

MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 South McKinley, Emmett, Idaho 83617 www.co.gem.id.us phone: (208) 365-5144 fax: (208) 365-2499

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- ☐ APPEAL
☐ COMPREHENSIVE PLAN
 TEXT AMENDMENT
☐ COMPREHENSIVE PLAN
 MAP AMENDMENT
☐ PLANNED UNIT
 DEVELOPMENT, FINAL
☐ PLANNED COMMUNITY

- ☐ REZONE
☐ SPECIAL USE PERMIT
☐ SUBDIVISION,
 PRELIMINARY
☐ SUBDIVISION, FINAL
☒ SUBDIVISION, MINOR
☐ SUBDIVISION, COMBINED

- ☐ SUBDIVISION,
MODIFICATION
 - ☐ VACATION
 - ☐ VARIANCE
 - ☐ ZONING TEXT
AMENDMENT

PROJECT NAME: Gratfield Acres

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: SWNW Section: 26 Township: 7N Range: 1E Total Acres: 12.404

Subdivision Name (if applicable): _____

Lot: _____ Block: _____

Site Address: No 514us Gathfield Rd City: Emmett

Tax Parcel Number(s): RP07N01E2630715 Current Zoning: A2 Current Land Use: _____

PROPERTY OWNER:

Name: Cory Walker

APPLICANT:

Name: Sawtooth and Suneying

Address: 4750 E. Black Canyon Hwy Address: 2030 S. Washington Ave

City: Emmett State: ID Zip: 83617 City: Emmett State: ID Zip: 83617

Telephone: 208-369-0383 Fax: _____

Telephone: 208-398-8104 Fax: _____

Email: amy@sawtooths.com

I consent to this application and allow Development Services staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

Signature: (Owner) _____ Date: _____

Date _____ Signature: (Applicant) _____ Date 1-6-22

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

OFFICE USE ONLY

File No: MIN-22- Received By: JV Date: 4/11/22 Fee: 485.00 Receipt No: 22-00182



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

January 10, 2022

Development Services

RE: Gatfield Acres Subdivision

To whom it may concern,

On behalf of Cory and Megan Walker, we are pleased to submit this Letter of Intent and attached application and supporting documents for the proposed Gatfield Acres Subdivision.

Gatfield Acres Subdivision comprises of approximately 12.005 acres. The parcel is located off Gatfield Road. Details on the existing property comprising the project is as follows:

<u>Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
TBD Gatfield Road	RP07N01E263975	12.005

This property is within Gem County and is currently zoned A₃. The attached preliminary plat offers 2 lots, ranging from 5.460 to 5.481 acres.

The subject property lies within the Idaho Water District 65 service area.

Gatfield Acres Subdivision will not create excessive additional requirements at public expense. Additional services will be supported by property taxes and/or fees paid directly to service providers.

There is no know health, safety or environmental issues that currently exist or that will exist as a result of this development.

All lots will have their own wells and septic systems.

Please contact us should you have any questions or if we can be of any assistance with your processing of these applications.

Sincerely,

Fritz Brownell
Sawtooth Land Surveying, LLC

NT



* Approximate Location



GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

**OFFICE OF THE ADMINISTRATOR
PLANNING & ZONING**

PHONE: (208) 365-5144

WEB PAGE: gemcounty.org

MINOR SUBDIVISION STAFF RECOMMENDATION

APPLICATION NAME: GATFIELD ACRES MINOR SUBDIVISION

DATE OF STAFF REPORT: APRIL 8, 2022

FILE No: MIN-22-001

DATE OF ADMINISTRATOR REVIEW: APRIL 1, 2022

DATE OF BOARD REVIEW: APRIL 25, 2022

**PROPERTY OWNER: CORY L AND MEGAN E WALKER
4200 LAKEVIEW LANE
EMMETT, ID 83617**

APPLICANT: SAWTOOTH LAND SURVEYING, LLC

SITE LOCATION: GATFIELD ROAD

STAFF PLANNER: JENNIFER KHARRL

1. APPLICATION SUMMARY & OVERVIEW

Sawtooth Land Surveying, LLC, on property owned by Cory and Megan Walker, has applied for a minor subdivision to create two (2), single-family lots on approximately 12.4+/- acres located in the A-3, Rural Agriculture zone. The Lots comply with the minimum 5-acre lot size established for this zone. Vehicular access for the Lots will be individual driveways off of Gatfield Road. There are no existing structures on site. The new Lots are proposed to have an individual well and septic. The site is designated Agriculture/Natural Resources, on the Joint Comprehensive Plan Future Land Use Map.

Staff/Administrator Recommendation

Staff is recommending approval of the Gatfield Acres Minor Subdivision application with conditions. (See below for further explanation and analysis.)

2. APPLICATION & PROPERTY FACTS

A. Site Address/Location:

The property is located on Gatfield Road and is within Township 7N, Range 1E, Section 26 (Tax Parcel #RP07N01E263975).

