with the NWP, regional conditions, and the conditions associated with this certification are not sufficient to provide DEQ with assurance that projects of this magnitude would not result in impairment of existing or

designated beneficial uses in all waters, and potentially increase degradation in high quality (Tier II) waters.

In order to meet the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052), ensure that beneficial uses are not impaired, and ensure compliance with general surface water quality criteria for sediment (IDAPA 58.01.02.200.08), DEQ must evaluate these projects on a case-by-case basis and provide individual certification where applicable.

3.2.1 NWPs 3, 13, and 14

The 2020 NWPs 3, 13, and 14 require preconstruction notification (PCN) for certain activities when it is necessary for the district engineer to review activities to ensure only minimal adverse environmental effects.

While the additional district engineer review is intended to ensure that activities will cause only minimal adverse environmental effects, it is not reasonable to expect that the district engineer review will consider the requirements of Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052) when making their determination. Consequently, DEQ cannot certify that activities requiring PCN under these NWPs would not cause degradation of water quality, and therefore cannot certify that these activities would meet Idaho's antidegradation implementation procedures (IDAPA 58.01.02.052).

Therefore, DEQ is denying certification for the following activities that require PCN under the proposed 2020 NWPs:

NWP 3 – Maintenance

Activities Denied Certification

- Activities authorized by paragraph (b) of NWP 3

NWP 13 – Bank Stabilization

Activities Denied Certification:

- activities involving discharge into special aquatic sites;
- activities in excess of 500 linear feet;
- activities that involve discharge of greater than one cubic yard per running foot measured along the length of the treated bank below the plane of the ordinary high water mark

NWP 14 – Linear Transportation Projects

Activities Denied Certification:

- activities resulting in the loss of waters of the United States in excess of 1/10 acre;
- discharge in a special aquatic site, including wetlands

3.2.2 NWPs 12, C, and D

The 2017 NWP 12 included activities proposed to be permitted under the 2020 NWPs C and D.

The 2017 NWP 12 required PCN for activities that, among other thresholds, involved mechanized clearing in forested wetlands, exceeded 500 linear feet, or that resulted in loss of greater than 1/10 acre of waters of the United States. The 2020 NWP proposes removal of these thresholds for PCN, and does not require additional review from the ACOE district engineer to ensure only minimal adverse environmental effects.

Without the requirement for PCN and additional review from the district engineer, DEQ cannot certify that these activities will not result in degradation. Therefore, DEQ is denying certification for the following activities:

NWP 12 – Oil or Natural Gas Pipeline Activities

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- oil or natural gas pipelines in waters of the United States that exceed 500 linear feet or that run adjacent to a water body for greater than 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

NWP C – Electric Utility Line and Telecommunications Activities

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- electric utility line and telecommunications activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

NWP D – Utility Line Activities for Water and Other Substances

Activities Denied Certification:

- activities that involve mechanized clearing of a wooded wetland;
- utility line activities in waters of the United States that exceed 500 linear feet;
- activities where discharge will result in loss of greater than 1/10-acre, as determined by ACOE, of waters of the United States

3.2.3 NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, 52, and E

The 2017 NWPs for the following activities had a 300 linear foot limit for losses of stream bed. The 2020 NWP proposes removal of the 300 linear foot limit for losses of stream bed and instead rely solely on the ½ acre limit.

The median bankfull width measured from 48 wadeable streams monitored in 2010 as part of DEQ's Beneficial Use reconnaissance Program (BURP) was 19.7 feet. A loss of ½ acre at this stream width would correspond to 1,105 linear feet of loss, or the equivalent of 0.2 miles of stream. DEQ cannot certify that losses of this magnitude of stream bed, or that losses of stream

bed based solely on the ½ acre limit, would not result in permanent degradation. Therefore, DEQ is denying certification for the following activities that exceed the 300 linear foot limit previously imposed by the 2017 NWP:

NWP 21 – Surface Coal Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 29 – Residential Developments

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 39 – Commercial and Institutional Developments

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 40 – Agricultural Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 42 – Recreational Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 43 – Stormwater Management Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 44 – Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 50 – Underground Coal Mining Activities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 51 – Land Based Renewable Energy Generation Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP 52 – Water-Based Renewable Energy Generation Pilot Projects

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

NWP E – Water Reclamation and Reuse Facilities

Activities Denied Certification:

- activities resulting in loss in excess of 300 linear feet of streambed
- activities resulting in loss in excess of ½ acre of jurisdictional wetlands

4 Right to Appeal Final Certification

The final Section 401 Water Quality Certification may be appealed by submitting a petition to initiate a contested case, pursuant to Idaho Code § 39-107(5) and the "Rules of Administrative Procedure before the Board of Environmental Quality" (IDAPA 58.01.23), within 35 days of the date of the final certification.

Questions or comments regarding the actions taken in this certification should be directed to Jason Pappani, State Office IDEQ, at (208) 373-0515 or via email at jason.pappani@deq.idaho.gov.

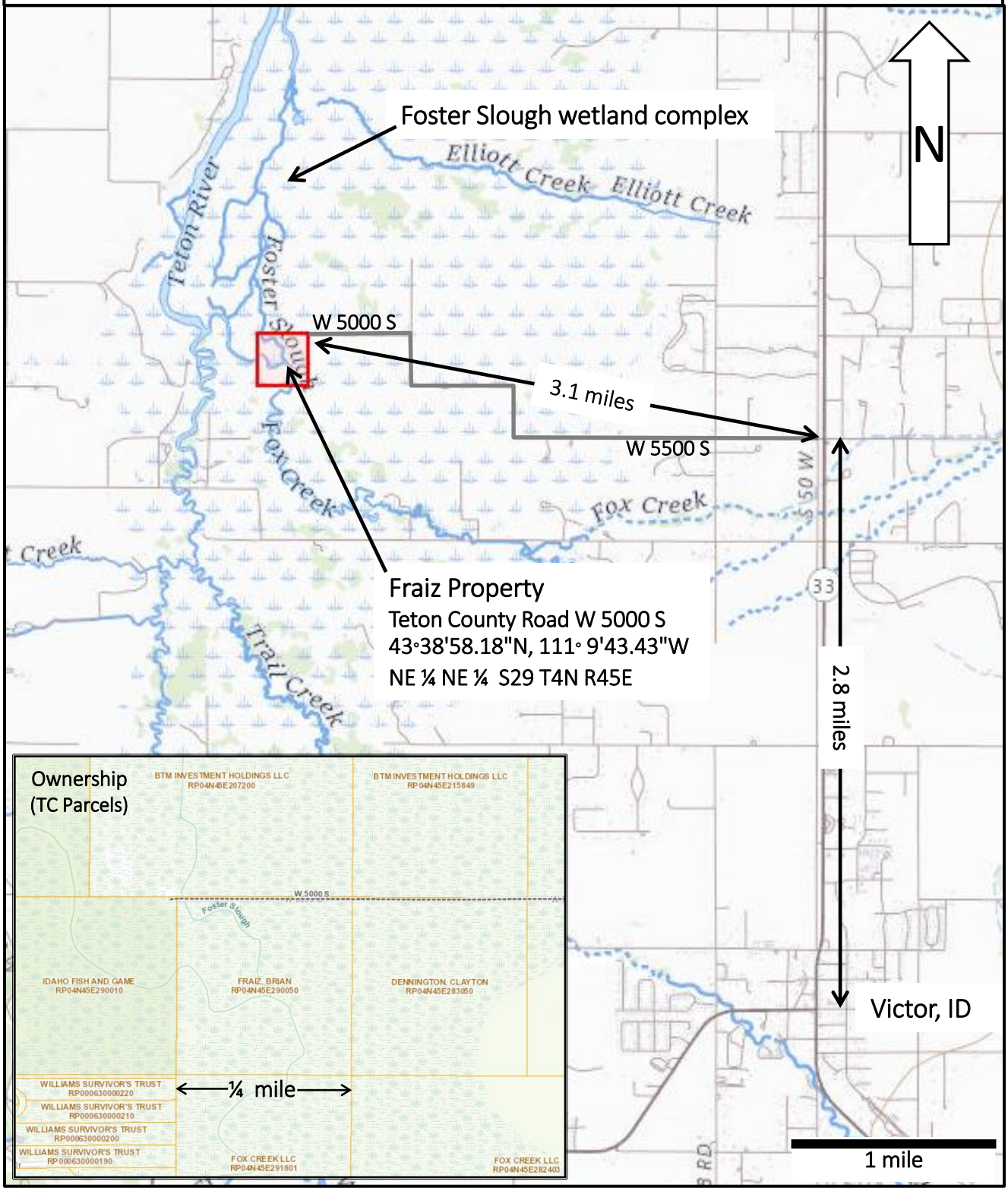
Mary Anne Nelson, PhD
Surface and Wastewater Division
Administrator

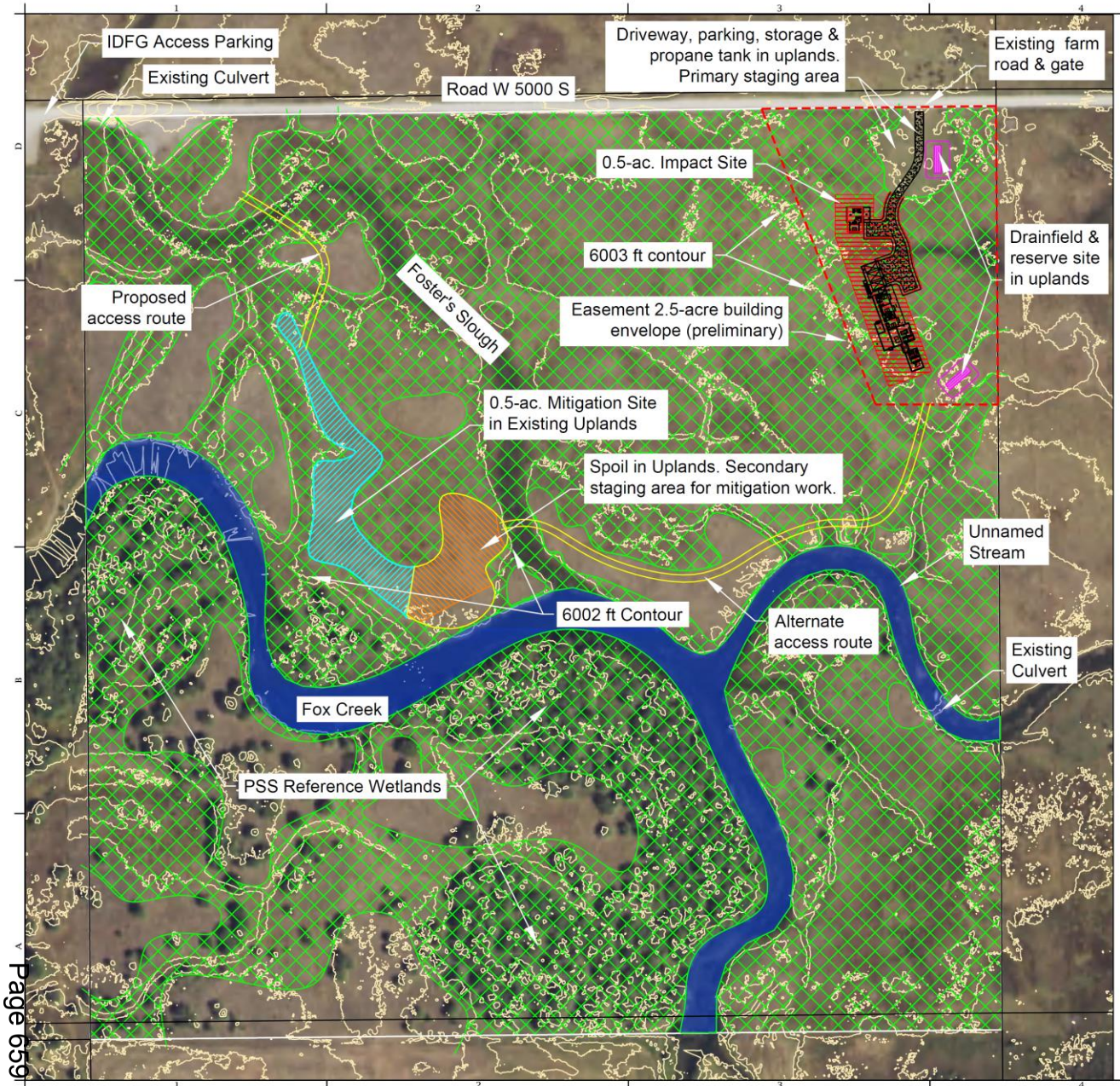
Vicinity Map | Sheet 1 of 3

Project name: Fraiz Residence | Applicant: Brian Fraiz

Waterbody: Wetland near Fox Creek | Teton County, Idaho

Prepared by Intermountain Aquatics, Inc. | 4/25/2023





SITE PLAN

Notes:

1. Impacts in wetlands = 0.5 acres (hatched red). Driveway and building footprints occupy ≈ 0.25 acres (black). Other fills include driveway shoulders, utility trench backfill, and landscaping. Details of layout are preliminary.
2. Conservation easement specifies a 2.5-acre building envelope in northeast corner of property. Boundary shown is approximate and preliminary.
3. Impact site is in highest area of property above ≈6003 ft elevation, next to road and degraded by grazing.
4. Proposed mitigation consists of 0.5 acres of wetland creation in existing uplands on Fox Creek floodplain.
5. Upland will be graded to lower surface ≈0.5 ft and create wetland hydrology, then planted with willows, seeded to native wetland herbaceous species, and fenced for herbivore protection.
6. Functional lift is achieved by creating new wetland with shrub habitat structure and enhanced hydrologic exchange with Fox Creek.
7. Mitigation site minimizes excavation volume and hauling compared to alternatives. Cut and spoil volumes are approximately 400 CY.
8. Spoil area for cut from mitigation site is set back 40 ft from Fox Creek to allow for future stream restoration and as a buffer.
9. Work is above ordinary high water mark.
10. Existing wetlands were delineated in 2022 by Intermountain Aquatics, Inc. See ARI report.
11. Elevation contours are derived from 2021 FEMA/ Teton County Lidar data.

Legend

- Impact area (details preliminary)
- Easement building envelope (preliminary)
- Wetland (delineated August 2022)
- Wetland creation in existing uplands
- Streams at approx. OHWM
- Spoil in uplands
- 1 ft contours from Lidar DEM
- Temporary access route & alternative
- Septic drainfield mound & reserve drainfield site

INTERMOUNTAIN AQUATICS INC.
ENVIRONMENTAL CONSULTING & HABITAT RESTORATION
116 Mustang Drive – P.O. Box 1115
Driggs, ID 83422
208.354.3690
www.intermountainaquatics.com

NOT FOR CONSTRUCTION

FRAIZ PROPERTY
PERMITTING
TETON COUNTY, IDAHO

Scale: 1" = 150'

IF PLOTTED ON 11"x17" SIZE: ADJUST ACCORDINGLY BASED ON PAPER SIZE

DATE: April 25, 2023
DRAWN BY: EV & PH
CHECKED BY: JK
JOB NAME: FILE . DWG
FILE: FRAIZ DRAFT PERMIT & MITIGATION PLANS 4 11 2023.DWG
REVISIONS:
Septic drainfield locations updated from Nelson Engineering 5/1/2023

Site Plan

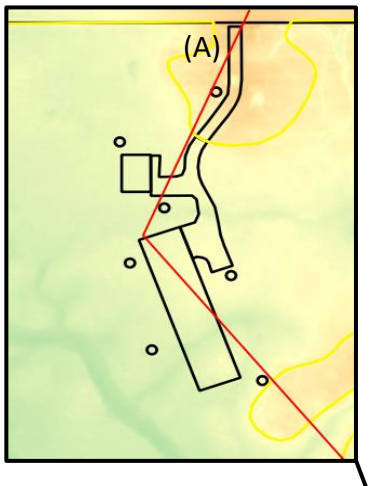
2 of 3

Cross-sections | Sheet 3 of 3

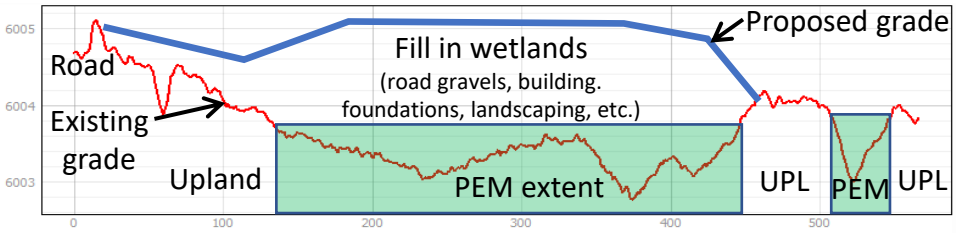
Project name: Fraiz Residence | Applicant: Brian Fraiz

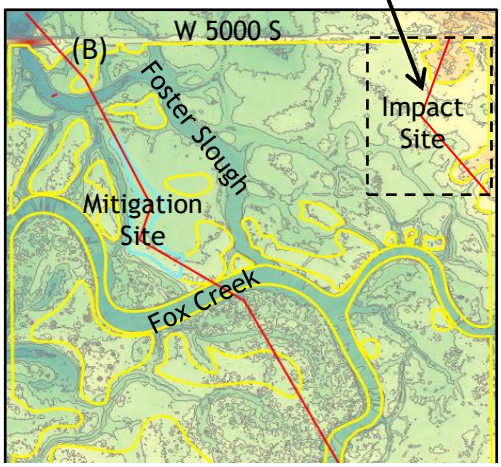
Waterbody: Wetland near Fox Creek | Teton County, Idaho

Prepared by Intermountain Aquatics, Inc. | 4/25/2023

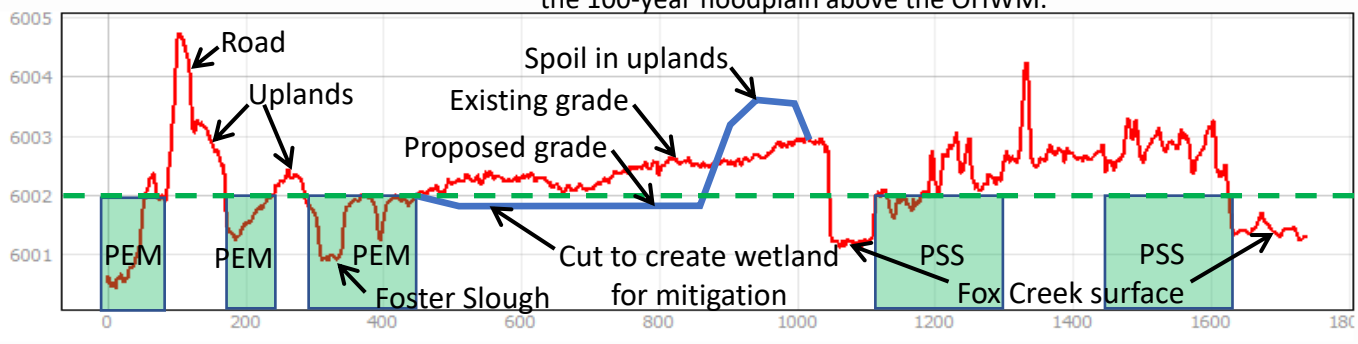


(A) Cross-section from Road W 4000 S to east property boundary (red lines) through building and driveway impact site (black) in Lidar plan view (left) and elevation view (below). Fill will raise the surface 0.5-2 ft (typical) in 0.5 acres of wetlands (shaded green). Fill elevations shown are conceptual and preliminary. Fill slopes will be 5:1 or shallower. Fill for development is above OHWM and above edge of floodplain fringe. All elevations are based on 2021 FEMA/Teton County Lidar data.





(B) Cross-section from Road W 4000 S to south property boundary (red line) through mitigation site (blue) in Lidar plan view (left) and elevation view (below) with 0.5-ft contours (gray), uplands (yellow), and mitigation site (blue). Grading will lower 0.5 acres of uplands to ≤6002 ft elevation, removing ≈400 CY of soil with 0.2-0.8 ft of cut (average ≈0.5 ft). Lowering the mitigation site surface to <6002 ft will provide hydrology similar to existing PEM and PSS wetlands. Cut will be spoiled in the contiguous upland at an average thickness of 0.75 ft with a 40 ft setback from Fox Creek as a buffer and to allow for future stream restoration. The target elevation of ≤6002 ft was determined by comparing floodplain wetlands to Lidar data. Areas below ≈6002 ft are currently wetlands (green shading in section). Most areas higher than 6002 ft are uplands. Mitigation work is in the 100-year floodplain above the OHWM.



TETON COUNTY, IDAHO
BUILDING DEPARTMENT & PLANNING DEPARTMENT

STOP WORK

DO NOT REMOVE THIS NOTICE

Owner: Brian Fraiz
Parcel Number: RP04N45E290050
Legal Description: NE4NE4 SEC 29 T4N R45E CONSERVATION EASEMENT

This property has been inspected and the following items were found to **NOT** comply with the Teton County Land Development Code (LDC) Sections 5-4-2 and 5-2.

Teton CountyLand Development Code Section 5-4-2 Riparian Buffers: Development is to have a setback of 100' from the National Wetland Inventory Boundary. Development is to have a setback of 50'from site specific wetland delineations approved by the U.S. Army Corps of Engineers. The variance hearing to allow this work was continued on 11/12/2024 to 01/1/2024. No work has been approved and no permits have been issued as of 11/19/2024

The Teton County Land Development Code Chapter 5-2 Grading and Drainage, 5-2-1 Grading Standards B. Applicability 1. Grading for all developments (roads, driveways, building sites, landscaping, utilities, etc.) are required to meet the provisions of this Section. ***AND* C. General Development Standards** 1. A Grading and Erosion Control Permit is required prior to the commencement of all land disturbing activities, unless explicitly exempted.

NO FURTHER WORK MAY BE DONE WITHOUT APPROVAL FROM THE COUNTY

Any violation of this Stop Work Order may result in an action filed against you for injunctive relief and monetary damages including attorney fees and costs of suit. Continuation of work or removal of this notice may result in a misdemeanor under Idaho State Statute (39-4126).

Wendy A Koch Building Official	11/19/2024 Date	Darryl Johnson Director of Public Works	11/19/2024 Date

TETON COUNTY, IDAHO | Planning & Zoning Commission

Written Decision for the Denial of the Variance Request for Brian Fraiz

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This is a written decision on the findings for the denial of the Variance Request for Brian Fraiz under Teton County Land Development ("LDC") adopted August 2, 2022.

APPLICATION DATE:	October 4, 2024
APPLICANT:	Brian Fraiz
PARCEL:	RP04N4E290050 – 40 acres
PROJECT NAME:	Fraiz Property – Variance
PURPOSE OF APPLICATION:	To request a variance to sections 5-2-3 and 5-4-2 of the Land Development as it relates to wetland area setbacks

Applicable Standards and Criteria for Application Evaluation: Land Development Code (LDC) – Chapters 4 and 5

Procedural Background and Project Summary

Brian Fraiz submitted an application on October 4, 2024, for a wetland setback variance for a 40 acre parcel (RP04N45E290050). The project specifically sought relief from LDC § 5-2-3 Stormwater Management Standards and LDC § 5-4-2 Riparian Buffers. The variance from the setbacks and development standards within wetland buffers would allow the applicant to develop a home, guest home, driveway, and other improvements in the wetlands and encroaching the 50-foot setback from delineated wetlands.

The applicant addressed other issues outside the scope of review for Teton County, specifically including wetland issues and a conservation easement on the property held by a third party. The applicant received the necessary federal and state permitting from the US Army Corps of Engineers, Idaho Department of Water Resources, and the Federal Emergency Management Agency. A wetland delineation was completed for the property by Intermountain Aquatics. The applicant also depicted the conservation easement, which Teton County does not enforce, in conjunction with the planned construction.

On November 12, 2024, the Teton County Planning & Zoning Commission (PZC) held a public hearing for the Variance Request for Brian Fraiz. This hearing was continued to allow PZC to obtain legal review on variance criteria.

HEARING DATES: November 12, 2024 (Continued), and January 14, 2025

NOTICE: The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on December 25, 2024, and January 1, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer area on December 20, 2024. A notice was also posted on the property providing information about the public hearing on December 20, 2024.

Planning and Zoning Commissioners Present: Rebeca Baker, Wade Kaufman, Wyatt Penfold, Tyler Wertenbruch, James Weber, Carl Kohut, and Tom Braun

Applicants and Representatives Present: Brian Fraiz (Applicant); Braden Olson (Nelson Engineering); Jeff Klausmann (Intermountain Aquatics); and Tim Grimes (Houseplant Designs)

Interim County Planning Administrator Jade Krueger and Associate Planner Torin Bjorklund were present.

Staff presented a staff report. The applicant and their representatives presented the application. The public hearing was opened. 4 individuals spoke during public comments (one neutral and three opposed). The applicant was then given time for rebuttal. There were 12 written public comments submitted in advance of the hearing: one neutral and 11 opposed. The oppositions included opinions on the lack of compliance with the LDC, destruction of wildlife habitat, wetland degradation, septic issues, and the overall size of the project.

The PZC then entered deliberation. The commission found that Section 4-9-E review criteria numbers 3 and 6 were not satisfied with the proposal as presented.

The Planning & Zoning Commission moved to DENY this variance request based on the review criteria in LDC § 4-9, 5-2-3, and 5-4-2.

MOTION

Having concluded that the Review Criteria for a Variance found in Teton County Land Development Code Sections 4-9, 5-2-3, and 5-4-2 cannot be satisfied, the motion was made to DENY the Variance for Brian Fraiz as requested in the application materials submitted October 4, 2024 for the following reasons as stated in paragraphs 6 and 3 of LDC § 4-9-E.

Commissioner Tyler Wertenbruch made the motion; motion was seconded by Commissioner Carl Kohut.

