



Cassia County Planning & Zoning Commission

EXHIBIT LIST

Application Number: 2024-15-ZA

Applicant: Luke H. Marchant

Property Owner: A3 New Horizon LLC

Hearing: January 16, 2025

1. Amendment to Zone Application
2. Legal Descriptions
3. Narrative Statement
4. Vicinity Sketches
5. Proof of Ownership
6. Notice to Political Subdivisions
 - a) Burley Highway District
 - b) Idaho Transportation Department
 - c) Southside Electric
 - d) Declo Fire and Rescue
 - e) Cassia School District
 - f) South Central Health District
 - g) Burley Irrigation District
7. 1 Mile Property Owners (Cassia County and Minidoka County)
8. AFFIDAVITS: Notice of Hearing, Certificate of Mailing, List of Property Owner mailed to, Affidavit of Posting, Affidavit of Publication.
9. Departmental Report
10. Aerial Maps, TOPO
11. Comment Letters: Linda K. Miller
 - 11b. Comment Letter Blaine Cannon
 - 11c. Comment Letter Sidney Cole
 - 11d. Comment Letter Doug Abenroth



APPLICATION FOR AMENDMENT TO ZONE

(Title 9, Chapter 3, Cassia County Zoning Ordinance)

APPLICATION NO: 2024-15-ZA

Applicant/Owner Information:

Applicant/Authorized Agent
(Attach additional pages if Necessary)

Name: Luke H. Marchant

Address: PO Box 536

City: Rupert

State: ID Zip: 83350

Contact Phone # (208) 944-9310

Email: luke@minicassialaw.com

Property Owner(s) of Record
(Attach additional pages if Necessary)

Name: A3 New Horizon, LLC

Address: 15005 NW 2nd Ave

City: Vancouver

State: WA Zip: 98685

Contact Phone # _____

Email: _____

Property Information:

Physical Location of Property: Southwest corner of exit 216 on the west side of Highway 77.

Property Legal Description: (Complete Legal Description; attach if necessary):

See Attached.

GIS/GPS Property Legal Description Data, in digital file format, submitted to County Mapping Department. (Contact County Mapping Department for file format specifications/requirements)

Existing Use of Property: Gas station and convenience store.

Number of Acres to be included in the Proposed Zoning Designation: 23.3 Acres

Current Zoning Designation of the Property: Residential Agricultural

Proposed Zoning Designation of the Property: Industrial Commercial

Please attach the following to application:

- NARRATIVE:** Attach a brief statement of the proposed zoning change including the following:
 1. How the present and proposed land uses in the requested zone promote the objectives of the Zoning Ordinance and the Comprehensive Plan.
 2. Availability of public facilities such as streets, sewage, water, etc., to support the allowable and proposed uses; and the proposed uses.
 3. Compatibility of the allowable uses with the surrounding area.
 4. Reason(s) for proposed zone change.

- VICINITY SKETCH:** A vicinity map which is drawn to scale must be attached showing the location of the property under consideration.
- PROOF OF OWNERSHIP OR VALID OPTION HOLDER:** A copy of your property deed or option agreement should be attached.
- NOTICE TO POLITICAL SUBDIVISIONS PROVIDING SERVICES:** School Districts, Fire District, Highway District, Electrical and Gas Company, South Central Public Health District, Pipeline company: Natural Gas, Petroleum. Proof of notification must be submitted to Zoning & Building Department.
- SURROUNDING PROPERTY OWNERS:** 300' Radius of Property owners of external boundaries of land being considered must be attached. (information provided by Assessor's office.) Once application has been assigned a date for hearing, Notice must be mailed to surrounding property owners. The certificate of mailing must be signed and notarized with mailing list attached and submitted to Zoning & Building Department.
- NOTICE OF PUBLICATION:** Once application has been assigned a date for hearing, Notice of Hearing must be published in the newspaper fifteen (15) days prior to date of hearing. The Affidavit of publication from the newspaper is to be submitted to Zoning & Building Department.
- NOTICE POSTED ON PREMISES:** Notice of hearing must be posted on property being considered, no less that one (1) week prior to hearing. Affidavit of posting and a picture of the Notice of Hearing posted on site attached is to be submitted to Zoning and Building Department.

Applicant/Owner Certification:

I hereby certify that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration for a Application for Amendment to Zone. Additionally, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.



 Signature of Applicant/Authorized Agent

11/15/2024

 Date

 Signature of Property Owner

 Date

The Zoning Director/Administrator reserves the right to **not** officially accept this application until total review is accomplished and all required information is submitted. The date of the public hearing will be established by the Administrator upon the acceptance of a complete application.

For Office Use Only:	Date Application Filed: <u>11-15-2024</u>	By: <u>Kadams</u>	
Fee Received:	\$ <u>1,523.80</u>	Check # <u>101</u>	
Fee:	\$1200.00 +		Application # <u>2024.15-2A</u>
Less than 11 acres	\$250.00	320 to 640 acres	\$4.00/acre
11-320 acres	\$6.00/acre	640 and more acres	\$2.00/acre

11-15-2024
10:38:13

CASSIA COUNTY ZONING/BUILDING Receipt #: 2-08726
Received by: S HAYNES
* Re-Print *

Received From: MARCHANT LAW, PLLC
PO BOX 536
RUPERT, ID 83350

Received On: 11-15-2024 In the form of Check#: 0000101

<u>Received For</u>	<u>Cost Each</u>	<u>Quantity</u>	<u>Cost</u>
Planning & Zoning Fees	1,200.00	1	1,200.00
Planning & Zoning Fees	250.00	1	250.00
Planning & Zoning Fees	73.80	1	73.80
			=====
	Receipt Amount		\$1,523.80

APPLICATION FOR AMENDMENT TO ZONE-LUKE MARCHANT
RA TO IC 1200.00 + 250.00 + 12.3 X 6.00 *23.3 Acres*

ATTACHMENT 1
Legal Description

Real property in the County of Cassia, State of Idaho, described as follows:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of said Section 11; Thence N 31°49'16" E for 977.25 feet to a point on the North bank of an irrigation lateral, and also on the East bank of an irrigation lateral; Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet; which point shall be known as the True Point of Beginning; Thence continuing N 1°53'46" E for 655.0 feet to a point; Thence N 39°07'46" E for 437.1 feet to a point; Thence N 17°42'46" E for 126.0 feet to the South right-of-way line of Interstate 80; Thence S 74°19'14" E along said highway right-of-way for 350.0 feet to its intersection with State Highway 77 right-of-way; Thence S 1°47'33" E along said Highway 77 right-of-way for 472.83 feet to a point; Thence S 0°01'30" W, continuing along said Highway 77 right-of-way for 200 feet to a point; Thence S 6°30'07" E continuing along said Highway 77 right-of-way for 87.94 feet to a point; Thence Southwesterly along an arc of a curve to the right for 284.12 feet along said Highway 77 right-of-way (on a four percent curve along said Highway 77 right-of-way for 281.0 feet rec.), said curve has a central angle of 23°39'01" , a radius of 688.32 feet and a long chord bearing S 2°00'13" W for 282.11 feet to a point; Thence N 88°06'14" W for 688.0 feet to the True Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of Section 11; Thence N 31°49' 16" E for 977.25 feet to a point on the North bank of an irrigation lateral and also on the East bank of an irrigation lateral which point shall be known as the True Point of Beginning; Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet to a point; Thence S 88°06'14" E for 688.0 feet to a point on the West right-of-way of State Hiway 77; Thence Southwesterly along an arc of a curve to the right along said Hiway right-of-way for 666.10 feet (on a 4 ° curve along said Hiway right-of-way for 643.45 feet rec.), said curve has a central angle of 30°17'22", a radius of 1260.00 feet and a long chord bearing S 17°08'54" W for 658.37 feet; Thence N 59°55'14" W along the North bank of an irrigation lateral for 120.7 feet to a point; Thence N 75 °39'14" W continuing along the North bank of said irrigation lateral for 418.25 feet to the True Point of Beginning.

EXHIBIT

3

ATTACHMENT 2
Narrative

A3 New Horizon, LLC (the “Applicant”) is the owner of the parcel where the current Pit Stop Grill and Sinclair gas station is located (Parcel No. RP10S24E115500) and the parcel directly to the south (Parcel No. RP10S24E116000) (together the “Project Site”). The Project Site comprises 23.3 acres. Applicant, or Applicant’s predecessors in interest have operated the grill and gas station on the Project Site under a Conditional Use Permit issued in 1999. To meet the needs of increased traffic flows¹ around the Project Site Applicant now wishes to redevelop the Project Site into a travel center to serve both general public passenger vehicles as well as commercial semi-trucks.

Preliminary plans call for the following:

- 150+ truck parking spaces.
- Commercial vehicle repair shop (3 bays with storage and retail space).
- 8 diesel fueling lanes.
- 50 parking spaces for passenger vehicles.
- A minimum of 6 auto fuel lanes.
- 15,000 sq ft. building with showers, laundry, truckers lounge, and 3 food concepts with one nationally recognized brand.
- EV charging stations.

The Project Site is currently zoned Residential Agricultural (“RA” or “RA Zone”). All the proposed changes to the Project Site could have been allowed within an RA Zone under a new or amended conditional use permit prior to a 2019 amendment to the county zoning ordinance (Ordinance No. 2019-08-01). With that amendment, several of the proposed uses, and in fact, some of the current uses are not allowed, even through a conditional use permit. For this reason, the Applicant seeks to amend the current zoning designation of the Project Site from RA to Industrial Commercial (“IC” or “IC Zone”). Cassia County Ordinance Title 9, Chapter 7, Section 7A provides that:

The purpose of the industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land around them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

The Project Site is an ideal location for the proposed development. Because it is already the site of a convenience store and gas station, the proposed development is not a major change to the area. The Cassia County Comprehensive Plan (hereinafter the “CP”) provides that “minimizing any detrimental impacts on agricultural land uses is an important goal of the Commission and the Board.” *CP at 9-10*. The proposed project would have no detrimental impacts on the agricultural land uses in the county. To the contrary, it would serve to support the trucking industry so vital to agriculture.

¹ ITD data shows a 31% increase in traffic on the Raft River stretch of I84 in the time period since the original Conditional Use Permit was issued and a 45% increase in traffic on the Eden stretch of I84 since 2002.

Furthermore, because of the Project Site's location immediately off exit 216 of Interstate 84 and Highway 77, it is ideally situated for this type of development and zoning classification. The CP calls on the county to:

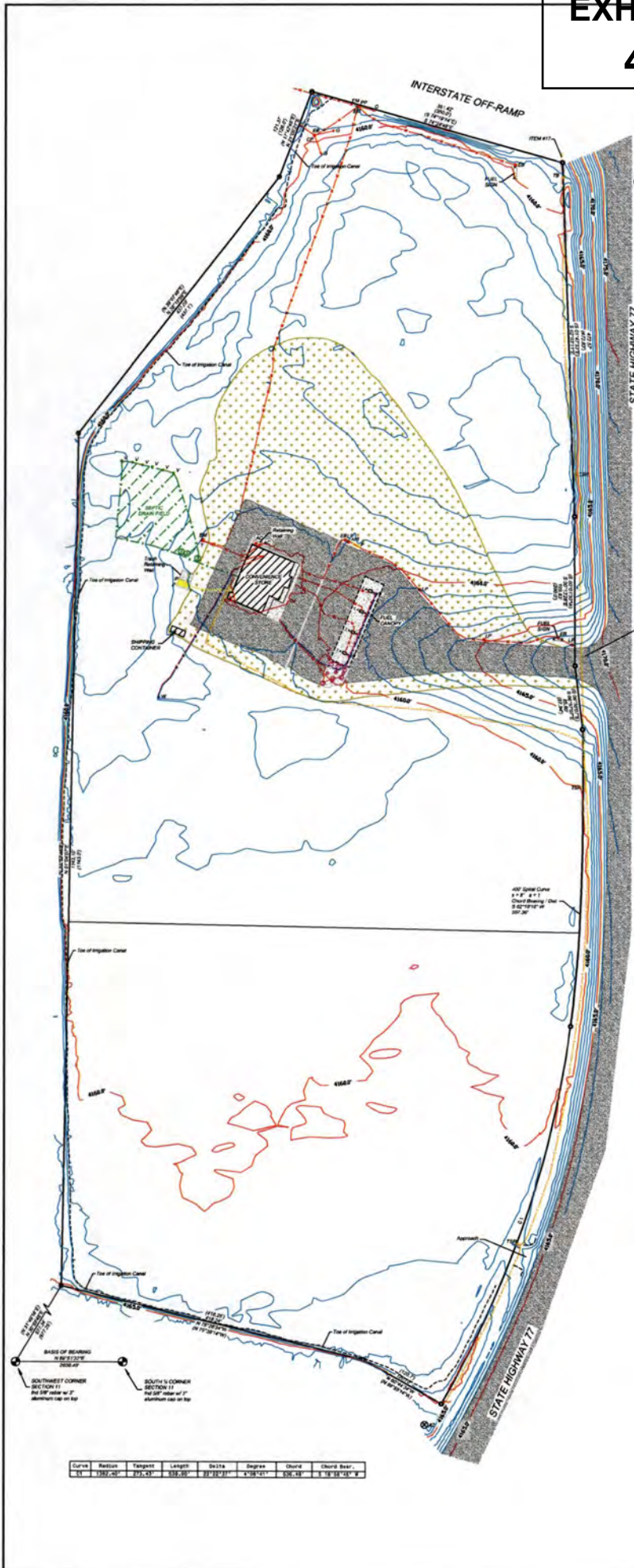
Provide for industrial zones that are suitable for the purpose, properly located with respect to transportation and other land uses and for industrial demands. Each established community should be encouraged to plan for industrial development in its own area. **Locations for industrial uses are best located in accordance with existing transportation and utility systems.**

CP at 29, emphasis added. With the exception of the railroad tracks to the west of Highway 27, every IC Zone in the county is located along a major thoroughfare, with the next closest IC Zone located six miles away on Highway 81.

ATTACHMENT 3
Vicinity Sketches

EXHIBIT

4



SECTION 11
T. 10 S., R. 24 E., B.M.
CASPER COUNTY, IDAHO

UTILITY NOTE
EVIDENCE OF UNDERGROUND UTILITIES ON THE SURVEYED PROPERTY ARE SHOWN HEREON AS ASSIGNED BY BANCOR VALLEY PRIVATE UTILITY INFORMATION LOCATIONS BASED ON AVAILABLE EVIDENCE OF UTILITIES. ADVISED LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY DETERMINED AND RELIABLE EXCAVATION INFORMATION, OR MORE DETAILED INFORMATION IS REQUIRED. THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.

TITLE REPORT
FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBER: NCB17847-01
COMMITMENT DATE: DECEMBER 11, 2017 AT 07:30 AM

VERTICAL DATUM
DESIGNATION: BRIDGE
PD: NAD 83
NAVD 83 ORTHO HEIGHT: 4187.01'
MOUNTAIN BRASS DISK IN CONCRETE PILLAR

BENCH MARKS
BENCH MARK #1
CHISELED "X" IN CONCRETE BASE OF LIGHT POLE
NORTHING: 8317.80'
EASTING: 7729.18'
ELEVATION: 4176.88'
BENCH MARK #2
CHISELED "X" IN CONCRETE BRIDGE STRUCTURE
NORTHING: 8322.60'
EASTING: 8882.80'
ELEVATION: 4187.77'