B. Current Owner(s): Cory L and Megan E Walker
4200 Lakeview Lane
Emmett, ID 83617

C. Applicant(s): Sawtooth Land Surveying, LLC

D. Surveyor: Fritz Brownell, P.L.S.

E. Present Zoning: A-3, Rural Agriculture (5- acre min. lot size)

F. Present Comprehensive Plan Designation: Agriculture/Natural Resources

G. Property Size Approx. 12.40 +/- acres

3. APPLICATION PROCESS FACTS

A. Pre-Application Conference & Notice to Proceed:

In accordance with GCC 12-3-2, a pre-application conference was held on the minor subdivision application at the Development Services Department on December 15, 2021. A Notice to Proceed was issued by the Administrator on December 16, 2021.

B. Application Submittal:

The application for this item was received by the Development Services Department on January 11, 2022. The final application was accepted by the Department on March 4, 2022.

C. Notice of Minor Subdivision Review / (Public Hearing, if applicable):

- Notice of the Minor Subdivision Review on the application for the Gem County Development Services Department was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Gem County Code 11-7-6 on March 4, 2022.
- The physical property was posted for the minor subdivision review on March 7, 2022.
- Requests for all impact agencies' reviews were mailed on March 4, 2022.

D. Relevant Ordinances and Required Actions:

The Minor Subdivision application review process is outlined in Gem County Subdivision Ordinance (Title 12), Section 3-7. Minor subdivisions do not require a public hearing before the Commission or Board of County Commissioners ("Board"). The Administrator makes a recommendation to the Board; the Board is the final, decision-making body.

E. History of Previous County Actions on Property: The Administrator approved a property boundary adjustment in 2020.

F. Companion Applications: N/A

4. LAND USE

A. Existing Land Use(s): Bare land.

B. Description of Character of Surrounding Area: Rural residential density and agricultural uses.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Irrigated agricultural land; rural residential
South of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Irrigated agricultural land; rural residential
East of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Irrigated agricultural land; rural residential
West of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Irrigated agricultural land; rural residential

EXHIBITS

Exhibit A – Required Findings

Exhibit B – Site Specific Conditions of Approval

Exhibit C – Proposed Preliminary and Final Plat

EXHIBIT A

REQUIRED FINDINGS FOR MINOR SUBDIVISION PERMIT GATFIELD ACRES MINOR SUBDIVISION (FILE #MIN-22-001)

Gem County Code 12-3-7-5 states the following: "No minor subdivision permit application shall receive a recommendation of approval from the Administrator or be approved by the Board of County Commissioners unless each of the following findings and conclusions are made." There are seven (7) required findings. Each of these is listed below with Administrator comments and analysis shown in *italics* below each one.

1. Adequate provisions have been made for a domestic water supply system that meets or exceeds the adopted water quality standards within Gem County and the State of Idaho.

A new individual well is proposed for the new building lots at the time of a future building permit. The subdivision is not subject to the DEQ rules for a public drinking water system, which is defined by DEQ in the Idaho Administrative Code as having at least 15 service connections or serving 25 individuals daily at least 60 days out of the year. Gem County does not have any adopted water quality standards separate from the State of Idaho (DEQ or the Idaho Department of Water Resources). The proposed subdivision complies with this basic provision.

2. Adequate provisions have been made and approvals from the health authority sought for treatment of wastewater within the subdivision.

Southwest District Health received a copy of the preliminary plat and didn't provide written comments on the application. No construction can occur on the property until and unless Southwest District Health reviews the lot and releases sanitary restrictions on each lot. Sanitary restrictions remain in place with the subdivision until a new septic permit is approved at the time of a future building permit review. All current rules and regulations pertaining to subsurface sewage disposal must be achieved at the time.

3. All areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards have been identified and that the proposed uses of these areas are compatible with such conditions.

There are no known hazardous soil conditions on this site. All drainage must be contained on site and not cause any ponding or flooding of adjacent properties.

4. The area proposed for minor subdivision is zoned for the proposed use and the use conforms to other requirements found in the Gem County Code and the Comprehensive Plan.

The subject property is zoned A-3, Rural Agriculture and falls within the Agriculture/Natural Resources designation on the Gem County Comprehensive Plan future land use map. The A-3 zone has a minimum lot size of five (5) acres. The purpose of the A-3 zone is to protect long-term agricultural pursuits with a five (5) acre minimum lot size.

As the applicant is proposing a single-family residential lot of 5+/- acres in size, this requirement has been met for both the Zoning Ordinance and Comprehensive Plan.

The following policies have been set forth in the Housing chapter of the Comprehensive Plan for General Housing:

G1.5 Rural residential and small ranchette type development shall be encouraged in areas where it is compatible with existing agricultural and ranching development.

Staff finds the vicinity to be a combination of rural residential and agricultural uses with irrigated pastureland. The proposed development would create two (2) new 5.00 +/- acre building lots, which is compatible with the existing residential and agricultural uses in the area.

The following policies have been set forth in the Natural Resources and Hazardous Areas chapter of the Comprehensive Plan:

G1.2 Protect the safety and welfare of the public by identifying areas with physical development constraints (e.g., floodplains, steep slopes and fill areas).