AYES: Rebeca Baker, Tyler Wertenbruch, James Weber, Carl Kohut
NAYES: Wade Kaufman, Wyatt Penfold, Tom Braun

CONCLUSIONS

Having given due consideration to the application and materials presented, and to the review criteria in Teton County Land Development Code 4-9, the Teton County Planning & Zoning Commission hereby makes the following conclusions:

1. The review criteria numbers 3 and 6 in the LDC section 4-9-E for the proposed variance were not satisfied. The application was subsequently denied as presented by the Teton County Planning & Zoning Commission.

    a. Review Criteria Items not satisfied:

        4-9-E.3 Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the Zoning District in which the property is located

        4.9.E.6 The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure

    b. Bases for finding Review Criteria not satisfied:

        The PZC did not consider matters related to wetlands or wetlands mitigation, which is not within the scope of the PZC's review of this application. Likewise, the PZC did not consider the conservation easement existing on the subject property, which is a private matter between the landowner (applicant here) and the easement holder (a third party). While the background information relating to these matters was helpful for the PZC to understand, it was only background information and not relevant to the PZC's determination of this application.

        Other properties in the same Zoning District as the subject property must also comply with the requirements of LDC § 5-2-3 (regarding Stormwater Management Standards) and LDC § 5-4-2 (regarding Riparian Buffers). The situation of this subject property is not sufficient to distinguish it from other similarly-situated properties in the same Zoning District, such that a variance in this situation as requested by the applicant could only be categorized as a "special privilege[]" that these other properties have not been afforded.

        Given the constraints of the 50-foot wetland setback (required by LDC § 5-4-2-C), this application seeks, at points, to almost entirely negate that setback and rely on the sheer quantity of wetland on this property to be sufficient. However, the PZC finds that there may be other options and changes to this design that could request less of a variance than what is sought in this application. Thus, this cannot be considered the minimum variance that makes this proposed use possible.

2. The proper legal requirements for advertisement of the public hearing have been fulfilled as required by Idaho Code, Title 67, Sections 67-6509, 67-6511, and 67-6512, and the Teton Land Development Code Section 4-2-D. The public hearing for the Planning & Zoning Commission was duly noticed in the Teton Valley News on December 25, 2024, and January 1, 2025. A

notification was sent via mail to surrounding property owners within a 300-foot buffer area on December 20, 2024. A notice was also posted on the property providing information about the public hearing on December 20, 2024.

3. The commission indicated that they would like to see a revised plan utilizing more uplands in the development proposal which would meet criteria 4-9-E.6 as the minimum variance required to make the project possible.

Wyatt Penfold
Chair of the Planning and Zoning Commission

2-13-25
Date

TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision for the Denial of the Variance Request on Appeal for Brian Fraiz

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This is a written decision on the findings for the denial on Appeal of the Variance Request for Brian Fraiz (the "Variance") under Teton County Land Development ("LDC") adopted August 2, 2022, which law applies to this request for an appeal to a denial of this Variance.

APPEAL APPLICATION DATE:	February 24, 2025
APPLICANT:	Brian Fraiz
PARCEL:	RP04N4E290050 – 40 acres
PROJECT NAME:	Fraiz Property – Variance Appeal
PURPOSE OF APPLICATION:	An appeal of the denial of a variance request under sections 4-15 (Appeals), 4-9 (Variances), and 5-4-2 of the LDC as it relates to wetland area setbacks.

Applicable Standards and Criteria for Application Evaluation: Land Development Code (LDC) – Chapters 4 and 5

4-15 Appeals and Reconsideration

A. Applicability

1. In addition to the remedies described in Section 1-7 of the LDC, this section provides the remedy of appeal from and requests for reconsideration of final decisions made by the Administrator, PZC, BoCC, or other County official.
2. An applicant or an affected person may avail themselves of these administrative remedies in accordance with this section.
3. An appeal of a decision will be reviewed by the PZC or BoCC, as specified in the table in Section 4-1.
4. Appeals and requests for reconsideration must be filed with the Administrator within fourteen (14) calendar days of the date of a written decision.
5. Any applicant or affected person seeking judicial review of a written decision must first request reconsideration of the final decision as provided here.

....

D. Procedures for Appeals and Requests for Reconsideration

1. Following notice and a hearing, as required by law, the reviewing official or body may affirm, reverse or modify the original decision after verification of compliance with applicable procedural and LDC standards.
2. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the completed appeal or request for reconsideration.
3. Where no written decision on a request for reconsideration is issued to the applicant within sixty (60) days of receipt of the completed application, the request for reconsideration is deemed denied, without further action by the applicant or the County.

4-9 Variances

A. Applicability

1. Variances can only be approved for the modification of the bulk and placement requirements of the LDC as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other

LDC provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots, as outlined in Idaho State Code 67-6516. Variances are considered through a quasi-judicial process.

2. A variance is not a right or special privilege and may be granted only upon a showing of:
    a. Undue hardship because of characteristics of the site; and
    b. That granting of the variance is not in conflict with the public interest.

....

E. Review Criteria

The recommendation of the Administrator and decision of the PZC of whether the applicant has made a showing of lawful Undue hardship, will be based on the following criteria:

1. If the variance application relates to a public-school facility, that the subject property is appropriate for development allowed in the proposed Zoning District, including the impacts authorized for review under Idaho Code section 67-6519(3).
2. A literal interpretation of the provisions of the LDC would effectively deprive the applicant of rights commonly enjoyed by other properties of the Zoning District in which the property is located;
3. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the Zoning District in which the property is located;
4. The requested variance will be in harmony with the purpose and intent of the LDC and will not be injurious to the neighborhood or to the general welfare;
5. The special circumstances are not the result of the actions of the applicant;
6. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure;
7. The variance does not permit a use of land, buildings or structures, which are not permitted by right in the Zoning District or the LDC, including Chapter 5;
8. Granting of the variance is not in conflict with the public interest; and
9. The variance does not reduce the lot size below the minimum lot size allowed in the Zoning District, except as provided in section 1-8.

Procedural Background and Project Summary

Brian Fraiz submitted an application on October 4, 2024, for a wetland setback variance on a 40 acre parcel (RP04N45E290050). The project specifically sought relief from LDC § 5-2-3 Stormwater Management Standards and LDC § 5-4-2 Riparian Buffers. The variance from the setbacks and development standards within wetland buffers would allow the applicant to develop a home, guest home, driveway, and other improvements in the wetlands by encroaching the 50-foot setback from delineated wetlands.

On November 12, 2024, the Teton County Planning & Zoning Commission (PZC) held a public hearing for the Variance Request for Brian Fraiz. This hearing was continued to allow PZC to obtain legal review on variance criteria. The Planning and Zoning Commission subsequently denied the variance on January 14, 2025, and approved the language for a written decision on February 11, 2025. The applicants timely filed a request for an appeal on February 24, 2025.

APPEAL HEARING DATES: April 14, 2025; April 28, 2025; and May 1, 2025.

NOTICE: Idaho Code, Title 67, Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Code. The public hearing for the Board of County Commission was duly noticed in the Teton Valley News on March 26th, 2025 and April 2, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer area on March 21, 2025. A notice was also posted on the property providing information about the public hearing on April 8th, 2025.

Board of County Commissioners present (at initial public hearing and each subsequent meeting): Brad Wolfe, Michael Whitfield, Ron James

Applicants and Representatives Present: Brian Fraiz (Applicant); Braden Olson (Nelson Engineering), Kathy Spitzer, and Tim Grimes (Houseplant Designs)

Joshua Chase, Planning Administrator.

Staff presented a staff report. Written public comments which were not included in the staff report were allowed to be read into the record during the hearing. The applicant and their representatives presented the appeal request. They focused on the location of the proposed homes being driven largely by the location of the permitted septic system as guided by the Eastern Idaho Public Health District, and the bearing capacity of the soils impacting the design of the structure. The public hearing was opened. One individual spoke in the neutral position. It was determined that the project was not near the commenter's parcel. Another person spoke in the neutral position and cited state statute related to undue hardship and public welfare aspects of a variance.

One person spoke in opposition representing a nearby landowner. They stated that the proposal did not meet the finding that the request was the minimum variance needed. The comments focused on the points that the planning and zoning commission deliberated on in finding the request did not meet the requirements for a variance and that the PZC identified specific actions that could result in an approval. Much of the discussion focused on underutilization of the area delineated as "upland 1" in the variance application. A letter in opposition was read into the record by planning staff which focused on potential impacts to water quality and the need to have local government oversight to protect these resources. Another person spoke in opposition and focused on the potential impact to the water resources of the community. Braden Olson spoke as a representative of for the applicant affirming the square footage area of upland areas but reaffirming that the buildable portion of the upland area is limited when subjected to setbacks. Another adjacent landowner spoke in favor of the application stating that the proposed restoration or mitigation work would improve wildlife habitat values. In rebuttal, the applicant addressed use of "uplands 1" which needs to remain undisturbed to be available for a replacement drainfield and addressed that the location of the home is tied to the approved septic system.

The Board closed the public hearing and began deliberation. During their deliberation the board asked clarifying questions related to the constraints on construction on the site related to wetlands. The Board had specific questions related to legal considerations of the review criteria of a variance. The board indicated that they understood the consideration that required proximity of the home construction to the location of the approved septic system drainfield but also believed that the location of the proposed homes could be moved further out of wetlands or reconfigured to be less impactful to wetlands. The board indicated that they believed some variance would be necessary but the building plan that was proposed did not demonstrate adequately that this was the minimum variance necessary to complete the project. The board continued the application for legal clarification of at least two variance criteria referring to criterion 6 and 8 of LDC § 9-4(E).

On April 28, 2025, the Board took the matter up again. At that time, additional public comment had been received questioning whether new information had been introduced and the board deliberated on whether they believed new information was considered in the Board's deliberation and ultimately in their decision. The board continued the application to May 1st, 2025, to obtain legal counsel as to whether new information had been heard that warranted reopening the public hearing.

On May 1st 2025, the Board continued their deliberation on the appeal. The board made statements that their decisions were based on and limited to the information presented in the public hearing held on April 24th, 2025, and were not based on information subsequently presented in letters or comments made after the public hearing, therefore they did not believe it was necessary to re-notice and reopen the public hearing. The bulk of the discussion focused on whether the applicant's request represented the "minimum variance that will make possible the proposed use of the land, building, or structure" as well as whether the proposal was in conflict with the public interest. Following the deliberation the Board voted unanimously to uphold and affirm the denial of the variance by the Planning and Zoning Commission.

Reasoning and Analysis

The Board has acted without any effect on their decision by any information presented after the close of the public hearing in this matter. Based on the facts presented at the above-described public hearing and in the written record of this matter, which include conflicting facts, the Board finds the following facts true, accurate, and relevant to the decision of this matter:

1. The 40-acre property is currently in a conservation easement with the Teton Regional Land Trust. This conservation easement has a designated 2.5-acre building envelope in the NE corner which constrains the

location of development. This is a private agreement with a third party and is recognized but not enforced by the County.

2. The property is zoned LA-35.
3. The area including and surrounding the site is largely undeveloped, with substantial water resources including streams and springs throughout. The property directly abuts conservation easements to the west, south and east. To the north is a parcel held by Idaho Fish & Game. There are no homes or residential structures for over half a mile in any direction.
4. An Aquatic Resource Inventory was conducted by the Applicant (See attached exhibit 1). It identified two significant upland areas within this building envelope, while the remainder of the land in the building envelope was identified as wetland.
5. Approximate Size of Upland 1: 12,704 sf to edge of road, 11,368 sq feet not including the road right of way, and 8,052 sq. ft. after removal of property setbacks.
6. The majority of the property was is identified as wetland; Foster's Slough, Fox Creek, and an un-named tributary traverse property.
7. The property also falls within the Teton County Natural Resources Overlay. The entirety of the property is identified as Priority Wetland Habitat and also Waterbird Breeding, Migration, Foraging and Wintering Habitat. Sections of the property outside of the building envelope also include Songbird/Raptor Breeding and Wintering Habitat.
8. The applicant stated the proposed main house was intended for a family of 5.
9. The proposed main house is single story.
10. Footprint of proposed main house in Site Plan: 3,473.5 sf. with a gross floor area of 3,811 sf
11. Height of proposed main house in Site Plan: 24' - 7 ¼"
12. In the Site Plan, the proposed main house is located beginning at 244 feet back from the northern boundary or the property and extends to 405 feet from the northern boundary of the property.
13. The detached proposed guest house is single story.
14. Footprint of proposed guest house in Site Plan: 735 sf
15. The proposed guest house is located beginning at around 167 feet back from the northern boundary of the property.
16. Distance between proposed main house and proposed guest house: 46' - 9"
17. Combined total footprint of proposed main house and proposed guest house: 4,208.5 sf
18. Total lot coverage with imperious surfaces in Site Plan: 12,046 sf
19. Length of proposed driveway: approximately 375 feet long and 16 feet wide
20. Length of proposed driveway portion extending beyond Upland 1 into the wetlands: 120.4 feet
21. Two water lines are proposed to run lengthwise under the driveway to the house and guest house.
22. Because of the challenging nature of the location for septic systems, the design was changed to a proprietary Eljen enhanced system.

23. The primary and secondary leach field are depicted on the Site Plan as approximately 1,680 sf each.

24. Site Plan proposed two separate septic lines, one leaving from the proposed guest house and the other from the proposed main house.

25. The sewer line from the proposed guest house is planned to traverse under the length of the driveway, and run approximately 215 feet to the primary leach field.

26. There will be a lift station approximately 135 feet from the proposed guest house; it is located entirely in wetlands.

27. The primary leach field is located in Upland 3. The replacement leach field in Upland 1.

28. The aquatic resource inventory identified soils wet at the surface in the sample area where the main house, guest house, septic line, and lift station are proposed.

29. As stated in the Applicant's appeal narrative, the LDC requires setbacks from all wetlands (i.e. without consideration of wetland type or quality).

The PZC initially denied the applicant's request for a variance for the reasons previously stated in a separate written decision (the "Original Decision"). It is that decision that the current appellant, Brian Fraiz, now asks the BoCC to reconsider on appeal.

The applicant's primary arguments focused on three points. The first was that the location of the homes (*i.e.*, the main house and the guest house) need to be in proximity to the EIPH septic system drainfield located on "uplands area 3" to reduce strain on the pump required to move the wastewater to the drainfield. However, no information was provided on the maximum distance feasible to pump the water, but applicant implied that closer is better for pump performance. The board acknowledged that they understood this as a constraint for building on the site and recognized that some level of variance was inevitable to construct what was proposed.

The second argument is that the "uplands area 1" could not accommodate any additional part of the proposed development as it only included somewhat over 200 square feet of area after considering the needed undisturbed space for a replacement septic system drainfield, propane tank, other utility connections and proposed driveway, and after applying other required setbacks. This argument may overlook provisions in the LDC which allow for underground utilities including a septic system drainfield to encroach into required property line setbacks. *See* LDC § 1-10(I)(2)(e) ("Structures below and covered by the ground may encroach into a required setback"). It also ignores the potential to request variance from these property line setbacks through the same variance process pursued for the project seeking the variance from wetlands setbacks. While reserving uplands area 1 for a replacement septic system may be a worthwhile precaution, the utter lack of its utilization for anything proposed in association with this variance raises a serious question about whether another arrangement of this project could require less of a variance under LDC § 4-9(E)(6). Ultimately, the board did not find that the applicant had demonstrated they could not utilize more of the uplands area 1 through a different site plan or re-arrangement of the proposed construction, but again acknowledged some level of variance was likely inevitable and would be granted on showing the minimum variance was being requested.

The applicant's last argument is that the requested variance should be viewed through a narrow lens of a setback requirement. The argument made was that as the U.S. Army Corps of Engineers ("USACoE") has authorized development within the wetlands, and that as a result the county has no jurisdiction related to the placement of the home relative to the wetlands so long as the resulting construction is setback from a wetlands edge, including a modified or artificial edge based on fill placed over wetlands. Applicant asserts that the county should only consider a setback from the edge of a wetlands and constructed uplands area rather than from the existing natural delineated wetland and should not consider the extent to which the proposed homes placed on fill extend into the existing wetlands. With this line of reasoning the applicants asserts that he is *not* building within in the wetlands because it would be placed upon USACoE approved constructed uplands. This asserts that the USACoE controls and authorizes wetlands disturbance, therefore the county has no jurisdiction in relation to wetlands.

The argument the County Commissioners considered was whether this narrow view addressed the intent of the ordinance. While the Board acknowledges the USACoE's jurisdiction and authority over wetlands, the LDC governs development in Teton County and

includes provisions relating to wetlands that are separate from the USACoE's rules. The Board's reads its Land Development Code broadly in relation to wetlands and the riparian corridors/buffers. This is supported in several locations in the LDC, including:

> LDC § 1-4(A)(1)(c) ("Development in areas with key riparian, wetland, or fish/wildlife resources, as identified by the NRO, shall be clustered to provide meaningful open space ***and limit impacts on these natural resources***." (emphasis added);
>
> LDC § 5-4-1(E) (requiring the location of proposed development to: (a) "Reduce fragmentation of functional, intact areas of native vegetation and indicator habitat. Priority habitats shall include: Lower Teton River canyonlands including lower Badger and Bitch Creeks; forested foothills along the public land boundary (Teton Front, Horseshoe Canyon, Northeast foothill, etc.); Teton River corridor (valley reach); fluvial cottonwood corridors; ***and large wetland complexes on the east side of Teton River***;" (b) "***Avoid locations that affect landscape elements such as*** unique rock formations, sheltered draws, drainage ways, ***or riparian corridors***;" and (c) "Maintain connectivity among fish and wildlife habitats and protect sensitive fish and wildlife habitats use for travel, foraging, reproduction, shelter, and security." (emphasis added)); and
>
> LDC § 5-4-2:
>
> A. **Intent**
> Riparian areas are located along the banks and margins of rivers, streams, creeks, ponds, and other water bodies. Riparian zones and the plant communities within them provide habitat for wildlife, shading for fish, areas to attenuate floods, and water quality enhancement. ***The intent of this Section is to protect and maintain riparian areas in Teton County.***
> B. Applicability
> This Section applies to new development and development activity on sites that contain riparian features. ***This includes riparian areas associated with wetlands,*** the Teton River, tributary streams and creeks, and lakes and ponds.
> C. Setback Requirement
> ***All physical development***, development activity and use, except those specified in Section 5-4-2- D, ***is required to be set back from specified resources as shown in Table 7. The area within the setback is defined as the Riparian buffer***.
> (Emphasis added throughout)

Another consideration from the LDC related to the measurement of setbacks from sensitive areas specifically states that "Wetlands setbacks are measured from the edge of the boundary line established by the National Wetland Inventory Map, **or the line established by a detailed site-specific delineation approved by the U.S. Army Corps of Engineers**." LDC § 1-10(F)(3) (emphasis added). This language does not support creation of a new artificial wetlands edge based on the placement of USACoE approved fill.

A broad view of protection of wetlands and associated riparian zones, which by definition includes the setback area within 50 feet of the wetlands, would suggest that the intent includes reducing the intrusion of development into these areas and not merely meeting a setback which could be artificially established through placement of fill. The interpretation being that intent of a development set back from the wetland resource is to avoid construction within that resource, or that even if the setback was varied it would still be the intent to stay as far away from or intrude into the wetland as little as possible. The view that artificially creating uplands through placement of fill, and then extending the uplands area by placing additional fill until you hit a distance of 50' from the edge of a home in order to create an artificial setback for development, placed over the top of existing wetlands, seems inconsistent with the intent expressed in several areas of the ordinance. These sections of ordinance also touch upon the broader public interest element of these shared and interconnected water resource including wetlands, which have potential impacts on water quality, can attenuate flooding, and maintain intact habitat for fish and game resources.

This perspective also relies on the County Land Development Code being applied in a layered fashion which allows the county to impose higher standards beyond those imposed by other agencies or regulatory entities. LDC § 1-1(C)(4) ("If any condition or requirement imposed by the LDC is more restrictive than a condition or requirement imposed by any other law, rule, or regulation, the more restrictive condition or requirement governs, unless preempted or otherwise prohibited by law."). Further, "[i]f any condition or

requirement imposed by the LDC contains an actual, implied, or apparent conflict, the more restrictive condition or requirement controls." LDC § 1-1(C)(5).

In this application for a variance, despite the applicant's arguments otherwise, the PZC's Original Decision appears correct in finding that the proposed variance is not the "minimum variance that will make possible the proposed use of the land" (LDC § 4-9(E)(6)) and it is "in conflict with the public interest" (LDC § 4-9(E)(8)).

The applicant makes that argument that the "minimum variance" element must be evaluated solely in light of the specific proposal by the landowner seeking a variance. This cannot be the correct reading of LDC § 4-9(E)(6), which requires the Board to evaluate whether the "variance requested is the minimum variance that will make possible the proposed ***use*** of the land, building or structure." (Italics omitted, emphasis added). Thus, the requested variance is compared to whether there is another option that would accomplish the same "use" of the land. It cannot mean, as applicant argues, only that the requested variance is compared to what else could be requested for this specific proposal—such a reading of this element would analyze only whether an applicant is seeking more than he/she requires in order to complete their project as designed; not (as the wording of the ordinance indicates) analyzing whether an applicant is seeking more of a variance that he/she requires to make the "proposed use" of the land outlined in the variance application.

Here, the Board finds that the Fraiz application for variance shows that the applicant wants to make residential use of this property for a single family home, along with an accessory dwelling unit (as allowed for residences under the LDC). However, in order to make that proposed use of the land, Fraiz could do so while making more of an actual use of upland area 1, rather than only reserving it for a (potential) replacement septic system. Doing so would allow this same residential "proposed use", while requiring less of a variance. Therefore, this variance request is not the "minimum variance that will make possible the proposed use of the land" required by LDC § 4-9(E)(6). The conclusion in the PZC's Original Decision in this regard was correct.

Further, as evinced repeatedly throughout the LDC, the public has a substantial interest in the wetlands within Teton County. The public generally, and Fraiz specifically, has an interest in developing property within Teton County and in providing residential development. Thus, the "public interest" is not a one-dimensional fact, but is a multifaceted consideration. Weighing these conflicting public interests, the Board finds that the variance sought by this application undervalues wetlands (and the public interest therein), in part because it does not make full use of non-wetland land (such as upland area 1, which is reserved for a future potential use), and in part because the large footprints of both the proposed main house and the proposed guest house are placed entirely within the mapped wetland habitat. The proposed layout also places long stretches of septic line away from the buildings, necessitating a lift station within the mapped wetland. Potential failure of the system is a concern, and given the interconnected nature of the ground and surface waters in the area, the Board could not make a finding that the current plan did not conflict with the public interest in these wetlands. Therefore, this Variance does conflict with the public interest, meaning it does not satisfy the requirement of LDC § 4-9(E)(8). The conclusion in the PZC's Original Decision in this regard was also correct.

There are other options that would minimize the necessary variance and reduce the disturbance to wetland habitat. For example, more infrastructure could be placed into upland area 1 by reducing the length of the driveway and reorienting the proposed home sites. The guest house could also be attached to the main house, or be placed in other arrangements in order to reduce impermeable surfaces and cause intrusion into the wetlands and minimize septic risks that are particularly poignant in this wetland area. The overall size of upland area 1 may be large enough to accommodate a significantly shortened driveway as well as both the primary and reserve septic leach fields. In addition, underground infrastructure components are permitted to encroach into property line setbacks. Optional septic system designs could result in eliminating wastewater lines placed entirely within the wetlands where there is potential for failure and contamination during freeze/thaw cycles. A shortened driveway could also reduce the overall square footage of impermeable surfaces. In addition, a "southerly extension" of the house could be re-oriented to point east to minimize its reach into the wetlands.

The Board recognizes that a variance may very likely be required in relation to this property, but believe the variance proposed in the present application is not the minimum necessary to protect wetlands and accomplish the proposed use, nor is this proposal in the public interest.

MOTION

For these reasons, on May 1, 2025, the Board passed a verbal motion as follows:

Having concluded that the Review Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, 5-2-3, 5-4-1, and 5-4-2, cannot be satisfied, the Board AFFIRMED the Planning and Zoning Commission's Original Decision to DENY the Variance for Brian Fraiz as requested in the application materials submitted October 4th, 2024, for the following reasons:

1. The proposed variance does not meet criterion 6 [*i.e.*, LDC § 4-9(E)(6)] as it is not the minimum variance required
2. The proposed variance does not meet criterion 8 [*i.e.*, LDC § 4-9(E)(8)] as it is not in the public interest.

The Board encouraged the applicant to return with an updated site plan that places as much of the infrastructure as feasible to minimize disturbance of the indicator habitat - the wetlands.

Commissioner Mike Whitfield made the motion; motion was seconded by Commissioner Ron James.

AYES: Brad Wolfe, Michael Whitfield, Ron James

CONCLUSIONS

Having given due consideration to the application and materials presented, and to the review criteria in Teton County Land Development Code 4-9, for the reasons described above, the Teton County Board of County Commission hereby makes the following conclusions:

1. The review criteria numbers 6 and 8 in the LDC § 4-9(E) for the proposed variance were not satisfied. The application was properly denied as presented by the Teton County Planning & Zoning Commission.

    a. Review Criteria Items not satisfied:

        LDC § 4-9(E)(6): "The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure"

        LDC § 4-9(E)(8): "Granting of the variance is not in conflict with the public interest."

    b. Basis for finding Review Criteria not satisfied:

        The BoCC did not consider matters related to previous wetlands approvals from other jurisdictions or wetlands mitigation, which is not within the scope of the County's review of this application. Likewise, the BoCC did not consider the conservation easement existing on the subject property, which is a private matter between the landowner (applicant here) and the easement holder (a third party). While the background information relating to these matters was helpful for the BoCC to understand, it was not relevant to the BoCC's determination of this application.The BoCC affirmed that the basis for their decision was limited to information provided at the public hearing and did not rely on information presented following the hearing. The Board's decision relied on language from the LDC which presents a broad perspective of wetlands protection in its intent rather than a narrow perspective focusing only on the letter of the setback requirement.