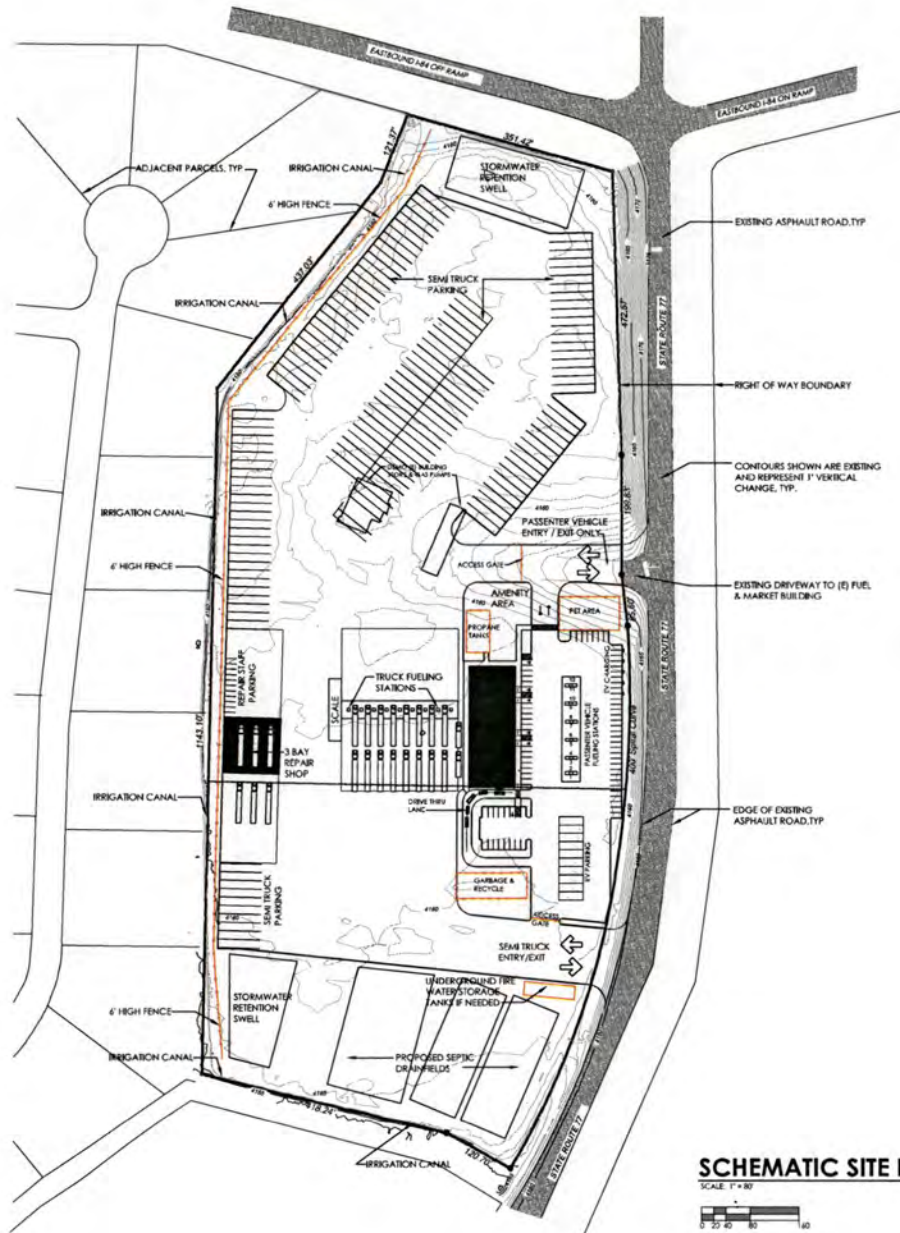
LEGEND

- FOUND 1" DIAMETER REBAR
- FOUND 1/2" DIAMETER REBAR
- SECTION OR 1/4 SECTION CORNER, CALCULATED POINT UNLESS OTHERWISE NOTED.
- BENCH MARKS EXTENDED AS INDIVIDUALLY NOTED.
- SURVEYED BOUNDARY / PROPERTY LINES
- BOUNDARIES / DISTANCES OF RECORD
- UNDERGROUND TELECOMMUNICATIONS LINES
- UNDERGROUND ELECTRICAL LINES
- OVERHEAD ELECTRICAL LINES
- UNDERGROUND WATER LINES
- UNDERGROUND PROPANE LINES
- UNDERGROUND FUEL / PRODUCT LINES
- EDGE OF GRAVEL
- EDGE OF ASPHALT
- EDGE OF CONCRETE
- TELECOMMUNICATIONS SERVICE REEF
- TELECOMMUNICATIONS SERVICE BOX
- WELL
- WATER HYDRANT / SPRIGOT
- METRIC TAPWATER
- METRIC WIRE
- POWER POLE
- LIGHT POLE
- COMMUNICATIONS POLE
- CULY ANCHOR
- ELECTRICAL BOX
- TRANSFORMER
- AIR COMPRESSOR
- AIR COMPRESSOR TANK
- PROFORM TANK
- MONITORING WELL
- FUEL / PRODUCT LID
- FUEL / PRODUCT MANHOLE
- CONCRETE
- ASPHALT
- GRAVEL
- BUILDING

STIPPLED PART EXPLANATION

1. This is a stippled area and not shown as existing based on the records of the party surveying this area or as indicated on any property or by the Public Records.
2. This area, which is stippled, or shown as not shown in the Public Records but which shall be considered as the location of said land in the absence of evidence of contrary evidence.
3. A stippled area is shown as a stippled area and not shown in the Public Records.
4. An encroachment, easement, right-of-way, or other interest affecting the land, including encroachments, easements, or other interests, in any area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the Public Records.
5. All topographic survey lines, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, shall be shown in the Public Records, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
6. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
7. Any other, or other, interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
8. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
9. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
10. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
11. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
12. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
13. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
14. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
15. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
16. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
17. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
18. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
19. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
20. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
21. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
22. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.
23. No fee, or right to a fee, for a search, title, or other interest, shall be shown in the Public Records or in any other record, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length, or as to the portion of the survey shown, 50 meters or less in length.

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
1	1382.00'	273.43'	133.20'	22.32.31"	6.08.21"	238.28'	1.18.18.78"



SCHEMATIC SITE PLAN

SCALE: 1" = 80'
 0 20 40 80 160



PROPERTY INFO:

PROJECT: DECLO TRAVEL CENTER
 ADDRESS: 232 ID-77
 (Data: ID 8332)

TAX PARCELS:

- RP10524E115500
- RP10524E116000

LEGAL DESCRIPTION:

- RP10524E115500 - T 3214A (SW) S 11 T 10 R 24 PIT STOP GRILL/FOOD MART
- RP10524E116000 - T 3465A (SW) S 11 T 10 R 24

PROPERTY AREA:

RP10524E115500: 18.11 ACRES
 RP10524E116000: 5.18 ACRES
 TOTAL: 23.3 ACRES

JURISDICTION:

- CASSIA COUNTY PLANNING & BUILDING DEPARTMENT

ZONING CODE:

- CASSIA COUNTY ZONE, TITLE #

PROPERTY ZONE:

- AGRICULTURAL RESIDENTIAL
- ZONING OVERLAYS: NONE

NOTE: EXISTING GAS STATION IS PERMITTED UNDER CONDITIONAL USE PERMIT.
 A NEW CONDITIONAL USE PERMIT WILL BE REQUIRED FOR THIS REDEVELOPMENT.

BUILDING CODES:

- 2014 INTL BUILDING CODE (IBC)
- 2009 IBC/NO ENERGY CONSERVATION CODE
- 2014 INTL MECHANICAL CODE
- 2014 IBC/NO FLAMMABLE CODE based on the IBC 2011 with amendments and addenda
- 2007 NATIONAL ELECTRICAL CODE (NEC)
- 2014 INTL FIRE CODE (IFC)
- 2014 INTL FUEL GAS CODE (IFGC)

PROJECT DESCRIPTION:

EXISTING GAS STATION AND STORE / RESTAURANT TO BE EXPANDED TO TRAVEL CENTER / TRUCK STOP FACILITY.

PROJECT DEVELOPMENT GOALS:

- 15,000 SF CENTER BUILDING W/ DRIVE-THRU
- 3 BAY REPAIR SHOP
- 3 LANE DIESEL FUELING STATION W/ DEF
- 8 GAS MPDS
- 150 TRUCK PARKING STALLS
- 75 MIXED CAR PARKING STALLS
- 10 RV PARKING STALLS

PARKING SHOWN ON SITE PLAN:

CAR PARKING	75
TRUCK PARKING	150
RV PARKING	10
TOTAL PARKING	235

PRELIMINARY NOT FOR CONSTRUCTION

SCALE	REVISION

3 JULY 2024
 FOR PRE-SUBMITTAL MEETING

DECLO TRAVEL CENTER

232 ID-77
 DECLO, ID 83323

SCHEMATIC SITE PLAN

A3 NEW HORIZON AMENDMENT TO ZONE



2023 NAIP Photo



Prepared by:
Luke H. Marchant
07/10/2024

ATTACHMENT 4
Proof of Ownership

EXHIBIT
5

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
04:19:16 PM 02-14-2022
2022-000651
NO. PAGES: 4 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: EV
Electronically Recorded by Simplifile

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FLETCHER LAW
OFFICE
BURLEY, IDAHO

WARRANTY DEED

THIS INDENTURE is made this 14th day of February, 2022 between **WEADEX, INC, an Idaho corporation, and DANNY WEST, also known as DANNY F. WEST, a married man dealing with his sole and separate property**, 210 North 840 East, Declo, Idaho 83323 ("collectively "Grantors") and **A3 NEW HORIZON, LLC, an Idaho limited liability company**, whose address is 15005 NW 2nd, Vancouver, Washington 98685 ("Grantee").

WITNESSETH:

Grantor, Danny West, also known as Danny F. West, owns as his sole and separate property the real property described as Parcel 1 on Exhibit A attached. Grantor, Weadex, Inc., an Idaho corporation, owns the real property described as Parcel 2 on Exhibit A attached.

Grantors for and in consideration of payment made by Grantee and other good and valuable consideration, the receipt whereof is hereby acknowledged, grant, bargain, sell, convey, and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, the real property described on Exhibit A attached located in the County of Cassia, State of Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, all appurtenant water rights, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantors.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantors shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

FLETCHER LAW
OFFICE
BURLEY, IDAHO

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IN WITNESS WHEREOF, the Grantors have executed this Deed the day and year first above written.

WEADEX, INC.

BY Danny West President
Danny West, President

Danny West
Danny West

STATE OF IDAHO)
County of Cassia) ss

On this 14th day of February, in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **DANNY WEST**, known or identified to me to be the President of WEADEX, INC., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

TERRI MCBRIDE
COMM NO. 15762
NOTARY PUBLIC
STATE OF IDAHO

Terr McBride
Notary Public for Idaho
Residing at Leper
My commission expires on 1-16-26

STATE OF IDAHO)
County of Cassia) ss

On this 14th day of February, in the year of 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **DANNY WEST**, 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.

TERRI MCBRIDE
COMM NO. 15762
NOTARY PUBLIC
STATE OF IDAHO

Terr McBride
Notary Public for Idaho
Residing at Leper
My commission expires on 1-16-26

Exhibit "A"

Real property in the County of Cassia, State of Idaho, described as follows:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of said Section 11; Thence N 31°49'16" E for 977.25 feet to a point on the North bank of an irrigation lateral, and also on the East bank of an irrigation lateral; Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet; which point shall be known as the True Point of Beginning; Thence continuing N 1°53'46" E for 655.0 feet to a point; Thence N 39°07'46" E for 437.1 feet to a point; Thence N 17°42'46" E for 126.0 feet to the South right-of-way line of Interstate 80; Thence S 74°19'14" E along said highway right-of-way for 350.0 feet to its intersection with State Highway 77 right-of-way; Thence S 1°47'33" E along said Highway 77 right-of-way for 472.83 feet to a point; Thence S 0°01'30" W, continuing along said Highway 77 right-of-way for 200 feet to a point; Thence S 6°30'07" E continuing along said Highway 77 right-of-way for 87.94 feet to a point; Thence Southwesterly along an arc of a curve to the right for 284.12 feet along said Highway 77 right-of-way (on a four percent curve along said Highway 77 right-of-way for 281.0 feet rec.), said curve has a central angle of 23°39'01" , a radius of 688.32 feet and a long chord bearing S 2 °00'13" W for 282.11 feet to a point; Thence N 88°06'14" W for 688.0 feet to the True Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of Section 11; Thence N 31°49' 16" E for 977.25 feet to a point on the North bank of an irrigation lateral and also on the East bank of an irrigation lateral which point shall be known as the True Point of Beginning; Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet to a point; Thence S 88°06'14" E for 688.0 feet to a point on the West right-of-way of State Hiway 77; Thence Southwesterly along an arc of a curve to the right along said Hiway right-of-way for 666.10 feet (on a 4 ° curve along said Hiway right-of-way for 643.45 feet rec.), said curve has a central angle of 30°17'22", a radius of 1260.00 feet and a long chord bearing S 17°08'54" W for 658.37 feet; Thence N 59°55'14" W along the North bank of an irrigation lateral for 120.7 feet to a point; Thence N 75 °39'14" W continuing along the North bank of said irrigation lateral for 418.25 feet to the True Point of Beginning.

SUBJECT TO:

Taxes for the year 2022 and subsequent years.

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

Levies and assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.

Reservations contained in State of Idaho Deed to John Neiwert, recorded April 27, 1948 as Instrument No. 162388 and in State of Idaho Deed to John Neiwert, his heirs and assigns, recorded April 27, 1948 as Instrument No. 162389.

Billboard and building restrictions and access limitations as set forth in Warranty Deed to the State of Idaho for highway purposes, dated February 5, 1958 and recorded April 30, 1958 as Instrument No. 197036 in Book 59 of Deeds, records of Cassia County, Idaho.

Billboard and building restrictions and access limitations as set forth in Warranty Deed to the State of Idaho for highway purposes, dated February 5, 1958 and recorded May 14, 1958 as Instrument No. 197220 in Book 59 of Deeds, records of Cassia County, Idaho.

Farm Access Road Construction Permit from J. M. Estes and Minnie Estes, his wife, to the State of Idaho, dated February 5, 1958 and recorded May 14, 1958 as Instrument No. 197221 in Book 15 of Miscellaneous on Page 579, records of Cassia County, Idaho, granting to the State of Idaho the right to go upon, occupy, and use a strip of land in the NW1/4SW1/4 of Section 11, Township 10 South, Range 24 East, Boise Meridian, for the purpose of constructing a farm access road.

Ditch Easement granted to the State of Idaho the right to go upon, occupy, and use a strip of land 1100 x 20 feet across a portion of the NW1/4SW1/4 of Section 11, Township 10 South, Range 24 East, Boise Meridian, for purpose of constructing thereon a flat bottom ditch, recorded May 17, 1958, as Instrument No. 197299 in Book 15 of Miscellaneous, Page 591 and 592.

Right-of-way granted to Mountain States Telephone and Telegraph Company, recorded November 19, 1970 as Instrument No. 53803 on Film No. 67.

Joint Right of Way disclosed in Warranty Deed from Shirley Estes and Martha Estes, his wife to Jeston O. Jacobson and Maurine M. Jacobson, his wife, with a 1/2 undivided interest, and G. Jack Hopkinson and Joy R. Hopkinson, his wife, with a 1/2 undivided interest, recorded May 11, 1973 as Instrument No. 70010.

All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded August 11, 2000, as Instrument No. 270602.

All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded February 10, 2009, as Instrument No. 2009-000582.

All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded February 14, 2011, as Instrument No. 2011-005116.

Right-of-way or easement of irrigation laterals.

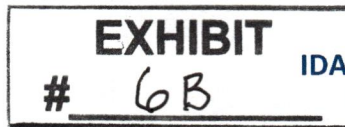
EXHIBIT

6

**ATTACHMENT 5
Notice to Political
Subdivisions**



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



IDAHO TRANSPORTATION DEPARTMENT

216 S. Date Street • Shoshone, ID 83352
(208) 886-7800 • itd.idaho.gov

December 31, 2024

Cassia County
Zoning & Building Department
1459 Overland Ave. Room 210
Burley, ID 83318

RE: Change in zoning from Residential Agricultural to Industrial Commercial

Dear Zoning Administer,

Idaho Transportation Department (ITD) has received documentation requesting comment on the zoning change of the Southwest corner of exit 216 on the west side of State Highway 77. ITD does not oppose the change to Industrial Commercial from Residential Agricultural.

State Highway 77 is a District Route and is restricted to certain spacing for approaches. This property is downstream from an off ramp from the interstate. The minimum distance from the off ramp is 500 feet. Any changes or improvements made to approaches are subject to current state standards that are found in IDAPA 39.03.42. If any modification, relocation or change in use is proposed in the future, a Right of Way Encroachment Permit will be required along with a full review of any changes.

Depending on future development a traffic impact study may be required. If vehicle trips reach or exceed 100 trips per peak hour a traffic impact study will be required.

If you have any questions concerning this matter, please let me know.

Sincerely,

Mary Ellen Russell | Project Coordinator
Idaho Transportation Department | District 4
Work: 208.886.7839
Email: MaryEllen.Russell@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

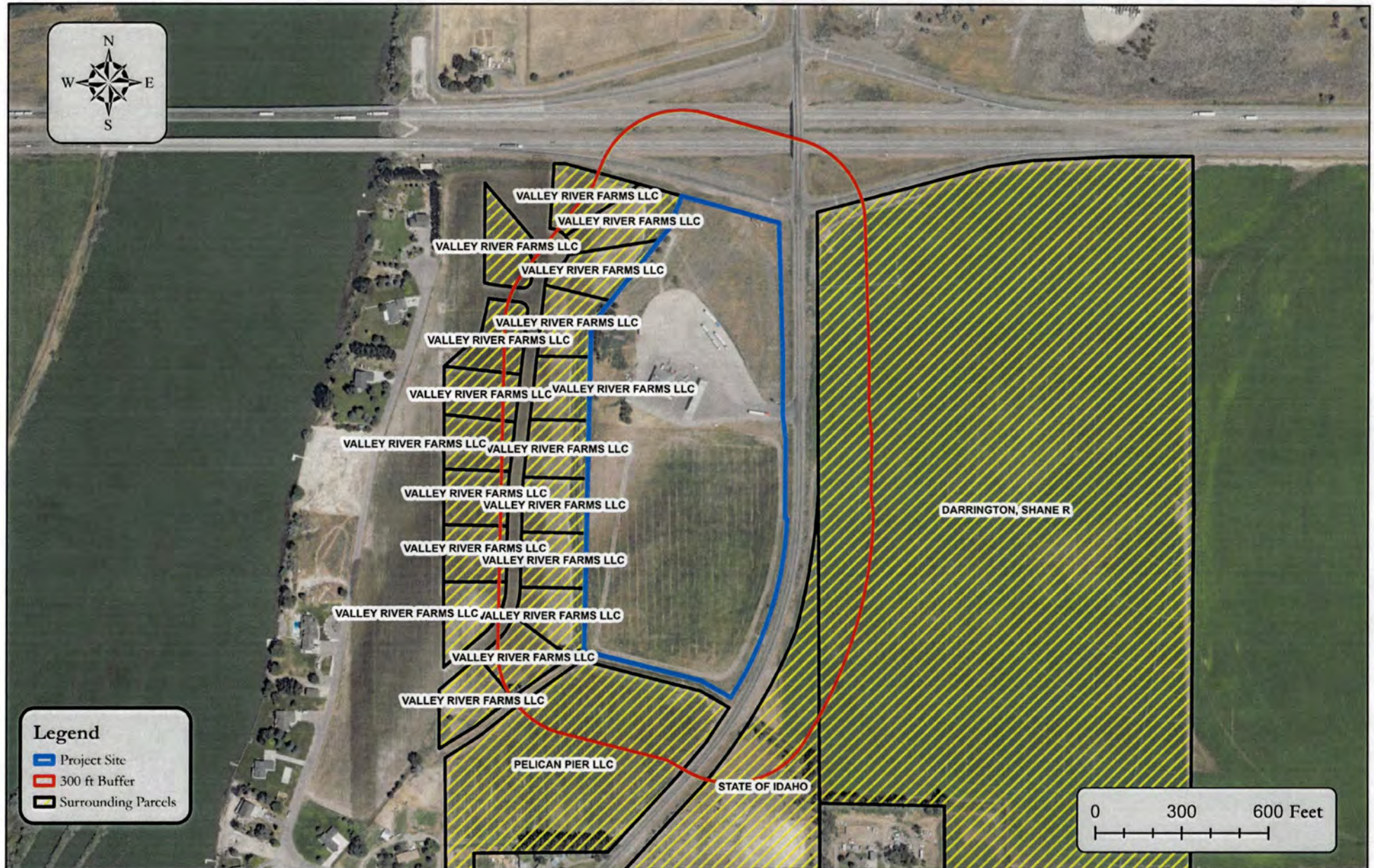
EXHIBIT

7

ATTACHMENT 6
Surrounding Property Owners

A3 NEW HORIZON AMENDMENT TO ZONE

**EXHIBIT
7**



2023 NAIP Photo



Prepared by:
Luke H. Marchant
11/14/2024

Parcel_Num	MailToName	MailToAddr	MailToCity	MailToStat	MailToPost
RP10S24E116000	A3 NEW HORIZON LLC	232 N HWY 77	DECLO	ID	83323
RP10S24E115500	A3 NEW HORIZON LLC	232 N HWY 77	DECLO	ID	83323
RP10S24E114801	DARRINGTON, SHANE R	1102 EAST 100 SOUTH	DECLO	ID	83323
RP10S24E116300	PELICAN PIER LLC	240 N 840 E	DECLO	ID	83323
RP10S24E116500	STATE OF IDAHO	Address Not Provided			
RP000600000000	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010020	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010040	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010050	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010060	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010070	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010080	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010090	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010100	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010110	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010120	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010130	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010140	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020080	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020090	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020100	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020110	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020120	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020130	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323