Staff has determined the property is located on Community Panel Number 160127 0366 B of the National Flood Insurance Program map and is identified as Zone D: area of undetermined flood hazard.

The following policies have been set forth in the Natural Resources and Hazardous Areas chapter of the Comprehensive Plan for Water Quality:

G2.1 Ensure that new development includes Health District approved site utilities to protect the quality of groundwater.

G2.2 Prevent contamination of groundwater from sewage and wastewater through appropriate treatment and by enforcing regulations.

G2.4 Maintain sufficient lot size requirements in the County Zoning Ordinance to allow functional and safe on-site septic disposal systems.

Southwest District Health has reviewed the preliminary plat and has not indicated any significant impediments to sub-surface wastewater disposal for this subdivision. As an individual sewage system is proposed in the future, SWDH may require additional data concerning high seasonal ground water, bedrock from original grade and waste flow characteristics if concerns or problems arise. All current rules and regulations pertaining to subsurface sewage disposal must be achieved with all construction. If SWDH determines there is any potential threat to adjacent parcels, the applicant/owner may have to modify the drainfield design to accommodate.

The following policies have been set forth in the Public Facilities chapter of the Comprehensive Plan for Public Safety:

G4.1 All proposed commercial, industrial and residential (subdivision) development plans should be reviewed by county public safety personnel.

Notification of the minor subdivision request was sent to the applicable impact agencies on March 4, 2022 and no comments were received from emergency services or from fire personnel.

The following policy has been set forth in the Transportation chapter of the Comprehensive Plan:

G5.1 As allowed by Idaho Code, implement a proportionate share development impact fee program or other funding options to include transportation improvements.

In order to mitigate other impacts on the Gem County Road and Bridge system, the Board adopted an Impact Fee Ordinance which establishes impact improvement costs required for any new residence. This fee is required at the time of building permit issuance of a new residence. No other requests for public facilities have been made by other agencies and/or departments.

5. The applicant has made adequate plans to ensure that Gem County and its citizens will bear no more than their fair share of costs to provide services, by paying fees, furnishing land, or providing other mitigation measures for off-site impacts to roads, parks and other public facilities within Gem County.

Gatfield Road is identified as a Minor Collector (80' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 6,500 vehicle trips per day at full build out and a 40' right-of-way from centerline is requested from the Gem County Road and Bridge Department. Gem County Subdivision Ordinance (12-5-5) requires the area to be dedicated be free and clear of all liens and encumbrances, this included by is not limited to fences or structures.

6. The proposed subdivision complies with the design and improvement standards set forth in this title (Subdivision Ordinance).
 - a) Minimum lot size – The A-3 zone requires a five (5) acre minimum lot size.
 - b) Utilities – The subdivider is responsible to ensure adequate utility easements are in place to extend power, phone and other proposed utilities to each new lot.
 - c) Water – The applicant proposes a new individual domestic well for each new Lot, which is permitted in the A-3 zone.
 - d) Streets – The new Lots will access individual driveways off of Gatfield Road.
 - e) Sewer – The applicant proposes a new individual septic system for each new Lot, which is permitted in the A-3 zone.
7. The proposed subdivision complies with all other standards set forth in this title or any other applicable ordinance or statute.

All other standards have been confirmed by staff.

EXHIBIT B

CONDITIONS OF APPROVAL GATFIELD ACRES MINOR SUBDIVISION (FILE #MIN-22-001)

Preliminary/Final Plat (Combined) Application

- i. The Final Plat submitted by Fritz Brownell of Sawtooth Land Surveying, LLC, is approved with the following changes:
 - a. Amend the plat per the Final Plat Checklist items submitted by David Kinzer, P.E., Gem County Surveyor, dated 3/23/22

Revise the final plat per the above comments and submit a digital copy to the Development Services Department for final review before preparing the Mylar copy for final signature.
- ii. Agency/Department Comments: The applicant shall comply and/or has already complied with the recommended conditions of the following public agencies/departments:
 - a. Gem County Road & Bridge (Neal Capps), dated 3/9/22
 - b. Gem County Treasurer (Megan Keene), dated 3/4/22
- iii. Any future structures erected within the subdivision must remain outside of any public utility, drainage or irrigation easements and meet required building setbacks.
- iv. If applicant installs utilities, underground service connections shall be provided to each platted lot. Utilities can be overhead or underground outside of the subdivision boundary. If applicant does not install utilities, he/she must create new utility easements with this plat that demonstrates future utility access by each lot. If installed, applicant shall submit written confirmation from Idaho Power Company that electrical utilities are installed to each lot in the subdivision. Submit said confirmation (letter or e-mail) to Development Services prior to Board signature of the Mylar.
- v. The subdivider shall prepare a new Deed for Lots 1 and 2, Block 1 of Gatfield Acres Subdivision. Copy of the draft deed shall be provided to the Development Services Department for recordation with the plat.
- vi. Any disturbance of the existing, native ground must be kept below one (1) acre in total disturbed area for this project. Otherwise, a stormwater permit must be filed with EPA.
- vii. Effective Period and Extension: Per Gem County Code 12-3-7-6, the approval of a minor subdivision permit shall be effective for a period of one (1) year from the date of approval. Prior to the expiration date of the effective period, the applicant may request a time extension of the permit approval, in writing, from the Administrator. The extension request is reviewed in accordance with Gem County Code 12-3-7-7.
- viii. Recordation: Per Gem County Code 12-4-8, after the plat is signed by the Board, the applicant shall have thirty (30) days to record the plat with the Gem County Recorder, and to provide the Recorder with a reproducible Mylar copy of the recorded plat. Upon recordation of the plat and receipt of a reproducible Mylar of the recorded plat, as well as compliance with all other standards for issuance of building permits, building permits may be issued for the lots created as part of the subdivision. However, if a guarantee is in place at the time of recordation, no building permits will be issued until requirements of the no-build agreement have been satisfied.