        Given the constraints of the 50-foot wetland setback (required by LDC § 5-4-2-C), this application seeks, at points, to almost entirely negate the setback and would place the proposed structures entirely within the delineated wetlands. The BoCC finds that there may be other options and changes to this design that could result in less of a variance than what is sought in this application. Thus, this cannot be considered the minimum variance that makes this proposed use possible.

2. The proper legal requirements for advertisement of the public hearing have been fulfilled as required by Idaho Code, Title 67, Sections 67-6509, 67-6511, and 67-6512, and the Teton Land Development Code Section 4-2-D..

3. Therefore, the Board DENIES the appeal filed by Mr. Fraiz and AFFIRMS the PZC's Original Decision to deny the application for this Variance filed by Mr. Fraiz.

Teton County Board of County Commissioners, Chair Date



5/27/25

NOTICE OF APPLICABLE RIGHTS

Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code § 67- 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE

I hereby certify that on this 27 day of May 2025, I served a true and correct copy of the foregoing document upon the following:

Brian Fraiz

brianfraiz@gmail.com [ ] Mailing

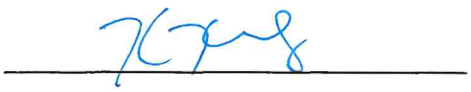
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[ ] Fax

[x] E-Mail

[ ] Overnight Mail

[ ] Courthouse Box



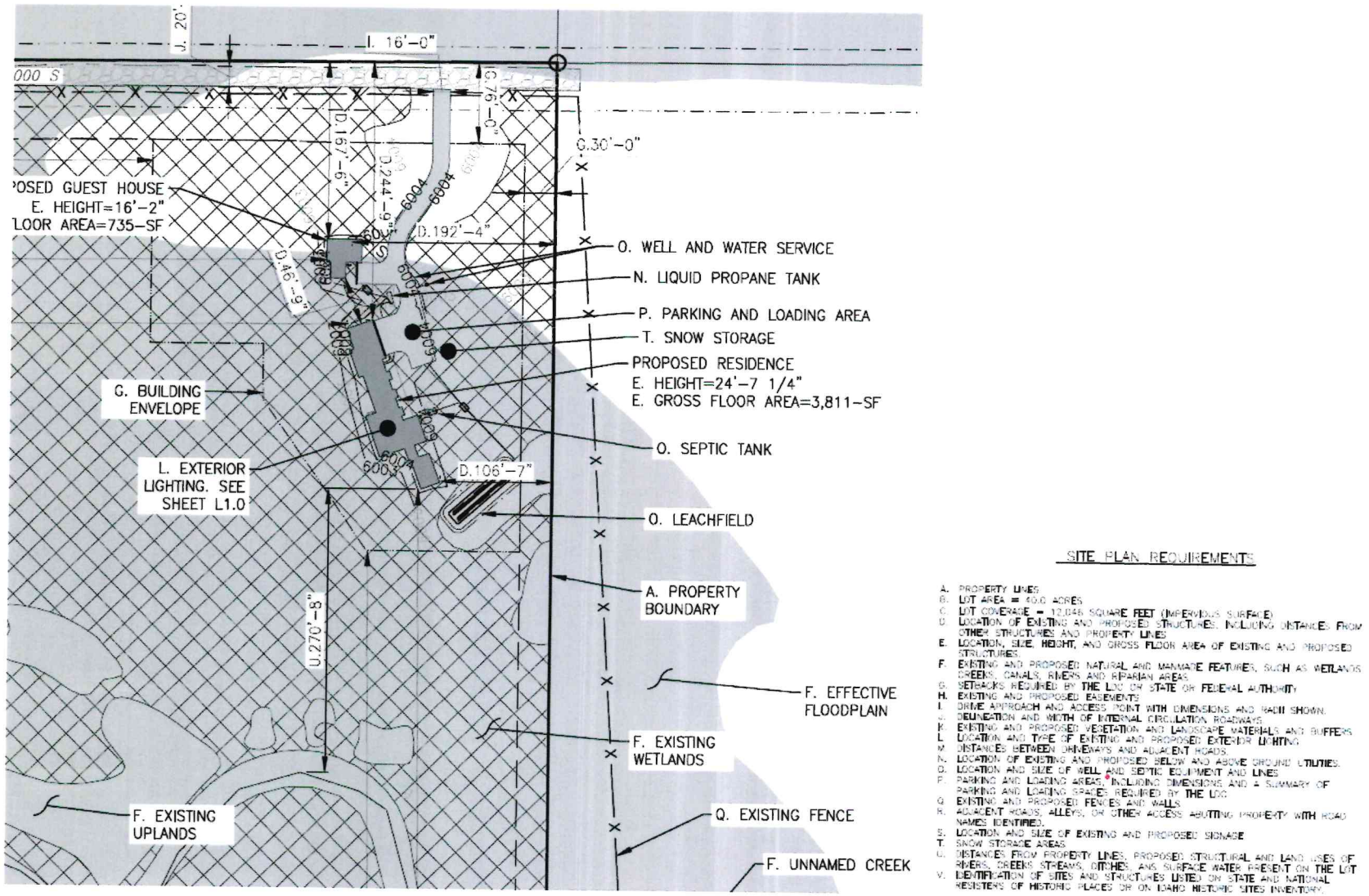
Clerk

Attachments



Map of Wetland Features delineated 2022

Exhibit 1 from Intermountain Aquatic's Aquatic Resources Inventory, October 6, 2022.



SITE PLAN REQUIREMENTS

A. PROPERTY LINES
B. LOT AREA = 40.0 ACRES
C. LOT COVERAGE = 12,046 SQUARE FEET (IMPERVIOUS SURFACE)
D. LOCATION OF EXISTING AND PROPOSED STRUCTURES, INCLUDING DISTANCES FROM OTHER STRUCTURES AND PROPERTY LINES
E. LOCATION, SIZE, HEIGHT, AND GROSS FLOOR AREA OF EXISTING AND PROPOSED STRUCTURES
F. EXISTING AND PROPOSED NATURAL AND MANMADE FEATURES, SUCH AS WETLANDS, CREEKS, CANALS, RIVERS AND RIPARIAN AREAS
G. SETBACKS REQUIRED BY THE LOC OR STATE OR FEDERAL AUTHORITY
H. EXISTING AND PROPOSED EASEMENTS
I. DRIVE APPROACH AND ACCESS POINT WITH DIMENSIONS AND RADII SHOWN
J. DELINEATION AND WIDTH OF INTERNAL CIRCULATION ROADWAYS
K. EXISTING AND PROPOSED VEGETATION AND LANDSCAPE MATERIALS AND BUFFERS
L. LOCATION AND TYPE OF EXISTING AND PROPOSED EXTERIOR LIGHTING
M. DISTANCES BETWEEN DRIVEWAYS AND ADJACENT ROADS
N. LOCATION OF EXISTING AND PROPOSED BELOW AND ABOVE GROUND UTILITIES
O. LOCATION AND SIZE OF WELL AND SEPTIC EQUIPMENT AND LINES
P. PARKING AND LOADING AREAS, INCLUDING DIMENSIONS AND A SUMMARY OF PARKING AND LOADING SPACES REQUIRED BY THE LOC
Q. EXISTING AND PROPOSED FENCES AND WALLS
R. ADJACENT ROADS, ALLEYS, OR OTHER ACCESS ABUTTING PROPERTY WITH ROAD NAMES IDENTIFIED.
S. LOCATION AND SIZE OF EXISTING AND PROPOSED SIGNAGE
T. SNOW STORAGE AREAS
U. DISTANCES FROM PROPERTY LINES, PROPOSED STRUCTURAL AND LAND USES OF RIVERS, CREEKS, STREAMS, DITCHES, AND SURFACE WATER PRESENT ON THE LOT
V. IDENTIFICATION OF SITES AND STRUCTURES LISTED ON STATE AND NATIONAL REGISTERS OF HISTORIC PLACES OR ON IDAHO HISTORIC SITES INVENTORY.

Exhibit 2. Detail from Nelson Engineering Site Plan, March 15, 2024.

TRENTADUE LAW OFFICE PLLC | PO BOX 1443 DRIGGS ID 83422 | 208-557-4846

July 3, 2025

Teton County Board of County Commissioners
150 Courthouse Drive
Driggs, Idaho 83422
commissioners@tetoncountyidaho.gov
pz@tetoncountyidaho.gov

Re: Fox Creek LLC (Huntsman Family) Petition to Strike *Narrative for Fraiz Variance Reconsideration Request* and Uphold the Unanimous Denial of the Fraiz Variance.

Dear Commissioners:

The vast majority of the *Narrative for Fraiz Variance Reconsideration Request* ("Fraiz Narrative") attempts to introduce new information into the record on a ***LLUPA-based request for reconsideration***, and must therefore be disallowed. The lynchpin of the Fraiz Narrative revolves around two attached exhibits, one purporting to be an email from former Teton County Planner Jade Kruger once month prior to the Fraiz variance application, and the other is a new-presented site plan. Both were never a part of the record below. The Fraiz Narrative then attempts to also insert hearsay evidence of an alleged site visit and conservation with Kathleen Price at Eastern Idaho Public Health that was also never introduced into the record below.

Per *Veteran's Park*, This Board Is Constrained to Review This Appeal Based Only On The Record Below.

In light of the recent Idaho Supreme Court decision in *Veterans Park Neighborhood Association v. City of Boise* (Jan. 22, 2025), new exhibits, drawings, never-before-seen email communications simply cannot be introduced on appeal without a code or statute authorizing a *de novo* appeal. Teton County's code does NOT expressly authorize *de novo* review of variance appeals. In fact, the ordinance says this is what may be contained in the appeal:

> "The application must include a narrative description of the basis for the appeal or request for reconsideration, including the *specific deficiencies of the decision* alleged by the applicant or affected person." (L.D.C. 4-15-B-2 Emphasis Added)

There is clearly no mention or basis for introducing new evidence. The thrust of *Veteran's Park* turns on which board has final decision making authority, **and *from that board*, the record is set.** And here in Teton County, just like in the *Veteran's Park* case, the final authority for a

variance is vested with the Teton County Planning & Zoning Commission.[1] ("P&Z") The Board of County Commissioners only has appellate authority, and is thus constrained to exercising review on the record.[2]

There is a second critically important component at play here: this Board is reviewing a ***request for reconsideration***, which is the first step in an appeal per the Idaho Local Land Use Planning Act. ("LLUPA)" The process is specifically enumerated in Idaho Code § 67-6535B. From there the next step is judicial review pursuant to Idaho Code § 67-6521, which is without question ALWAYS based on the record below.[3] **By the time an appeal has reached a request for reconsideration like the situation here, it is simply *too late to augment the record* because the first step in the LLUPA appeal process has already begun.**

For this very reason, the overwhelmingly consistent county practice is that variance appeals **must be based on the record below.** No new information may be introduced to this Board. And, over the course of **five variance hearings totalling over 5 1/2 hours** of testimony and deliberation,P&Z and this Board worked very hard to stick to the proper process and maintain an appropriate record.[4] Using that proper process, this Board ***already reviewed the record below*** and adopted a stunningly impressive, ***9-page written decision with exhibits*** which explained this Board's factual basis for the ***unanimous denial*** of Fraiz's appeal. The Fraiz Narrative now attempts to sully that process by once again attempting to insert new information into the record on appeal. Please maintain consistent practice and policy here.

There Is NO Legal Basis For Fraiz's Arguments Against Kruger And Whitfield.

The Fraiz Narrative also takes direct aim at both the former Teton County Planner Jade Kruger and former County Commissioner Michael Whitfield, as they are no longer here to defend their misconstrued words. First, Fraiz alleges this board is bound by a 4-sentence email written by Kruger one month before a variance application was ever filed, or any maps and other

[1] L.D.C. 4-1 and 4-9-F, See also Idaho Code § 67-6516 and 67-6511.

[2] The common theme through LLUPA caselaw is that final decision-making authority sets the record, and from there appeal must be based on the record unless there is an ordinance or statute authorizing augmentation of the record. *See*, *Crown Point Dev., Inc. v. City of Sun Valley*, 144 Idaho 72 (2007), LLUPA review is constrained to the record and cannot be amended without a statute expressly authorizing such amendment. *See also*, *Chambers v. Kootenai Cnty. Bd. of Comm'rs,* 125 Idaho 115, 118, (1994) "The commissioners, in reaching their decision, must confine themselves to the record as established at the public hearing." and *Eacret v. Bonner Cnty.*, 139 Idaho 780, 786-87 (2004). "A quasi-judicial officer must confine his or her decision to the record produced at the public hearing."

[3] *Id.*

[4] After more than 3.5 hours of testimony and deliberation from two separate hearings, (November 12, 2024 and January 14, 2025) the P&Z denied the Fraiz variance. This Board **unanimously upheld** this denial after 2 hours of testimony and deliberation over three hearings (April 14, April 29 and May 1, 2025).

studies and materials were submitted to Teton County.

There is absolutely NO legal basis to support this argument for two big reasons: First, it's **black letter law** in Idaho that this Board is NOT bound by staff representations, or interpretations of ordinances. Indeed, the Idaho Supreme Court has repeatedly held that if one email remark could bind this board as alleged by Fraiz, **"then all future boards of commissioners in similar circumstances would be estopped from disagreeing with the opinions of staff members simply because a landowner expended money in reliance on those opinions."**[5] A staff email simply cannot bind this Board's authority.

Moreover, the interpretation of the "undue hardship" criteria for a variance is **solely vested** within the Planning & Zoning Commission, and this Board only has authority when there is an appeal.[6] Per county ordinance, staff has NO legal authority to interpret the "undue hardship" standard, which brings us to the second failure in Fraiz's argument: it is **also black letter law** in Idaho that a statutorily mandated responsibility that is vested with a governing board CANNOT be delegated to staff .[7] By ordinance, staff are NOT empowered to make determinations of " undue hardship" and they cannot be assigned that authority either.

As to the remaining merits of the Fraiz Narrative, it chastises Commissioner Whitfield's extensive historical knowledge and decades of professional expertise which he applied to the facts in the record. That is exactly how a County Commissioner is supposed to conduct themselves, and moreover, ⅔ of the present day Board of County Commissioners already agreed with Whitfield's conclusions.

Conclusion, Please Uphold the Denial of the Fraiz Variance, *Again*.

Anna R. Trentadue Esq.
Counsel for Fox Creek LLC / Huntsman Family

CC: D. Andrew Rawlings
Bailey Smith

[5] *Terrazas v. Blaine Cnty.,* 147 Idaho 193, 207 P.3d 169 (2009) County Commission Boards are not bound by interpretations and representations by staff; they are free to disagree with staff determinations and reach different conclusions from staff.

[6] L.D.C.4-1 and 4-9-F, *See also* Idaho Code § 67-6516 and 67-6511.

[7] *See also, Whitted v. Canyon Cnty. Bd. of Comm'rs*, 137 Idaho 118, 121, 44 P.3d 1173, 1176 (2002), *Fischer v. City of Ketchum*, 141 Idaho 349, 109 P.3D 1091 (2005). (L.D.C. 4-9-F, See also Idaho Code § 67-6516 and 67-6511)

A REQUEST FOR MINOR PLAT AMENDMENT APPROVAL
N. Leigh Creek Subdivision – Teter Inc. 401(K) Plan FBO Clayton Davis, Lot 27- Relocate Building Envelope
PREPARED FOR: July, 14 2025 - Board of County Commissioners Public Meeting

Owner: Teter Inc. 401(K) Plan FBO Clayton Davis
Applicant: Harmony Design & Engineering, Allison Ahlert

Background: Allison Ahlert has submitted an application, on behalf of Clayton Davis, for a Minor Modification of a Plat to move a building envelope. The parcel, RP005400000270, is zoned RA-35, and is overlaid by the FEMA Zone A Floodplain, as well as the Teton County Songbird/Raptor Breeding and Wintering Habitat and the Big Game Migration Corridors and Seasonal Range. The proposed changes include shifting the existing building envelope to the north, so that most of it is outside the floodplain. The building envelope will not change size, and no other changes to the plat, CCRs, or other associate documents are proposed.

North Leigh Creek Subdivision Plat was originally platted in 2006 by *Instrument # 179115 and # 179126. The subdivision went through several similar plat amendments between 2021 -2023.*

The pre-application conference requirement was satisfied. This plat modification has been classified as a ***Minor Modification to a plat because it is adjusting a building envelope within a platted subdivision.***
LEGAL DESCRIPTION: LOT 27 NORTH LEIGH CREEK RANCH SEC 25 T6N R45E
LOCATION: 545 Rock Garden Road, Lot 27 in North Leigh Creek Ranch
ZONING DISTRICT: RA-35
PROPERTY SIZE: 3.77 acres



Figure 1. Project Vicinity Map, East of Tetonia

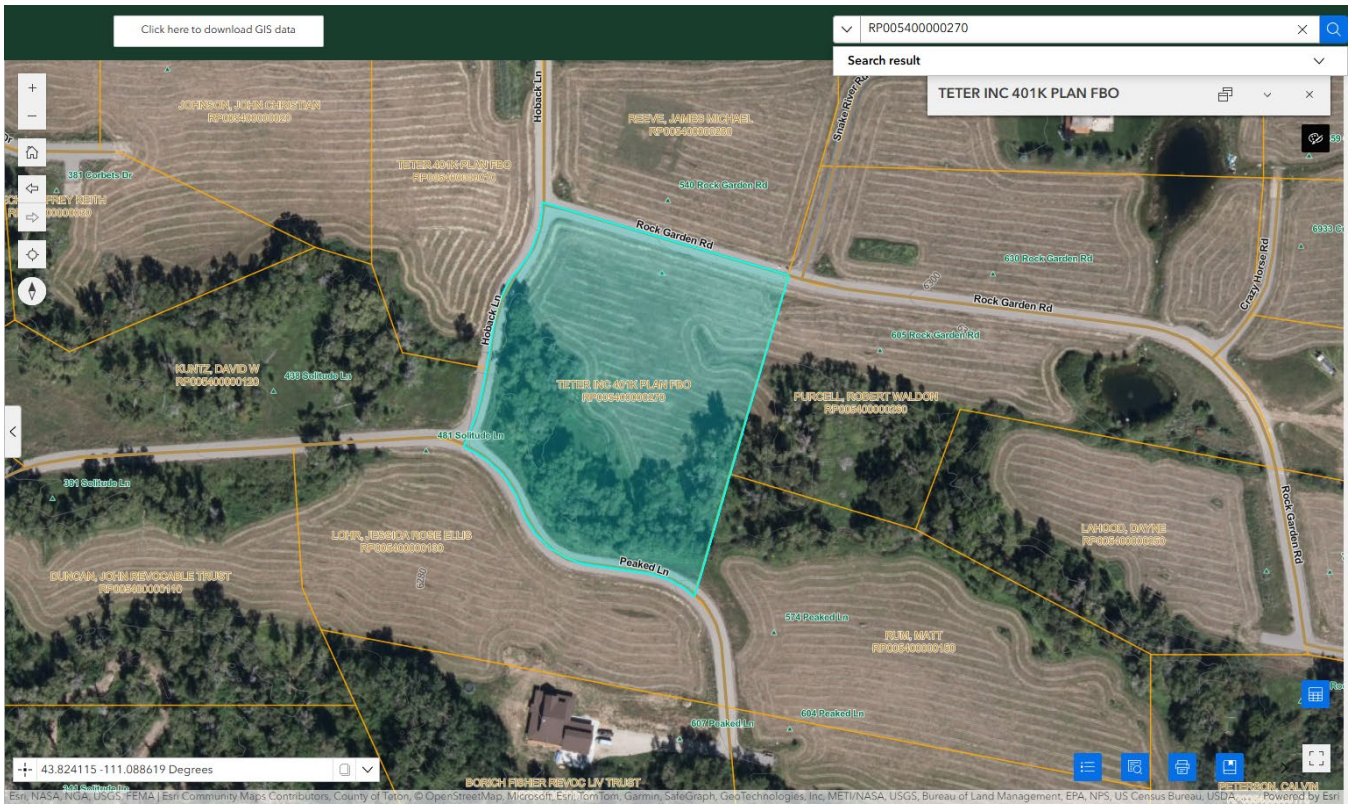


Figure 2. Aerial Image of Lot 27

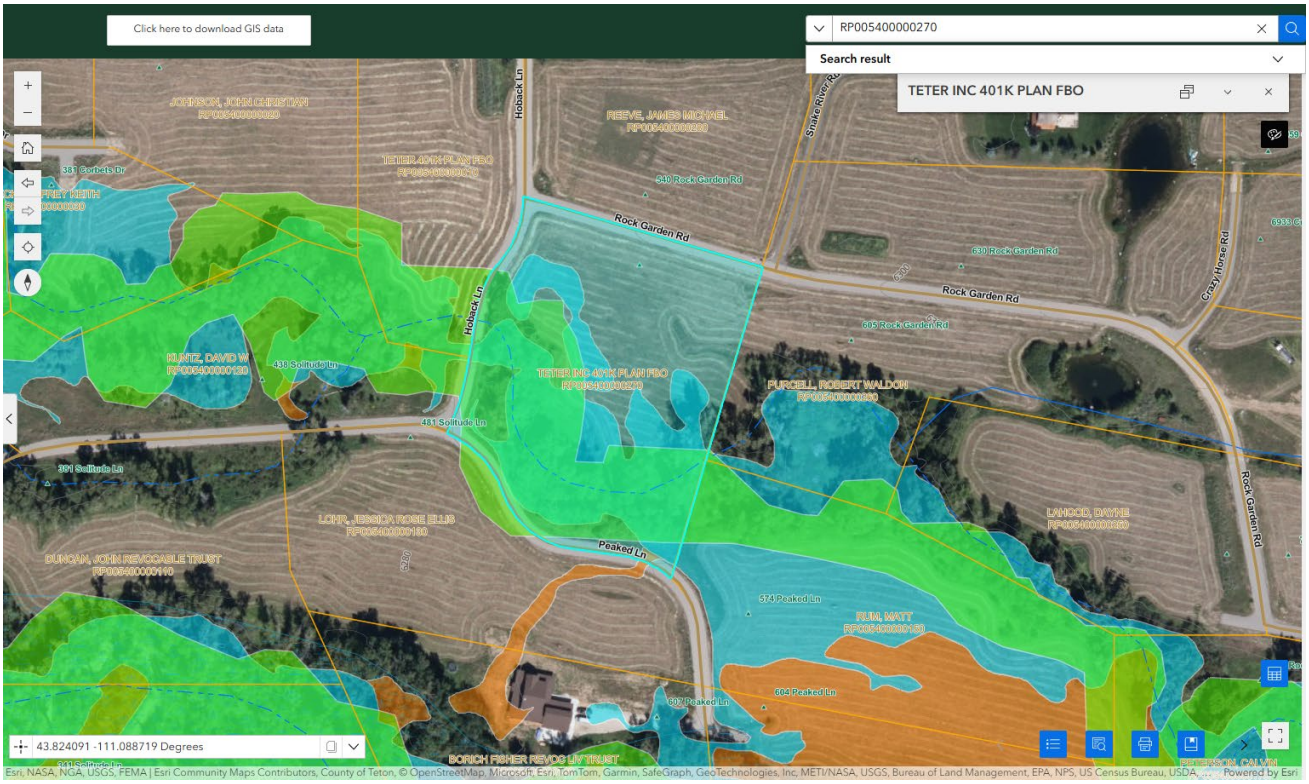


Figure 3. Hydrography/Irrigation Layer, Effective Flood Hazard Layer, and Preliminary Flood Hazard Area

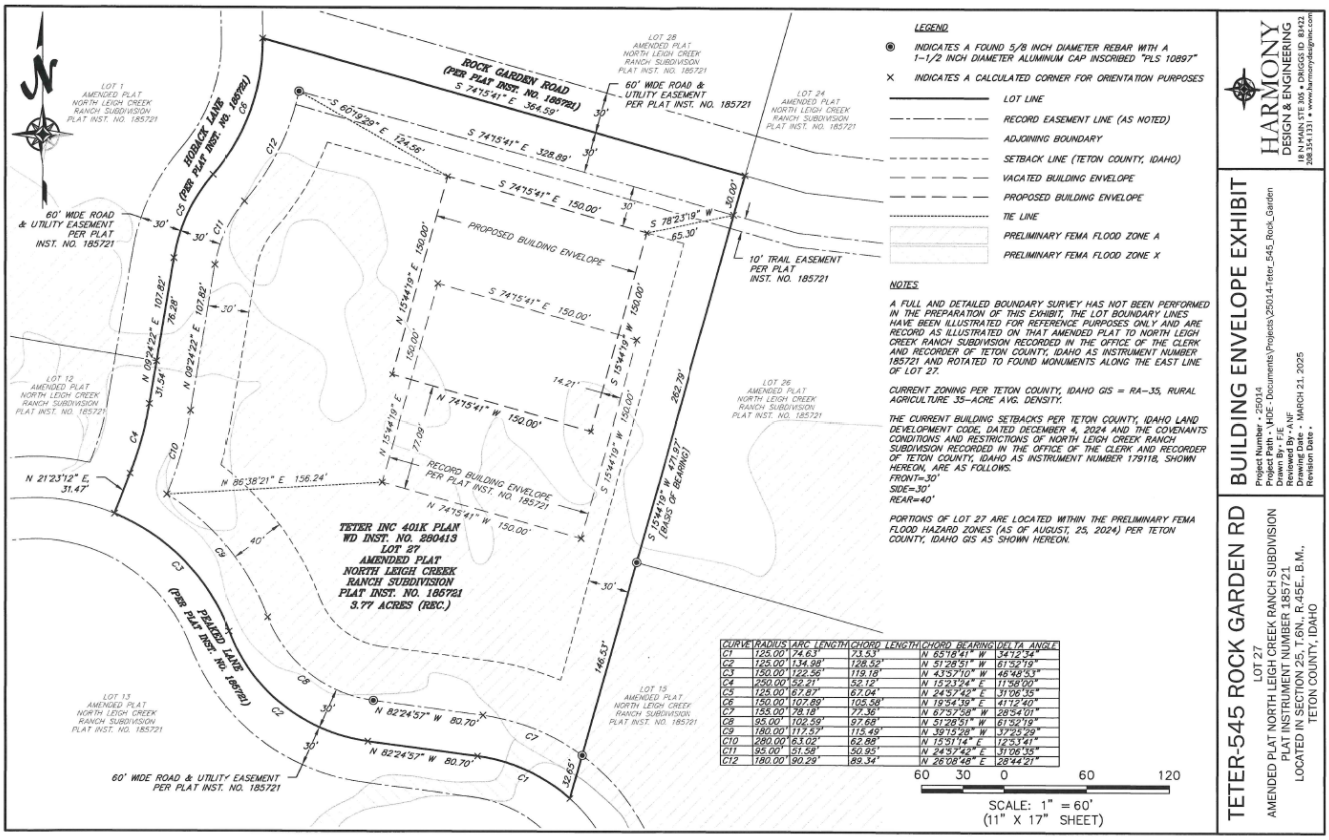


Figure 5. Building Envelope Exhibit

Applicable Ordinance: Land Development Code §4-14-D Minor Modification of a plat

Definition: Minor modification of a plat. – A proposed modification to an approved plat will be considered a minor change therefore subject to this subsection where the proposed changes result in one or more of the following:

i. Boundary line adjustments between lots within a subdivision;
ii. Lot consolidations of two or more platted lots into fewer lots,
iii. Changes to a master plan if they result in a reduction in density
iv. <u>Adjustment of building envelopes that are not in a sensitive area as identified by the Natural Resource Overlay Map;</u>
v. Other changes of similar magnitude and minimal direct impact as determined by the Administrator.