Cassia County

EXHIBIT

7

1 Mile Radius A# New Horizon

DUPLICATES REMOVED

Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	State	Zip
RP10S24E116000	A3 NEW HORIZON LLC	232 N HWY 77		DECLO	ID	83323
RP10S24E028775	ALLEN, KARL W	900 E 300 N		DECLO	ID	83323
RP10S24E157799	ARNOLD, LESTER C	126 N HWY 77		DECLO	ID	83323
RP10S24E026175	BANK OF UTAH TRUST DEPT	50 S 200 E		SALT LAKE CITY	UT	84111
RP10S24E028802	BARGER, CLIFFORD	914 E 300 N		DECLO	ID	83323
RP10S24E133621	BENNING LAND & LIVESTOCK LLC	1025 E HWY 81		DECLO	ID	83323
RP10S24E123660	BIRD, BRYAN R	280 NORTH 975 EAST		DECLO	ID	83323-6074
RP10S24E147200	BOYER, JIM & ADRIANNA, LIVING TRUST	146 N 950 E		DECLO	ID	83323
RP000330010100	BURCH, L CRAIG	232 N 840 E		DECLO	ID	83323
RP10S24E150001	BURLEY HIGHWAY DISTRICT	19 E 200 S		BURLEY	ID	83318
RP000330010110	CANNON, BLAINE PETER	236 N 840 E		DECLO	ID	83323
RP000860010030	CHEESMAN, KYLER	345 N SANDBAR WAY		DECLO	ID	83323
RP10S24E028850	CHRISTENSEN, MARC D	922 E 300 N		DECLO	ID	83323
RP10S24E157200	CITY OF DECLO	Address Not Provided				
RP10S24E141965	COLE, JAMES C	PO BOX 262		DECLO	ID	83323
RP10S24E025481	COLE, SIDNEY	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E025501	COLE, SIDNEY CHARLES	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E141952	COLE, WILLIAM EDWARD	PO BOX 192		DECLO	ID	83323
RP10S24E117005	COPMANN, LAURIE L	PO BOX 221		RUPERT	ID	83350
RP10S24E141801	DARRINGTON, KYLE SHANE	1025 E HWY 81		DECLO	ID	83323
RP10S24E114801	DARRINGTON, SHANE R	1102 E 100 S		DECLO	ID	83323
RP10S24E159001	DARRINGTON, TIM S	28 N 775 E		DECLO	ID	83323
RP10S24E119600	DAYLEY, JAY A	946 E 200 N		DECLO	ID	83323
RP10S24E133752	DERRICK, MARIA MINERVA	PO BOX 136		FULTON	CA	95439
RP000330010030	DOUGLASS, PAUL A	206 N 840 E		DECLO	ID	83323
RP10S24E126380	ECK, ROBERT D	209 N 950 E		DECLO	ID	83323
RP10S24E025656	FIFE, RANDALL MAX	330 SANDBAR WAY N		DECLO	ID	83323
RP10S24E117000	GARRETT, KIM D	866 E 200 N		DECLO	ID	83323
RP10S24E110020	GIBBY, ERIC	811 NORMAL AVE		BURLEY	ID	83318
RP10S24E110004	GIBBY, LEE	294 N 950 E		DECLO	ID	83323
RP10S24E140005	GIL, VICTORIA	1500 NORMAL AVE		BURLEY	ID	83318
RP10S24E028805	GKO PROPERTIES LLC	372 N 910 E		DECLO	ID	83323
RP000330010010	HARPER, GARY B	196 NORTH 840 EAST		DECLO	ID	83323
RP10S24E110055	HARPER, GREG	115 S 950 E		DECLO	ID	83323
RP10S24E026003	JUS ENOUGH ACRES LLC	900 E 300 N		DECLO	ID	83323
RP000330010120	KIDD, CHASE	240 N 840 E		DECLO	ID	83323
RP10S24E016300	KIDD, ORLLO J	1000 E HWY 81		DECLO	ID	83323
RP10S24E140015	KOWITZ, CHARLES F L/E	927 E 200 N		DECLO	ID	83323
RP10S24E143600	KOWITZ, DENIS	171 N HWY 77		DECLO	ID	83323

RP10S24E142400	KOWITZ, LAMONT	887 E 200 N	DECLO	ID	83323
RP10S24E146150	KUNAU, RICHARD G	137 N HWY 77	DECLO	ID	83323
RP10S24E144801	KUNAU, RICHARD GLEN	133 N HWY 77	DECLO	ID	83323
RP10S24E157895	KUWANA, IDA	160 N HWY 77	DECLO	ID	83323
RP10S24E157885	KUWANA, JERRY L	164 N HWY 77	DECLO	ID	83323
RP10S24E157805	KUWANA, JERRY LAMONT	164 NORTH HWY 77	DECLO	ID	83323
RP000330010020	LARSEN, MICHAEL L	198 N 840 E	DECLO	ID	83323
RP10S24E141200	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E141375	MCGRAW, CHAD	901 E 200 N	DECLO	ID	83323
RP10S24E114000	MCMILLIAN, JOLAUREL	268 HWY 25	DECLO	ID	83323
RP10S24E126445	MIDNIGHT SUN INC	UBS FARMLAND INVESTORS LLC ATTN: DAN MURRAY	10 STATE HOUSE SQUARE, 15TH FLOOR	HARTFORD CT	06103
RP000330010070	MILLER, MALIA DEE	220 NORTH 840 EAST	DECLO	ID	83323
RP000330010080	MILLER, PAMELLA K	224 N 840 E	DECLO	ID	83323
RP10S24E123050	MILLER, RAYMOND & LINDA, TRUST	965 EAST 300 NORTH	DECLO	ID	83323
RP000330010090	MITCHELL, DELL N	999 E 300 N	DECLO	ID	83323
RP10S24E158201	MOORE, ROBERT, CORPORATION	802 EAST 100 NORTH	DECLO	ID	83323
RP10S24E120752	N+ RANCHES LLC	2564 SOUTH SWALLOWTAIL LANE	BOISE	ID	83706
RP10S24E025510	OLSON, KIRT	202 E 400 S	BURLEY	ID	83318
RP10S24E109500	OTTLEY, MELANIE	350 E BASELINE RD	RUPERT	ID	83350
RP000860010020	PATTERSON, ZACH A	875 W 300 N	PAUL	ID	83347
RP10S24E116400	PELICAN PIER LLC	240 N 840 E	DECLO	ID	83323
RP000330010040	PLOTTS, NANCY	208 NORTH 840 EAST	DECLO	ID	83323
RP10S24E147210	ROBINSON, THOMAS LEROY	453 EAST 600 SOUTH	BURLEY	ID	83318
RP10S24E125450	S & L LAND LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E027202	SAMUELSON, LARRY W	328 N 950 E	DECLO	ID	83323
RP10S24E141876	SIMPLOT, ROBERT D	166 N 950 E	DECLO	ID	83323
RP10S24E117210	SPEAR, KATHLEEN S	PO BOX 88	DECLO	ID	83323
RP10S24E143150	SPRAGUE, KAREN	853 E 200 N	DECLO	ID	83323
RP10S24E151100	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E132420	TAYJO LC	1250 E 11 N	DECLO	ID	83323
RP10S24E025413	TURNER, BRIAN J	863 E 350 N	DECLO	ID	83323
RP10S24E025456	TURNER, GLENA C	3417 HILAND AVE	BURLEY	ID	83318
RP10S24E150451	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP10S24E113000	VILLAGE ENTERPRISES LLC	274 S HWY 25	DECLO	ID	83323
RP10S24E109590	WALLACE, RICHARD ORVAL	848 E 200 N	DECLO	ID	83323
RP10S24E142407	WARREN FAMILY TRUST	191 N HWY 77	DECLO	ID	83323-5035
RP10S24E125402	WEST BROS	210 N 840 E	DECLO	ID	83323
RP00033001005A	WEST, DANNY	210 N 840 E	DECLO	ID	83323
RP10S24E109552	WEST, THOMAS	207 N 840 E	DECLO	ID	83323
RP10S24E024803	WRIGLEY, TYSON	353 E 700 S	BURLEY	ID	83318

ONE MILE A3 New Horizon MINIDOKA COUNTY

dbo.%TSB_DE_PIN.PI	dbo.%TSB_DE_PIN.Owner1	dbo.%TSB_DE_PIN.Owner2	dbo.%TSB_DE_PIN.OwnerStr	dbo.%TSB_DE_ PIN.OwnerCity	dbo.%TSB_DE_ _DE_PIN. OwnerSt	dbo.%TSB_DE_ _PIN.OwnerZi p
N						
RP09001000003A	ABENROTH DOUGLAS G	ABENROTH CORTNEY P	281 RIVER VIEW HTS	RUPERT	ID	83350
RP09001000005A	BARKER DAVID	BARKER MEGAN MICHELLE	285 S RIVER VIEW HTS	RUPERT	ID	83350
RP10S24E101690	BOURQUIN DALE		152 E 342 LN S	RUPERT	ID	83350
RP10S24E101710	BOURQUIN DALE		152 E 342 LN S	RUPERT	ID	83350
RP10S24E154475	CHANDLER FAMILY TRUST		1304 E 800 N	JACKSON	ID	83350
RP10S24E108100	CLAYVILLE EARL R	CLAYVILLE CARLEEN B	150 E 400 S	RUPERT	ID	83350
RP10S24E108822	CLAYVILLE KARL W	CLAYVILLE SANDRA	160 E 400 S	RUPERT	ID	83350
RP10S24E154550	COATS SCOTT	COATS SHELLEY	126 E 450 LN S	RUPERT	ID	83350
RP10S24E154570	COATS SCOTT	COATS SHELLEY	126 E 450 LN S	RUPERT	ID	83350
RP09001000004A	CONDIE GARRETT ROBERT	CONDIE SARAH	283 S RIVER VIEW HEIGHTS	RUPERT	ID	83350
RP09001000007A	DALTON CATHERINE MARIE	DALTON SCOTT WESLEY	192 E RIVER VIEW HTS	RUPERT	ID	83350
RP10S24E152413	DUFFIN DACX		420 S 135 LN E	RUPERT	ID	83350
RP084100000010	DUFFIN DACX DANIEL	DUFFIN WHITNEY ANN	420 S 135 LN E	RUPERT	ID	83350
RP10S24E152850	DUFFIN DANIEL D	DUFFIN SHEILA L	422 S 135 LN E	RUPERT	ID	83350
RP10S24E152951	DUFFIN DANIEL D	DUFFIN SHEILA L	422 S 135 LN E	RUPERT	ID	83350
RP09001000006A	FAUX WESTON	FAUX RACHEL	1513 K DR	RUPERT	ID	83350
RP10S24E102580	FIFE SAMUAL M		131 E 300 S	RUPERT	ID	83350
RP10S24E039027	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP0900100000AA	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP09001000010A	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP09001000009A	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP09001000008A	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP10S24E104803	HARBOR VIEW DEVELOPMENT LLC		2051 E 1475 S	HAZELTON	ID	83335
RP10S24E106020	HARBOR VIEW DEVELOPMENT LLC		2051 E 1475 S	HAZELTON	ID	83335
RP09001000002A	HERNANDEZ JOSE L	HERNANDEZ CONCEPCION O	240 E 300 N	RUPERT	ID	83350-9451
RP10S24E104660	HONSINGER JAMES L		212 E 200 S	RUPERT	ID	83350
RP10S24E104060	HONSINGER JAMES L		212 E 200 S	RUPERT	ID	83350
RP10S24E104060	HONSINGER JAMES L		212 E 200 S	RUPERT	ID	83350
RP10S24E154480	HUNSAKER A DEE	HUNSAKER JULIE A	430 S 135 LN E	RUPERT	ID	83350
RP10S24E152417	HUNSAKER LYNN A	HUNSAKER A DEE	1050 E BRIGHAM RD APT 48	SAINT GEORGE	UT	84790
RP10S24E038900	HYMAS DOUGLAS L		162 E 300 S	RUPERT	ID	83350
RP10S24E100788	IDAHO LAND & DEVELOPMENT LLC		PO BOX 584	RUPERT	ID	83350
RP10S24E101580	IDAHO LAND & DEVELOPMENT LLC		PO BOX 584	RUPERT	ID	83350
RP10S24E101575	IDAHO LAND & DEVELOPMENT LLC		PO BOX 584	RUPERT	ID	83350
RP10S24E100625	IDAHO LAND & DEVELOPMENT LLC		PO BOX 584	RUPERT	ID	83350
RP10S24E102430	LIND MELINDA R	LLOYD JACOB L	137 E 300 S	RUPERT	ID	83350
RP10S24E102411	NEWCOMB MARK T	NEWCOMB LONNA	251 E 200 S	RUPERT	ID	83350
RP10S24E103000	NORBY JOAN LIFE EST	CLARK LAURA	PO BOX 394	RUPERT	ID	83350
RP10S24E154471	PARR WESLEY M	PARR CATHLEEN LEA	438 S 135 LN E	RUPERT	ID	83350
RP10S24E150805	PETERSON BARRY	PETERSON REXANNE	PO BOX 935	HEYBURN	ID	83336
RP10S24E150900	PETERSON BARRY C	PETERSON REXANNE	484 S 100 W	RUPERT	ID	83350
RP09001000001A	RIVER VIEW HEIGHTS LLC		173 E 275 LN S	RUPERT	ID	83350
RP0900100000CA	RIVER VIEW HEIGHTS LLC		173 E 275 LN S	RUPERT	ID	83350
RP10S24E154230	ROWE FAMILY TRUST		1168 W DESERT SPARROW DR	SAINT GEORGE	UT	84790
RP10S24E038751	SIMCOE JENNIFER	SIMCOE MIKE	236 S 100 W	RUPERT	ID	83350
RP10S24E038760	SIMCOE JENNIFER	SIMCOE MIKE	236 S 100 W	RUPERT	ID	83350
RP10S24E103750	STATE OF IDAHO		PO BOX 7129	BOISE	ID	83707
RP10S24E106953	STUDER KARL	STUDER EMILY	PO BOX 675	HEYBURN	ID	83336-0675
RP10S24E035000	STUDER STEVEN L AND LINDA L TRUST		149 E 200 S	RUPERT	ID	83350