GEM COUNTY FINAL PLAT CHECK LIST

SUBDIVISION NAME: Gatfield Acres Subdivision
SURVEYOR: Sawtooth Land Surveying
DATE SUBMITTED: 3/08/ 2022

Keller Reference No. 282

☒ \$120 plus \$25 per lot No. of Lots: - Fee: \$500.00 Amount Submitted: \$500.00
Total Due: \$0.00

☐ Revised Plat (hourly) No. of Hours: Fee: \$0.00
Total Due: \$0.00

 18X27; 3 1/2" Left Margin; 1/2" Margin all others
 No Drafting or Certificate encroachment upon margins
 Scale acceptable to insure clarity

CERTIFICATES:

OWNER

 Signatures (Reproducible ink)
☒ Public Street Dedication
☒ Acknowledgement
☒ Intent Statement
☒ Easement Reservation
 Private Road Reservation
☒ Water System (I.C. 50-1334)
☒ Sewer System (I.C. 50-1326)

CITY

 Council
 P&Z
 Engineer
COUNTY
☒ Commissioners
☒ Assessors
 Engineer

 x **SURVEYOR**
 x **HEALTH DISTRICT**
 x **COUNTY TREASURER**

 x **HIGHWAY DISTRICT**
 COUNTY SURVEYOR

PLAT SHOWS THE FOLLOWING:

 Street Widths and Courses
☒ Lot Numbers
☒ Lot Dimensions and Bearings
☒ Public Land Survey Corner Ties (2)
☒ Easements
☒ North Arrow
 Curve Table
☒ Point of Beginning
☒ Correct Size Monuments
☒ Addressing (I.C. 31-3805-Irrigation)
☒ Name, Book and Page No. of Adjacent Subdivision
 or "Unplatted" Designated
☒ Name, Aliquot Part, Section, Township, Range,
 Re-plat Subtitle and Date

☒ Street Names
 x Block Numbers
☒ Vicinity Map
☒ Boundary Dimensions and Bearings
☒ CP & F Instrument Numbers
☒ Basis of Bearings
☒ Scale
 Line Table
☒ Legend and Monuments Symbols
☒ Public Streets Designated
 Private Streets Designated
☒ Right to Farm
☒ Narrative
☒ Areas

CLOSURES

☒ Plat

☒ Description

REMARKS: (See Attachment)

ACCEPTED

Date

David R. Kinzer, P.E./P.L.S.
Gem County Surveyor

CORRECT/REVISE AND RESUBMIT

 March 23 2022
Date

David Kinzer
David R. Kinzer, P.E./P.L.S.
Gem County Surveyor

GEM COUNTY PLAT REVIEW

Plat: Gatfield Acres Subdivision

Preparing Surveyor: Sawtooth Land Surveying LLC., Emmett Idaho

Reviewed By: Keller Associates, Inc. acting as Gem County Surveyor

March 23 2022

Sheet 1

- 1 Change the lot line distance for the east lot lint of Lot 2 to 425.86'.
- 2 Since the south boundary of the subdivision is on the quarter section line, the dedicated right of way appears to vary in width from 40.00' at the southwest corner of the subdivision to 43.14' at the southeast corner of the subdivision.

Sheet 2 and 3

No Comments

Gem County
Road & Bridge Dept.
402 N. Hayes Ave.
Emmett, ID 83617



Neal Capps, Director
Phone: 208-365-3305
Fax: 208-365-2530
Email: gcrb@co.gem.id.us

March 9, 2022

Jennifer Kharri, Administrator
Development Services
109 S. McKinley
Emmett, ID 83617

RE: Gatfield Acres Subdivision (MIN-22-001)

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the application for Gatfield Acres Subdivision, a proposed 2 lot minor subdivision located adjacent to Gatfield Road. GCRB has met with the applicant, in regards to access to the property in question, each lot will have individual ingress/egress. Gatfield Road is an alternate route to Horseshoe Bend, and is traveled by a large number of vehicles, on a daily basis. This roadway is constructed of gravel material, and is scheduled for monthly grader maintenance.