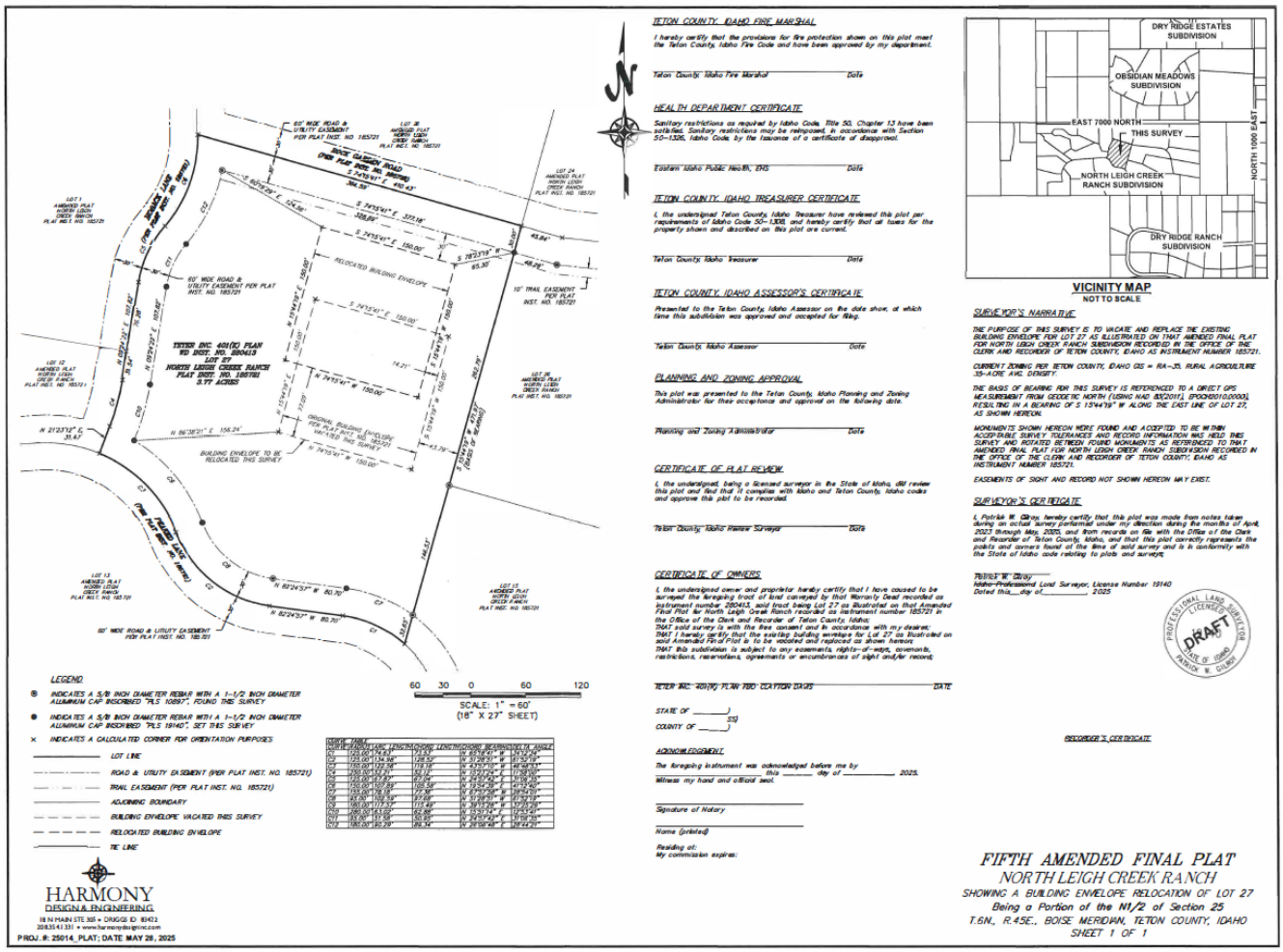


Figure 6. Fifth Amended Final Plat

Review Criteria §4-14-D (6)

a. Any proposed changes shall comply with all applicable criteria and standards of the LDC or other County regulations, and conditions of approval established in the previous approval.

Staff Comment: The lot being amended in Subdivision is a residential lot of 3.77 acres. Investigation of the original approval did not identify specific conditions relevant to the proposed change.

b. Insignificant changes shall not reduce the area of designated open space or increase the number of lots.

Staff Comment: The relocated building envelope will not affect amount of open space or number of residential lots in the subdivision. There is no proposed change in size of the building envelope. The relocation will result in the majority of the building envelope being outside of Preliminary FEMA Flood Zone A.

c. Insignificant changes shall not change the uses approved or the location of where certain uses are approved.

Staff Comment: There is no proposed change of use in this application.

d. Insignificant changes shall not increase or create new and potentially substantial direct or indirect impacts on the neighborhood, vicinity of the subdivision or overall community.

Staff Comment: The application will not result in any additional density. The parcel is within the Big Game Migration Corridors and Seasonal Range and partially in the Songbird/Raptor Breeding and Wintering Habitat. The proposed amendment would remove the majority of the building envelope from the Preliminary FEMA Flood Zone A. The envelope adjustment is not expected to produce any additional impacts nor any additional density.

Staff Recommendations

Planning Staff believes that the proposed request does represent a minor modification/amendment to a plat and meets to specific conditions of approval as presented in this report and recommends approval.

SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:

This type of review does not require any public notice. The application materials were received May 30, 2025.

Board Action/Decision:

The Board of County Commissioners shall act on the information presented whether to:

1) Continue the application
2) Approve the application
3) Approve with conditions
4) Deny the application

Specific reasons for the decision shall be stated in writing for the record.

Findings of Fact:

- The applicant submitted an application on May 30, 2025 to amend the North Leigh Creek Ranch Subdivision Plat.
- The North Leigh Creek Ranch Subdivision Plat was originally platted in in 2006 by *Instrument # 179115 and # 179126.*
- Minor plat amendments are used to provide an efficient procedure for reviewing changes to previously recorded plats of subdivisions, including adjustments to building envelopes.

Conditions of Approval:

The Planning Administrator has determined that the application is complete. ***As a note to the applicant, a final technical survey review is required before a plat amendment can be recorded. Property taxes also are required to be paid in full before recording.***

Motions:

Approval:

Having found that the proposed plat amendment for North Leigh Creek Ranch Subdivision complies with the requirements of the Teton County Land Development Code 4-14-D (6) based on the findings prepared in the staff report, I move to approve the application submitted on May 30, 2025.

Denial:
Having found that the proposed plat amendment for North Leigh Creek Ranch Subdivision does not comply with the requirements of the Teton County Land Development Code 4-14-D (6), I move to deny the application submitted on May 30, 2025 based on the following findings …

Dan Leemon, Senior Planner

Attachments:

A. Staff Report (6 pages)
B. Teter 545 Rock Garden Rd Minor Plat Modification Application_5.30.2025 (3 pages)
C. Fifth Amended Final Plat (1 page)
D. Plat Minor Modification Building Envelope Exhibit (1 page)
E. Minor Modification Narrative (3 pages)
F. Minor Modification Owner Verification (1 page)
G. Amended Plat N. Leigh Creek Ranch Building Envelopes (4 pages)
H. HOA Approval Email (1 page)

End of Staff Report

RECEIVED 5-30-25

Planning & Zoning Department

MINOR MODIFICATION OF A PLAT

The purpose of Minor Modification of a plat is to review changes to previously recorded plats of subdivisions, or planned unit developments. A pre-application meeting between the applicant and the Planning Administrator or staff is required before submitting an application. All revisions must comply with applicable current regulations. It may be unnecessary to duplicate studies and analyses that may have been required as part of the initial plat application and approval. Revisions must reduce the intrusion of development into sensitive natural areas of the County and reduce governmental costs associated with scattered development by expediting changes to recorded plats that reduce the number of vacant platted lots in the County.

For Office Use Only

Fees Paid

☐ Check # _____ ☐ Credit Card ☐ Cash _____ Date Received _____

Fees are non-refundable.

Requirement for Submittal: Ensure all requirements are included. *Incomplete applications will not be put on hold*. Incomplete and partial applications will be returned to applicant.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner Info

Owner Name: Teter Inc 401K Plan FBO (Clay Davis)

Address: 10672 N Lanes Rd, Fresno CA

Zip code: 93730

Project Location

Name of Applicant (if different than owner): Harmony Design & Engineering

Phone: (208)354 1331

Project Address (if different than owner address): 545 Rock Garden Rd

Zip code: 83452

Subdivision Name: North Leigh Creek Ranch

Email: allison.ahlert@harmonydesigninc.com

Zoning District: RA-35

Primary Contact (if not applicant): _____

Email: _____

Phone: ( ) _____

Designated Primary Contact ☐ Owner ☒ Agent/Representative

Project Info

Proposed Modifications: shift building envelope to be out of the floodplain

Total Acreage: 3.77

RP#: RP005400000270

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and reviewed by the Planning Administrator and scheduled for public hearing.

Applicant Signature: Allison Ahlert Digitally signed by Allison Ahlert DN: C=US, E=allison.ahlert@harmonydesigneng.com, O=Harmony Design & Engineering, CN=Allison Ahlert Date: 2025.05.08 08:55:29-06'00' Date: _____

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property to find it to be correct.

Owner Signature: _____ Date: 5/8/2025

2A198BFD6092495...

Checklist

All items need digital copies as well as paper copies.

- ☐ Complete application and fee.
- ☐ Pre-app complete. Date: 4/30/2025
- ☐ Narrative explaining the changes that are being proposed.
- ☐ Plat labeled correctly as "Amended Plat".
- ☐ Recorded documents labeled as "Amended"; approval letter from EIPH, approval letter from Teton County Fire Department, acceptance letter from city for sewer hookup from the providing community, if applicable.
- ☐ Changes to correct a property boundary, combining of lots, or changes in a single lot only require the property owner of the affected lots to sign the plat and application.
- ☐ Modification of open space, density, common area, road/Right of Way realignment, change of use, similar changed require signatures from all property owners in the platted subdivision to sign amended plat and application.

SECTION II: APPLICABILITY

- ☐ A proposed modification to an approved plat will be considered a minor change and therefore subject to this subsection when the proposed changes result in one or more of the following
  - Boundary line adjustments between lots within a subdivision
  - Lot consolidations of two or more platted lots into fewer lots
  - Changes to a master plan if they result in a reduction in density
  - Adjustment of building envelopes that are not in a sensitive area as identified by the Natural Resource Overlay Map.
  - Other changes of similar magnitude and minimal direct impact as determined by the administrator.
- ☐ All revisions must comply with all applicable current regulations.
- ☐ It may be unnecessary to duplicate studies and analyses that may have been required as part of the initial plat application and approval.
- ☐ Revisions must reduce the intrusion of development into sensitive natural areas of the County and reduce governmental costs associated with scattered development by expediting changed to recorded plats that reduce the number of vacant platted lots in the County.

SECTION III: CONSIDERATION FOR APPROVAL

Please submit narrative referencing the following:

- ☐ Any proposed changes shall comply with all applicable criteria and standards of the LDC or other county regulations, and conditions of approval established in the previous approval.

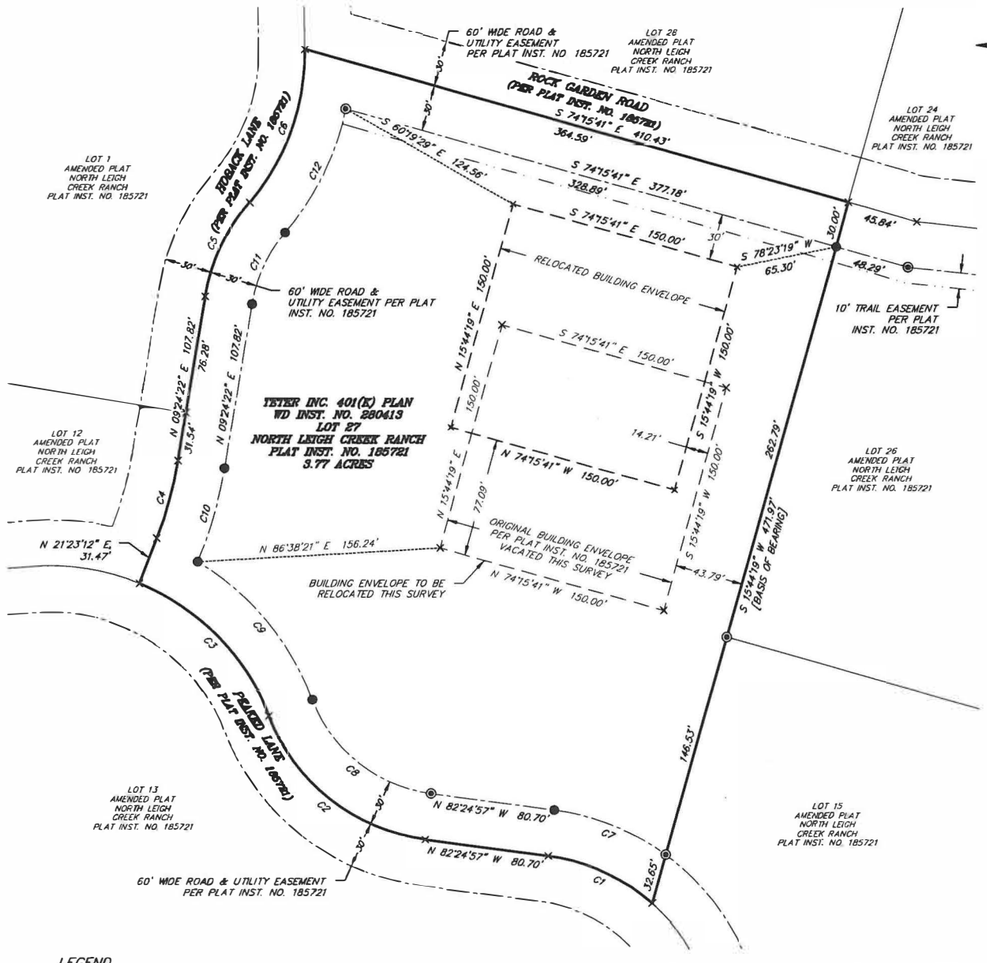
Docusign Envelope ID: 350F7E31-5595-4F66-BC20-D98AEEF601A9

- ☐ Insignificant changes shall not reduce the area of designated open space or increase the number of lots
- ☐ Insignificant changes shall not change the uses approved or the location of where certain uses are approved.
- ☐ Insignificant changes shall not increase or create new and potentially substantial direct or indirect impacts on the neighborhood, vicinity of the subdivision or overall community.

SECTION III: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is submitted on the _____ day of _____ , 20___.

Application is deemed complete and accepted on the _____ day of _____ , 20___.



CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	125.00'	74.63'	73.53'	N 65°18'41" W	34°12'34"
C2	125.00'	134.98'	128.52'	N 51°28'51" W	61°52'19"
C3	150.00'	122.36'	119.18'	N 43°57'10" W	46°43'53"
C4	250.00'	52.21'	52.12'	N 15°51'24" E	11°58'00"
C5	125.00'	67.87'	67.04'	N 24°57'42" E	31°06'35"
C6	150.00'	107.89'	105.58'	N 19°54'39" E	41°12'40"
C7	155.00'	78.18'	77.36'	N 67°57'58" W	28°54'01"
C8	95.00'	102.59'	97.68'	N 51°28'51" W	61°52'19"
C9	180.00'	117.57'	115.49'	N 39°15'28" W	37°25'29"
C10	280.00'	63.02'	62.88'	N 15°31'14" E	12°53'41"
C11	95.00'	51.58'	50.95'	N 24°57'42" E	31°06'35"
C12	180.00'	90.29'	89.34'	N 26°08'48" E	28°44'21"

LEGEND

- ◉ INDICATES A 5/8 INCH DIAMETER REBAR WITH A 1-1/2 INCH DIAMETER ALUMINUM CAP INSCRIBED "PLS 10897", FOUND THIS SURVEY
- ● INDICATES A 5/8 INCH DIAMETER REBAR WITH A 1-1/2 INCH DIAMETER ALUMINUM CAP INSCRIBED "PLS 19140", SET THIS SURVEY
- × INDICATES A CALCULATED CORNER FOR ORIENTATION PURPOSES
- LOT LINE
- ROAD & UTILITY EASEMENT (PER PLAT INST. NO. 185721)
- TRAIL EASEMENT (PER PLAT INST. NO. 185721)
- ADJOINING BOUNDARY
- BUILDING ENVELOPE VACATED THIS SURVEY
- RELOCATED BUILDING ENVELOPE
- TIE LINE

HARMONY
DESIGN & ENGINEERING
18 N MAIN STE 305 • DRIGGS ID 83422
208.354.1331 • www.harmonydesigninc.com

PROJ. #: 25014_PLAT; DATE MAY 28, 2025

TETON COUNTY, IDAHO FIRE MARSHAL

I hereby certify that the provisions for fire protection shown on this plat meet the Teton County, Idaho Fire Code and have been approved by my department.

Teton County, Idaho Fire Marshal *Date*

HEALTH DEPARTMENT CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Eastern Idaho Public Health, EHS *Date*

TETON COUNTY, IDAHO TREASURER CERTIFICATE

I, the undersigned Teton County, Idaho Treasurer have reviewed this plat per requirements of Idaho Code 50-1308, and hereby certify that all taxes for the property shown and described on this plat are current.

Teton County, Idaho Treasurer *Date*

TETON COUNTY, IDAHO ASSESSOR'S CERTIFICATE

Presented to the Teton County, Idaho Assessor on the date show, at which time this subdivision was approved and accepted for filing.

Teton County, Idaho Assessor *Date*

PLANNING AND ZONING APPROVAL

This plat was presented to the Teton County, Idaho Planning and Zoning Administrator for their acceptance and approval on the following date.

Planning and Zoning Administrator *Date*

CERTIFICATE OF PLAT REVIEW

I, the undersigned, being a licensed surveyor in the State of Idaho, did review this plat and find that it complies with Idaho and Teton County, Idaho codes and approve this plat to be recorded.

Teton County, Idaho Review Surveyor *Date*

CERTIFICATE OF OWNERS

I, the undersigned owner and proprietor hereby certify that I have caused to be surveyed the foregoing tract of land conveyed by that Warranty Deed recorded as instrument number 280413, said tract being Lot 27 as illustrated on that Amended Final Plat for North Leigh Creek Ranch recorded as instrument number 185721 in the Office of the Clerk and Recorder of Teton County, Idaho;
THAT said survey is with the free consent and in accordance with my desires;
THAT I hereby certify that the existing building envelope for Lot 27 as illustroted on said Amended Final Plat is to be vacated and replaced as shown hereon;
THAT this subdivision is subject to any easements, rights-of-ways, covenonts, restrictions, reservations, agreements or encumbrances of sight and/or record;

TETER INC. 401(K) PLAN FBO CLAYTON DAVIS *DATE*

STATE OF _____)
SS)
COUNTY OF ____)

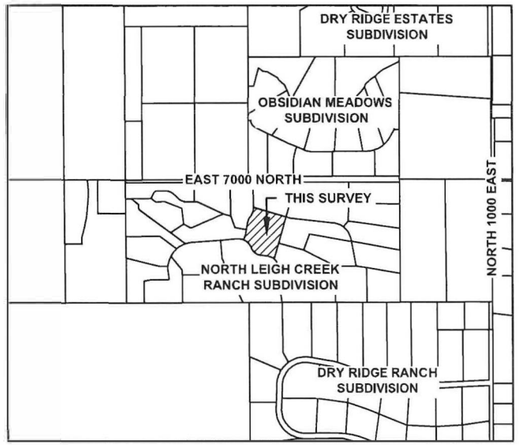
ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 2025.
Witness my hand and official seal.

Signature of Notary

Name (printed)

Residing at:
My commission expires:



VICINITY MAP
NOT TO SCALE

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO VACATE AND REPLACE THE EXISTING BUILDING ENVELOPE FOR LOT 27 AS ILLUSTRATED ON THAT AMENDED FINAL PLAT FOR NORTH LEIGH CREEK RANCH SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF TETON COUNTY, IDAHO AS INSTRUMENT NUMBER 185721.

CURRENT ZONING PER TETON COUNTY, IDAHO GIS = RA-35, RURAL AGRICULTURE 35-ACRE AVG. DENSITY.

THE BASIS OF BEARING FOR THIS SURVEY IS REFERENCED TO A DIRECT GPS MEASUREMENT FROM GEODETIC NORTH (USING NAD 83(2011), EPOCH2010.0000), RESULTING IN A BEARING OF S 15°44'19" W ALONG THE EAST LINE OF LOT 27, AS SHOWN HEREON.

MONUMENTS SHOWN HEREON WERE FOUND AND ACCEPTED TO BE WITHIN ACCEPTABLE SURVEY TOLERANCES AND RECORD INFORMATION WAS HELD THIS SURVEY AND ROTATED BETWEEN FOUND MONUMENTS AS REFERENCED TO THAT AMENDED FINAL PLAT FOR NORTH LEIGH CREEK RANCH SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF TETON COUNTY, IDAHO AS INSTRUMENT NUMBER 185721.

EASEMENTS OF SIGHT AND RECORD NOT SHOWN HEREON MAY EXIST.