Cassia County

1 Mile Radius A# New Horizon

Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	State	Zip
RP10S24E116000	A3 NEW HORIZON LLC	232 N HWY 77		DECLO	ID	83323
RP10S24E115500	A3 NEW HORIZON LLC	232 N HWY 77		DECLO	ID	83323
RP10S24E028775	ALLEN, KARL W	900 E 300 N		DECLO	ID	83323
RP10S24E157799	ARNOLD, LESTER C	126 N HWY 77		DECLO	ID	83323
RP10S24E026175	BANK OF UTAH TRUST DEPT	50 S 200 E		SALT LAKE CITY	UT	84111
RP10S24E028802	BARGER, CLIFFORD	914 E 300 N		DECLO	ID	83323
RP10S24E133621	BENNING LAND & LIVESTOCK LLC	1025 E HWY 81		DECLO	ID	83323
RP10S24E123660	BIRD, BRYAN R	280 NORTH 975 EAST		DECLO	ID	83323-6074
RP10S24E123640	BIRD, BRYAN R	280 NORTH 975 EAST		DECLO	ID	83323-6074
RP10S24E123620	BIRD, BRYAN R	280 N 975 E		DECLO	ID	83323
RP10S24E147200	BOYER, JIM & ADRIANNA, LIVING TRUST	146 N 950 E		DECLO	ID	83323
RP000330010100	BURCH, L CRAIG	232 N 840 E		DECLO	ID	83323
RP10S24E150001	BURLEY HIGHWAY DISTRICT	19 E 200 S		BURLEY	ID	83318
RP000330010000	BURLEY HIGHWAY DISTRICT	19 E 200 S		BURLEY	ID	83318
RP000330010110	CANNON, BLAINE PETER	236 N 840 E		DECLO	ID	83323
RP000860010030	CHEESMAN, KYLER	345 N SANDBAR WAY		DECLO	ID	83323
RP10S24E028850	CHRISTENSEN, MARC D	922 E 300 N		DECLO	ID	83323
RP10S24E157200	CITY OF DECLO	Address Not Provided				
RP10S24E141965	COLE, JAMES C	PO BOX 262		DECLO	ID	83323
RP10S24E141955	COLE, JAMES C	PO BOX 262		DECLO	ID	83323
RP10S24E025481	COLE, SIDNEY	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E025501	COLE, SIDNEY CHARLES	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E141952	COLE, WILLIAM EDWARD	PO BOX 192		DECLO	ID	83323
RP10S24E117005	COPMANN, LAURIE L	PO BOX 221		RUPERT	ID	83350
RP10S24E141801	DARRINGTON, KYLE SHANE	1025 E HWY 81		DECLO	ID	83323
RP10S24E114801	DARRINGTON, SHANE R	1102 E 100 S		DECLO	ID	83323
RP10S24E159001	DARRINGTON, TIM S	28 N 775 E		DECLO	ID	83323
RP10S24E158375	DARRINGTON, TIM S	28 N 775 E		DECLO	ID	83323
RP10S24E157600	DARRINGTON, TIM S	28 N 775 E		DECLO	ID	83323
RP10S24E119600	DAYLEY, JAY A	946 E 200 N		DECLO	ID	83323
RP10S24E133752	DERRICK, MARIA MINERVA	PO BOX 136		FULTON	CA	95439
RP000330010030	DOUGLASS, PAUL A	206 N 840 E		DECLO	ID	83323
RP10S24E126380	ECK, ROBERT D	209 N 950 E		DECLO	ID	83323
RP10S24E025656	FIFE, RANDALL MAX	330 SANDBAR WAY N		DECLO	ID	83323
RP10S24E117000	GARRETT, KIM D	866 E 200 N		DECLO	ID	83323
RP10S24E110020	GIBBY, ERIC	811 NORMAL AVE		BURLEY	ID	83318
RP10S24E110004	GIBBY, LEE	294 N 950 E		DECLO	ID	83323
RP10S24E140005	GIL, VICTORIA	1500 NORMAL AVE		BURLEY	ID	83318
RP10S24E028805	GKO PROPERTIES LLC	372 N 910 E		DECLO	ID	83323

RP000330010010	HARPER, GARY B	196 NORTH 840 EAST	DECLO	ID	83323
RP10S24E110055	HARPER, GREG	115 S 950 E	DECLO	ID	83323
RP10S24E026003	JUS ENOUGH ACRES LLC	900 E 300 N	DECLO	ID	83323
RP000330010120	KIDD, CHASE	240 N 840 E	DECLO	ID	83323
RP10S24E102260	KIDD, CHASE	240 NORTH 840 EAST	DECLO	ID	83323
RP10S24E016300	KIDD, ORLLO J	1000 E HWY 81	DECLO	ID	83323
RP10S24E015400	KIDD, ORLLO J	1000 EAST HWY 81	DECLO	ID	83323
RP10S24E140015	KOWITZ, CHARLES F L/E	927 E 200 N	DECLO	ID	83323
RP10S24E143600	KOWITZ, DENIS	171 N HWY 77	DECLO	ID	83323
RP10S24E142400	KOWITZ, LAMONT	887 E 200 N	DECLO	ID	83323
RP10S24E146150	KUNAU, RICHARD G	137 N HWY 77	DECLO	ID	83323
RP10S24E144801	KUNAU, RICHARD GLEN	133 N HWY 77	DECLO	ID	83323
RP10S24E157895	KUWANA, IDA	160 N HWY 77	DECLO	ID	83323
RP10S24E157885	KUWANA, JERRY L	164 N HWY 77	DECLO	ID	83323
RP10S24E157805	KUWANA, JERRY LAMONT	164 NORTH HWY 77	DECLO	ID	83323
RP000330010020	LARSEN, MICHAEL L	198 N 840 E	DECLO	ID	83323
RP10S24E141200	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E140450	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E142450	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E123650	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E110052	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E111801	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E117246	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E119501	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E110030	LAZY T FARMS LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E141375	MCGRAW, CHAD	901 E 200 N	DECLO	ID	83323
RP10S24E114000	MCMILLIAN, JOLAUREL	268 HWY 25	DECLO	ID	83323
RP10S24E126445	MIDNIGHT SUN INC	UBS FARMLAND INVESTORS LLC ATTN: DAN MURRAY	10 STATE HOUSE SQUARE, 15TH FLOOR	HARTFORD CT	06103
RP000330010070	MILLER, MALIA DEE	220 NORTH 840 EAST	DECLO	ID	83323
RP000330010080	MILLER, PAMELLA K	224 N 840 E	DECLO	ID	83323
RP10S24E123050	MILLER, RAYMOND & LINDA, TRUST	965 EAST 300 NORTH	DECLO	ID	83323
RP000330010090	MITCHELL, DELL N	999 E 300 N	DECLO	ID	83323
RP10S24E158201	MOORE, ROBERT, CORPORATION	802 EAST 100 NORTH	DECLO	ID	83323
RP10S24E120752	N+ RANCHES LLC	2564 SOUTH SWALLOWTAIL LANE	BOISE	ID	83706
RP10S24E025510	OLSON, KIRT	202 E 400 S	BURLEY	ID	83318
RP10S24E109500	OTTLEY, MELANIE	350 E BASELINE RD	RUPERT	ID	83350
RP000860010020	PATTERSON, ZACH A	875 W 300 N	PAUL	ID	83347
RP10S24E116400	PELICAN PIER LLC	240 N 840 E	DECLO	ID	83323
RP10S24E116300	PELICAN PIER LLC	240 N 840 E	DECLO	ID	83323
RP000330010040	PLOTTS, NANCY	208 NORTH 840 EAST	DECLO	ID	83323
RP10S24E147210	ROBINSON, THOMAS LEROY	453 EAST 600 SOUTH	BURLEY	ID	83318

RP10S24E125450	S & L LAND LLC	1250 E 11 N	DECLO	ID	83323
RP10S24E027202	SAMUELSON, LARRY W	328 N 950 E	DECLO	ID	83323
RP10S24E141876	SIMPLOT, ROBERT D	166 N 950 E	DECLO	ID	83323
RP10S24E117210	SPEAR, KATHLEEN S	PO BOX 88	DECLO	ID	83323
RP10S24E143150	SPRAGUE, KAREN	853 E 200 N	DECLO	ID	83323
RP10S24E151100	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E109998	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E124000	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E109997	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E026100	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E111201	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E112390	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E116500	STATE OF IDAHO	P O BOX 25	BOISE	ID	83707
RP10S24E132420	TAYJO LC	1250 E 11 N	DECLO	ID	83323
RP10S24E125850	TAYJO LC	1250 EAST 11 NORTH	DECLO,	ID	83323
RP10S24E124801	TAYJO LC	1250 E 11 N	DECLO	ID	83323
RP10S24E112400	TAYJO LC	1250 E 11 N	DECLO	ID	83323
RP10S24E025413	TURNER, BRIAN J	863 E 350 N	DECLO	ID	83323
RP10S24E025456	TURNER, GLENA C	3417 HILAND AVE	BURLEY	ID	83318
RP10S24E150451	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP10S24E150301	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010100	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600000000	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010010	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010020	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010030	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010040	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010050	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010060	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010070	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010080	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010090	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000590010000	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010010	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010020	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010030	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010040	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010050	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010060	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010070	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010080	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010090	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323

RP000600010100	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010110	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010120	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010130	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010140	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010150	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600010160	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020010	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020020	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020030	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020040	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020050	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020060	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020070	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020080	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020090	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020100	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020110	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020120	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP000600020130	VALLEY RIVER FARMS LLC	PO BOX 164	DECLO	ID	83323
RP10S24E113000	VILLAGE ENTERPRISES LLC	274 S HWY 25	DECLO	ID	83323
RP10S24E109590	WALLACE, RICHARD ORVAL	848 E 200 N	DECLO	ID	83323
RP10S24E142407	WARREN FAMILY TRUST	191 N HWY 77	DECLO	ID	83323-5035
RP10S24E125402	WEST BROS	210 N 840 E	DECLO	ID	83323
RP00033001005A	WEST, DANNY	210 N 840 E	DECLO	ID	83323
RP10S24E109560	WEST, DANNY	210 N 840 E	DECLO	ID	83323
RP10S24E109552	WEST, THOMAS	207 N 840 E	DECLO	ID	83323
RP10S24E024803	WRIGLEY, TYSON	353 E 700 S	BURLEY	ID	83318
RP10S24E025660	WRIGLEY, TYSON	353 E 700 S	BURLEY	ID	83318

Notice of Hearing

Published in Magic Valley Times-News on December 24, 2024

Location

Twin Falls County, Idaho

Notice Text

NOTICE OF PUBLIC HEARING

THE CASSIA COUNTY PLANNING AND ZONING COMMISSION will hold a public hearing on Thursday January 16th, 2025 at the hour of 3:00 PM at the Commission Chambers, Room 206, Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho to hear the following requests:
AN APPLICATION FOR AMENDMENT TO ZONE by A3 New Horizon, LLC for the purpose of changing the zoning designation from Residential Agricultural to Industrial Commercial as required by Title 9 Chapter 3 Section 3: Schedule of Zoning Regulations of the Cassia County Ordinance. The subject property is located at 232 N Hwy 77, Declo, Idaho, Cassia County. Parcel ID RP10S24E115500 and RP10S24E116000. The public is invited to attend and give public comment at the hearing regarding this application. Written comments will be accepted at the office of the Cassia County Planning & Zoning Commission Secretary, 1459 Overland Ave., Room 210, Burley, ID 83318 until the date of Monday, January 6th, 2025 and will be placed into the record and heard by the Planning and Zoning Commission at the date of meeting. A copy of the Application including a legal description and information relating to the application may be viewed by inquiring at the same Planning and Zoning Department.

Dated this 16th day of December, 2024

Darrington Marchant Law

By: /s/ Luke H. Marchant

Attorneys for Applicant

NOTICE OF HEARING
ON APPLICATION FOR AMENDMENT TO ZONE

NOTICE IS HEREBY GIVEN that a public hearing will be held on _____ ,
the _____ day of _____, 20_____, at _____ o'clock P.M.,
at the Commission Chambers, Room 206, Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho
before the Cassia County Planning & Zoning Commission on the application of *(names and addresses of*
*all applicants)*_____

Regarding an Application for Amendment to Zone, which application was received by the County on the
_____ day of _____, 2_____, for the purpose of _____

The property is located on lands at approximately _____
_____, Cassia County, Idaho more particularly described as follows:
(Place legal description of property here)

Such lands are located within the _____ **zone.**

The applicant will appear at this hearing to provide the Cassia County Planning & Zoning Commission all the information required for issuance of a Zone Amendment under the Cassia County Zoning Ordinance, before such permit can be issued.

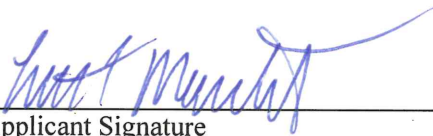
A copy of the Application for Amendment to Zone, including relevant maps and drawings, and information concerning the hearing process is available for review by the public at the office of the Zoning Administrator, Room #210, Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing.

All other interested persons are invited to attend the hearing on the question of issuance of the requested Zoning Amendment. Such other interested persons are advised that in order to participate in the hearing, the following regulations apply:

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document (*Notice of Hearing* - Please Attach signed copy) was on this date December 16, 2024 served upon the persons listed, at the addresses set out below their names, (list of mailing addresses attached) by mailing to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid.

Dated 9th day of January 20 25.



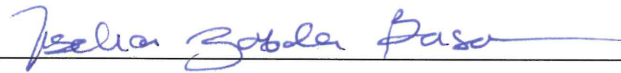
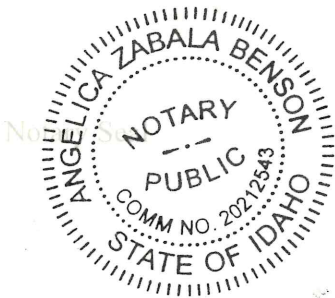
Applicant Signature

Luke H. Marchant

Applicant Printed Name

State of Idaho)
) ss
County of Blaine)

Subscribed and sworn to be before me this 9th day of January, 2025, personally appeared before me and proved to me on the basis of satisfactory evidence to be the person (s) whose name(s) are subscribed to this instrument, and acknowledged that they executed the same.



Notary Signature

Residing at Boley, ID

Commission expires 05-21-27

A. **Written Statements of Support of Objection:** All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave., Room 210, Burley, ID 83318, **no later than ten (10) days prior to the hearing** setting forth in that writing that person's support or objection to the issuance of the Zone Amendment.

1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the requested Zone Amendment would violate.
2. Written statements shall also set forth either that the party making the statement owns property within one (1) mile of the external boundaries of the requested Zone Amendment described in the application and/or otherwise setting for the substantial rights that would be affected by the approval or denial of the Zone Amendment.
3. Additionally, any party desiring to file any document(s) exceeding one (1) one-sided, 8 1/2" x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regulation.

B. **Providing Testimony at the Public Hearing:** Any person who files a statement in support or objection to the issuance of the request for Zone Amendment shall indicate in such statement whether or not such person desires to testify at the hearing.

1. Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.
2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit

DATED this _____ day of _____, 20 _____.

Signature: _____


Applicant Printed Name: _____

ATTACHMENT 1

Legal Description

Real property in the County of Cassia, State of Idaho, described as follows:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of said Section 11; Thence N 31°49'16" E for 977.25 feet to a point on the North bank of an irrigation lateral, and also on the East bank of an irrigation lateral; Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet; which point shall be known as the True Point of Beginning;
Thence continuing N 1°53'46" E for 655.0 feet to a point;
Thence N 39°07'46" E for 437.1 feet to a point;
Thence N 17°42'46" E for 126.0 feet to the South right-of-way line of Interstate 80;
Thence S 74°19'14" E along said highway right-of-way for 350.0 feet to its intersection with State Highway 77 right-of-way;
Thence S 1°47'33" E along said Highway 77 right-of-way for 472.83 feet to a point;
Thence S 0°01'30" W, continuing along said Highway 77 right-of-way for 200 feet to a point;
Thence S 6°30'07" E continuing along said Highway 77 right-of-way for 87.94 feet to a point;
Thence Southwesterly along an arc of a curve to the right for 284.12 feet along said Highway 77 right-of-way (on a four percent curve along said Highway 77 right-of-way for 281.0 feet rec.), said curve has a central angle of 23°39'01" , a radius of 688.32 feet and a long chord bearing S 2°00'13" W for 282.11 feet to a point;
Thence N 88°06'14" W for 688.0 feet to the True Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: Part of the SW¹/₄, more particularly described as follows:

Beginning at the Southwest corner of Section 11; Thence N 31°49' 16" E for 977.25 feet to a point on the North bank of an irrigation lateral and also on the East bank of an irrigation lateral which point shall be known as the True Point of Beginning;
Thence N 1°53'46" E along the East bank of an irrigation lateral for 488.0 feet to a point;
Thence S 88°06'14" E for 688.0 feet to a point on the West right-of-way of State Hiway 77;
Thence Southwesterly along an arc of a curve to the right along said Hiway right-of-way for 666.10 feet (on a 4 ° curve along said Hiway right-of-way for 643.45 feet rec.), said curve has a central angle of 30°17'22", a radius of 1260.00 feet and a long chord bearing S 17°08'54" W for 658.37 feet;
Thence N 59°55'14" W along the North bank of an irrigation lateral for 120.7 feet to a point;
Thence N 75 °39'14" W continuing along the North bank of said irrigation lateral for 418.25 feet to the True Point of Beginning.