GCRB recommends the following conditions be added to the subdivision if approved;

1. Applicant shall remove all irrigation, trees, and fencing from Gem County's right of way.
2. Applicant shall construct approach access to Lots 1 and 2, as shown on preliminary map to Gem County standards.
3. GCRB shall not grant any additional approach access, to the properties in question.

If you have any questions please contact me at 208-365-3305.

Thank you,

A handwritten signature in blue ink, appearing to read "Neal Capps", is written over a blue circular stamp.

Neal Capps, Director
Gem County Road & Bridge

OFFICE OF
Megan Keene
TREASURER
TAX COLLECTOR
PUBLIC ADMINISTRATOR

GEM COUNTY



415 E MAIN STREET
ROOM 200
EMMETT, IDAHO 83617
(208) 365-3272

March 4, 2022

Gem County Development Services Department
Attn: Michelle Barron, Associate Planner
109 S. McKinley Avenue
Emmett, ID 83617

RE: Gatfield Acres (MIN-22-001)
Loc: Gatfield Road
PIN: RP07N01E263975

Dear Michelle,

After reviewing the minor subdivision application for the Gatfield Acres Subdivision MIN-22-001, the following are my comments regarding the subject parcel:

Parcel RP07N01E263975 is a new parcel for 2022, there will be taxes due at a future date (parent parcel RP07N01E263690 has the 2021 taxes paid in full).

Any split/combined/property boundary adjustment/minor sub parcels must have all taxes paid in full.

***Please note--Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2022, in order to show up in the 2022 Assessment Roll and 2022 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2022.*

If you have any questions, please feel free to contact the Treasurer's office.

Sincerely,

A handwritten signature in black ink that reads "Megan Keene".
Megan Keene
Gem County Treasurer

Michelle Barron

From: Cory Walker <cmwalker07@gmail.com>
Sent: Friday, March 18, 2022 12:19 PM
To: Michelle Barron
Subject: Fwd: IDWR Water Right Ownership Tracking Cory walker

Also from the Department of water resources

Sent from my iPhone

Begin forwarded message:

From: "Storms, Scott" <Scott.Storms@idwr.idaho.gov>
Date: March 18, 2022 at 12:06:23 PM MDT
To: cmwalker07@gmail.com
Subject: IDWR Water Right Ownership Tracking

Hell Corey,

In regards to water right ownership, a water right is Real property and is an appurtenance of the land upon which it is located. Actual ownership of the right is determined through legal documentation in a deed. The Department of Water Resources does not make any determinations as to the ownership of a water right, the Department only interprets ownership per the legal description on the deed and updates ownership information for Department records and tracking.

As such, whenever a property is sold or otherwise transferred, and the deed states "all appurtenances", all water rights appurtenant to that land are included in the transfer of the land. If a piece of property is split or subdivided, any portion of a water right appurtenant to the subdivided pieces of property are still appurtenant to the land and therefore the new landowner now owns a portion of that right. For Department tracking purposes, once a Notice in Change of Water Right Ownership form and copy of deed is submitted to the Department for a subdivided property, the Department will review the deed and compare the land legal description on the deed to that of the water right in order to decipher what portion of the right is owned by the new landowner. For the purpose of water right tracking, the Department will "split" the right, creating a new water right for the subdivided piece of land, and the owner will be recorded as the name or entity listed on the deed.

The only way a water right ownership would not go with the transfer of the land would be if the water rights appurtenant to the land were specifically called out in the deed as not being included in the sale or transfer. In such a case, the original owner of the land would retain ownership of the rights or portions thereof, all per the language of the deed.

So in the case of your piece of property, if you were to split the property and sell the split portion, unless the appurtenant water right was specifically withheld through language included in the deed, the ownership of that portion of the water right appurtenant to that portion of the property would transfer along with the ownership of the land. Again, all per the language as it is stated on the deed.

I hope this explanation is helpful in understanding how water right ownership is determined, and subsequently tracked. Feel free to call or email if you have any further questions.

Scott




Scott Storms

Water Rights Supervisor


IDWR Western Region

 **208-334-2190**

 **Scott.storms@idwr.idaho.gov**

2735 W Airport Way Boise, ID 83705

INDEPENDENT SCHOOL DISTRICT OF EMMETT #221



Craig Woods, Superintendent

March 11, 2022

Jennifer Kharri
Development Service Coordinator
Gem County Development Services
109 S. McKinley
Emmett ID, 83617

Jennifer Kharri Gem County Development Services:

At this time, Emmett Independent School District 221 does not have any current concerns regarding the application made Sawtooth Land Surveying, LLC – Gatfield Acres Subdivision.

Respectfully,



Craig Woods
Emmett School District Superintendent



Emmett Ensures Educational Excellence

119 N Wardwell Ave, Emmett, ID 83617 Phone (208) 365-6301 Fax (208) 365-2961 www.emmettschools.org

Michelle Barron

From: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>
Sent: Friday, March 11, 2022 11:04 AM
To: Jennifer Kharri; Michelle Barron
Subject: re: 3.4.2022_Gem County - Gatfield Acres Subdivision
Attachments: 3.4.2022_Gem County - Gatfield Acres Subdivision.pdf

Jennifer, & Michelle,

The site is located in the D Flood Zone, therefore I have no comments.