SURVEYOR'S CERTIFICATE

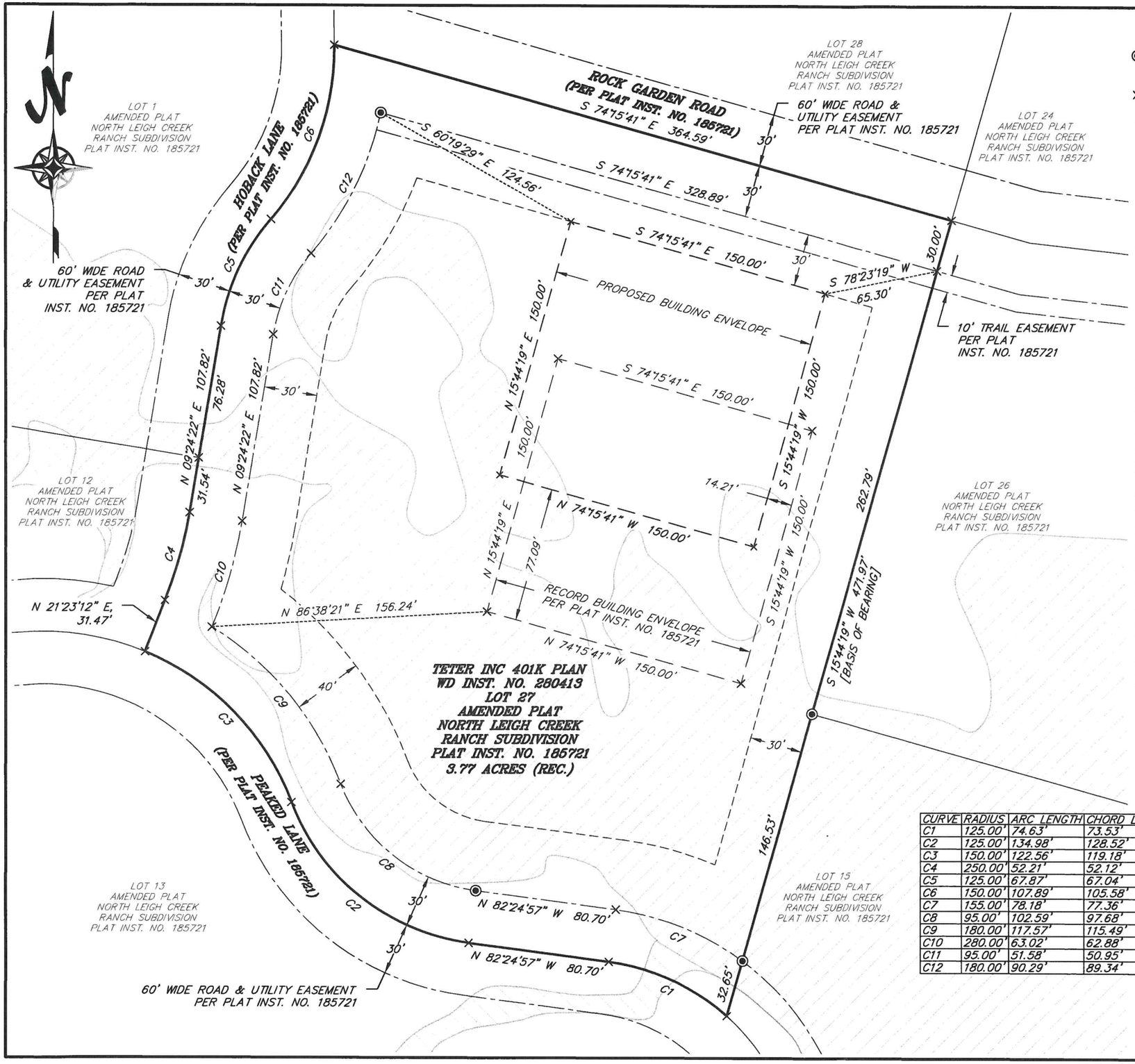
I, Patrick W. Gilroy, hereby certify that this plat was made from notes taken during an actual survey performed under my direction during the months of April, 2023 through May, 2025, and from records on file with the Office of the Clerk and Recorder of Teton County, Idaho, and that this plat correctly represents the points and corners found at the time of said survey and is in conformity with the State of Idaho code relating to plats and surveys;

Patrick W. Gilroy
~~Idaho Professional~~ Land Surveyor, License Number 19140
Dated this__day of_____, 2025

PROFESSIONAL LAND SURVEYOR LICENSED 19140 STATE OF IDAHO PATRICK W. GILROY
DRAFT

RECORDER'S CERTIFICATE

FIFTH AMENDED FINAL PLAT
NORTH LEIGH CREEK RANCH
SHOWING A BUILDING ENVELOPE RELOCATION OF LOT 27
Being a Portion of the N1/2 of Section 25
T.6N., R.45E., BOISE MERIDIAN, TETON COUNTY, IDAHO
SHEET 1 OF 1



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	125.00'	74.63'	73.53'	N 65°18'41" W	34°12'34"
C2	125.00'	134.98'	128.52'	N 51°28'51" W	61°52'19"
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C12	180.00'	90.29'	89.34'	N 26°08'48" E	28°44'21"

60 30 0 60 120

SCALE: 1" = 60'
(11" X 17" SHEET)

LEGEND

- INDICATES A FOUND 5/8 INCH DIAMETER REBAR WITH A 1-1/2 INCH DIAMETER ALUMINUM CAP INSCRIBED "PLS 10897"
- X INDICATES A CALCULATED CORNER FOR ORIENTATION PURPOSES
- LOT LINE
- RECORD EASEMENT LINE (AS NOTED)
- ADJOINING BOUNDARY
- SETBACK LINE (TETON COUNTY, IDAHO)
- VACATED BUILDING ENVELOPE
- PROPOSED BUILDING ENVELOPE
- TIE LINE
- PRELIMINARY FEMA FLOOD ZONE A
- PRELIMINARY FEMA FLOOD ZONE X

NOTES

A FULL AND DETAILED BOUNDARY SURVEY HAS NOT BEEN PERFORMED IN THE PREPARATION OF THIS EXHIBIT, THE LOT BOUNDARY LINES HAVE BEEN ILLUSTRATED FOR REFERENCE PURPOSES ONLY AND ARE RECORD AS ILLUSTRATED ON THAT AMENDED PLAT TO NORTH LEIGH CREEK RANCH SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF TETON COUNTY, IDAHO AS INSTRUMENT NUMBER 185721 AND ROTATED TO FOUND MONUMENTS ALONG THE EAST LINE OF LOT 27.

CURRENT ZONING PER TETON COUNTY, IDAHO GIS = RA-35, RURAL AGRICULTURE 35-ACRE AVG. DENSITY.

THE CURRENT BUILDING SETBACKS PER TETON COUNTY, IDAHO LAND DEVELOPMENT CODE, DATED DECEMBER 4, 2024 AND THE COVENANTS CONDITIONS AND RESTRICTIONS OF NORTH LEIGH CREEK RANCH SUBDIVISION RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF TETON COUNTY, IDAHO AS INSTRUMENT NUMBER 179118, SHOWN HEREON, ARE AS FOLLOWS.
FRONT=30'
SIDE=30'
REAR=40'

PORTIONS OF LOT 27 ARE LOCATED WITHIN THE PRELIMINARY FEMA FLOOD HAZARD ZONES (AS OF AUGUST, 25, 2024) PER TETON COUNTY, IDAHO GIS AS SHOWN HEREON.

HARMONY
DESIGN & ENGINEERING
18 N MAIN STE 305 • DRIGGS ID 83422
208.354.1331 • www.harmonydesigninc.com

BUILDING ENVELOPE EXHIBIT

Project Number • 25014
Project Path • \HDE - Documents\Projects\25014-Teter_545_Rock_Garden
Drawn By • FJE
Reviewed By • ANF
Drawing Date • MARCH 21, 2025
Revision Date •

TETER-545 ROCK GARDEN RD

LOT 27
AMENDED PLAT NORTH LEIGH CREEK RANCH SUBDIVISION
PLAT INSTRUMENT NUMBER 185721
LOCATED IN SECTION 25, T.6N., R.45E., B.M.,
TETON COUNTY, IDAHO

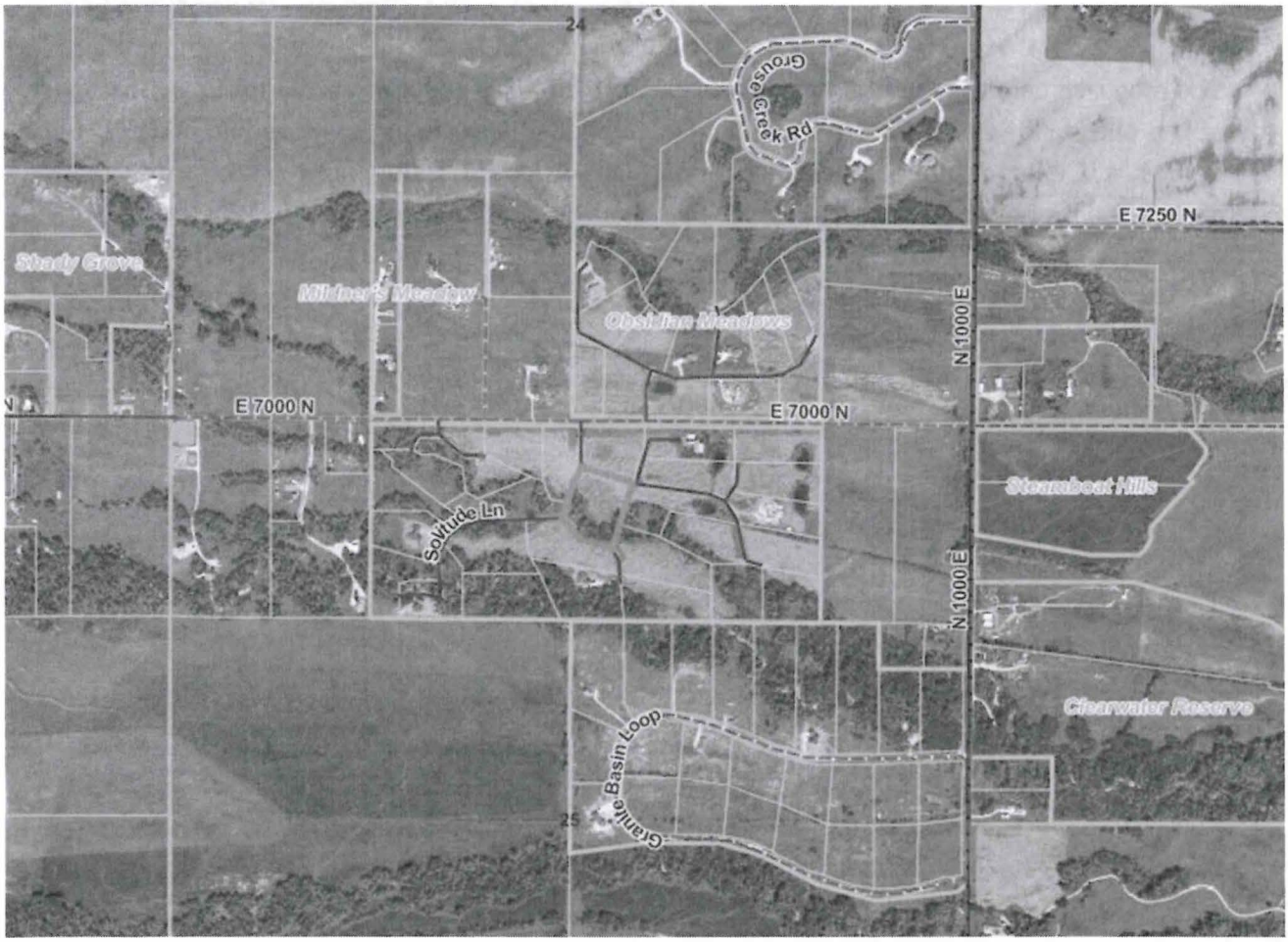
May 29, 2025

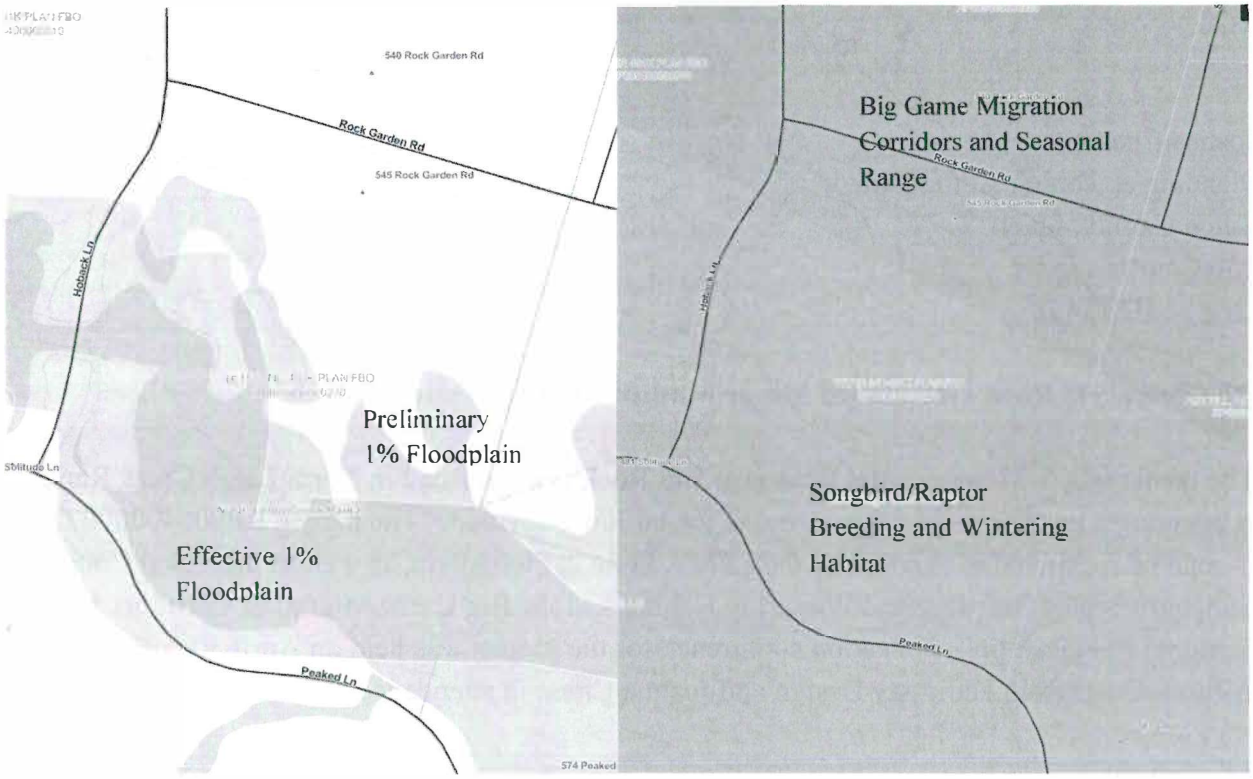
HARMONY
DESIGN & ENGINEERING

Joshua Chase
Planning & Zoning Administrator
Teton County, Idaho
150 Courthouse Dr
Driggs, ID 83422

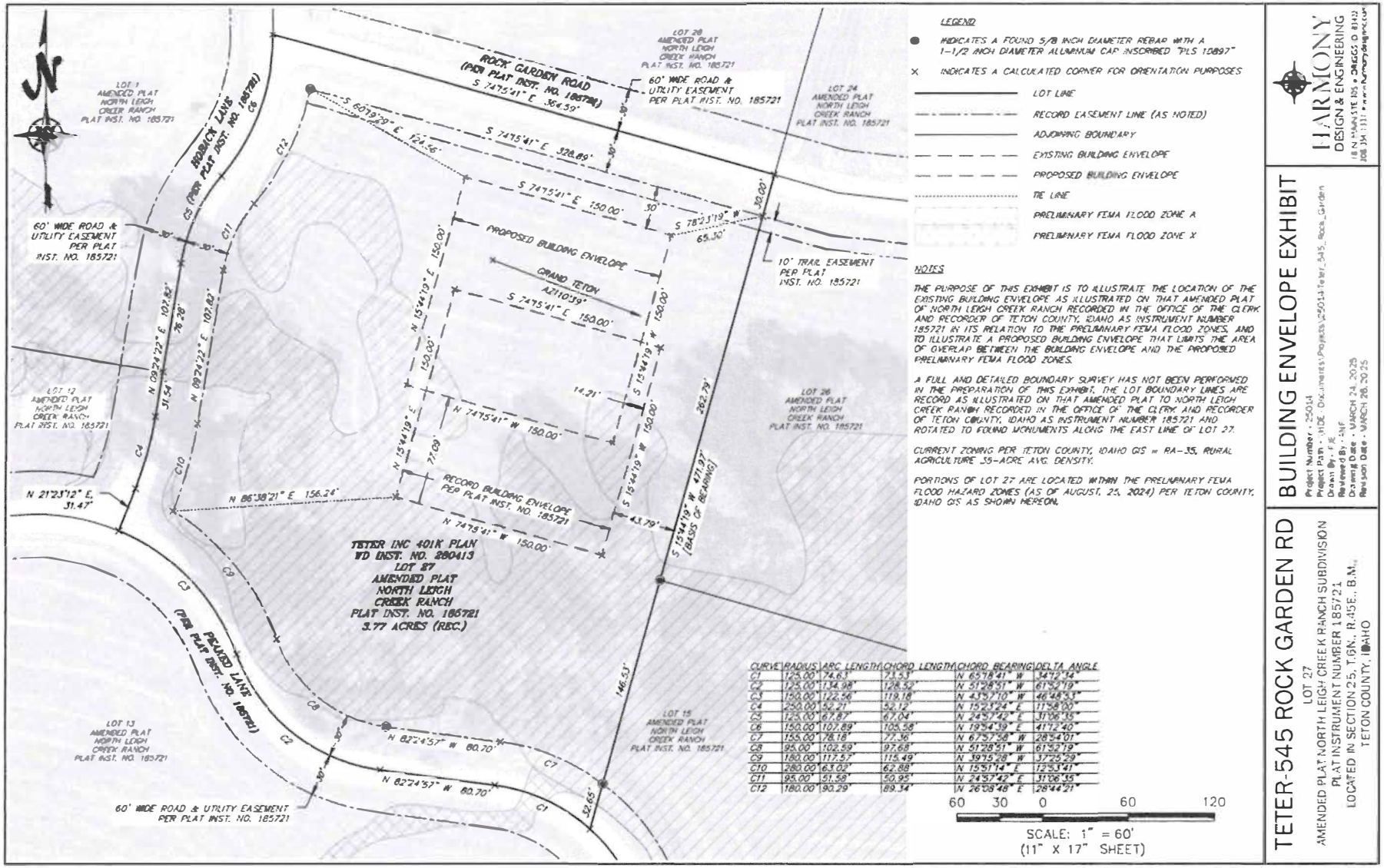
RE: Teter/545 Rock Garden Rd Minor Modification Narrative

The owner of a 3.77-acre parcel located at 545 Rock Garden Road in North Leigh Creek Ranch is pursuing a minor modification to move the building envelope. The parcel, RP005400000270, is zoned RA-35, and is overlaid by the FEMA Zone A Floodplain, as well as the Teton County Songbird/Raptor Breeding and Wintering Habitat and the Big Game Migration Corridors and Seasonal Range. A pre-application conference for the project was held on April 30th, 2025, with Allison Ahlert from Harmony Design and Joshua Chase in attendance.





The proposed changes include shifting the existing building envelope to the north, so that most of it is outside the floodplain. The building envelope will not change size, and no other changes to the plat, CCRs, or other associate documents are proposed. Below is an exhibit showing the current and proposed building envelope. This modification has been approved by the HOA.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	125.00'	74.63'	73.53'	N 65°18'41" W	34°12'14"
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HARMONY
DESIGN & ENGINEERING
188 N MAIN STE 105 • DRIGGS ID 83422
208.354.1311 • www.harmonydesigneng.com

BUILDING ENVELOPE EXHIBIT
Project Number - 25014
Project Path - I:\DE Documents\Projects\25014 Teter, 545 Rock Garden
Drawn By - EJE
Reviewed By - ENF
Drawing Date - MARCH 24, 2025
Revision Date - MARCH 26, 2025

TETER-545 ROCK GARDEN RD
LOT 27
AMENDED PLAT NORTH LEIGH CREEK RANCH SUBDIVISION
PLAT INSTRUMENT NUMBER 185721
LOCATED IN SECTION 25, T.6N., R.45E., B.M.
TETON COUNTY, IDAHO

Corporate Headquarters
7535 N. Palm Ave. #201
Fresno, CA 93711

559.437.0887 T
559.438.7554 F
teterae.com

May 7, 2025

Harmony Design Inc.
Allison Ahlert
allison.ahlert@harmonydesigninc.com

Subject: N. Leigh Creek Building Envelope
Owner Verification

Dear Ms. Allison Alhert,

This letter serves as verification that Clayton Davis is the property owner of 545 Rock Garden Rd, 83452. Clayton Davis holds this property as an investment within his employer's 401k plan, which is why the Owner Name is Teter Inc. 401(k) Plan FBO Clayton Davis, as indicated on the warranty deed.

Because the property is an investment within a 401k plan, it falls under ERISA rules, and thus all expenses and improvements must utilize 401k funds. That is why it is important that the application and all matters related to the property run through the proper owner's name. With this said, Clayton Davis is an authorized individual that can sign the application and make decisions regarding his investment, similar to how he can make decisions to switch the stock or bond funds within his 401k portfolio.

If you need any additional clarification, please feel free to reach out.

Sincerely,
TETER

Caitlin Muradian
Chief Financial Officer

cc: Clayton Davis

NORTH LEIGH CREEK RANCH SEC 25 T6N R45E

185721

COMMISSIONERS' CERTIFICATE

PRESENTED TO THE TETON COUNTY BOARD OF COMMISSIONERS ON THE FOLLOWING DATE AT WHICH TIME THIS AMENDED PLAT WAS APPROVED AND ACCEPTED.

CHAIRMAN, COUNTY COMMISSIONERS — 3-07-07 DATE

NOTE: TETON COUNTY WILL NOT BE HELD RESPONSIBLE FOR THE CONSTRUCTION OR MAINTENANCE OF ANY STREET, ALLEY, OR ROAD WITHIN THIS SUBDIVISION.

NOTE: THE AMENDMENT CHANGES AS PLATTED HEREIN HAVE BEEN DEEMED TO BE INSIGNIFICANT CHANGES AS CITED IN TETON COUNTY SUBDIVISION ORDINANCE SECTION 9-3-5C-1.

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES DUE HAVE BEEN PAID ON THE TRACT OF LAND AS SHOWN ON THIS PLAT.

COUNTY TREASURER — 3.1.07 DATE

PLANNING AND ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING AND ZONING COMMISSION ON THE FOLLOWING DATE AT WHICH TIME THIS AMENDED PLAT WAS APPROVED AND ACCEPTED.

CHAIRMAN, PLANNING AND ZONING — 3-6-07 DATE

ASSESSOR'S CERTIFICATE

PRESENTED TO THE TETON COUNTY ASSESSOR ON THE FOLLOWING DATE FOR APPROVAL AND ACCEPTANCE.

COUNTY ASSESSOR — 3/1/07 DATE

CERTIFICATE OF REVIEW

I, THE UNDERSIGNED, BEING A LICENSED LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT AND FIND THAT IT IS CORRECT AND ACCEPTABLE AS PER IDAHO CODE 50-1305.

NAME — 2/23/07 DATE

TETON COUNTY FIRE MARSHALL

I HEREBY CERTIFY THAT THE PROVISIONS FOR FIRE PROTECTION FOR THIS SUBDIVISION MEET THE TETON COUNTY FIRE CODE AND HAVE BEEN APPROVED BY MY DEPARTMENT.

TETON COUNTY FIRE MARSHALL — 3-1-07 DATE

HEALTH DEPARTMENT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED SUBJECT TO THE INFORMATION CONTAINED IN THE ATTACHED SANITARY REGULATIONS AND RECOMMENDATIONS. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DISTRICT HEALTH DEPARTMENT, REHS — 1 Mar 07 DATE

MORTGAGEES

AFFIDAVIT OF ACKNOWLEDGMENT AND ACCEPTANCE OF PLAT BY MORTGAGEE, THE BANK OF COMMERCE, A STATE BANKING CORPORATION, RECORDED AS SEPARATE INSTRUMENT.

SURVEYOR'S CERTIFICATE

I, DAVID C. LEE, BEING A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, NUMBER 10897, DO HEREBY CERTIFY THAT THIS PLAT AND THE SURVEY REFERRED TO HEREON WERE PERFORMED UNDER MY RESPONSIBLE CHARGE IN ACCORDANCE WITH IDAHO STATE CODE, TITLE 55, CHAPTER 19.

David C. Lee, PLS #10897 — 2/21/07 DATE

PROFESSIONAL LAND SURVEYOR — REGISTERED — David C. Lee — 10897 — 02/21/07 — STATE OF IDAHO

OWNER'S DEDICATION

BE IT KNOWN THAT LEIGH CREEK, L.L.C., AN IDAHO LIMITED LIABILITY COMPANY, DOES HEREBY CERTIFY THAT IT IS THE LEGAL OWNER OF THE PARCEL OF LAND SHOWN ON THIS PLAT AND FURTHER DESCRIBED AS;

"A parcel of Land lying in Section 25, Township 6 North, Range 45 East of the Boise Meridian, Teton County, Idaho more particularly described as follows";
"That part of land located on the south side of a road, being the Northeast Quarter of the Northwest Quarter of Section 25, containing 40 acres;
The West 10 acres of the Northeast Quarter of the Northeast Quarter;
The East 25 acres of the Northwest Quarter of the Northeast Quarter;
The West 15 acres of the Northwest Quarter of the Northeast Quarter,
all in Section 25, Township 6 North, Range 45 East of the Boise Meridian",
Teton County, Idaho.
Less and excepting therefrom the existing County Road right of way along the north boundary of the above described property, said parcel contains 88.35 acres more or less subject to easements and rights of way of record.

AND HAS CAUSED THE SAME TO BE RE-PLATTED AS THE AMENDED NORTH LEIGH CREEK RANCH SUBDIVISION AS REQUIRED BY THE TETON COUNTY, IDAHO SUBDIVISION ORDINANCE;

THAT SAID SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FILED IN THE OFFICE OF THE CLERK OF TETON COUNTY, IDAHO AS INSTRUMENT #179118;

THAT AS SHOWN ON THE OVERVIEW AND DETAIL MAPS OF THIS PLAT, CERTAIN LOTS OF THE FOREGOING SUBDIVISION ARE HEREBY MADE SUBJECT TO EASEMENTS FOR DRIVEWAYS AND UNDERGROUND UTILITIES BENEFITTING ADJOINING LOT OF SAID SUBDIVISION;

THAT FALL RIVER RURAL ELECTRIC COOPERATIVE, INC., AND SILVER STAR COMMUNICATIONS, INC. AND THEIR HEIRS, SUCCESSORS, AND ASSIGNS ARE HEREBY GRANTED NON-EXCLUSIVE RIGHTS-OF-WAY IN THE ACCESS DRIVEWAY AND UTILITY EASEMENTS FOR THE UNDERGROUND INSTALLATION OF POWER AND TELEPHONE SERVICES APPURTENANT TO THE FOREGOING SUBDIVISION;

THAT THE UNDERSIGNED OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS, RESERVES THE RIGHT TO GRANT UNTO THEMSELVES OR IN FAVOR OF THIRD PARTIES, A NON-EXCLUSIVE EASEMENT OVER, UNDER, ACROSS AND THROUGH THE ROADS OR COMMON AREA OF THE FOREGOING SUBDIVISION;

THAT THE ROADS WITHIN SAID SUBDIVISION SHALL REMAIN FOR PUBLIC USE, BUILT AND MAINTAINED TO COUNTY STANDARDS AND SHALL SERVE AS NON-EXCLUSIVE EASEMENTS FOR ACCESS AND UNDERGROUND UTILITIES FOR EACH OWNER OF A LOT WITHIN SAID SUBDIVISION;

THAT BUILDINGS WITHIN THE RESIDENTIAL LOTS ARE RESTRICTED TO BUILDING ENVELOPES AS DEFINED ON THIS PLAT;

THE CULINARY WATER SYSTEM OF EACH LOT WILL BE PROVIDED BY PRIVATE WELLS;

THE WASTE WATER SYSTEM OF EACH LOT WILL BE PROVIDED BY PRIVATE SEPTIC SYSTEMS;

PORTIONS OF SOME LOTS ARE LOCATED IN A FLOOD PLAIN, "ZONE A" WITH THE REMAINING AREA IN "ZONE X", REFERENCE FEMA MAP NO. 16081C0100C DATED AUGUST 4, 1988 AND LOMR, EFFECTIVE FEBRUARY 26, 2007, DEPICTED ON THE OVERVIEW OF THIS PLAT.