CASSIA PROPERTY OWNERS

1 Mile Radius A# New Horizon		DUPLICATES REMOVED				
Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	State	Zip
RP10S24E116000	A3 NEW HORIZON LLC	232 N HWY 77		DECLO	ID	83323
RP10S24E028775	ALLEN, KARL W	900 E 300 N		DECLO	ID	83323
RP10S24E157799	ARNOLD, LESTER C	126 N HWY 77		DECLO	ID	83323
RP10S24E026175	BANK OF UTAH TRUST DEPT	50 S 200 E		SALT LAKE CITY	UT	84111
RP10S24E028802	BARGER, CLIFFORD	914 E 300 N		DECLO	ID	83323
RP10S24E133621	BENNING LAND & LIVESTOCK LLC	1025 E HWY 81		DECLO	ID	83323
RP10S24E123660	BIRD, BRYAN R	280 NORTH 975 EAST		DECLO	ID	83323-6074
RP10S24E147200	BOYER, JIM & ADRIANNA, LIVING TRUST	146 N 950 E		DECLO	ID	83323
RP000330010100	BURCH, L CRAIG	232 N 840 E		DECLO	ID	83323
RP10S24E150001	BURLEY HIGHWAY DISTRICT	19 E 200 S		BURLEY	ID	83318
RP000330010110	CANNON, BLAINE PETER	236 N 840 E		DECLO	ID	83323
RP000860010030	CHEESMAN, KYLER	345 N SANDBAR WAY		DECLO	ID	83323
RP10S24E028850	CHRISTENSEN, MARC D	922 E 300 N		DECLO	ID	83323
RP10S24E157200	CITY OF DECLO	Address Not Provided				
RP10S24E141965	COLE, JAMES C	PO BOX 262		DECLO	ID	83323
RP10S24E025481	COLE, SIDNEY	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E025501	COLE, SIDNEY CHARLES	341 N SANDBAR WAY		DECLO	ID	83323
RP10S24E141952	COLE, WILLIAM EDWARD	PO BOX 192		DECLO	ID	83323
RP10S24E117005	COPMANN, LAURIE L	PO BOX 221		RUPERT	ID	83350
RP10S24E141801	DARRINGTON, KYLE SHANE	1025 E HWY 81		DECLO	ID	83323
RP10S24E114801	DARRINGTON, SHANE R	1102 E 100 S		DECLO	ID	83323
RP10S24E159001	DARRINGTON, TIM S	28 N 775 E		DECLO	ID	83323
RP10S24E119600	DAYLEY, JAY A	946 E 200 N		DECLO	ID	83323
RP10S24E133752	DERRICK, MARIA MINERVA	PO BOX 136		FULTON	CA	95439
RP000330010030	DOUGLASS, PAUL A	206 N 840 E		DECLO	ID	83323
RP10S24E126380	ECK, ROBERT D	209 N 950 E		DECLO	ID	83323
RP10S24E025656	FIFE, RANDALL MAX	330 SANDBAR WAY N		DECLO	ID	83323
RP10S24E117000	GARRETT, KIM D	866 E 200 N		DECLO	ID	83323
RP10S24E110020	GIBBY, ERIC	811 NORMAL AVE		BURLEY	ID	83318
RP10S24E110004	GIBBY, LEE	294 N 950 E		DECLO	ID	83323
RP10S24E140005	GIL, VICTORIA	1500 NORMAL AVE		BURLEY	ID	83318
RP10S24E028805	GKO PROPERTIES LLC	372 N 910 E		DECLO	ID	83323
RP000330010010	HARPER, GARY B	196 NORTH 840 EAST		DECLO	ID	83323
RP10S24E110055	HARPER, GREG	115 S 950 E		DECLO	ID	83323
RP10S24E026003	JUS ENOUGH ACRES LLC	900 E 300 N		DECLO	ID	83323
RP000330010120	KIDD, CHASE	240 N 840 E		DECLO	ID	83323
RP10S24E016300	KIDD, ORLLO J	1000 E HWY 81		DECLO	ID	83323

RP10S24E140015	KOWITZ, CHARLES F L/E	927 E 200 N		DECLO	ID	83323
RP10S24E143600	KOWITZ, DENIS	171 N HWY 77		DECLO	ID	83323
RP10S24E142400	KOWITZ, LAMONT	887 E 200 N		DECLO	ID	83323
RP10S24E146150	KUNAU, RICHARD G	137 N HWY 77		DECLO	ID	83323
RP10S24E144801	KUNAU, RICHARD GLEN	133 N HWY 77		DECLO	ID	83323
RP10S24E157895	KUWANA, IDA	160 N HWY 77		DECLO	ID	83323
RP10S24E157885	KUWANA, JERRY L	164 N HWY 77		DECLO	ID	83323
RP10S24E157805	KUWANA, JERRY LAMONT	164 NORTH HWY 77		DECLO	ID	83323
RP000330010020	LARSEN, MICHAEL L	198 N 840 E		DECLO	ID	83323
RP10S24E141200	LAZY T FARMS LLC	1250 E 11 N		DECLO	ID	83323
RP10S24E141375	MCGRAW, CHAD	901 E 200 N		DECLO	ID	83323
RP10S24E114000	MCMILLIAN, JOLAUREL	268 HWY 25		DECLO	ID	83323
RP10S24E126445	MIDNIGHT SUN INC	UBS FARMLAND INVESTORS LLC ATTN: DAN MURRAY	10 STATE HOUSE SQUARE, 15TH FLOOR	HARTFORD	CT	06103
RP000330010070	MILLER, MALIA DEE	220 NORTH 840 EAST		DECLO	ID	83323
RP000330010080	MILLER, PAMELLA K	224 N 840 E		DECLO	ID	83323
RP10S24E123050	MILLER, RAYMOND & LINDA, TRUST	965 EAST 300 NORTH		DECLO	ID	83323
RP000330010090	MITCHELL, DELL N	999 E 300 N		DECLO	ID	83323
RP10S24E158201	MOORE, ROBERT, CORPORATION	802 EAST 100 NORTH		DECLO	ID	83323
RP10S24E120752	N+ RANCHES LLC	2564 SOUTH SWALLOWTAIL LANE		BOISE	ID	83706
RP10S24E025510	OLSON, KIRT	202 E 400 S		BURLEY	ID	83318
RP10S24E109500	OTTLEY, MELANIE	350 E BASELINE RD		RUPERT	ID	83350
RP000860010020	PATTERSON, ZACH A	875 W 300 N		PAUL	ID	83347
RP10S24E116400	PELICAN PIER LLC	240 N 840 E		DECLO	ID	83323
RP000330010040	PLOTTS, NANCY	208 NORTH 840 EAST		DECLO	ID	83323
RP10S24E147210	ROBINSON, THOMAS LEROY	453 EAST 600 SOUTH		BURLEY	ID	83318
RP10S24E125450	S & L LAND LLC	1250 E 11 N		DECLO	ID	83323
RP10S24E027202	SAMUELSON, LARRY W	328 N 950 E		DECLO	ID	83323
RP10S24E141876	SIMPLOT, ROBERT D	166 N 950 E		DECLO	ID	83323
RP10S24E117210	SPEAR, KATHLEEN S	PO BOX 88		DECLO	ID	83323
RP10S24E143150	SPRAGUE, KAREN	853 E 200 N		DECLO	ID	83323
RP10S24E151100	STATE OF IDAHO	P O BOX 25		BOISE	ID	83707
RP10S24E132420	TAYJO LC	1250 E 11 N		DECLO	ID	83323
RP10S24E025413	TURNER, BRIAN J	863 E 350 N		DECLO	ID	83323
RP10S24E025456	TURNER, GLENA C	3417 HILAND AVE		BURLEY	ID	83318
RP10S24E150451	VALLEY RIVER FARMS LLC	PO BOX 164		DECLO	ID	83323
RP10S24E113000	VILLAGE ENTERPRISES LLC	274 S HWY 25		DECLO	ID	83323
RP10S24E109590	WALLACE, RICHARD ORVAL	848 E 200 N		DECLO	ID	83323
RP10S24E142407	WARREN FAMILY TRUST	191 N HWY 77		DECLO	ID	83323-5035
RP10S24E125402	WEST BROS	210 N 840 E		DECLO	ID	83323
RP00033001005A	WEST, DANNY	210 N 840 E		DECLO	ID	83323

RP10S24E109552	WEST, THOMAS	207 N 840 E		DECLO	ID	83323
RP10S24E024803	WRIGLEY, TYSON	353 E 700 S		BURLEY	ID	83318

ONE MILE A3 New Horizon MINIDOKA COUNTY						
dbo.%TSB_DE_PIN.PIN	dbo.%TSB_DE_PIN.Owner1	dbo.%TSB_DE_PIN.Owner2	dbo.%TSB_DE_PIN.OwnerStr	dbo.%TSB_DE_PIN.OwnerCity	dbo.%TSB_DE_PIN.OwnerSt	dbo.%TSB_DE_PIN.OwnerZip
RP09001000003A	ABENROTH DOUGLAS G	ABENROTH CORTNEY P	281 RIVER VIEW HTS	RUPERT	ID	83350
RP09001000005A	BARKER DAVID	BARKER MEGAN MICHELLE	285 S RIVER VIEW HTS	RUPERT	ID	83350
RP10S24E101690	BOURQUIN DALE		152 E 342 LN S	RUPERT	ID	83350
RP10S24E154475	CHANDLER FAMILY TRUST		1304 E 800 N	JACKSON	ID	83350
RP10S24E108100	CLAYVILLE EARL R	CLAYVILLE CARLEEN B	150 E 400 S	RUPERT	ID	83350
RP10S24E108822	CLAYVILLE KARL W	CLAYVILLE SANDRA	160 E 400 S	RUPERT	ID	83350
RP10S24E154550	COATS SCOTT	COATS SHELLEY	126 E 450 LN S	RUPERT	ID	83350
RP09001000004A	CONDIE GARRETT ROBERT	CONDIE SARAH	283 S RIVER VIEW HEIGHTS	RUPERT	ID	83350
RP09001000007A	DALTON CATHERINE MARIE	DALTON SCOTT WESLEY	192 E RIVER VIEW HTS	RUPERT	ID	83350
RP10S24E152413	DUFFIN DACX		420 S 135 LN E	RUPERT	ID	83350
RP084100000010	DUFFIN DACX DANIEL	DUFFIN WHITNEY ANN	420 S 135 LN E	RUPERT	ID	83350
RP10S24E152850	DUFFIN DANIEL D	DUFFIN SHEILA L	422 S 135 LN E	RUPERT	ID	83350
RP09001000006A	FAUX WESSTON	FAUX RACHEL	1513 K DR	RUPERT	ID	83350
RP10S24E102580	FIFE SAMUAL M		131 E 300 S	RUPERT	ID	83350
RP10S24E039027	GARNER SAMUEL L	GARNER JEANNA	173 E 275 LN S	RUPERT	ID	83350
RP10S24E104803	HARBOR VIEW DEVELOPMENT LLC		2051 E 1475 S	HAZELTON	ID	83335
RP09001000002A	HERNANDEZ JOSE L	HERNANDEZ CONCEPCION O	240 E 300 N	RUPERT	ID	83350-9451
RP10S24E104660	HONSINGER JAMES L		212 E 200 S	RUPERT	ID	83350
RP10S24E154480	HUNSAKER A DEE	HUNSAKER JULIE A	430 S 135 LN E	RUPERT	ID	83350
RP10S24E152417	HUNSAKER LYNN A	HUNSAKER A DEE	1050 E BRIGHAM RD APT 48	SAINT GEORGE	UT	84790
RP10S24E038900	HYMAS DOUGLAS L		162 E 300 S	RUPERT	ID	83350
RP10S24E100788	IDAHO LAND & DEVELOPMENT LLC		PO BOX 584	RUPERT	ID	83350
RP10S24E102430	LIND MELINDA R	LLOYD JACOB L	137 E 300 S	RUPERT	ID	83350
RP10S24E102411	NEWCOMB MARK T	NEWCOMB LONNA	251 E 200 S	RUPERT	ID	83350
RP10S24E103000	NORBY JOAN LIFE EST	CLARK LAURA	PO BOX 394	RUPERT	ID	83350
RP10S24E154471	PARR WESLEY M	PARR CATHLEEN LEA	438 S 135 LN E	RUPERT	ID	83350
RP10S24E150805	PETERSON BARRY	PETERSON REXANNE	PO BOX 935	HEYBURN	ID	83336
RP10S24E150900	PETERSON BARRY C	PETERSON REXANNE	484 S 100 W	RUPERT	ID	83350
RP09001000001A	RIVER VIEW HEIGHTS LLC		173 E 275 LN S	RUPERT	ID	83350
RP10S24E154230	ROWE FAMILY TRUST		1168 W DESERT SPARROW DR	SAINT GEORGE	UT	84790
RP10S24E038751	SIMCOE JENNIFER	SIMCOE MIKE	236 S 100 W	RUPERT	ID	83350
RP10S24E103750	STATE OF IDAHO		PO BOX 7129	BOISE	ID	83707
RP10S24E106953	STUDER KARL	STUDER EMILY	PO BOX 675	HEYBURN	ID	83336-0675
RP10S24E035000	STUDER STEVEN L AND LINDA L TRUST		149 E 200 S	RUPERT	ID	83350

AFFIDAVIT OF POSTING

Application No. 2024-15-ZA

Name of Applicant A3 New Horizon, LLC

AFFIDAVIT OF POSTING

I [Signature], hereby state that I personally posted on the property located at 232 ID-77, Declo, ID 83323, Cassia County, Idaho, a Notice of Hearing as required by Cassia County Zoning Ordinance:

Indicate the appropriate hearing type below:

- Chapter 9-10-8 Hearing Process for Poultry CAFO
- Chapter 9-11-8 Hearing Process for CAFO
- Chapter 9-13-5 Hearing Process for Conditional Use/Subdivision.
- Chapter 9-3-3 Hearing for Amendment to Zone

Notice was posted upon the property listed at the address set out below, the date being not less than one week prior to the date of hearing.

Dated 9th day of January 20 25.

A3 New Horizon, LLC
Applicant

Property location: Southwest corner of exit 216 on the west side of Highway 77.

State of Idaho) ss
County of Minidoka)

Subscribed and sworn to or affirmed before me at Rupert, Minidoka County, Idaho on the 9th day of January, 2025.

[Signature]
Notary
Commission expires 05-27-27
Residing at Burley, ID.





Cassia County Planning and Zoning
NOTICE OF PUBLIC HEARING

THE CASSIA COUNTY PLANNING AND ZONING COMMISSION will hold a public hearing on Thursday January 14th, 2025 at the hour of 3:00 PM at the Commission Chambers, Room 206, Cassia County Courthouse, 1439 Overland Ave., Burley, Idaho to hear the following requests:

AN APPLICATION FOR AMENDMENT TO ZONE by A3 new Horizon, LLC for the purpose of changing the zoning designation from Residential Application to Industrial Commercial as required by Title 9 Chapter 3 Section 3. Schedule of Zoning Regulations of the Cassia County Ordinance. The subject property is located at 2123 N Hwy 77, Declo, Idaho, Cassia County Parcel ID: 91052481151506 and RP 052-NE134000.

The public is invited to attend and give public comment at the hearing regarding this application. A copy of the Application including a legal description and information relating to the application may be viewed by inquiring at the same Planning and Zoning Department.

Dated this 8th day of January, 2025
Darlington Marchant Law
Darlington Marchant
Attorneys for Applicant

feel free. NOW HERE
feel free. NOW HERE

feel free. CLASSIC
feel free. CLASSIC

MOOD LIFT
ENERGY
FOCUS

MOOD LIFT
ENERGY
FOCUS



Cassia County Planning and Zoning
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Dated this 8th day of January, 2025
Darlington Marchant Law
Darlington Marchant
Attorneys for Applicant

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Florida, County of Broward, ss:

I, Rachel Cozart, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Dec 24, 2024

Notice ID: r6Bqopj7GnWRFRCoNckF

Notice Name: Notice of Hearing

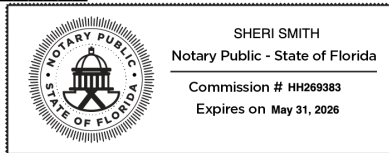
Publication Fee: \$52.46

Rachel Cozart

Agent

VERIFICATION

State of Florida
County of Broward



Signed or attested before me on this: 12/26/2024

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**Cassia County Planning and Zoning
NOTICE OF PUBLIC HEARING**

THE CASSIA COUNTY PLANNING AND ZONING COMMISSION will hold a public hearing on Thursday January 16th, 2025 at the hour of 3:00 PM at the Commission Chambers, Room 206, Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho to hear the following requests:

AN APPLICATION FOR AMENDMENT TO ZONE by A3 New Horizon, LLC for the purpose of changing the zoning designation from Residential Agricultural to Industrial Commercial as required by Title 9 Chapter 3 Section 3: Schedule of Zoning Regulations of the Cassia County Ordinance. The subject property is located at 232 N Hwy 77, Declo, Idaho, Cassia County. Parcel ID RP10S24E115500 and RP10S24E116000.

The public is invited to attend and give public comment at the hearing regarding this application. Written comments will be accepted at the office of the Cassia County Planning & Zoning Commission Secretary, 1459 Overland Ave., Room 210, Burley, ID 83318 until the date of Monday, January 6th, 2025 and will be placed into the record and heard by the Planning and Zoning Commission at the date of meeting. A copy of the Application including a legal description and information relating to the application may be viewed by inquiring at the same Planning and Zoning Department.

Dated this 16th day of December, 2024

Darrington Marchant Law
By: /s/ Luke H. Marchant
Attorneys for Applicant
Publish: December 24, 2024
COL-NV-1053

**Cassia County Staff Report
to the Planning and Zoning Commission**

Request for zone change filed by A3 New Horizon LLC.

Hearing Date: January 16, 2025

I. Framework for Planning and Zoning Commission evaluation of request:

The Planning and Zoning Commission’s responsibility under Idaho Code Section 67-6511 (2) in evaluating a request to change a zoning district designation, which is essentially an ordinance amendment, is to evaluate the following:

- _____ a. To determine the extent and nature of the amendment being requested.
- _____ b. To give particular consideration to the effects of any proposed zone change upon the delivery of services by any political subdivision providing public services.
- _____ c. To consider the Cassia County Comprehensive Plan and other evidence gathered in the public hearing process.
- _____ d. Then, after such evaluation, the Commission makes a recommendation on the requested amendment to the Board of County Commissioners.

II. Summary of Request:

A3 New Horizon LLC Request to change Residential Agricultural zone (RA) to Industrial Commercial zone (IC) at the Exit 216 site, which is a 23.3 acre lot. Petitioners desire to develop an existing convenience store/gas station into Travel Center with significant truck parking spaces. The underlying Conditional Use Permits that apply to the existing use are attached for the Commission’s review of this matter. The CUP and its modification are the attached Resolutions 99-4-01 and 2001-08-01.