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

From: Margheim, Kris <Kris.Margheim@idwr.idaho.gov>
Sent: Monday, March 7, 2022 2:29 PM
To: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>; Western Info <westerninfo@idwr.idaho.gov>
Subject: 3.4.2022_Gem County - Gatfield Acres Subdivision

Maureen & Western,

- Gem County Zoning Commission
- Application Type: Minor Subdivision (Gatfield Acres Subdivision)
- Please submit your comments and recommendations to Gem County: Attn: Michelle Barron by Noon on March 22nd, 2022
- I have a large map here at the desk if you need to look at.

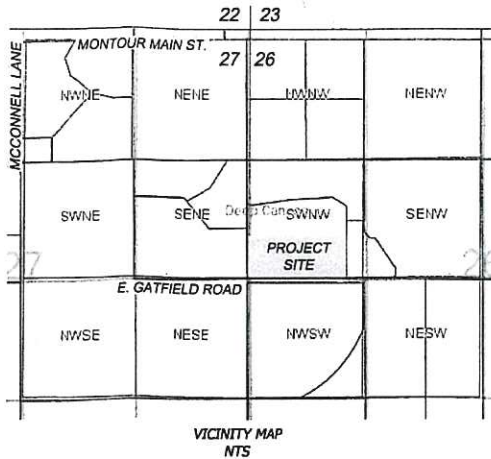
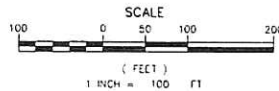
-Kris

Office Specialist II
Idaho Department of Water Resources
P: (208) 287-4802
<https://idwr.idaho.gov/>



PRELIMINARY PLAT FOR THE GATFIELD ACRES
LOCATED IN THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 26,
T. 7 N., R. 1 E., B.M., GEM COUNTY, IDAHO
2022

NW CORNER
SECTION 26
BLM 1977
COR. REC. 212935



FEMA NOTE

THIS PARCEL LIES WITHIN ZONE D:
PER MAP NO. 16045C03628, EFFECTIVE DATE 8/24/2021.
ZONE D: AREA OF UNDETERMINED FLOOD HAZARD.

NOTES:

- ELEVATIONS ARE NAVD 88
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND UTILITY COMPANY MAPS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE SHOWN IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
- THIS DEVELOPMENT IS ZONED A3.

LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING DEED OR LOT LINE
- CENTERLINE
- EASEMENT
- 25' PRESCRIPTIVE RIGHT OF WAY
- SECTIONAL LINE
- LOT LINE
- EXISTING EDGE OF GRAVEL
- EXISTING OVERHEAD POWER
- EXISTING TOP OF BANK
- EXISTING FLOW LINE
- EXISTING TOE OF SLOPE
- EXISTING WIRE FENCE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- EXISTING UTILITY POLE
- EXISTING DECIDUOUS TREE
- FOUND 5/8" REBAR AS NOTED
- FOUND 1/2" REBAR AS NOTED
- FOUND ALUMINUM CAP MONUMENT
- FOUND BRASS CAP MONUMENT
- FOUND IRON PIPE
- SET 5/8" REBAR/CAP
- SET 1/2" REBAR/CAP
- LOT NUMBER
- ACCESS RELINQUISHED FROM GATFIELD ROAD

OWNER/DEVELOPER:
CORY AND MEGAN WALKER
3888 N. PLAZA ROAD
EMMETT, ID 83617
208-369-0383

2030 S. WASHINGTON AVE.
EMMETT, ID 83617
(208) 398-8104
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TITLE: GATFIELD ACRES PRELIMINARY PLAT
GATFIELD ROAD
GEM COUNTY, IDAHO

DESIGNED BY:	DRAWN BY:	CHECKED BY:	PROJECT #
3/2022	AR	FB	121430-PP
SHEET:	DRAWING #		
1 OF 1	121430-PP		

GATFIELD ACRES SUBDIVISION MIN-22-001
LOCATED IN THE S.W.1/4 OF THE N.W.1/4 OF SECTION 26, T. 7 N., R. 1 E., B.M.,
GEM COUNTY, IDAHO
2022

BOOK _____, PAGE _____.