THAT THE FOREGOING SUBDIVISION IS SUBJECT TO ANY OTHER EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS OR ENCUMBRANCES OF SIGHT AND/OR RECORD.

LEIGH CREEK, L.L.C.,
AN IDAHO LIMITED LIABILITY COMPANY

KELLY FOSTER, MANAGING MEMBER

BE IT KNOWN THAT RESEARCHED WATER RIGHTS ON THE PROPERTY AS HEREIN DESCRIBED HAVE DETERMINED THAT THIS PROPERTY HAS (YEAR) ___ WATER RIGHTS IN (CREEK NAME)_____ LOCATED IN PORTIONS OF SECTION ___ TOWNSHIP ___ NORTH, RANGE ___ EAST, BOISE MERIDIAN.

STATE OF IDAHO)
COUNTY OF TETON)

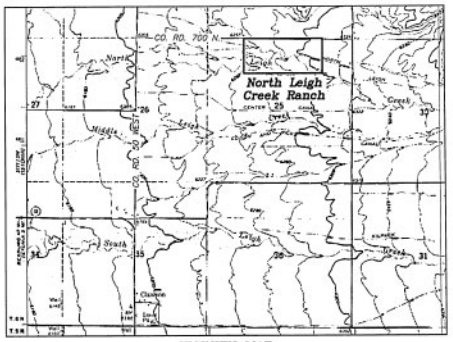
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY Kelly Foster THIS 1st DAY OF March, 2007.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC — Judy Lou Davis
MY COMMISSION EXPIRES: 12/04/07

JUDY LOU DAVIS
Notary Public
State of Idaho

NOT A LEGAL DOCUMENT



VICINITY MAP
1"=2000'

= ENGINEER & SURVEYOR =
JORGENSEN ASSOCIATES, P.C.
P.O. Box 584
Driggs, ID 83422
(208) 354-8330

= OWNER =
LEIGH CREEK, LLC
525 Oak Knoll Lane
Menlo Park, CA 94025
(650) 868-3708

AREA - DENSITY TABLE
TOTAL AREA = 88.35 ACRES
TOTAL LOTS = 28
AVERAGE LOT SIZE = 3.16 ACRES
AREA IN ROADS = 7.97 ACRES

RECORDER'S CERTIFICATE

Instrument # 185721
TETON COUNTY, IDAHO
2007-03-09 01:06:22 No. of Pages: 1
Recorded for: JORGENSEN ASSOCIATES
MARY LOU HANSEN Fee: 15.00
Ex-Officio Recorder Deputy
Index to: PLAT

RECEIVED
MAR - 9 2007
TETON CO., ID
CLERK RECORDER

185721

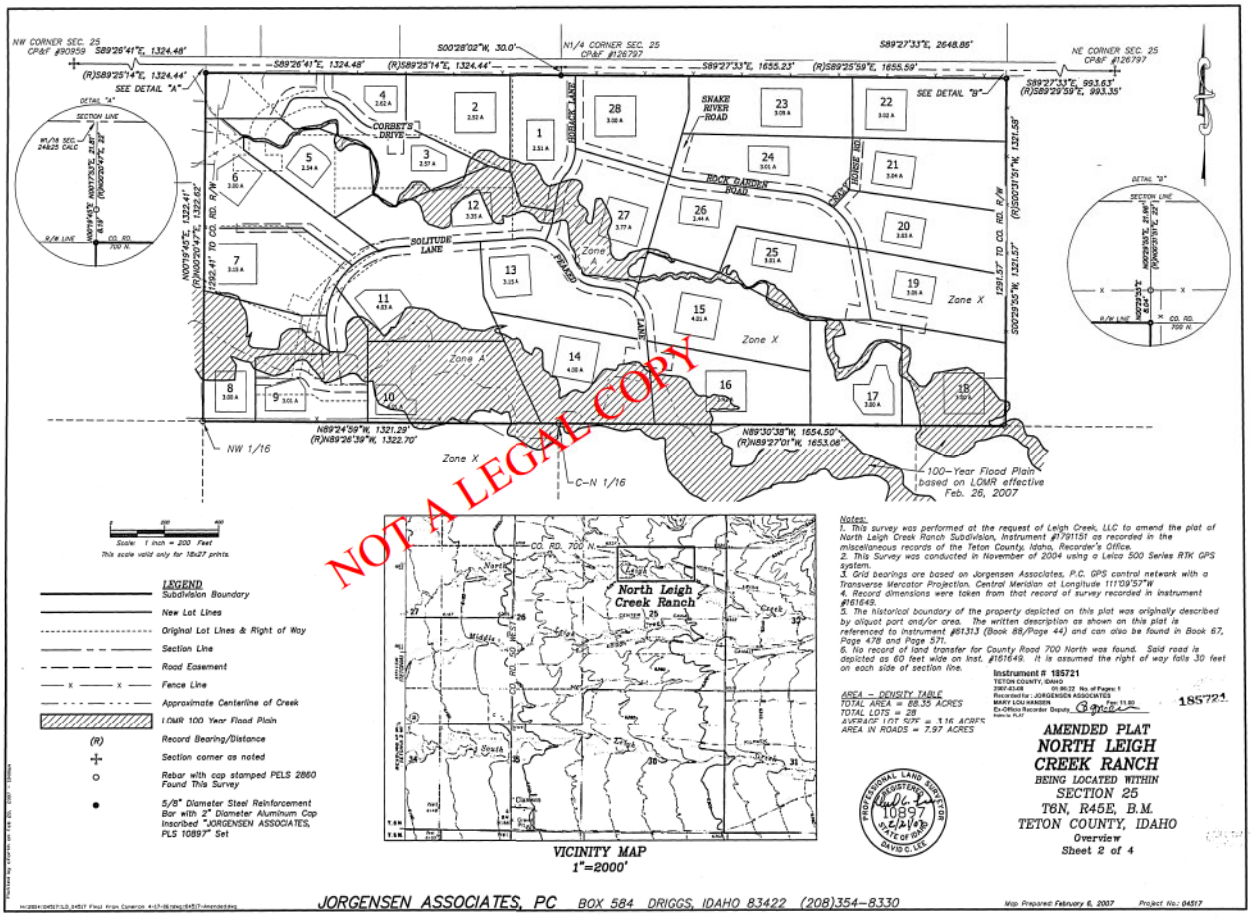
AMENDED PLAT
NORTH LEIGH CREEK RANCH

BEING LOCATED WITHIN
SECTION 25
T6N, R45E, B.M.
TETON COUNTY, IDAHO
Certificates
Sheet 1 of 4

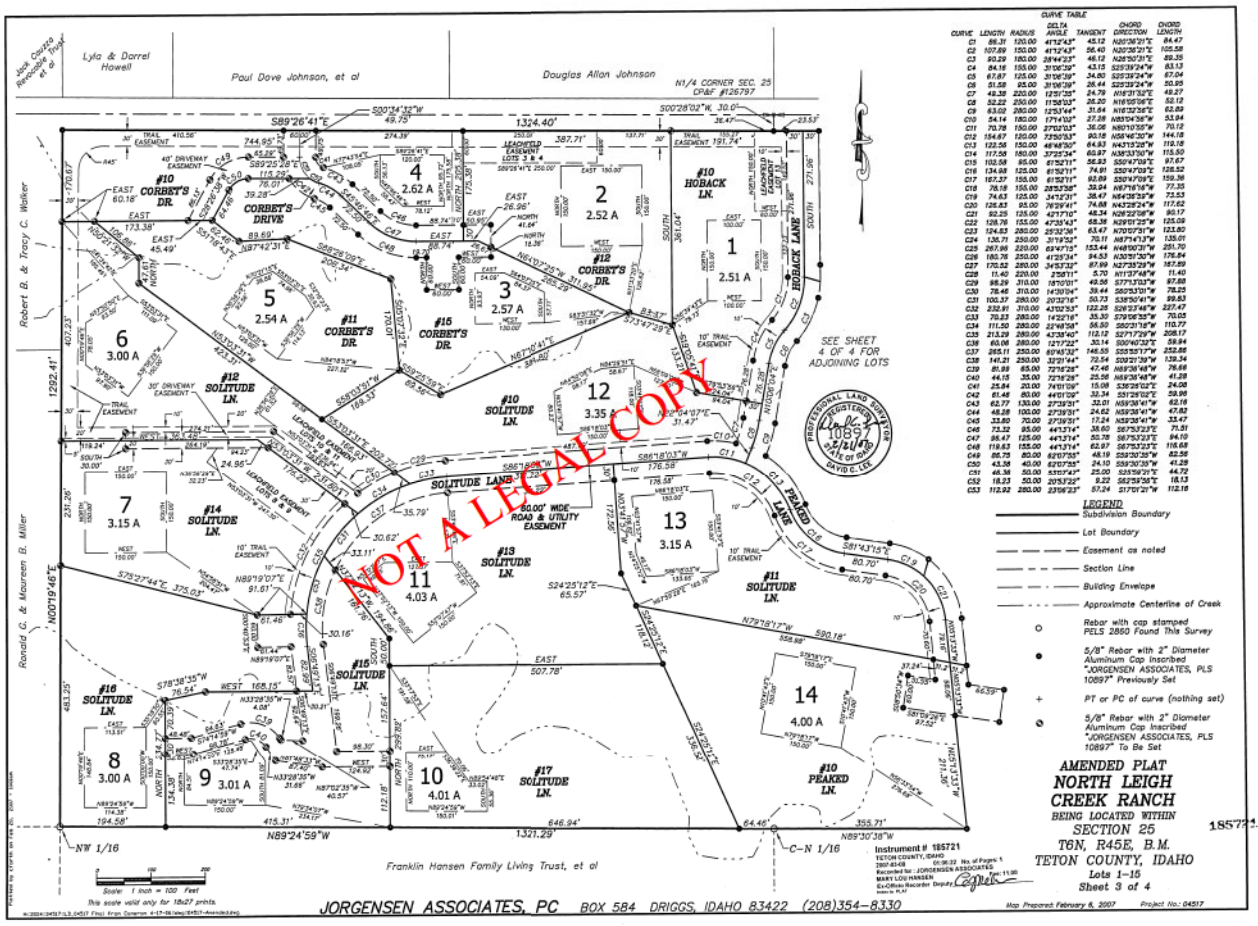
JORGENSEN ASSOCIATES, PC BOX 584 DRIGGS, IDAHO 83422 (208)354-8330

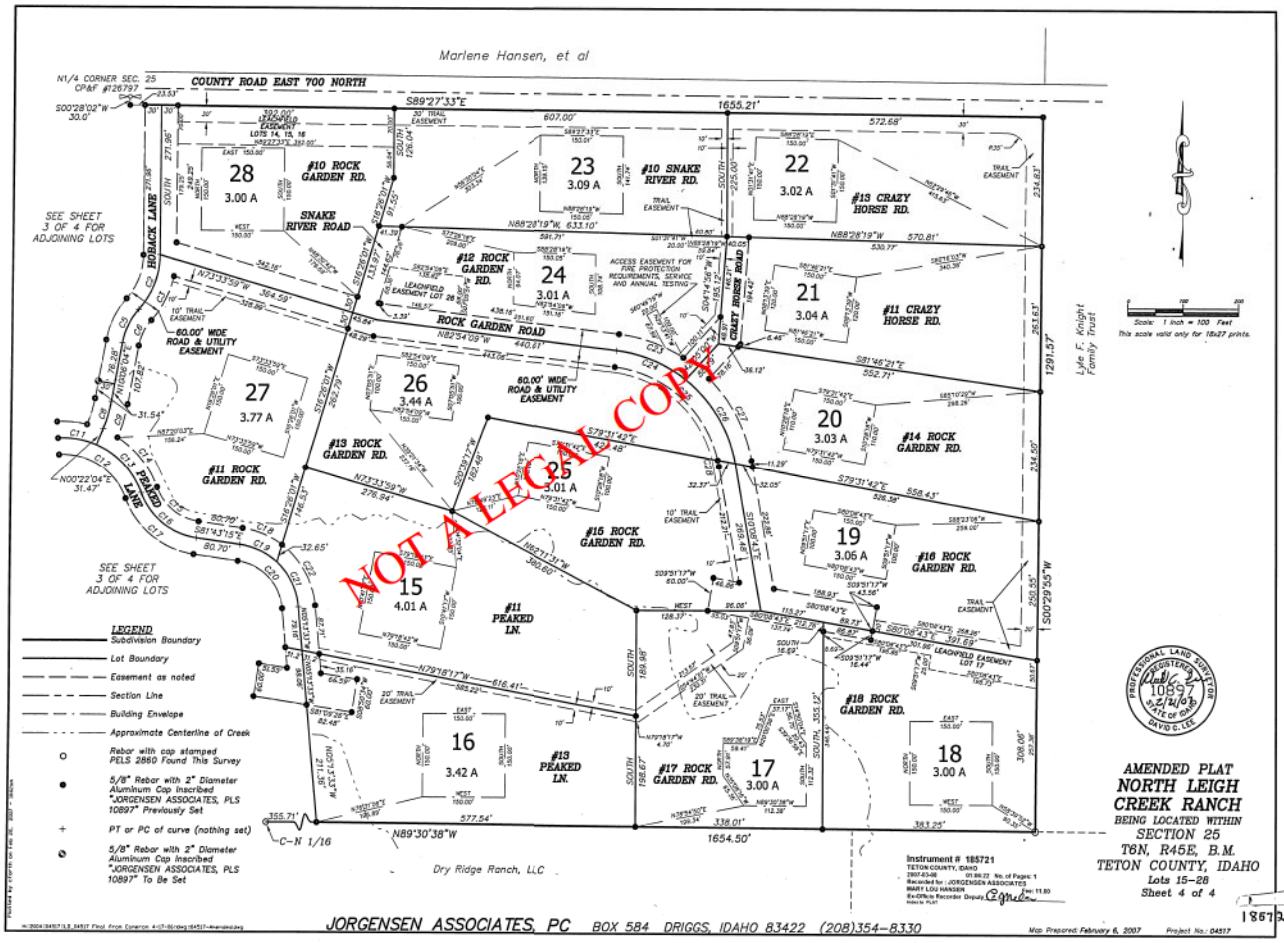
Map Prepared: February 6, 2007 Project No.: 04517

NORTH LEIGH CREEK RANCH SEC 25 T6N R45E



185721


NORTH LEIGH CREEK RANCH
SEC 25 T6N R45E
185721
Jack Coulter Revocable Trust et al
Lyle & Darrel Howell
Paul Dove Johnson, et al
Douglas Allan Johnson
N1/4 CORNER SEC. 25 CP&F #126797
Robert B. & Tracy C. Walker
Ronald G. & Maureen B. Miller
Franklin Hansen Family Living Trust, et al
#10 CORBET'S DR.
CORBET'S DRIVE
#11 CORBET'S DR.
#12 CORBET'S DR.
#15 CORBET'S DR.
#10 HOBACK LN.
HOBACK LANE
#12 SOLITUDE LN.
#10 SOLITUDE LN.
#14 SOLITUDE LN.
#13 SOLITUDE LN.
#15 SOLITUDE LN.
#16 SOLITUDE LN.
#17 SOLITUDE LN.
SOLITUDE LANE
50.00' WIDE ROAD & UTILITY EASEMENT
#11 PEAKED LN.
#10 PEAKED LN.
PEAKED LANE
1 2.51 A
2 2.52 A
3 2.57 A
4 2.62 A
5 2.54 A
6 3.00 A
7 3.15 A
8 3.00 A
9 3.01 A
10 4.01 A
11 4.03 A
12 3.35 A
13 3.15 A
14 4.00 A
SEE SHEET 4 OF 4 FOR ADJOINING LOTS
NOT A LEGAL COPY
LEGEND
Subdivision Boundary
Lot Boundary
Easement as noted
Section Line
Building Envelope
Approximate Centerline of Creek
Rebar with cap stamped PELS 2860 Found This Survey
5/8" Rebar with 2" Diameter Aluminum Cap Inscribed "JORGENSEN ASSOCIATES, PLS 10897" Previously Set
PT or PC of curve (nothing set)
5/8" Rebar with 2" Diameter Aluminum Cap Inscribed "JORGENSEN ASSOCIATES, PLS 10897" To Be Set
AMENDED PLAT
NORTH LEIGH CREEK RANCH
BEING LOCATED WITHIN SECTION 25 T6N, R45E, B.M. TETON COUNTY, IDAHO
Lots 1-15
Sheet 3 of 4
185721
Instrument # 185721
JORGENSEN ASSOCIATES, PC BOX 584 DRIGGS, IDAHO 83422 (208)354-8330
Map Prepared: February 6, 2007 Project No.: 04517



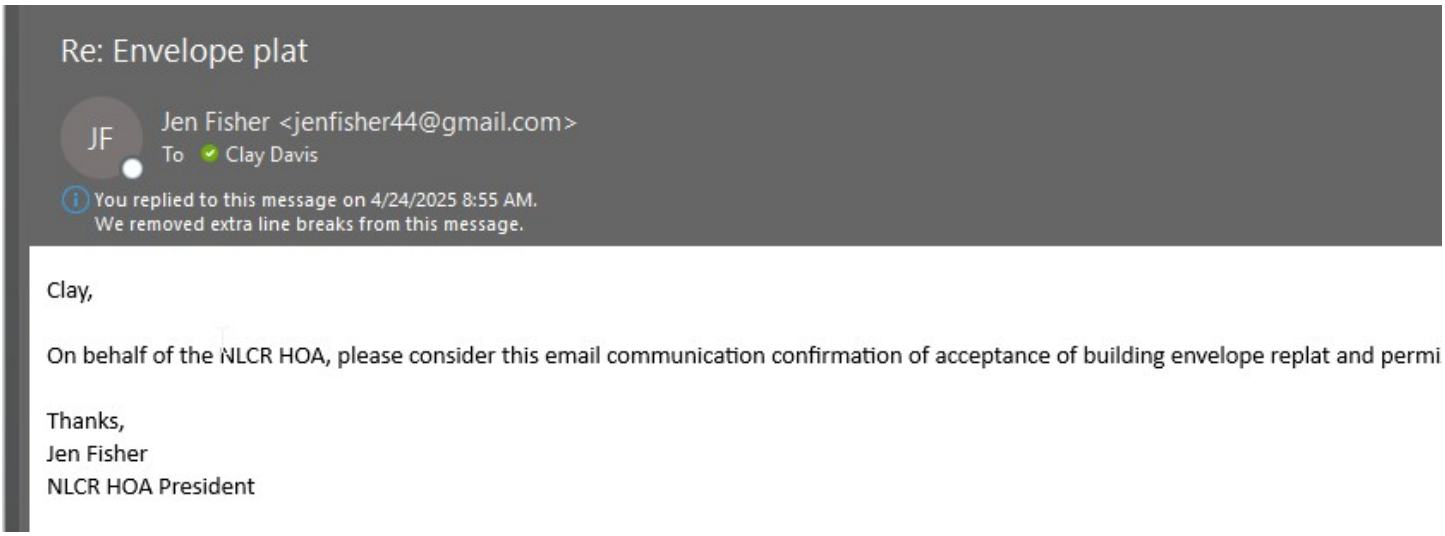
NOT A LEGAL COPY

Allison Ahlert

From: Clay Davis <clay.davis@teterae.com>
Sent: Thursday, April 24, 2025 9:58 AM
To: Patrick Gilroy; Allison Ahlert
Subject: RE: N. Leigh Creek Building Envelope

Good morning, Patrick.

Just wanted to let you know that this morning, I received formal approval form the NLC HOA for the proposed building envelope modification – see below:
We are good to proceed with the county approval process. Let me know if you need anything else from me.



Clay Davis, **AIA, NCARB, LEED AP**
Architect | Senior Principal

From: Patrick Gilroy <patrick.gilroy@harmonydesigninc.com>
Sent: Friday, March 28, 2025 7:49 AM
To: Clay Davis <clay.davis@teterae.com>; Allison Ahlert <allison.ahlert@harmonydesigninc.com>
Subject: RE: N. Leigh Creek Building Envelope

Hi Clay,

Attached is the exhibit with the view angle to the Grand. We did not field verify this view in the field, it is from our GIS data base.

TETON COUNTY, IDAHO | Planning Department

Subdivision Development Agreement Extension Request

Request:

Applicant, Patrick Trucco, has requested an extension to allow for recording the Development Agreement and associated documents for Irish Acres subdivision. Teton County Title 9 has a recording window of 4 months after Final Plat approval to record these documents.

Applicable Ordinance:

Under Teton County Code § 9-3-2 (D-2-m.iii) one extension of up to twelve (12) months may be granted by the Board of County Commissioners to record documents prior to installing improvements pursuant to 9-3-2 (D-2-J).

iii. Development Agreement Extension Request: The developer may request in writing prior to the expiration date an extension of time for commencement of improvements and/or for completion of improvements for up to twelve (12) months from the Board of County Commissioners. The request must include specific reasons why an extension is needed, addressing the extension criteria in the Development Agreement Extension Application and the extension fee. This fee is non-refundable. Only one (1) further request up to six (6) months shall be deemed accepted or granted. An extension request shall be adjudicated under the ordinance in effect at the time of the request for extension. (amd. 9-17-09)

Summary of application:

The Irish Acres Subdivision is a 10-lot subdivision on 40.14 acres on RP05N45E103300 (near W 4000 N and N 2000 W).

Project Timeline:

The BoCC reviewed and approved the final plat materials on November 25, 2024. The Subdivision also received a 2-month extension for completion of Final Plat, previously on the same date.

The applicants submitted a Development Agreement extension request on July 1, 2025. Final Plat materials were submitted on October 7, 2024, after the required Nationwide Permit was submitted from the ACOE.

150 Courthouse Drive | Driggs, Idaho 83422 | T: 208-354-2593 | tetoncountyidaho.gov

Motion: *Having concluded that the Criteria for Approval of a Final Plat found in Title 9-3-2-D can be satisfied, I move to APPROVE the Final Plat for Irish Acres Subdivision as described in the application materials submitted 9 October 7, 2024 and additional materials attached to the staff report, with the following conditions of approval: 1. Final technical survey review be completed and approved before mylars are printed. 2. Property taxes be paid by the time of plat recordation. 3. The plat will be updated with a plat note to indicate that ADUs are not permitted in the subdivision in accord with the CC&Rs and the Traffic Impact Study.*

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

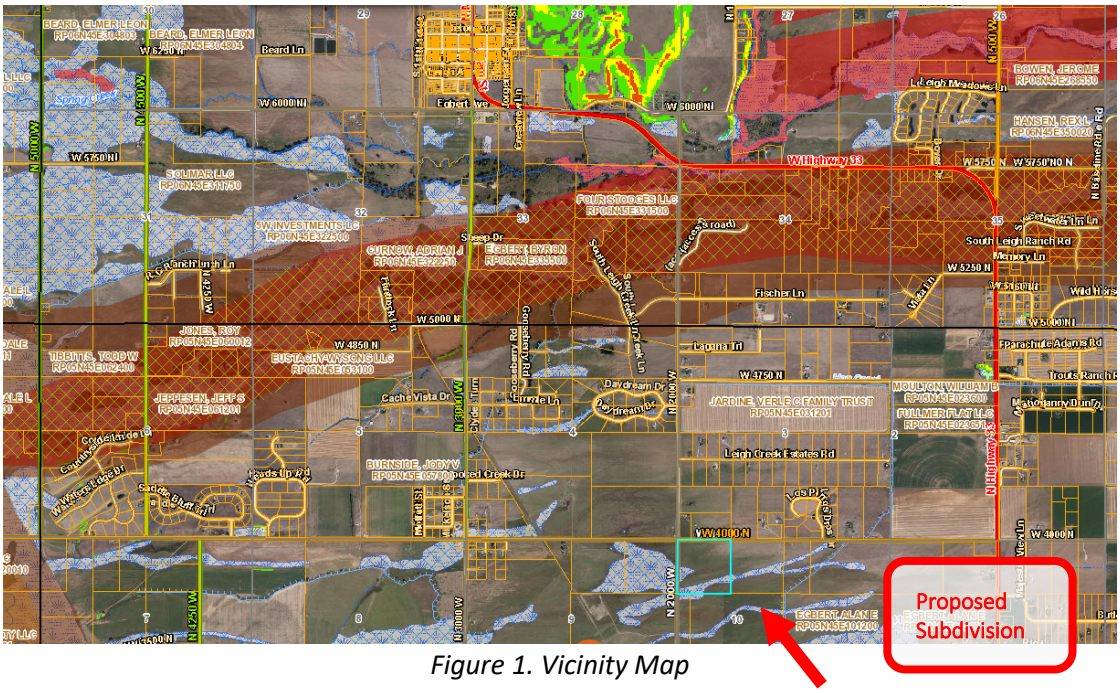


Figure 1. Vicinity Map

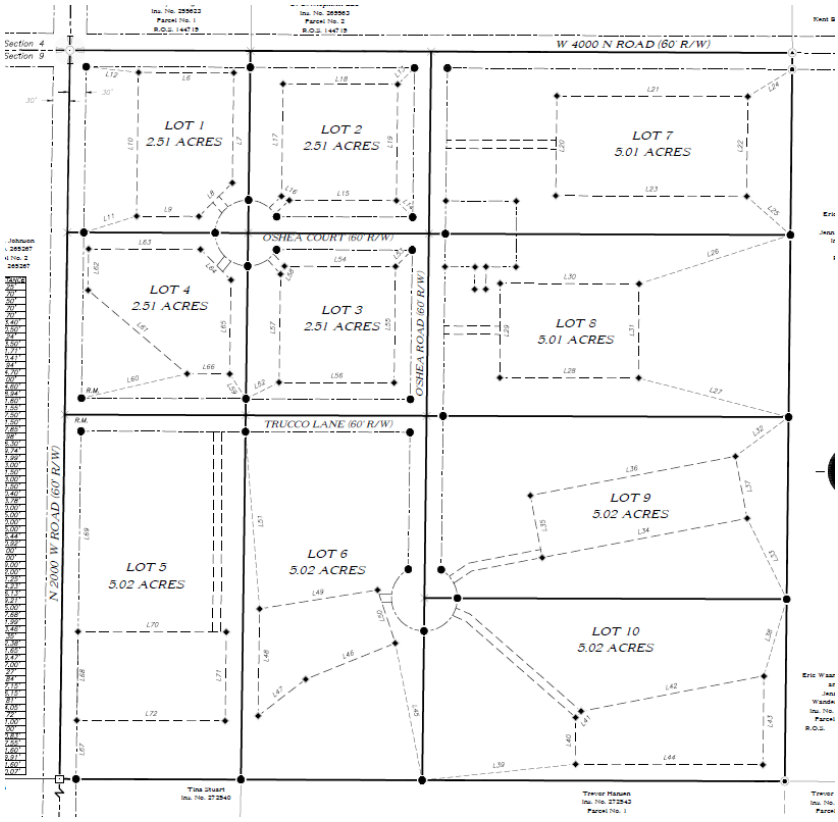


Figure 2. Approved Final Plat

Findings:

The considerations for extension approval, per the Extension Request Application:

1. The developer has diligently pursued financial security for the project. The developer should provide proof of the inability to renew or secure a new letter of credit (or bond, if applicable) and the failed attempts made. The applicant has obtained a surety and is ready to install improvements.