The proposed uses and the treatment of each under a Residential Agricultural (RA) zone, compared to treatment under an Industrial Commercial (IC) zone are as follows:

<u>Proposed New Uses</u>	<u>RA</u>	<u>IC</u>
150+ truck parking spaces	-	P
50 Passenger Car parking spaces	-	P
Commercial Vehicle Repair Shop	-	P

<u>Proposed New Uses (continued)</u>	<u>RA</u>	<u>IC</u>
Gasoline Service Stations:		
8 Diesel Fueling Lanes	C	C
6 Gasoline Fueling Lanes	C	C
EV Charging Station	?	?
15,000 sq.ft. building/service station	C	C

III. Cassia County Zoning Ordinance sets forth the General Purposes of Zones, relative to RA and IC zones as follows:

Cassia County Code, Title 9 constitutes the Zoning Ordinance. In Chapter 7, the ordinance describes the "General Purposes of Zones". Those descriptions for RA and IC zones are as follows:

9-7-1: RESIDENTIAL AGRICULTURAL ZONE (RA):

A. Purpose: The purpose of this residential agricultural zone or district is to provide for and protect residential lands, conveniently located, in relation to urban centers, of substantial size for families who desire a single-family residential environment in an area in transition from agricultural uses and to provide for gardening and family recreation opportunities, the keeping of a limited number of livestock and poultry and similar endeavors.

B. Regulations: The minimum lot size and building locations in this zone must be such that water and sewer facilities and the place and locations for them can be easily provided on an individual basis on each lot, without affecting surrounding properties adversely.

9-7-7: INDUSTRIAL COMMERCIAL ZONE (IC):

A. Purpose: The purpose of the industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land around them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

B. Permitted Uses: The industrial uses permitted in this zone are manufacturing and wholesale business establishments and other

industrial uses which are duly controlled operations that do not generate excessive smoke, noise, vibration, dust, odor, glare, gas, or light, such as warehouses, wholesale storage areas, packaging, processing and assembling plants.

IV. Cassia County Comprehensive Plan, Cassia County Code, Title 8:

A quick review of the Cassia County Comprehensive Plan indicates some provisions that could be related to industrial or commercial pursuits, and that may be considered by the Commission in reviewing whether or not the proposal is in accordance with the plan. The provisions as noted by staff are attached for your convenience. Of course, this is not a substitute for each Commission member's individual review and consideration of the Cassia County Comprehensive Plan. Items that were noted by staff are as follows:

A. Property Rights: (p.12)

It is the intent of this plan to insure that the implementation of land use policies, restrictions, conditions and fees do not act so as to violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property. To accomplish this intent requires the balance of the interests and needs of the entire community.

A.1 Goal To balance property rights of all individuals when making land-use and planning decisions.

B. Population (p. 15, 18)

B.2-4 Development outside of "Urban" areas: Development which occurs outside of a City or an Area of City Impact is required to comply with this plan. Due to the tensions often arising between residential and agricultural pursuits, residential development, especially of subdivisions should be discouraged in prime agricultural areas, and likewise, agricultural pursuits should be discouraged in developed residential areas.

B.2-5 Major Developments outside City Areas of Impact: The County recognizes the need to fully assess the land use, public service, environmental and transportation impacts associated with any major new private or public development or activity center outside of areas of city impact. Where such development creates or encourages unanticipated employment and/or population shifts away from existing Cities identified within the Cassia County Comprehensive Plan an assessment of these impacts shall be made by any prospective developer. All such major new public or private developments or activity centers outside areas of city impact shall be evaluated as Comprehensive Plan Amendments.

D. Economic Development (p. 22, 23-24)

D.1 Goal Encourage beneficial and appropriate development of additional employment opportunities and economic diversity in Cassia County, which will ensure a benefit to the county, and more importantly, its residents.

D.2 Policies

D.2-1 Economic Growth: Plan for economic growth that is consistent with and supports industry in Cassia County. This policy recognizes that agriculture comprises a significant share of the local economy.

D. 2-2 Commercial and Industrial Expansion: Carry out a program on a continuing basis to fully explore commercial and industrial expansion potentials that are beneficial to the county. Primary employers that provide good wages, benefits, safe conditions, advancements and stability are a strength to the community. Demographic sources show that the number of people below the age of 18 years has declined over the past 20 years and is projected to continue this trend into the near future. Continuing employment opportunities are particularly important because the group of people between the ages of 18 and 64 years is the fastest growing age group in the county. The median age is also rising steadily. US Census projections indicate that the increase in population will ensure that for the next 10 to 15 years, the work force in Cassia County will remain about the same in numbers.

D.2-3 Growth vs. Quality of Life: Encourage industrial and commercial growth in the county but ensure it is not at the expense of the quality of life of its residents. "Quiet use and enjoyment of property" should be protected as specified in Component A, Property Rights.

The citizens of Cassia County value their homes and their property rights. Many future controversies can be avoided through respect for one another's property rights and proven consistent zoning standards.

Implementation Activities

Ensure that industrial and commercial growth:

1. Is sensitive to the natural environment.
2. Does not contaminate or pollute the surrounding air, water or soil.
3. Is compatible with surrounding land uses.
4. Is free from objectionable or dangerous conditions that could negatively impact the surrounding area.
5. Controls negative impacts such as, but not limited to: noise, odor,

dust, vibrations, etc.

6. Is such that negative impacts, as much as possible, do not leave the boundaries of the commercial or industrial zones.
7. Is required to provide buffers to protect the aesthetic value of the area.
8. Routes traffic away from residential neighborhoods.

D.2-4 Organize Industrial and Commercial Development: Industrial and commercial development should be accomplished in an organized, planned and attractive manner.

The County and the communities that are part thereof will benefit from orderliness and attractive development. Property rights will be protected. Less controversy between residents, developers and county officials will be an asset to all concerned.

Implementation Activities

1. Programs must be followed to place industrial and commercial expansion in proper balance with other land uses and prevent fragmented development.
2. Commercial and industrial zones should have a reasonable supply of land for the market demand.
3. Plan for growth that could realistically happen. Avoid too large of a land supply as it invites fragmentation, diminishes the value of the property and restricts its use and development.

E. Land Use (p. 26, 28-29)

E.2-4 Commercial Zones: To insure that business establishments have sufficient land to conduct orderly and well-planned development. The size and dimensions of sites should be adequate for buildings, off-street parking, loading and on-site vehicular circulation that will permit street access at appropriate locations for safety.

These zones are intended for a wide variety of retail, repair services and professional businesses that are required for urban and rural areas of the county. These zones should provide general patterns and guidelines for county commercial development that can be applied to local governments through zoning. It should allow for major and minor business concentrations and commercial development of arterials that will have a minimum adverse effect upon surrounding and adjacent streets.

Commercial areas must be preserved for business use by limiting residential, industrial and other incompatible uses.

E.2-5 Industrial Zones: Provide for industrial zones that are suitable for the purpose, properly located with respect to transportation and other land uses and for industrial demands. Each established community should be encouraged to plan for industrial development in its own area. Locations for industrial uses are best located in accordance with existing transportation and utility systems.

Regulation of industrial development should be put into place to ensure that the environmental quality of the industrial area is maintained and strengthened as industry develops and evolves. Appropriate guidance will encourage industry in areas that will not adversely impact residential or agricultural areas. Separation will also offer buffering areas between conflicting uses.

Additional Land Use Policies

E.2-6 Use of Information: Use data, expertise and other available information from all pertinent sources when considering land use change proposals. This policy recognizes that there are numerous resources available from the public and private sectors to facilitate the presentation, analysis, deliberation and resolution of land use proposals where consideration is being given to changes in land use patterns away from agriculture.

This policy also recognizes that population growth and the resulting development activity should occur where public infrastructure, service and facilities are available or where they are planned and will be provided in the near future.

L. Housing (p. 44, 45)

L.2-6 Protection: Protect existing residential development.

The homes in Cassia County are the refuge of the people. They hold their most valuable assets: their children and loved ones. To most they represent one of their greatest financial assets.

M. Community Design (p. 46, 47)

M.1 Goal

Community design relates to the visual appearance and physical relationship of both the natural and man-made environments within the county. Community Design plays a significant role when addressing "quality of life" issues of its

citizens. Community design focuses on landscaping, building design, tree planting and suggested patterns and standards for community design, development and beautification.

The goal of Community Design is to enhance social, historical, cultural, economic and physical aspects of the county to meet the needs of county residents.

Cassia County presently clusters of urbanization along its northern border, the Snake River, including the cities of Burley and Declo. Other smaller population centers are Albion, Almo, Elba, Malta and Oakley. Other less formal, but concentrated areas are scattered throughout the county. These smaller concentrations represent a development potential opposite to the guiding principles of a concentration concept of growth patterns. The Plan encourages growth in or near the existing population centers. Typical problems presented by high-density development outside existing population centers are the lack of public water and sewer systems, the potential health problems and increased tension and constraint on agricultural activity.

M.2 Policies

M.2-1 County Appearance and Quality of Life: Encourage innovation and excellence in design for all new developments. Encourage visually attractive and aesthetically pleasing development in the community.

Adequately landscape and buffer agriculture, commercial and industrial operations, as well as residential developments, thus making a positive contribution to a well-planned place to live. Improve the visual characteristics of the county by establishing and enforcing location standards and setback requirements. Protect the visual character of the county through the location of cell phone towers, wind generation towers, power transformers and telephone facilities to less visible areas whenever possible. Institute other community design features that promote the health, safety and welfare efforts among the citizens of the county.

This policy recognizes that certain land use activities with proper buffering and screening can add significantly to the appearance of the community and that there are also detractions that occur when proper controls are not in place. This policy encourages improvement to the conditions that detract from the vitality and appearance of the community including control of signs and billboards. In rural areas, special design and development conditions may be required as related to large operations such as gravel extraction, agri-industry, residential areas and other activities, that could cause problems with surrounding land uses.

The overall appearance of the county is important to area residents. A wellplanned and appealing appearance enhances property values.

O. Implementation (p. 52, 53-54)

O.1 Goal

The most important aspect in the Comprehensive Plan is its implementation. The goal of the Cassia County Comprehensive plan is to effectively implement the policies enumerated in Components A-M. The following items will be used to aid in that implementation. The Local Planning Act (Idaho Code Title 67, Chapter 65) provides a road map for Idaho's general-purpose local governments to implement planning tools including zoning, comprehensive planning, regulation of subdivisions and other land use issues. Idaho Code (67-6508) states that the implementation component consists of an analysis to determine actions, programs, budgets, ordinances or other methods, including scheduling of public expenditures, to provide for the timely execution of the various components of the Comprehensive Plan. Implementation of the Cassia County Comprehensive Plan must include review and updating of existing maps, ordinances, standards, programs, budgets, provisions and codes on a regular basis. Idaho counties are empowered to implement their comprehensive plans through zoning ordinances (I.C. 67-6511) and subdivision regulations (I.C. 67-6513). The Local Land Use Planning Act also provides specific authorization for special use permits and other plan implementation tools. Background studies and public input also provide bases for the implementation strategies adopted in this comprehensive plan.

The Idaho Regulatory Guidelines, I.C. 67-8001 through 8003, are required to be used by local governments to evaluate the impact of proposed administrative or regulatory actions on private property.

O.2 Policies

O.2-1 Zoning Ordinance: Provide a current, effective, zoning ordinance to delineate the policies provided by the Cassia County Comprehensive Plan. However, existing uses of land and buildings, that were permitted and approved under earlier ordinances, must be protected, even if they do not meet the requirements of an updated zoning ordinance.

A zoning ordinance and maps are the most useful tools for carrying out the Comprehensive Plan. The zoning map shows the location of districts in which agricultural, communications-utilities, manufacturing, public assembly, residential, services, sports facilities and parks, trade and retail, and transportation uses may be located to form a compatible arrangement of land

uses. The text of the ordinance establishes the conditions under which that land may be used to create stable land use development within the county.

O.2-2 Spot Zoning: Guidelines for spot zoning may include the following factors when determining land use.




1. Does the proposed zoning correct a mistake?
2. What is the size of the parcel or lot?
3. What is the zoning prior to and after the requested rezone?
4. What is the existing zoning of the adjacent properties?
5. What are the benefits and detriments to the subject property's landowner resulting from the rezone?
6. What are the benefits and detriments to the neighboring property owners resulting from the rezone?
7. What are the benefits and detriments to the community resulting from the rezone?
8. What is the relationship between the zoning change and other comprehensive plan policies?
9. Are there changed circumstances since the comprehensive plan was adopted?
10. Is there compatibility with surrounding land uses?
11. Do the public benefits outweigh detriments to other landowners?
12. What is the effect on adjacent communities?

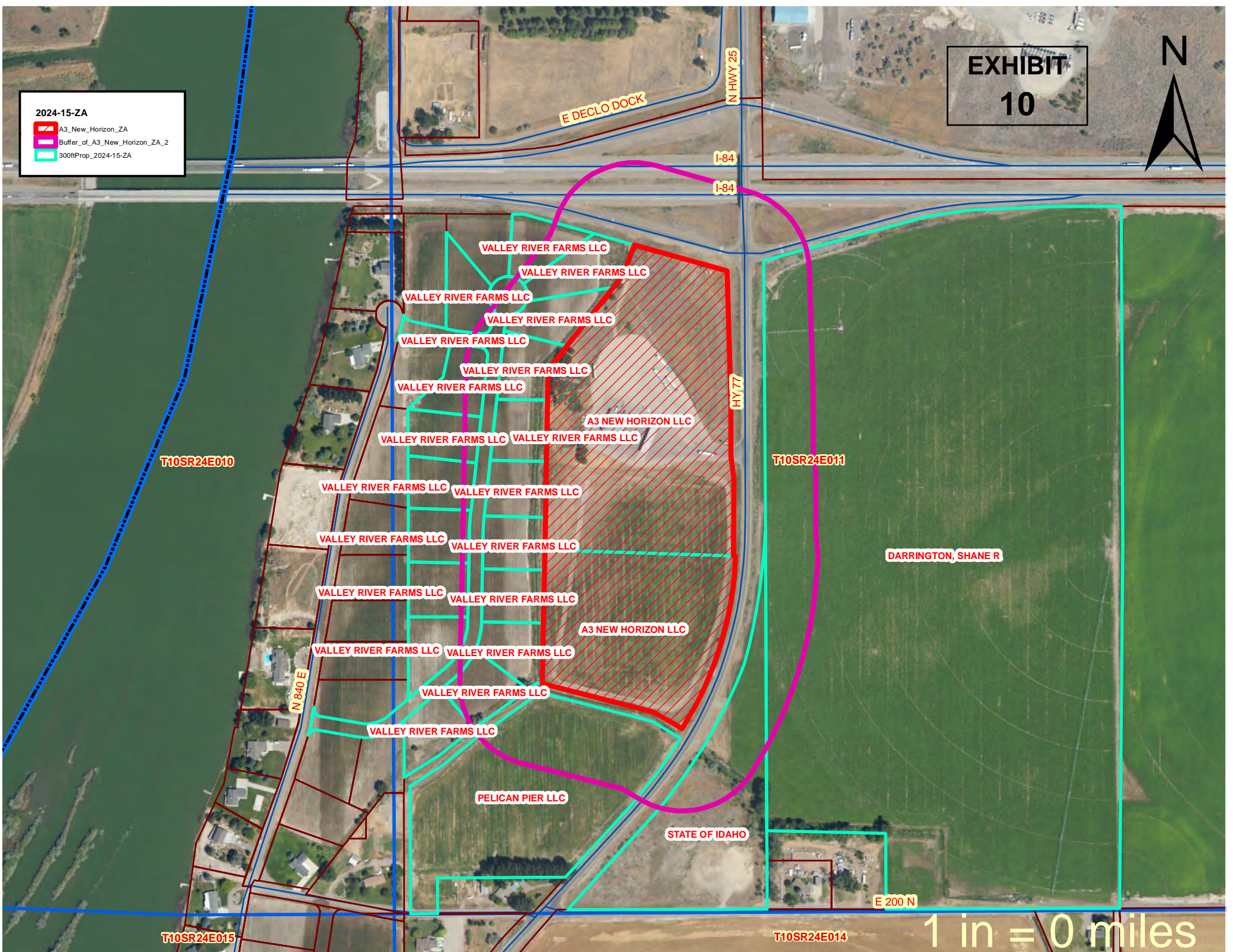
Spot zoning should be avoided. Rezoning decisions should be carefully analyzed and should not occur unless the advantages clearly outweigh the disadvantages.

EXHIBIT
10



2024-15-ZA

-  A3_New_Horizon_ZA
-  Buffer_of_A3_New_Horizon_ZA_2
-  300ftProp_2024-15-ZA



T10SR24E010

T10SR24E011

DARRINGTON, SHANE R

E DECLD DOCK

N HWY 25

I-84

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T10SR24E015

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E 200 N

STATE OF IDAHO

PELICAN PIER LLC

A3 NEW HORIZON LLC

A3 NEW HORIZON LLC

VALLEY RIVER FARMS LLC

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VALLEY RIVER FARMS LLC

1 in = 0 miles

2024-15-ZA

- A3_New_Horizon_ZA
- Buffer_of_A3_New_Horizon_ZA_2
- 300RProp_2024-15-ZA
- Residential Agricultural
- Agricultural Residential
- Prime Agricultural
- Industrial Commercial



T10SR24E010

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E DECLO DOCK

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T10SR24E011

DARRINGTON, SHANE R

Prime Agricultural

N 840 E

PELICAN PIER LLC

STATE OF IDAHO

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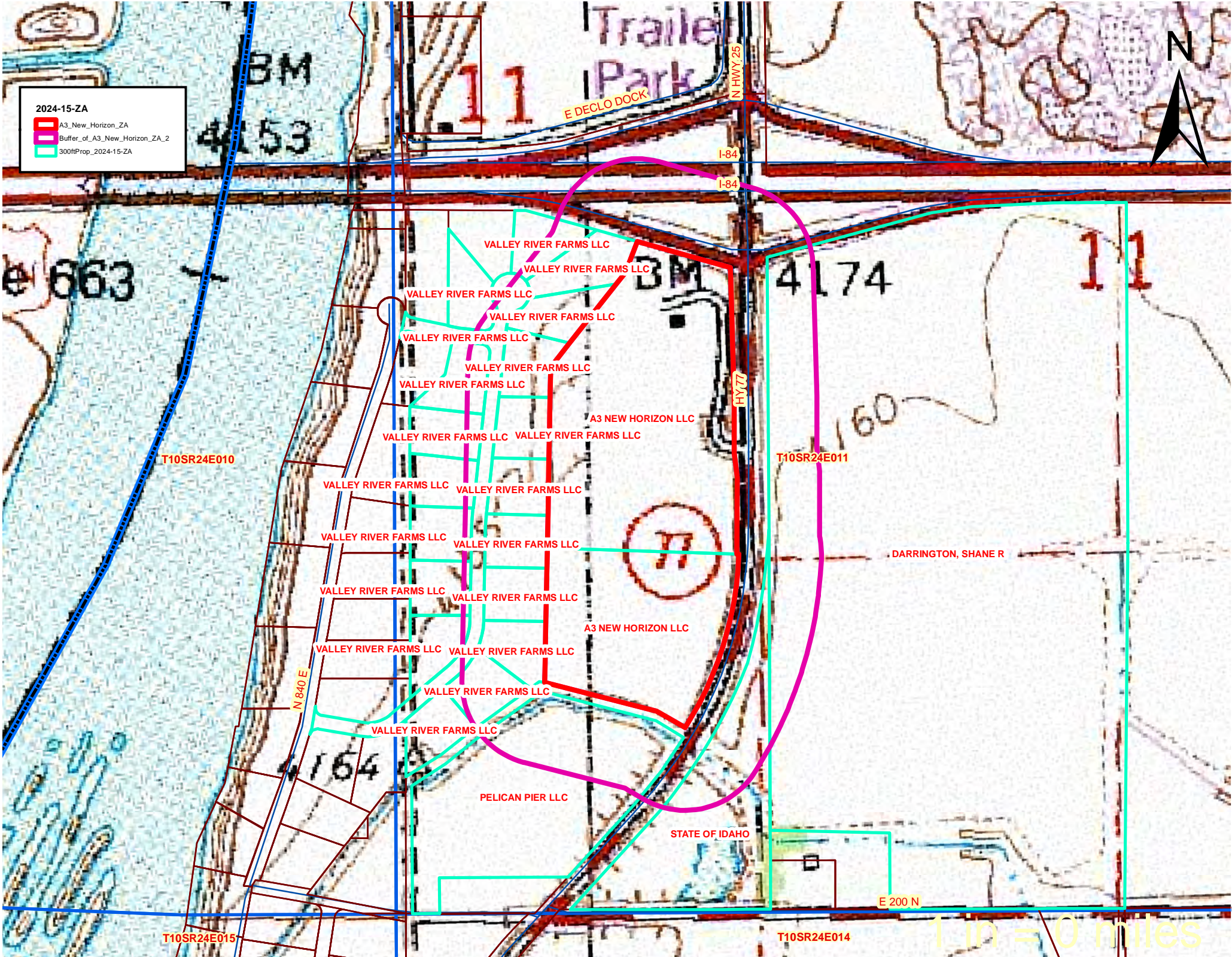
T10SR24E015

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1 in = 0 miles

2024-15-ZA

- A3_New_Horizon_ZA
- Buffer_of_A3_New_Horizon_ZA_2
- 300ftProp_2024-15-ZA



VALLEY RIVER FARMS LLC

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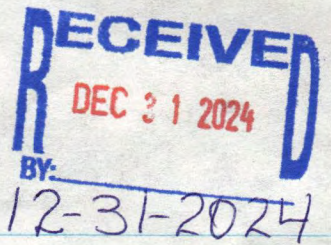
Trailer
Park

663

4174

4164

160



"I Object"

NO! to amendment to zone #2024-15-ZA

I'm not told what's to be built there.

I'm not told if it's light or heavy industrial.

I'm not told if this amendment will devalue my property.

I'm concerned about farm land disappearing at an alarming rate.

I'm concerned about pollution of our water and air.

I'm concerned about who makes the final decision on this matter and if they hold the same concerns as I do about pollution and disappearing farm land.

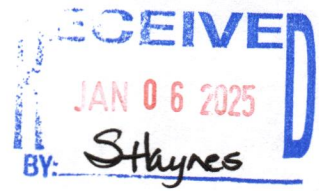
I'm concerned I won't be notified by mail to the outcome of this amendment.

I say, NO! to amendment to zone.

Kinda K. Miller

965 E. 300 N. Declo, Idaho

**EXHIBIT
11B**



To the Cassia County Planning and Zoning Commission; January 6, 2025

Re: Application # 2024-15-ZA; Hearing Date January 16, 2025

My name is Blaine Cannon. I am a property owner directly impacted by the proposed zoning amendment. I am not appearing in any official capacity but am appearing *pro se* as a property owner. I, along with my wife and children, live at 236 N. 840 E., Declo, Idaho. Our home is just over a tenth of a mile (about 200 yards) almost directly west of the Pit Stop. Currently the Pit Stop operates as a modestly sized convenience store and gas station. It is not a truck stop or travel center. However, a few trucks occasionally park overnight in the gravel lot on the north part of the property. It's not unusual for some of the trucks to idle their engines for long periods of time. Depending on weather conditions, at our home we can occasionally smell the odor of diesel exhaust from the idling engines. The outdoor lights from the convenience store and gas station fuel bays shine directly into our front windows. For some time after new ownership took over a few years ago there was some kind of alarm system that was occasionally activated, and we could easily hear the blaring alarm from our front yard, sometimes in the middle of the night.

The proposed zoning amendment will lead to major changes that will significantly affect the enjoyment of our property rights.

The Application makes some claims that I would like to respond to. The Application states that "the proposed development is not a major change to the area." Actually, the proposed changes are numerous and significant and will negatively impact all the residential landowners in the vicinity. The proposed development would be a major change in many ways:

1. The proposed travel center would have more than 150 parking spaces for large semi-trucks. This is a massive increase compared to the number of trucks that currently utilize the Pit Stop parking area. Many of the trucks might idle their engines most of the time they are parked there. The trucks are noisy. The noise coming from the property will increase significantly. At times, the odor and pollution of diesel exhaust will drift directly onto my property and the property of others living nearby.
2. The travel center proposes 50 parking spaces for passenger vehicles; multiple EV charging stations; 10 parking stations for recreational vehicles; and additional parking for employees. Currently the Pit Stop has parking spaces for probably 15 or fewer customer vehicles (in addition to those who are fueling) and a few more for staff. The number of non-truck driving customers using the property will at least quadruple under the proposed development. The increase may be higher because of the additional services offered.
3. The travel center would have a minimum of 6 auto fuel lanes and 8 diesel fueling lanes. This is a major increase over the current number of fueling lanes (currently 3 or 4) and will require an increased capacity for underground fuel storage which brings the potential for groundwater contamination if there are leaks.

4. The travel center would have a 15,000 square foot building with showers, laundry, and truckers lounge.
 - a. A 15,000 square foot building will likely be at least 4 or 5 times larger than the current Pit Stop convenience store. This is a major change.
 - b. Currently, most customers stay long enough to fuel up, buy a few snacks and use the restroom. Changing to a travel center and truck stop will permanently change the character of the business and neighborhood. The number of people using the property will increase, probably ten-fold or more. And many of them will be staying overnight, instead of just 15 or 20 minutes. It may not be unusual to have well over a hundred people staying on the property at any given time. This is a major change with a major impact.
5. The travel center would have a commercial vehicle repair shop with 3 bays and retail space. The repair shop alone will probably be larger than the existing Pit Stop building. This is another major change.
6. The travel center would have additional outdoor lighting for the parking areas, fuel lanes, repair shop and travel center. This lighting combined with the lights from trucks and other vehicles will vastly increase the amount of light shining into our home and neighborhood. This is another major change.

The entire southern half of the property would be permanently changed. In its current state it could be used as pasture or for some agricultural use. Instead, it will be mostly covered with asphalt or concrete and will be removed forever from any potential agricultural use. This is another major change. This proposed change contradicts the Application's statement that "[t]he proposed project would have no detrimental impacts on the agricultural land uses in the county."

The Application also states that the proposed changes "would serve to support the trucking industry so vital to agriculture." The travel center would support the national trucking industry, but not local farmers (at least not significantly). Most truck drivers who park overnight will be from out of state, just passing through the area. Typically they won't be hauling local produce or crops. And it's likely most passenger vehicles that stop for fuel or food will also be traveling on the interstate from outside the area. I'm not aware that local farmers or farm workers would need to access a travel center or truck stop. Most local farmers wouldn't need a truck stop to refuel their farm trucks. Most farm workers are local and don't sleep in their trucks overnight or have need for the travel center's showers or truckers' lounge. And many local farms handle their own truck service and repair needs or already have pre-existing arrangements with local businesses for such needs.

The Application argues that this property is "ideally situated for this type of development and zoning classification" because it is adjacent to exit 216 off Interstate 84 and Highway 77. The property is close to the freeway and exit 216. However, neither Highway 77 nor exit 216 are designed to accommodate the vast increase in truck and automobile traffic that would occur with the proposed changes. The immediate vicinity and surrounding area are not suited for industrial and commercial uses. It is useful to compare exit 216 with exits 211 and 208, which are a few miles to the west.

Exits 211 and 208 are adjacent to property that is currently used extensively for both industrial and commercial purposes (unlike almost all the property near exit 216). This makes sense because the existing transportation and utility systems in those areas are designed for industrial and commercial uses. Exits 211 and 208 both have either a truck stop or travel center nearby and the highways there are designed to handle the increased traffic flow that results. Highway 30 goes past Love's travel center near exit 211. Highway 30 has 4 lanes of travel and an additional turning lane to manage traffic flow near Love's. Highway 24 intersects with the freeway at exit 208. Nearby is a Stinker Station that allows some truck parking. Highway 24 in that vicinity contains 4 lanes of travel and a turning lane. This allows for a safer flow of traffic as compared to Highway 77 at exit 216. At both exits 208 and 211 extensive renovations are underway to completely rework the on/off ramps and the over/under passes. This is being done to better manage the traffic flowing onto and off the freeway in that area. No such renovation is being undertaken at exit 216.

Highway 77 has only 2 lanes of travel and no turning lane. The on-ramps and off-ramps at exit 216 are relatively short. I can see the exit 216 overpass from my home and I drive the overpass at least once a day. From personal experience I know there are a lot of traffic accidents there, some that are quite serious. Many of the accidents are caused by semi-trucks exiting the freeway. They become impatient and don't want to yield to the traffic on highway 77. Because many of the truck drivers are not local residents they are not aware that the traffic on highway 77 is traveling at 55 miles per hour. So, they enter highway 77 from the off ramp at very low rates of speed without yielding to oncoming traffic, which sometimes leads to accidents. The same thing happens with truck drivers pulling out of the Pit Stop onto the highway. They become impatient and enter the roadway without yielding. At least a few times a month as I'm driving past the Pit Stop or on the overpass, I have to take action to avoid a collision with someone entering the highway. This concerns me because, especially because many area children use highway 77/25 to get to and from school.

Another significant traffic concern stems from how the additional traffic will affect the farm trucks and farm implements that often travel on highway 77 and highway 25. Local residents are accustomed to farm trucks and implements that travel slowly and may be extra wide. Long haul truck drivers and interstate travelers are often not aware of this. Many of the customers using the travel center will not safely accommodate the local farm traffic and this will lead to more accidents.

Another factor that will lead to serious accidents is the fact that the highway 77/25 (including the overpass) is limited to 2 lanes with no turning lanes. The increased traffic caused by the proposed travel center will, at times, cause semi-trucks to become backed up and stuck waiting on the freeway on-ramps. This will lead to additional accidents on the freeway as well.

The Cassia County Comprehensive Plan requires that "industrial and commercial development should be accomplished in an organized, planned and attractive manner." Comprehensive Plan D.2-4, p. 12. The Comprehensive Plan also states that "Programs must be followed to place industrial and commercial expansion in proper balance with other land uses and prevent fragmented development." Id. D.2-4(1). The proposed truck stop is not part of any development planned or organized with the County or its communities. It is one property owner attempting to create a fragmented commercial/industrial expansion far away from any Commercial

Industrial Zone in Cassia County. The proposed development is contrary to the Cassia County Comprehensive Plan.

The Comprehensive Plan states that “[E]ach established community should be encouraged to plan for industrial development in its own area.” Id. E.2-5. The Application cites this provision but fails to recognize that the proposed change is not part of any established community’s plan. “Established communities” is a term defined by the Comprehensive Plan: “Those communities within the County which have a United States Post Office in them, whether or not they are incorporated municipalities.” Id. p. 10. There is nothing in the Application suggesting that the proposed zoning change is part of the plan of any established community in the county. The nearest post office is in the City of Declo, which is over 3 miles away. There is no suggestion in the Application that the City of Declo has proposed this development as part of any organized plan by the City of Declo.

This appears to be a clear case of “type two spot-zoning.” Type two spot zoning is not allowed in the State of Idaho. “Type two spot zoning refers to a zone change that singles out a parcel of land for use inconsistent with the permitted use in the rest of the zoning district for the benefit of an individual property owner. This latter type of spot zoning is invalid.” *Evans v. Teton Cnty.*, 139 Idaho 71, 77, 73 P.3d 84, 90 (2003)(citations omitted). The Cassia County Comprehensive Plan states that “[s]pot zoning should be avoided.” Comprehensive Plan O.2-2 p. 29.

The property is in a Residential Agricultural zone. The proposed amendment would single out a parcel of land and allow it to be used in a way that is inconsistent with the permitted uses in the rest of the zoning district. It would be done to benefit an individual property owner. This makes it invalid spot zoning. The Application should be denied.

Thank you for considering my comments. Because of the significant change being proposed, I would like the opportunity to submit additional briefing, especially with respect to the legal issues being raised. Also, I would like to testify at the scheduled hearing.

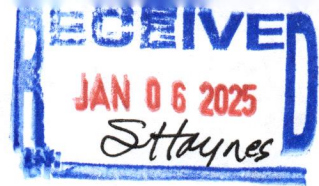
Sincerely,

Blaine Cannon

A handwritten signature in black ink that reads "Blaine Cannon" followed by the date "1-6-25". The signature is written in a cursive style.

Sidney Cole 1-6-25

EXHIBIT
11c

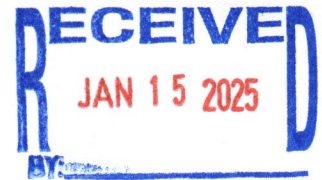


1. This project doesn't meet Industrial Zoning. Es. City water, Sewer. If sewer is open pit, then that's 3 in 2 miles of each other. Water should be city water. Sewage should be processed correctly.
2. This project has up to 200 parking spaces. Truck idles all night. There will be constant buzzing. Truckers get out and do their duty and get back in. Truckers like flying J. Loes. This project will fail.
3. Commercial zones are available west on the freeway. Go there and start building.
4. Property values will go down from noise and lighting and crime. Truckers carry bats and guns. Be careful not catch one on a bad day.

5. Truckers do not use the existing one very much. I'm not sure if the gate is open and the C-stone is too expensive.
6. Snowville has about 20 parking spots. Loues probably has 30 to 40. This is 3-5 times too big. The current one could already do this. However, most truckers don't stop ~~there~~ there.
7. Safety is not addressed. Speed Limits are 65 mph once you leave Datto. Truckers crawl out on the road. The bridge is too narrow. Applicant should replace bridge to 4 lanes for safety reasons. Exits will only hold 10-12 trucks and then they are backed up on the freeway. Severe injuries will happen from time to time with increased congestion.
8. Home values will decrease from noise and lighting and sewer. Water in Idaho is totally allotted in Idaho.

9. Large septic tanks will leach into ground water and then the River. FEMA will deny this permit change.
10. Has the government seen this?
11. In conclusion, ~~7~~ This project is not economically or physically allowable. Industrial should be located in industrial zones where there is proper water, sewer, noise requirements, police and fire support. Further more, the binder doesn't list the people involved. Binder is poorly done and vague. Letters were sent out right before the holidays. Obviously Applicant and legal counsel are not very concerned with local citizens. The place is going broke now. Is there a bond on this? Please get approval from FEMA before more time and money is wasted.

Sord Junk!!!
Sidney Cole
341 N. Sand bar way
208 312 3000



January 15, 2025

Re: Application # 2024-15-ZA; Hearing Date January 16, 2025

To the Cassia County Planning and Zoning Commission:

Our names are Doug and Cortney Abenroth. We are property owners who received notice of the proposed zoning amendment for the above-referenced application because we live within one (1) mile of the real property subject to the zoning amendment. I, Doug Abenroth, am not appearing in any official capacity and I am appearing *pro se* as a property owner. Even though we are residents of Minidoka County, we are directly impacted by any amendment from the current zone of residential agricultural to the proposed industrial commercial zone and the subsequently permitted travel center at this location.

The proposed zoning amendment will lead to major changes that will significantly affect our safety and property rights. The Application states that "the proposed development is not a major change to the area." The proposed zoning amendment creates numerous and significant changes. These changes will negatively impact all the residential landowners in the area. In addition, these changes will negatively affect any individual who drives State Highway 77 and State Highway 25 by the current gas station subject to the proposed zoning amendment and/or who enters/exits Interstate 84 at Exit 216 and uses the overpass for State Highway 77 and State Highway 25 (hereinafter referenced as "State Highway 77/25").¹

The proposed development would be a major change in many ways:

1. The proposed travel center would have more than 150 parking spaces for large tractor trailers. This is a significant increase compared to the number of tractor trailer trucks that currently utilize the gas station.
2. The travel center proposes 50 parking spaces for passenger vehicles; multiple EV charging stations; 10 parking stations for recreational vehicles; and additional parking for employees. The current gas station has parking for probably 15 or fewer customer vehicles and employees. The number of non-truck driving customers using the property will dramatically increase under the proposed development.
3. The travel center will have a minimum of 6 auto fuel lanes and 8 diesel fueling lanes. This is a significant increase over the current number of fueling lanes – approximately 3 or 4 lanes.