2. The denial of the extension would cause undue hardship to a neighboring property. N/A

3. It is in the public interest.

4. Delays have been the result of federal, state or local agency demands. N/A

5. Application of Title 9 regulations (as amended November 14, 2008) would not significantly alter the extended subdivision's design or dedications. N/A

6. Other extenuating circumstance. The developer should substantiate these circumstances.

The applicant's narrative states that they have finalized all of the engineering plans and are prepared to begin work immediately. The need for this extension was an oversight on their part and they wish to

continue the project at the earliest convenience possible. They have secured and have in place the financial requirements with US Bank. They have made no changes to the plan as approved by the BPCC in December of 2024.

Staff Recommendation:

Staff recommends approval of the Recording Extension Request. All final plat materials, CCRs, the Development Agreement and Surety have been submitted are ready to be recorded if approved for the extension request.

The BoCC can determine if an extension request may be appropriate for Irish Acres Subdivision. This request would allow the applicants to record final approval documents. Staff would recommend ensuring the extension request provide adequate time for recording, if granted.

Board of County Commissioners Action:

1. Approve the Recording Extension Request
2. Deny the Recording Extension Request

Motions:

Approval:
I move to approve the Recording Extension Request for Irish Acres Subdivision for ___ months for the reasons listed in the materials submitted on July 1, 2025 which would allow the applicant to record final documents by (insert date here).

Denial:
I move to deny the Recording Extension Request for Irish Acres Subdivision as requested in the application submitted on September 9, 2024, for the following reasons:

Attachments:

A. Application (2 pages)

RECEIVED 7-1-25

NAME OF SUBDIVISION/ PLANNED UNIT DEVELOPMENT

RECORDING TIME EXTENSION APPLICATION

The Planning Administrator or his or her designee will review this application. It will then be scheduled for review by the Board of County Commissioners. The planning staff is available to discuss this application and answer questions. The burden of proof is on the applicant to demonstrate that the application meets the criteria for approval. It is recommended that the applicant review Title 9, Section 9-3-2 (D-2-J) of the Teton County Code, as amended 5-26-2009, prior to submittal. This Title and application are available on the County website at www.tetoncountyidaho.gov.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Cloud Veil LLC

Applicant: Patrick Trucco E-mail: homesweepers@gmail.com

Phone: (847) 341-8524 Mailing Address: PO BOX 1116

City: Wilson State: WY Zip Code: 83014

Engineering Firm: Action Excavation Contact Person: Cherise Hibbert Phone: (208) 399 2210

Address: 2240 S 1000 East E-mail: actionoffice @gmail.com

SECTION II: APPLICATION NARRATIVE

The Subdivision Recording Time should be extended for the following reason(s): (provide detailed narrative and documentation that substantiates your request. Considerations used by the Board of County Commissioners are on the reverse side. Address only those criteria that apply. An attached sheet or sheets may be used.)

We have finalized all of the engineering plans and were remiss in filing in a timely manner. Weare prepared to begin work immediately

This was an oversight on our part and we wish to contine the project at the earliest conveineince possible.

We have securedn and have n place the financial requirements with US Bank

We ahve made no changes to the plan as approved by the BPCC in December of 2024

CONSIDERATIONS FOR RECORDING TIME EXTENSION APPROVAL

The burden is on the applicant to provide a detailed narrative and proof explaining the reason(s) for consideration.

1. The developer has diligently pursued financial security for the project. The developer should provide proof of the inability to renew or secure a new letter of credit (or bond, if applicable) and the failed attempts made.
2. The denial of the extension would cause undue hardship to a neighboring property.
3. It is in the public interest.
4. Delays have been the result of federal, state or local agency demands.
5. Application of Title 9 regulations (as amended November 14, 2008) would not significantly alter the extended subdivision's design or dedications.
6. Other extenuating circumstance. The developer should substantiate these circumstances.

CONDITION OF APPROVAL

All Recording Time extensions shall have the following conditions of approval:

A. A recent engineer's cost estimate (less than 90 days old) approved by the County and calculated at 125% of the cost estimated for all public improvements prior to recording of the final plat.
B. Financial surety in the form of letter of credit, bond, or cash deposit for the amount of the approved cost estimate ("A" above) prior to recording the final plat.

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed on this application are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners.

- Applicant Signature: _____ Date: 7-1-25

I, the undersigned, am the owner of the referenced property and do hereby give my permission to PAtrick Trucco to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

- Owner Signature: _____ Date: 7-1-25

☐ Date Received: _____

☐ Application fee paid in full in accordance with current fee schedule

☐ Subdivision and PUD Fees: 100% of total and current

SECTION IV: BOARD OF COUNTY COMMISSION ACTION

☐ **APPROVED** ☐ **DENIED**

- Chairman Signature: _____ Date: _____

Fees are non-refundable.

MEMO

To: Board of County Commissioners
From: City of Tetonia
Report Date: May 31, 2024
Meeting Date: June 10, 2024
Project Name: Tetonia Area of Impact Amendment

SUMMARY

This Memo and attachments outline the information and questions relating to amendments to the Tetonia Area of Impact Agreement and Boundary. These comments and questions have been reviewed by the Tetonia City Council in work sessions only and are compiled here for comment from the County before the formal review process with the public.

BACKGROUND

The 1995 Tetonia Area of Impact (AOI) Agreement is the effective approved version that Tetonia and the County are currently using (Ordinance 95-081495). In 2008 an updated version was prepared and approved by Tetonia City Council (Ordinance 2008-4) and incorporated into the City Code. However, it was found that this amendment was never adopted by Teton County so is not valid.

ANALYSIS

The 2008 Tetonia AOI Code version is being used as a starting point for the amendment to the AOI Agreement and Map (see attached with edits). In summary, the 2008 version with City Council's comments suggest the following:

1. Applicable Codes:
    a. City Code
    b. City Comp Plan
    c. Consider adopting the County Public Works standards and County subdivision improvements standards in the AOI
2. Review Process- Subdivisions and Land Use Permits (CUPs, Sign Permits, Design Review):
    a. All subdivisions and rezones go to City PZC and City Council and County PZC and BoCC before final decision.
    b. **Recommendation**: a Joint County-City P&Z Commission is not recommended to be established. Instead, the City P&Z Commission can review and recommend and a separate commission would not need to be set up and scheduled. This is also consistent with the other cities in the County.
3. Review Process- Building Permits
    a. Reviewed by the County for zoning and building compliance.
4. Improvement Standards
    a. There is no mention in the 2008 version about water/sewer connection requirements or Public Works Standards that apply in the AOI.
    b. The city will not require or offer city water or sewer in the AOI, only if annexed.
    c. **Council Comments:** Council requested that utility easements for city sewer/water be required in subdivisions in the AOI. If a subdivision is contiguous to the City or within a certain distance, the City would like flexibility for a development to connect to sewer and possibly water.
        i. The County Code Ch 6 includes subdivision improvement requirements that require easements:

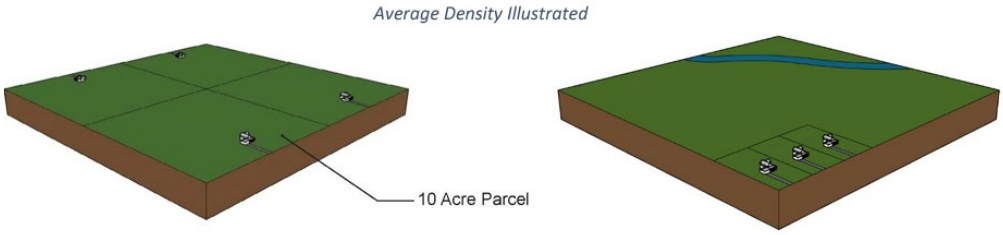
"Where utilities are not provided within a dedicated road right-of-way, easements of not less than 20' shall be provided to accommodate water lines, sanitary sewer lines, and/or stormwater drainage, irrigation ditches, and pipelines. The minimum width of easements

for power lines, telephone lines, and other utilities shall be 15'. Easements may also be required for shared access between properties, snow storage, and for providing adequate slope for road construction."

d. Still under consideration by the City Public Works/Engineer:
    i. Considering if City Public Works and subdivision improvement requirements, excluding water service, be required in the AOI.
        1. If so, this would mean sewer connections would be required. Roads would be required to be paved. There is no gravel road spec.
    ii. Considering a unique set of improvement standards that apply only in the AOI. For example it could require road paving, but no sidewalks.

AOI Boundary & Zoning- See the attached map with call outs and questions.

5. AOI boundary is the same rectangle from 2005
    a. The parcels containing the city's sewer infrastructure and water tank should remain in the AOI boundary.
6. AOI zoning is currently 1 unit per 2.5 acres and 1 unit per 20 acres.
    a. The 1 unit per 2.5 acres creates large lot subdivisions on individual septic and wells which is common in the County but not ideal to support the city's potential infrastructure growth.
    b. **Recommendation:** Instead of perpetuating common county 2.5 acre large lots around the city, it is recommended that the AOI Agreement adopt "cluster subdivision" standards that allow for lot sizes to be smaller than 2.5 acres, such as 0.25 acre-0.5 acre so they can be *clustered* and serviced by sewer. In other rural communities this is called a "Cluster Bonus Subdivision Ordinance" where the Developer is awarded more lots if lots are reduced in size and clustered. Therefore supporting more usable, contiguous agricultural land. See Ch 1-10 in the County Code.



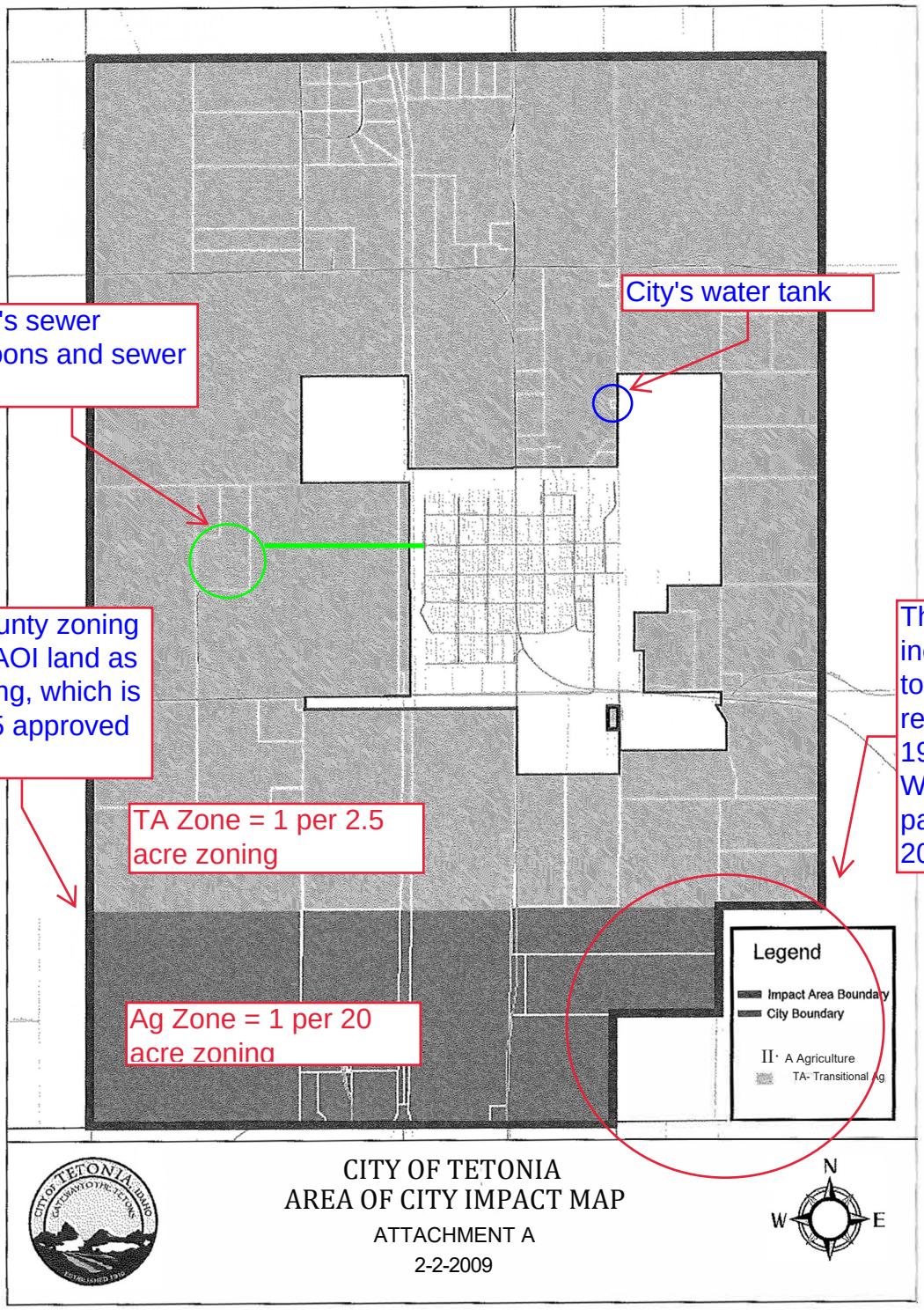
    c. The new County zoning surrounding the AOI is 1 unit per 35 acres and 1 unit per 10 acres.
        i. **Recommendation:** It is recommended to change the zoning to match the County zones and offering the Cluster Bonus. When parcels are proposed to be developed, the owner can also apply for Annexation and receive a higher density zoning in the city. A parcel does not have to be a minimum of 35 acres or 10 acres to be annexed or developed on. That is just the ratio at which density is calculated.

NEXT STEPS:

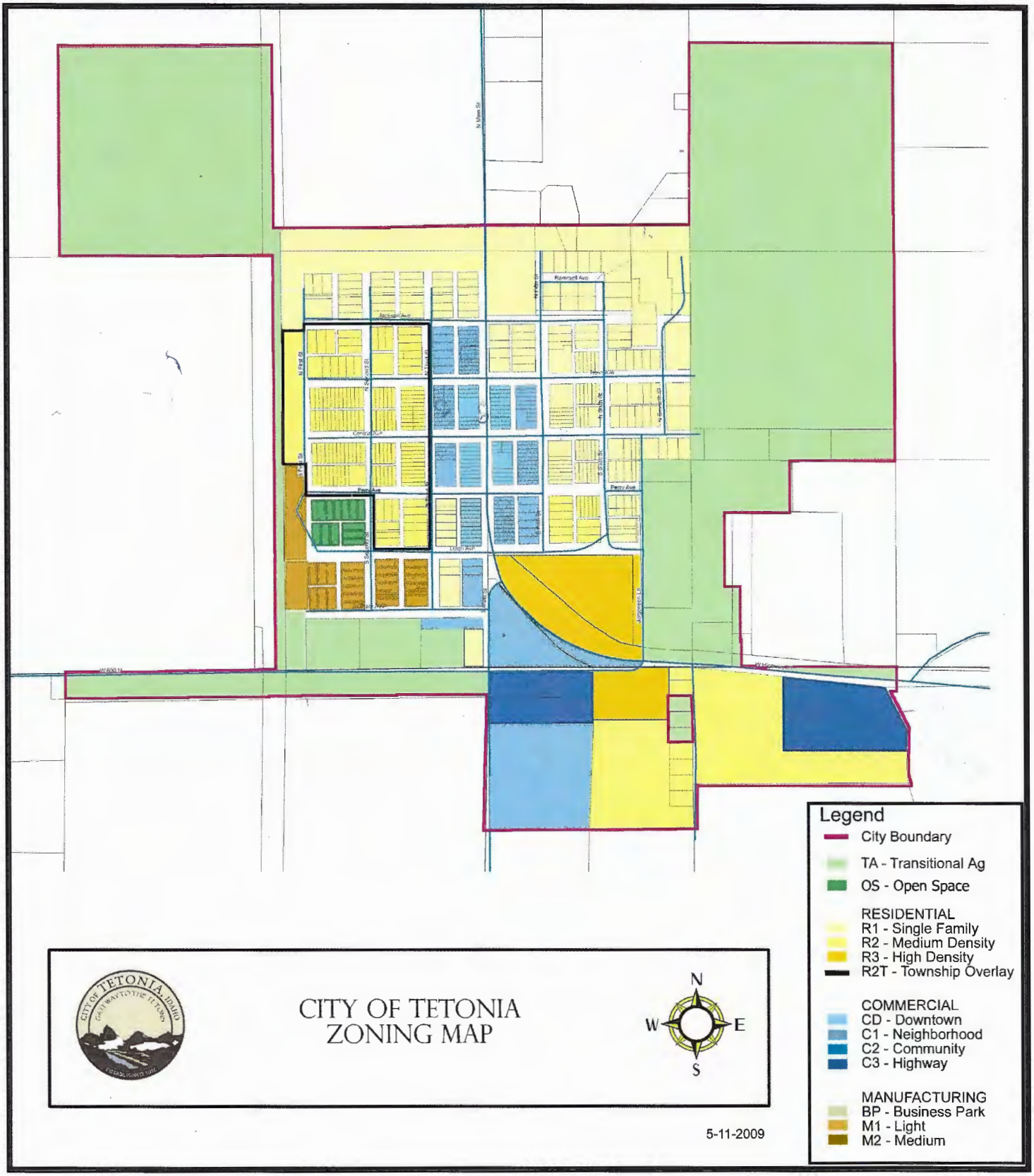
1. Red line draft of Ordinance—reviewed by Tetonia P&Z and City Council and County P&ZC and BoCC
2. Open House or public comment period
3. Public hearings and vote on Ordinance by City and County
4. Ordinance adopted

Attachments:

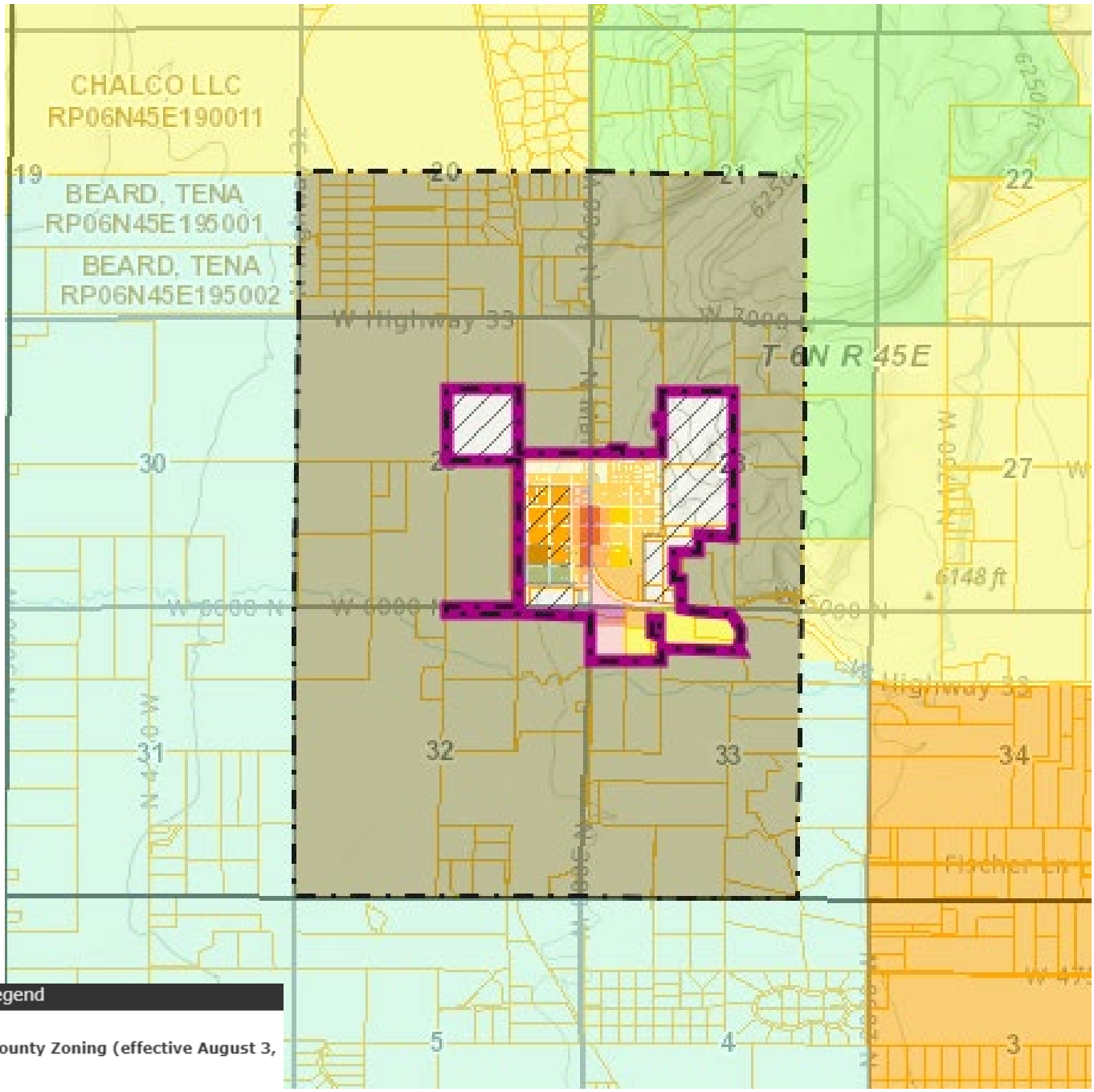
A. AOI Boundary Map with notes
B. City Zoning Map
C. County Zoning map screenshot


City's water tank
City's sewer lagoons and sewer line
New County zoning sets all AOI land as 2.5 zoning, which is the 1995 approved version
The County GIS includes this area to make a full rectangle per the 1995 Agreement. Why were these parcels excluded in 2008?
TA Zone = 1 per 2.5 acre zoning
Ag Zone = 1 per 20 acre zoning
Legend
Impact Area Boundary
City Boundary
A Agriculture
TA- Transitional Ag
CITY OF TETONIA
AREA OF CITY IMPACT MAP
ATTACHMENT A
2-2-2009
N
W
E

Attachment A



Ordinance 2009-4 Tetonia City Zoning Map



Legend

New County Zoning (effective August 3, 2022)

- IR, Industrial Research
- AOI-2.5, Area of Impact Zone 1
- AOI-20, Area of Impact Zone 2
- RN-5, Rural Neighborhood
- RR-20, Rural Residential
- FH-10, Foothills
- FH-20, Foothills Priority Protection
- LA-35, Lowland Agriculture
- RA-35, Rural Agriculture
- Public Land

Second Written Decision for an Extension Request for La Duranzo Subdivision

---

This is a written decision on the findings for the Second Extension Request for La Duranzo Subdivision under Teton County Code ("TCC") Title 9, Chapter 3 Teton County Subdivision Ordinance (revised 5/16/2013):

APPLICATION DATE:	March 10th 2025
APPLICANT:	Blakely Barnes
PROJECT NAME:	La Duranzo Subdivision
PURPOSE OF APPLICATION:	A Second Extension Request for La Duranzo Subdivision for a subdivision application nearing the expiration date

Applicable Standards and Criteria for Application Evaluation:

Title 9 Teton County Subdivision Ordinance (revised 5/16/2013)
Teton County Code 9-3-2 (D-2-L):

I. Time Limitation:

I. Limitation for Approval: The Master Plan, Improvement Plans, Development Agreement and Final Plat shall be approved by the Board of County Commissioners within three (3) years of the date of acceptance of the subdivision/PUD concept application by the Planning Administrator or the entire application is deemed null and void (amd. 2011- 03-17).

II. Subdivision Extension Request: The applicant may request in writing prior to the expiration date an extension of time for final approval of up to twelve (12) months from the Board of County Commissioners. The narrative must include specific reasons why an extension is requested, address the criteria in the Subdivision Extension Application, and the extension fee. This fee is non- refundable. No further requests for this time extension shall be deemed accepted or granted. An extension request shall be adjudicated under the ordinance in effect at the time of the request for extension.

III. Per Teton County Code, the application for the La Duranzo Subdivision would expire on March 8, 2025. The Subdivision Extension Application was submitted before this date, on November 18, 2024.

Procedural Background

The applicants submitted a concept application for a subdivision on December 16, 2021. However, it was not signed nor formally deemed complete by the Planning Administrator. Therefore, the application timeline under Title 9 of Teton County Code began March 8, 2022, when the application was reviewed and approved by the Planning and Zoning Commission (PZC).The three-year time-frame for approvals began on this date, and would expire March 8, 2025.

SUBMISSION AND SCHEDULING: An application for a subdivision extension request was submitted on November 18, 2024, which was before the deadline of March 8, 2025. Extension requests are reviewed by the Board of County Commissioners ("Board") at a Public Meeting. This request was deemed to not properly have been submitted as the LLC ownership documents for the owner had not been renewed. The Board did substantively review the request but, particularly since the applicant was not present, the Board found that application did not meet the criteria for a subdivision extension request and therefore was denied. On February 5, 2025, the board signed a Written Decision Extension Request and it was emailed to the applicant.

On March 10, 2025, the applicant completed a second application for the extension. The expiration date (March 8, 2025) fell on a weekend and the applicant had communicated with County staff to verify that the application would be accepted on the next business day following the expiration during the weekend. The ordinance in effect at the time of the request for extension has a policy addressing application deadlines which expire on a weekend or holiday, but does not include provisions for reviewing and granting time extensions. The Board considered the request in a regular meeting on June 9, 2025, and continued the Board's deliberation and consideration to June 23, 2025, to allow for legal review.

Staff presented a staff report, outlining the request, application dates, and hearing dates. The applicant did attend the Board meeting on June 23, 2025, and was able to make comments on the request.
The Board then entered into deliberation.

Reasoning and Analysis

The Commissioners determined that, given the status of the applicant LLC at the time the first extension application for this project was made (i.e., the LLC was administratively dissolved), that application was a legal nullity and was never effective. Therefore, these is no issue with subsequently applying for another extension, because the prior application was null and void.

Decision

Upon reaching that conclusion, the Board began discussing the substantive considerations required to approve an extension request.

Commissioner James believed it was within the public interest to extend the application given the affordable housing component.

Commissioner Wolfe believed that the request met most of the criteria for granting the extension. There was some discussion regarding how much time would reasonably be needed to complete the application. It was determined that 12 months would be granted. No further request can be made.

Commissioner James moved to approve the Subdivision Extension Request for La Duranzo Subdivision for 12 months for the reasons listed in the materials submitted on March 10, 2025, which would allow the applicant to receive Final Plat approval on or before June 23, 2026 (i.e., one year from extension approval date). Commissioner Powers seconded the motion. The motion was approved unanimously.

Conclusion

Having given due consideration to the application and materials presented, and to the applicable review criteria, the Teton County Board of County Commissioners, for the reasons described above, hereby makes the following conclusions:

The application for an EXTENSION REQUEST for the La Duranzo Subdivision meets or can meet the requirements of the Teton County Code § 9-3-2(D)(2)(l), and is therefore APPROVED; and the time period for approval of the Master Plan, Improvement Plans, Development Agreement, and Final Plat of the La Duranzo Subdivision is hereby extended to June 23, 2026.Motion:
I move to approve the Subdivision Extension Request for La Duranzo Subdivision for 12 months for the reasons listed in the materials submitted on March 10, 2025, which would allow the applicant to receive Final Plat approval on or before June 23, (one year from extension approval date).

Commissioner James made the motion. Commissioner Powers seconded the motion.
The motion was approved unanimously.

_____ _____

Teton County Board of County Commissioners, Chair Date

NOTICE OF APPLICABLE RIGHTS
Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code§ 67- 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE
I hereby certify that on this day of July 15, I served a true and correct copy of the foregoing document upon the following:

Blakely Weston Barnes	] Mailing [ ] Hand Delivery [ ] Fax **[X] E-Mail** [ ] Overnight Mail [ ] Courthouse Box

TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision for Morgan Fine Finishes – Employee Housing

Special Use Permit

This is a written decision on the findings for the approval of the Special Use Permit for MORGANS FINE FINISHES LLC (landowner), for two employee housing units that will be located within a 4,200 SF dual use facility used for commercial purposes with incorporated housing. The first floor will have three garage bays for the storage of inventoried cabinets and other finish carpentry components under Teton County Land Development Code ("LDC"). (Adopted August 2022).

APPLICATION DATE:	February 24, 2025
APPLICANT & PROPERTY OWNER:	Teton West Steel / MORGANS FINE FINISHES LLC
PROPERTY:	PARCEL NUMBER: RP006600000470 LEGAL DESCRIPTION: LOT 47 DRIGGS CENTRE BUSINESS PARK PHASE 1 SEC 31 T5N R46E
PROJECT NAME:	Morgan's Fine Finishes Employee Housing
PURPOSE OF APPLICATION:	To receive approvals for a Special Use Permit for two employee housing units that will be located within a 4,200 SF dual use facility used for commercial purposes with incorporated housing

Applicable Standards and Criteria for Application Evaluation:

- Teton County Land Development Code, Chapter 3 (§3-2, and §3-5-10) and Chapter 4 (§4-8)
- Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

Summary

Teton West Steel on behalf of Sergio Regalado Jr. has applied for a Special Use Permit on a .78 acre parcel located in the Driggs Centre Business Park. The Special Use Permit proposal is for two employee housing units that will be located within a 4,200 SF dual use facility used for commercial purposes with incorporated housing. The first floor will have three garage bays for the storage of inventoried cabinets and other finish carpentry components. There will be light traffic to the building during normal business hours (9am- 5pm). The second story will have a small amount of office space and employee housing for workers that will be moving product from storage to other destinations. Since no fabrication or assembly will be done in the garage bays below, there will be minimal sound, no odor, no fumes, and no vibration of any kind. All the exterior lights on the property will be shielded so that light is downcast and won't trespass onto adjacent properties. Employee housing is allowed through special use permit standards set forth in Chapter 3; (see 3.9.5 Employee Housing). The employee housing will strictly be for employees of Morgan Fine Finishes.

NOTICE: The public hearing for the Board of County Commissioners was duly noticed in the Teton Valley News on June 4, 2025 and June 11, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer on May 30, 2025. A notice was posted on site on June 10, 2025.

HEARING DATE: June 23, 2025.

Board Members Present: Ron James, Brad Wolfe, and Dan Powers.

Applicant(s)/Representative(s) Present: Quintin Lyons, Teton West Steel (Zoom)

Reasoning and Analysis

The Board has acted without any effect on their decision by any information presented after the close of the public hearing in this matter. Based on the facts presented at the above-described public hearing and in the written record of this matter.

Based on the materials submitted and the review provided by County staff and other agencies, and given the absence of any substantive opposition to the application, the Board found that the application meets or could meet the criteria found Teton County Land Development Code ("LDC") Section 4-8, Section 3-2, and Section 3-9-5.

Decision

On June 23, 2025, the Board unanimously concluded that the Criteria for Approval of a Special Use Permit for Employee Housing, found in LDC §§ 4-8, 3-2, and 3-9-5 can be satisfied, and APPROVED the Special Use Permit for Employee Housing sought by Morgans Fine Finishes LLC as described in the application materials submitted, and additional information attached to the staff report, with the following conditions of approval:

1. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 5-8. Teton County Dark Sky Ordinance will also be enforced.
2. Onsite Inspection: The planning administrator may, when necessary, determine that there is a reasonable need for an inspection and County personnel may thereupon enter the property to conduct such inspection.
3. Any additional development would require a modification of this special use permit.
4. Plans must include landscaping around the perimeter, not just the frontage.

Conclusions

Having given due consideration to the application and materials presented, and to the applicable review criteria, the Teton County Board of County Commissioners, for the reasons described above, hereby makes the following conclusions:

A. The proper legal requirements for advertising this public hearing have been fulfilled as required by Idaho Code, Title 67; Section, 67-6512 Special Use Permits, and Title 8, Section (8-6-1-B-4) of Teton County Code. The public hearing for the Board of County Commissioners was duly noticed in the Teton Valley News on June 4, 2025 and June 11, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer on May 30, 2025. A notice was posted on site on June 10, 2025.

B. The use is not in conflict with the Teton County Comprehensive Plan or LDC and the conditions above are established to minimize adverse impacts on the surrounding land uses.

C. The scope of the permit shall be limited to the materials submitted with the application, including the site plan, dated February 24, 2025. The approval date is June 23, 2025.

THEREFORE, *the Special Use Permit for Employee Housing sought by Morgans Fine Finishes LLC is hereby APPROVED with the following conditions of approval*:

1. *Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 5-8. Teton County Dark Sky Ordinance will also be enforced*.
2. *Onsite Inspection: The planning administrator may, when necessary, determine that there is a reasonable need for an inspection and County personnel may thereupon enter the property to conduct such inspection*.
3. *Any additional development would require a modification of this special use permit*.
4. *Plans must include landscaping around the perimeter, not just the frontage*.

Brad Wolfe
Chair of Teton County Board of County Commissioners

Date

NOTICE OF APPLICABLE RIGHTS

Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code §67 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of July 2025, I served a true and correct copy of the foregoing document upon the following:

Quintin Lyons, Teton West Steel (Applicant Representative) quintin@tetonweststeel.com	[ ] Mailing [ ] Hand Delivery [ ] Fax [X] E-Mail [ ] Overnight Mail [ ] Courthouse Box

_____

Clerk

TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision for the Eustachy-Wysong Ranch Subdivision Final Plat

This is a written decision on the findings for the approval of the Eustachy Wysong Ranch Subdivision Final Plat under Teton County Title 9, Subdivision Regulations revised 05/16/2013, which law applies to this request for Final Plat approval.

HEARING DATES:	June 9, 2025 & June 23, 2025
APPLICANT:	Larry Eustachy, Michael Wysong
PARCEL:	RP05N45E053100 – 60 acres
PROJECT NAME:	Eustachy Wysong Ranch Subdivision _ Final Plat
PURPOSE OF APPLICATION:	Obtain Final Plat approval for a 10-lot subdivision.

Applicable Standards and Criteria for Application Evaluation: Subdivision Final Plat Review pursuant to Title 9, Chapter 3-2-D, Teton County Subdivision Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)
Teton County Title 9, Subdivision Regulations

OVERVIEW OF FINAL PLAT APPROVAL (9-3-2-D2): This phase of the subdivision/PUD process is to present the Board of County Commissioners the completed documentation as required by this Ordinance for a final review before rendering a decision to approve, deny, amend or remand this application. If the Board elects to amend the application, additional findings and reasoning shall be made in writing in accordance with State code. Otherwise, the findings and reasoning should be contained in the Master Plan / Development Agreement / and Final Plat. (amd. 06-05)

CONSIDERATION OF APPROVAL: In conjunction with the decision for approval, approval with conditions, or denial of an application for a subdivision or PUD, the Board shall make written findings with respect to the items required with the submission of the application and the criteria below. Additional written findings are not necessary where the public documents or records of the public hearing already provide a written record.

i. Each exception to otherwise applicable restrictions shall be identified and the reasons supporting the exceptions stated.
ii. The subdivision or PUD is consistent with the public health, safety and welfare of the County and with all applicable provisions of Title 9 and Title 8 of the Teton County code. (amd. 11-14-08)
iii. The information required in the application has been verified and is correct.

Procedural Background and Project Summary

Larry Eustachy, represented by Civilize LLC, has submitted an application for a 10 lot subdivision on 60 acres south of W 5000 N. The property is zoned A/RR-2.5. The subject parcel falls within the Big Game Migration Corridor, Priority Wetland Habitat/Wetland & Waterway, and Songbird/Raptor Breeding and Wintering Habitat Overlays.

A pre-application conference was completed March 28, 2022. The first step in the subdivision process is a Concept Plan Review (9-3-2B).

Concept Review: The Planning & Zoning Commission Reviewed the Concept Plat on July 12, 2022 and was continued

to gain more information on the following items (Staff's review of applicant's response is in red/italics below): PZC reviewed the continued application September 12, 2022, and approved the concept plan with conditions.

The PZC reviewed the preliminary plat at a hearing on July 7, 2024 continued to September 10, 2024 when the PZC recommended approval to the Board with conditions.

The BoCC reviewed the Preliminary Plat on November 12, 2024 where they motioned to continue deliberation of the item until December 23, 2024. At the applicant's request the application was re-noticed for additional public hearing on Jan, 31, 2025. The applicant also submitted a request for a time extension to complete the review process for final plat approval on this date. This extension was subsequently granted in a written decisions on March 24, 2025.

The Board of County Commissioners reviewed the Final Plat on June 9, 2025 & June 23, 2025, with the following commissioners present): Brad Wolfe, Michael Whitfield, Ron James. The Board approved the final plat on June 23, 2025.

Applicants and Representatives Present: Brent Crowther (Civilize Engineering),

Reasoning and Analysis

The Board has acted without any effect on their decision by any information presented after the close of the public hearing in this matter. Based on the facts presented at the above-described public hearing and in the written record of this matter, which include conflicting facts and arguments.
Surrounding landowners have presented information throughout the review process challenging the scope of the easements relied upon by the Eustachy-Wysong Ranch Subdivision proposal. The Applicant has repeatedly asserted that the easements at issue do provide sufficient access to the proposed subdivision. The Idaho Supreme Court has explained that a county "Board has no authority to adjudicate easements." Hawkins v. Bonneville Cnty. Bd. of Comm'rs, 151 Idaho 228, 234, 254 P.3d 1224, 1230 (2011). Where there are plausible arguments regarding access for a subdivision, Idaho courts have explained that a county must "make the application's approval expressly contingent upon judicial resolution of the access issue." Shinn v. Bd. of Cnty. (In re Variance ZV2011-2), 156 Idaho 491, 496, 328 P.3d 471, 476 (2014). The Board must decide the threshold matter of whether there is a plausible or colorable argument that could negate or impact the required access to this subdivision and, if there is, condition approval on judicial resolution of the access issue.
However, here, the Board does not find that there is a plausible argument that could negate or impact the required access to this subdivision. In other words, the Board found that the applicants for Eustachy-Wysong Ranch Subdivision sufficiently demonstrated that they have a valid easement that satisfies the access requirements for a subdivision under the applicable Teton County Code. Specifically, the Board finds that the Mutual Cross-Access Easement Agreement (recorded in Teton County as Instrument # 269564, and referred to herein as the "Easement Agreement") settles the question of applicant's ability to provide sufficient legal and actual access to this subdivision. Section 10 of the Easement Agreement vacates and terminates all other easements for these properties (which appears to include the applicants and their property that is being subdivided into the Eustachy-Wysong Ranch Subdivision), making this document the sole relevant source of easement access for the proposed subdivision. Sections 3, 2.1, and 2.2 of the Easement Agreement provides that the easements (legally described in Exhibit C to the document) are for access by pedestrians, vehicles, and utilities—but not for parking. Section 6 of the Easement Agreement specifies that it binds both parties and their successors to these properties.

MOTION
APPROVAL

Commissioner Ron James made the motion; motion was seconded by Commissioner Brad Wolfe.

AYES: Brad Wolfe, Ron James,

NAYES: Dan Powers

DECISION

The Board's consideration and deliberation relating to the proposed Eustachy-Wysong Ranch Final Plat was continued to June 23, 2025, to obtain additional information from legal counsel. By that date, the Board had reviewed the legal issues involved with this application.

On June 23, 2025, Commissioner Ron James moved to approve the Final Plat application for the Eustachy-Wysong Ranch Subdivision based on the finding that all of the criteria for approval found in Teton County Code § 9-3-2(D) can be satisfied based on the application materials submitted and additional information attached to the staff report, with the following conditions of approval:

1. Final technical survey review be completed by the County's public works department.
2. The final letter of credit must be provided before recordation of the improvement plans and development agreement.

The motion was seconded by Commissioner Brad Wolfe, and passed with a vote of 2-1 (Commissioners Brad Wolfe and Ron James voting aye, Commissioner Dan Powers voting nay).

CONCLUSION

Having given due consideration to the application and materials presented, and to the applicable review criteria, the Teton County Board of County Commission, for the reasons described above, hereby makes the following conclusions:

The application for FINAL PLAT of the Eustachy-Wysong Ranch Subdivision meets or can meet the requirements of the Teton County Code § 9-3-2(D), and is therefore APPROVED with the following conditions:

1. Final technical survey review be completed by the County's public works department.
2. The final letter of credit must be provided before recordation of the improvement plans and development agreement.

_____ _____

Teton County Board of County Commissioners, Chair

NOTICE OF APPLICABLE RIGHTS

Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code § 67- 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE

I hereby certify that on this _____day of July 2025, I served a true and correct copy of the foregoing document upon the following:

Larry Eustachy larryeustachy@icloud.com	
Michael Wysong michaelvwysong@gmail.com	[ ] Mailing
Brent Crowther bcrowther@civilize.design	[ ] Hand Delivery
	[x] E-Mail
	[ ] Overnight Mail
	[ ] Courthouse Box

_____

Clerk

TETON COUNTY, IDAHO | Board of County Commissioners

Written Decision for Dorothy Gayle Subdivision Final Plat

7/10/2025
This is a Written Decision on the findings for the Dorothy Gayle Subdivision Final Plat made under Subdivision Final Plat Review pursuant to Title 9, Chapter 3-2, Teton County Subdivision Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

HEARING DATES: June 9, 2025 & June 23, 2025

LEGAL DESCRIPTION: RP05N45E054650; TAX #6770 SEC 5 T5N R45E
LOCATION: W 4850 N;
ZONING DISTRICT: A/RR-2.5
PROPERTY SIZE: 40.46 acres

APPLICANT & OWNER: Jones Lehi LLC, Dorthy & Harry V Jones Family LLC
ENGINEER/SURVEYOR: Curt Behle & Civilize LLC

OVERVIEW: Jones Lehi, LLC and Harry V Jones Family LLC, represented by Curt Behle and Civilize Engineering, have applied for a 7 lot subdivision near W 4850 N, SW of the City of Tetonia. The application was originally for 16 lots but has reduced to 6 residential lots at the Preliminary Plat stage and one lot being a proposed Open Space Lot to accommodate a fire pond. The parcel includes the Big Game Migration Corridor & Seasonal Range.

Procedural Background
SUBMISSION AND SCHEDULING: The application for the subdivision Extension Request was submitted on October 8, 2024. Extension Requests are reviewed by the Board of County Commissioners ("BoCC") at a Public Meeting.
The subdivision applicants submitted a concept application for a subdivision on August 13, 2021. However, it was not signed nor formally deemed complete by the Planning Administrator. Therefore, the application timeline under Title 9 of Teton County Code began November 5, 2021, when the application was reviewed and approved by the Planning and Zoning Commission (PZC).
The applicant submitted preliminary plat materials on August 11, 2023. The application was reviewed, and then deemed materially complete and scheduled for the November 23, 2023 PZC agenda. The PZC reviewed the application and continued the hearing until February 13, 2024, because the applicant had not provided proof of legal access to ensure the roads could be improved to County Local Road Standards, which require a 60' width. At the February 13, 2024, hearing, the PZC reviewed the updated easement information provided by the applicant and recommended approval of the application with the condition that the applicant receive judicial or other resolution on the legal access.

The BoCC reviewed the application on April 22, 2024, and continued the hearing for additional information. At the July 8, 2024, BoCC meeting, the BoCC approved the item with 8 conditions of approval, including addressing the legal access.

The following commissioners were present for review of the request for reconsideration: Brad Wolfe, Michael Whitfield, and Ron James.
County Staff Joshua Chase was present.
The applicant was in attendance.

FINAL PLAT REVIEW PUBLIC HEARING
BoCC – Public Hearing of June 09, 2025
APPLICABLE COUNTY CODE: Subdivision Final Plat Review pursuant to Title 9, Chapter 3-2, Teton County Subdivision Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

FINAL PLAT REVIEW PUBLIC HEARING

ACTION ITEM - 1:45 PM - PUBLIC HEARING: Dorothy Gayle Ranch Final Plat Hearing Mr. Chase gave the staff report for the Dorothy Gayle Ranch final plat hearing. The Eustachy Wysong access issue impacts this application as well. Curt Behle, representing the applicant, stated that he does not believe there is an access issue with this application. Public comment was opened at 4:46. Glenn Moradian pointed out the roads at issue on the GIS map to illustrate the choke point, 5000N between N3000W and N3250W. Mr. Moradian argued that the applicant has not established access. Merri Moradian presented instrument #238814 and instrument #270431. She believes that instrument #270431 is invalid because it is missing information and was illegally submitted with the application. Public comment was closed at 5:01 PM. Curt Behle had no further comments.

The Board discussed further legal review and questions regarding access that they had in relation to this application. Commissioner Dan Powers moved to continue the Board's consideration and deliberation on the Dorothy Gayle Final Plat to June 23rd at 2:45 PM in order to obtain additional information from legal counsel, which motion was seconded by Commissioner Ron James, and was passed unanimously by the Board.

REASONING AND ANALYSIS

The Board has acted without any effect on their decision by any information presented after the close of the public hearing in this matter. Based on the facts presented at the above-described public hearing and in the written record of this matter, which include conflicting facts and arguments.

Surrounding landowners have presented information throughout the review process challenging the scope of the easements relied upon by the Dorothy Gayle subdivision proposal. The Applicant has repeatedly asserted that the easements at issue do provide sufficient access to the proposed subdivision. The Idaho Supreme Court has explained that a county "Board has no authority to adjudicate easements." Hawkins v. Bonneville Cnty. Bd. of Comm'rs, 151 Idaho 228, 234, 254 P.3d 1224, 1230 (2011). The Idaho Supreme Court has also held

> that if a land use application is submitted and proper access to the land is not certain, the decision-maker must make the application's approval expressly contingent upon judicial resolution of the access issue. This holding is consistent with notions of fairness, finality, and judicial efficiency. At the county level, the [opponents] were left trying to prove a negative—that the proposed subdivision did not have access as required by [county code]. But it is the [applicants] who have the burden to show that each requirement under the [county code], which includes appropriate access to the proposed subdivision, is satisfied. Therefore, the burden is on the [applicants] to establish, through a declaratory action in district court, that the easement allows for subdivision access consistent with the [county code] requirements.

Shinn v. Bd. of Cnty. (In re Variance ZV2011-2), 156 Idaho 491, 496, 328 P.3d 471, 476 (2014). Thus, while a county board or commission cannot adjudicate easement issues or other servitudes regarding access, and must assess the application without considering them, the County must also make its approval contingent on a judicial resolution of any such issues that are reasonably raised. Where there are plausible arguments regarding access for a subdivision, Idaho courts have explained that a county must "make the application's approval expressly contingent upon judicial resolution of the access issue." Shinn, 156 Idaho at 496, 328 P.3d at 476.

Here, the Board has previously approved the Subdivision's preliminary plat with a requirement that the Applicant

> Demonstrate that the development has legal access via W4850N and N3250W to County Road N3000W sufficient to allow improvement of the roads to meet County local road standards required by Title 9 through judicial court order or other legal resolution between the affected private parties through signed agreement.

It is apparent that, to date, no action has been taken in relation to this condition, except that some discussions may have occurred, but they have not resolved the access issues. Despite the arguments of the parties, the Board finds that there are colorable and plausible arguments made to dispute or sustain access to this proposed subdivision, but it is not the Board's jurisdiction to finally resolve the issue of access. Therefore, in accordance with the directive in Shinn, the Board determined to conditionally grant approval of the subdivision with the requirement for the matter of access to be resolved through judicial resolution.

DECISION

The Board's consideration and deliberation relating to the proposed Dorothy Gayle Final Plat was continued to June 23, 2025, to obtain additional information from legal counsel. By that date, the Board had reviewed the legal issues involved with this application.
On June 23, 2025, the Board concluded that the Criteria for Approval of a Final Plat found in Teton County Code § 9-3-2(D) can be satisfied, and APPROVED the Final Plat for Dorothy Gayle Subdivision as described in the application materials submitted on August 10, 2023, and additional information attached to the staff report, with the following conditions of approval:

1. Approval is expressly contingent upon judicial resolution of the access issue to the County Road, sufficient to meet improvements to county road standards.
2. Approval is also contingent upon final technical review of the Final Plat and submission of appropriate financial surety.

Conclusion:

Having given due consideration to the application and materials presented, and to the applicable review criteria, the Teton County Board of County Commissioners, for the reasons described above, hereby makes the following conclusions:
The application for FINAL PLAT of the Dorothy Gayle Subdivision meets or can meet all of the requirements of the Teton County Code § 9-3-2(D), and is therefore APPROVED with the following conditions:

1. Approval is expressly contingent upon judicial resolution of the access issue to the County Road, sufficient to meet improvements to county road standards.
2. Approval is also contingent upon final technical review of the Final Plat and submission of appropriate financial surety.

_____ _____

Teton County Board of County Commissioners, Chair Date

NOTICE OF APPLICABLE RIGHTS

Applicants have a right to request a regulatory taking analysis of this decision pursuant to Idaho Code § 67- 8003. Further, per Idaho Code § 67-6535, and in accordance with Idaho Rule of Civil Procedure 84, an applicant or an affected person has the right to seek review of this decision.

CERTIFICATE OF SERVICE

I hereby certify that on this _____day of July 2025, I served a true and correct copy of the foregoing document upon the following:

Curt Behle curtbehle@gmail.com Brent Crowther bcrowther@civilize.design	[ ] Mailing [ ] Hand Delivery [ ] Fax [x] E-Mail [ ] Overnight Mail [ ] Courthouse Box

_____

Clerk