¹ State Highway 77 is in Cassia County and turns into State Highway 25 somewhere between the Exit 216 overpass and the bridge connecting Cassia County and Minidoka County going north on the state highway. State Highway 25 is primarily located in Minidoka County. In summary, it is the same state highway but is identified by a different name in each county.

4. The travel center will have a 15,000 square foot building with showers, laundry, and truckers lounge.
 - a. A 15,000 square foot building is significantly larger than the current gas station and is a major change.
 - b. This size of a building with more services will attract a substantial number of patrons and customers compared to the current gas station. This is a major change compared to the current use.
5. The travel center will have a commercial vehicle repair shop with 3 bays and retail space. There is not a current repair shop for commercial vehicles at the presently existing gas station. Adding a repair shop is a major change to the property.

The primary impact from a zoning change is the negative effect of the increase in traffic to the surrounding area and to those using Exit 216 to enter/exit Interstate 84 or who use the overpass at Exit 216 while traveling on State Highway 77/25. The Application argues that this property is "ideally situated for this type of development and zoning classification" because it is adjacent to Exit 216 off Interstate 84 and State Highway 77/25. Indeed, the property is adjacent to Interstate 84 and Exit 216 on State Highway 77/25.

However, neither State Highway 77/25 nor Exit 216 are designed to accommodate the substantial increase in truck and automobile traffic that will occur with the proposed zoning amendment and changing the current gas station to a travel center. As outlined above, the travel center is significantly different than the current gas station. Granting the application and amending the current zone, will directly cause an increase in vehicle traffic thereby increasing the risk of traffic collisions and the related damages to property, bodily and personal injury, and/or death.

This immediate area encompassing State Highway 77/25 and Exit 216 does not have the current road infrastructure to support industrial and/or commercial uses. The overpass itself is currently so narrow that many tractor trailers must be very careful and slow entering or exiting State Highway 77/25 from Exit 216 so they do not get stuck on the overpass. This is dangerous as the posted speed limit for oncoming traffic is 55 miles per hour.

Presently, State Highway 77/25 has only 2 lanes of travel and no turning lane. The on-ramps and off-ramps at Exit 216 entering and exiting Interstate 84 are short. The increased traffic caused by the proposed travel center will cause tractor trailers to be backed up and stuck waiting on the freeway on-ramps. This will lead to additional accidents on Interstate 84.

After exiting Interstate 84 at Exit 216 – in both directions – the overpass has a rise as well as guardrails that negatively impact visibility in seeing (and yielding to) oncoming traffic. From personal experience we know there have been traffic accidents involving both exits (i.e. in both directions) at Exit 216 involving cross traffic on State Highway 77/25 or the exits themselves. Several accidents have occurred in the past year due to the present road

infrastructure located at Exit 216 and State Highway 77/25. These accidents will only increase with the added traffic the proposed zoning amendment, and related travel center, will cause if the application is approved.

In fact, the most recent crash involved a tractor trailer crashing through the overpass barrier and landing in the median below on Interstate 84. This crash caused significant property damage to the tractor trailer, property damage to the Idaho Department of Transportation (destroyed guardrail), and personal injury to the driver of the tractor. It was either providence, luck, or both that the tractor trailer did not land on the freeway itself and cause injury or damage to other vehicles or persons traveling on the Interstate. Regardless, this specific crash delayed traffic for hours as it caused Exit 216 to be unusable for most of the day as law enforcement and first responders performed their responsibilities. Attached to this letter is a news article describing the crash as well as related photographs.

The probability of crashes like this crash involving the tractor trailer at Exit 216 and the overpass for State Highway 77/25 will increase if the proposed zoning amendment, and subsequent travel center, is approved. We have observed the driving patterns and behaviors of both tractor trailers and vehicles exiting at Exit 216. Most drivers are impatient and do not yield to the incoming/cross traffic on State Highway 77/25. Many of these drivers are not local residents and they are not aware that the posted speed limit on State Highway 77/25 is 55 miles per hour. These drivers (including tractor trailers as discussed above) enter State Highway 77/25 from the respective off ramp(s) at low rates of speed without yielding to oncoming traffic, which causes accidents or near accidents.

The same driving pattern occurs from drivers pulling out of the current gas station located at the location for the proposed zoning amendment onto State Highway 77/25. The same driving pattern also occurs from drivers pulling out of the Village of Trees gas station on the north side of Exit 216 onto State Highway 77/25. These drivers leaving both gas stations become impatient and enter State Highway 77/25 (in both directions) without yielding. Having multiple entry points at both gas stations located north and south of Exit 216 on State Highway 77/25 in addition to the two exits in both directions at Exit 216 already create dangerous driving conditions in this location. Granting the applicant's proposed zoning amendment, thereby exponentially increasing the traffic at this stretch of State Highway 77/25, will directly cause more danger and safety issues at this major intersection.

Moreover, at least a few times a month as we (and our family members) drive on State Highway 77/25 – in both directions – past the current gas station south of Exit 216, the Village of Trees gas station north of Exit 216, or on the Exit 216 overpass (and the related exits in both directions) must take evasive measures or extreme braking action to avoid a collision with someone entering State Highway 77/25. Many drivers do not know, or realize, that just south of the current gas station that is located at the proposed site of the zoning amendment the speed limit is 65 miles per hour on State Highway 77/25 and changes to 55 miles per hour right at the subject gas station. Granting the application will only cause an increase in safety and danger, including traffic accidents at this location.

In summary, this area already has significant traffic, and related safety concerns and crashes/accidents, even before a zoning amendment that permits a travel center attracts even more traffic. This concerns us because this intersection already has increased farm traffic during the spring and fall agriculture seasons for farm tractors and implements. In addition, many children drive State Highway 77/25 and the Exit 216 overpass to commute to school in Declo and Rupert. The increased traffic for a travel center will directly expand the danger and risk to all drivers using State Highway 77/25 at Exit 216.

As to the issue of safety and the negative impacts caused by increased traffic, the planning and zoning commission and the Cassia County Board of Commissioners must analyze the current infrastructure and traffic patterns on State Highway 77/25 and Exit 216 before granting this application. The planning and zoning commission and the Cassia County Board of Commissioners should require the applicant to notify the Idaho Department of Transportation of the proposed zoning amendment – and proposed travel center – and seek the transportation’s position regarding this intersection and the impact increased traffic will have on the road infrastructure and safety.

In short, the planning and zoning commission and the Cassia County Board of Commissioners must be satisfied that the Idaho Department of Transportation is confident the proposed zoning amendment is safe under the current road infrastructure. In the alternative, the planning and zoning commission and the Cassia County Board of Commissioners must ensure the applicant undertakes any remedial measures or mitigation recommended, or required, by the Idaho Department of Transportation related to the application and the subject intersection between Exit 216 and State Highway 77/25 prior to granting the application.

Furthermore, the Cassia County Comprehensive Plan requires that “industrial and commercial development should be accomplished in an organized, planned and attractive manner.” Comprehensive Plan D.2-4, p. 12. The Comprehensive Plan also states that “Programs must be followed to place industrial and commercial expansion in proper balance with other land uses and prevent fragmented development.” Id. D.2-4(1). The proposed zoning amendment from the residential agricultural zone to an industrial commercial zone – and the related travel center – is not part of any development planned or organized within Cassia County or its communities. It is one property owner attempting to create a fragmented commercial/industrial expansion far away from any Commercial Industrial Zone in Cassia County. The proposed development is contrary to the Cassia County Comprehensive Plan.

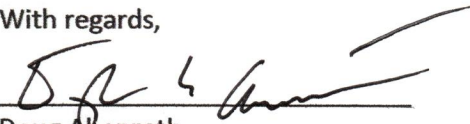
The Comprehensive Plan states that “[E]ach established community should be encouraged to plan for industrial development in its own area.” Id. E.2-5. The Application cites this provision but fails to recognize that the proposed change is not part of any established community’s plan. “Established communities” is a term defined by the Comprehensive Plan: “Those communities within the County which have a United States Post Office in them, whether or not they are incorporated municipalities.” Id. p. 10. There is nothing in the Application suggesting that the proposed zoning change is part of the plan of any established community in

Cassia County – in fact the proposed zoning amendment is located outside of any city limits. Moreover, the closest post office is in Declo almost 2 miles away.


The application is in violation of the Comprehensive Plan and seems to be a clear case of “type two spot-zoning.” Type two spot zoning is not allowed in the State of Idaho. “Type two spot zoning refers to a zone change that singles out a parcel of land for use inconsistent with the permitted use in the rest of the zoning district for the benefit of an individual property owner. This latter type of spot zoning is invalid.” *Evans v. Teton Cnty.*, 139 Idaho 71, 77, 73 P.3d 84, 90 (2003)(citations omitted). The Cassia County Comprehensive Plan states that “[s]pot zoning should be avoided.” Comprehensive Plan O.2-2 p. 29. As stated previously, the subject property in the application is currently in a residential agricultural zone. The proposed amendment would single out a parcel of land and allow it to be used in a way that is inconsistent with the permitted uses in the rest of the zoning district. It would be done to benefit an individual property owner. This is invalid spot zoning. As a result, the application for the zoning amendment must be denied.

We appreciate your consideration of our comments. We respectfully request the opportunity to submit additional briefing, especially with respect to the legal issues we raise. In addition, one or both of us, respectfully request an opportunity to testify at the scheduled hearing on January 16, 2025.

With regards,



Doug Abenroth



Cortney Abenroth

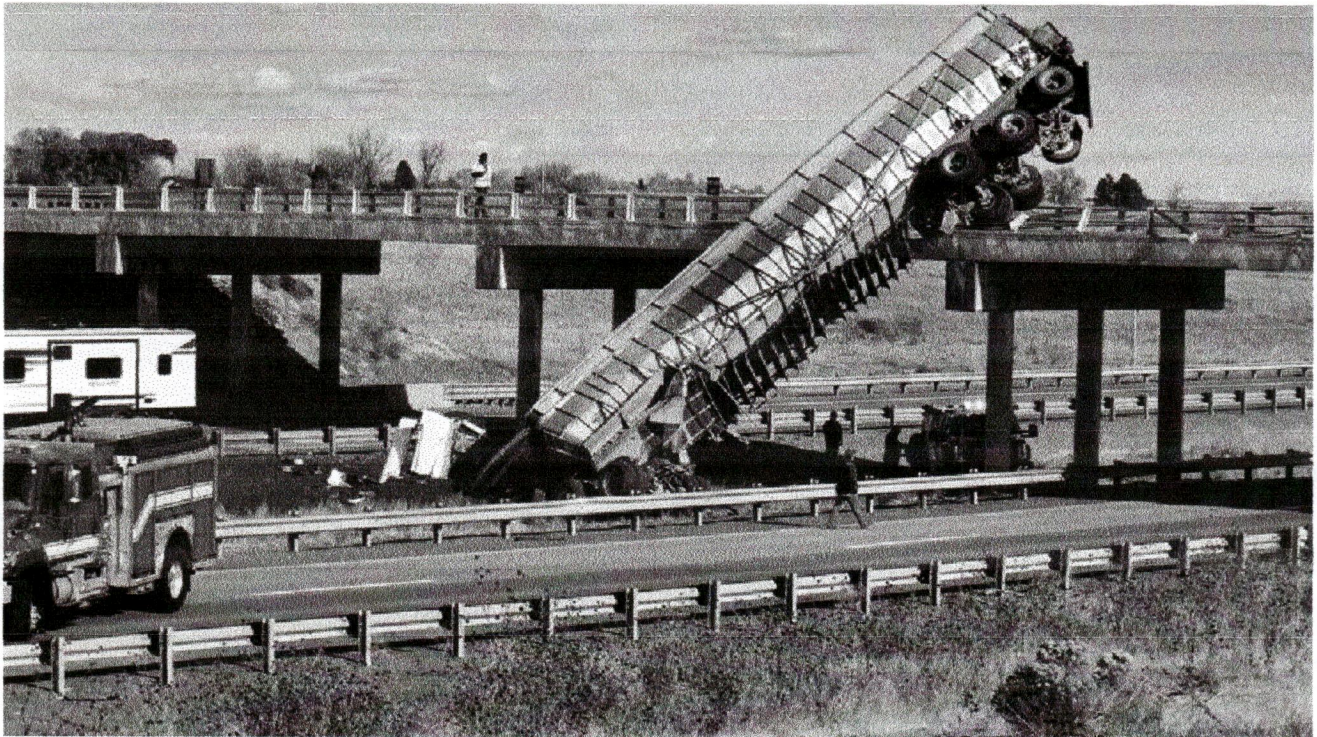
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Semitruck driver flown to hospital after driving off overpass near Declo

By Nate Eaton, EastIdahoNews.com | Updated - Nov. 14, 2024 at 9:56 p.m. | Posted - Nov. 14, 2024 at 4:09 p.m.



Emergency crews are on the scene of a crash involving a semitruck that is partly off a bridge above Interstate 84 at Exit 226 near Declo in southeastern Idaho. (Doug Byrd)

3 photos

17



Save Story



Leer en español

Estimated read time: Less than a minute

DECLO, Idaho — The driver of a semitruck was flown to the hospital after swerving to miss a car and driving off an overpass Thursday afternoon near Declo.

The crash unfolded around 11:30 a.m. on Idaho Highway 77. A 21-year-old man from Carlsbad, California, was driving a 2013 Mazda CX-5 when he exited Interstate 84 at Exit 216, according to Idaho State Police. He proceeded to turn left onto southbound Highway 77.

The driver failed to yield to a semitruck traveling southbound, Idaho State Patrol said in a news release. The semitruck driver, a 37-year-old from Sonora, Mexico, swerved to miss the Mazda, lost control, went through guardrails and over the overpass.

He was flown by air ambulance to the hospital and his condition was unknown as of Thursday afternoon.

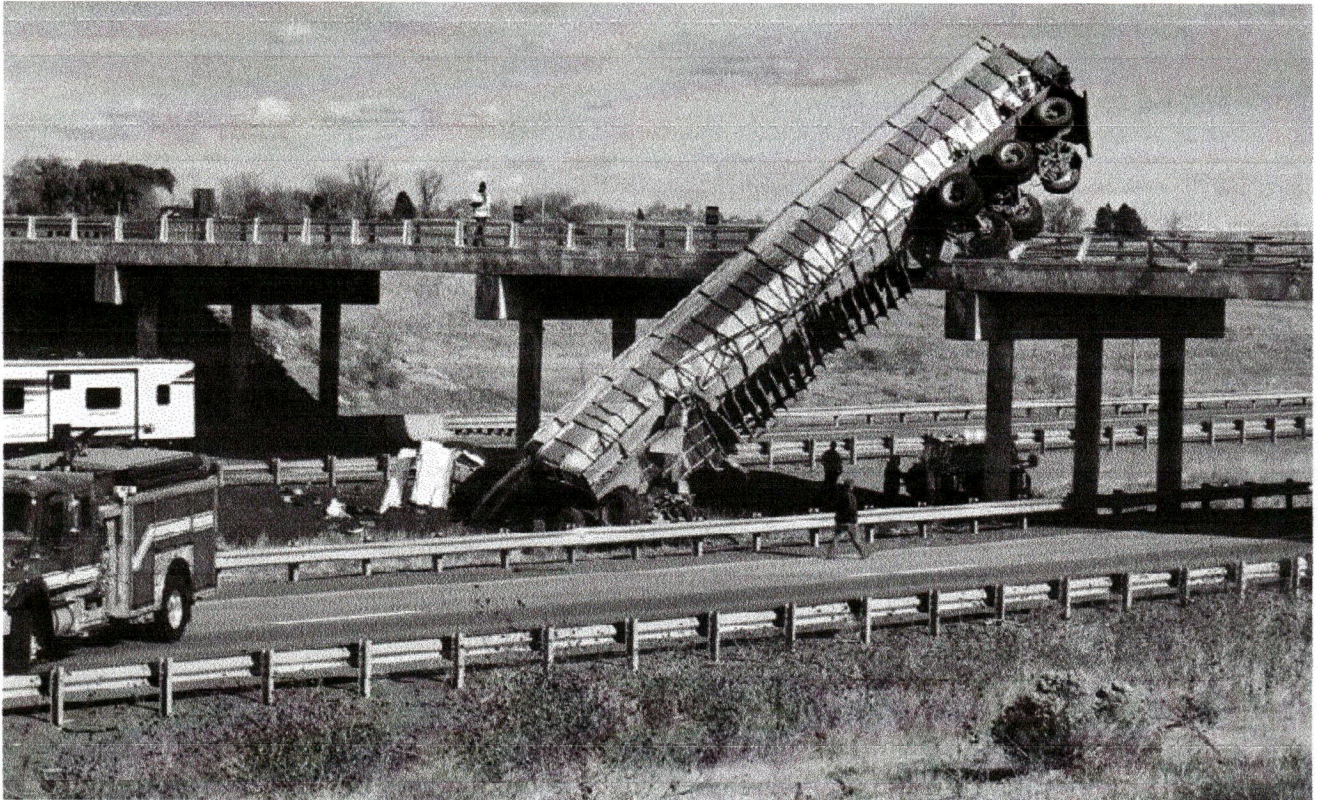
The semitruck was in the process of being removed from the overpass and the median below around 4:30 p.m. Thursday. The overpass and eastbound lanes of I-84 at Exit 216 were blocked while crews work to clear the scene.

Correction: An earlier version incorrectly reported the 37-year-old was from Senora, Mexico, instead of Sonora, Mexico.

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