NW CORNER
SECTION 26
BLM 1977
COR. REC. 212935

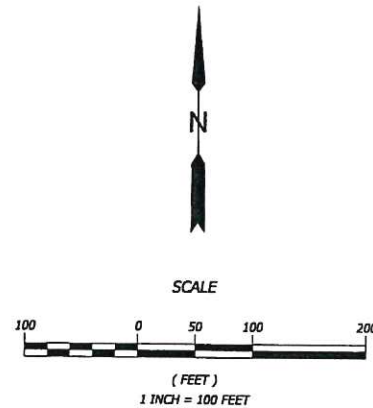
NW1/4 NW1/4

UNPLATTED

N1/16 CORNER
PLS 6552

S 89°38'33" E 1314.44'

NW1/16 CORNER
PLS 6552



LEGEND

	SUBDIVISION BOUNDARY LINE
	EXISTING DEED OR LOT LINE
	CENTERLINE
	EASEMENT
	25' PRESCRIPTIVE RIGHT OF WAY
	SECTIONAL LINE
	LOT LINE
	FOUND 5/8" REBAR AS NOTED
	FOUND 1/2" REBAR/CAP PLS 10561
	FOUND ALUMINUM CAP MONUMENT
	FOUND BRASS CAP MONUMENT
	FOUND IRON PIPE
	FOUND 1/2 REBAR/CAP PLS 10561 / SET 5/8 REBAR/CAP PLS 9860
	SET 1/2" REBAR/CAP
	LOT NUMBER
	ACCESS RELINQUISHED FROM GATFIELD ROAD

UNPLATTED

RP07N01E263690
QD 337455

SW1/4 NW1/4

UNPLATTED

SE1/4 NW1/4

RP07N01E264250
WD 323910

NOTES:

1. THE EXISTING ZONING OF THIS SUBDIVISION IS A3.
2. PER I.C. 31-3805(B), THIS PLAT IS WITHIN IDAHO WATER DISTRICT 65 AND THE LOTS AS SHOWN HEREON ARE SUBJECT TO ASSESSMENTS FROM IDAHO WATER DISTRICT 65 AND ARE ELIGIBLE TO RECEIVE WATER FROM IDAHO WATER DISTRICT 65.
3. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE GEM COUNTY APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND OR REQUIRED.
4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN (1) ONE YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
5. ANY FUTURE STRUCTURES ERECTED WITHIN THE SUBDIVISION SHOWN HEREON SHALL REMAIN OUTSIDE ANY PUBLIC UTILITY, DRAINAGE AND IRRIGATION EASEMENTS, AND SHALL MEET ALL REQUIRED GEM COUNTY BUILDING SETBACKS.
6. THERE IS A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL LOTS.
7. THIS DEVELOPMENT IS IN ZONE D. AREA OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS. 16045CD3628, EFFECTIVE 8/24/2021.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS PERFORMED TO CREATE A TWO LOT SUBDIVISION, BEING PARCEL 2 OF RECORD OF SURVEY INST. NO. 337454. (R1) AND QUITCLAIM DEED INST. NO. 337456 (R4).
THE FOUND 1/2" REBARS WERE REMOVED AND RESET WITH 5/8" REBARS/CAP PLS 8960 TO COMPLY WITH COUNTY STANDARDS.

REFERENCES

- R1) RECORD OF SURVEY INST. NO. 337454
R2) RECORD OF SURVEY INST. NO. 321839
R3) RECORD OF SURVEY INST. NO. 319189
R4) QUITCLAIM DEED INST. NO. 337456



OWNERS: CORY L. AND MEGAN E. WALKER

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1 OF 3	3/2022	AR	FB	121430	121430-FP

GATFIELD ACRES SUBDIVISION MIN-22-001
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GEM COUNTY, IDAHO
2022

BOOK _____, PAGE _____.

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID PROPERTY IN THIS SUBDIVISION PLAT.

THE EASEMENTS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS.

PURSUANT TO IDAHO CODE 50-1334, WE THE UNDERSIGNED, DO HEREBY STATE THAT THE INDIVIDUAL LOTS SHOWN HEREON WILL BE SERVED BY INDIVIDUAL WELLS.

THE LOTS IN THIS SUBDIVISION ARE TO BE SERVED BY INDIVIDUAL SEPTIC DRAINFIELDS.

A PORTION OF GATFIELD ROAD, AS SHOWN ON THE PLAT, IS HEREBY DEDICATED TO THE PUBLIC.

A PARCEL OF LAND BEING A PORTION OF THE SW1/4 NW1/4 OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, GEM COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE W1/4 CORNER OF SAID SECTION 26, MARKED BY AN ALUMINUM CAP/PLS 10561, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26, MARKED BY A B.L.M. BRASS CAP, BEARS NORTH 00°01'11" EAST, 2628.76 FEET;

THENCE NORTH 00°01'11" EAST, COINCIDENT WITH THE WEST LINE OF SAID SW1/4 NW1/4, A DISTANCE OF 469.00 FEET TO A 1/2 INCH REBAR/CAP PLS 10561;

THENCE SOUTH 89°45'48" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SW1/4 NW1/4, A DISTANCE OF 1114.89 FEET TO A 1/2 INCH REBAR/CAP PLS 10561;

THENCE SOUTH 00°00'42" EAST, PARALLEL WITH AND OFFSET 200.00 FEET WEST OF THE EAST LINE OF SAID SW1/4 NW1/4, A DISTANCE OF 469.00 FEET TO SAID SOUTH LINE, MARKED BY A 1/2 INCH REBAR/CAP PLS 10561;

THENCE NORTH 89°45'48" WEST, COINCIDENT WITH SAID SOUTH LINE, 1115.15 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 12.005 ACRES, MORE OR LESS.

BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 00°01'11" EAST BETWEEN THE W1/4 CORNER AND THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN. IDAHO STATE PLANE COORDINATE SYSTEM, WEST ZONE.

CORY L. WALKER, OWNER

MEGAN E. WALKER, OWNER

ACKNOWLEDGEMENT

STATE OF IDAHO }
COUNTY OF GEM } SS

ON THIS _____ DAY OF _____, 2022, BEFORE ME THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED CORY L. WALKER AND MEGAN E. WALKER, HUSBAND AND WIFE, KNOWN TO ME TO BE THE OWNERS AND THAT EXECUTED THE INSTRUMENT AND ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR IDAHO _____

RESIDING AT _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEYOR

I, FRITZ BROWNELL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND ON 1/3/2022 UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS, SURVEYS AND CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

FRITZ BROWNELL



P.L.S. 8960



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2 OF 3	3/2022	AR	FB	121430	121430-FP

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BOOK _____, PAGE _____.

HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWER FACILITIES FOR PERSONS USING SAID PREMISES UNTIL SANITARY RESTRICTIONS ARE SATISFIED.

SOUTHWEST DISTRICT HEALTH DEPARTMENT, EHS _____ DATE _____

APPROVAL OF COUNTY SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR FOR GEM COUNTY, IDAHO, DO HEREBY STATE THAT I HAVE CHECKED THIS SUBDIVISION PLAT AND THAT IT IS IN COMPLIANCE WITH THE STATE OF IDAHO CODE, TITLE 50, CHAPTER 13, AND TITLE 55, CHAPTER 16, RELATING TO PLATS AND SURVEYS.

DAVID R. KINZER PE/PLS 2659 _____ DATE _____

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF GEM, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50.1308, DO HEREBY CERTIFY AND AFFIRM THAT THE PROPERTY TAX FOR THE PROPERTY DESCRIBED HEREIN IS PAID IN FULL THROUGH THE _____ TAX YEAR. THE PROPERTY TAX LEVIED FOR THE _____ TAX YEAR IS A LIEN DUE AND NOT YET PAYABLE. THIS CERTIFICATION IS VALID IF RECORDED WITHIN THIRTY (30) DAYS OF CERTIFICATION.

GEM COUNTY TREASURER _____ DATE _____

CERTIFICATE OF COUNTY ASSESSOR

I, THE UNDERSIGNED COUNTY ASSESSOR, IN AND FOR THE COUNTY OF GEM, STATE OF IDAHO, DO HEREBY STATE THAT THIS PLATTING IS ACCEPTABLE FOR ASSESSMENT PURPOSES.

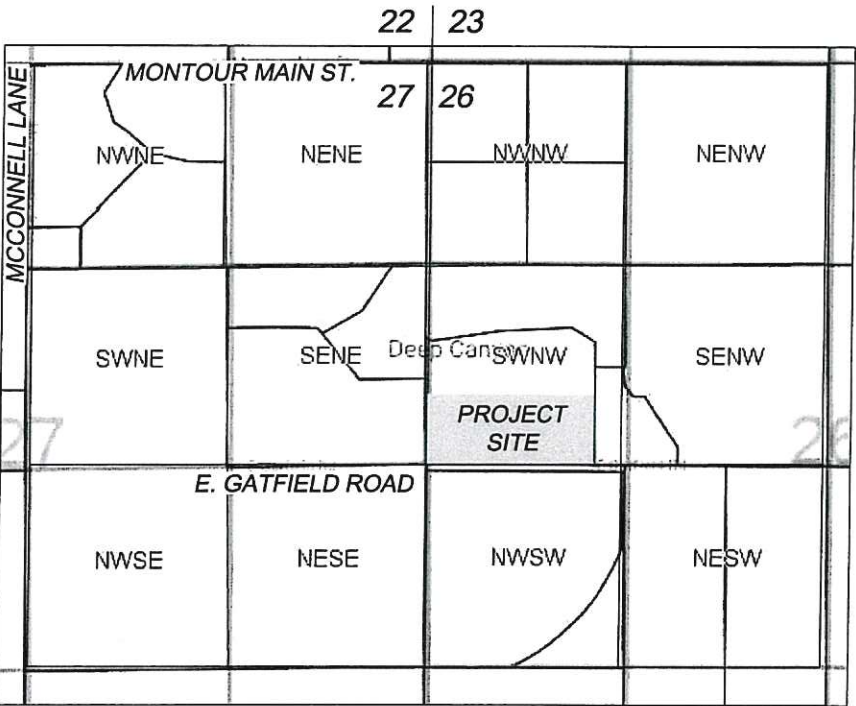
GEM COUNTY ASSESSOR _____ DATE _____

APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS

THIS PLAT OF GATFIELD ACRES SUBDIVISION AND THE DEDICATION OF GATFIELD ROAD, SHOWN HEREON IS HEREBY ACCEPTED THIS _____ DAY OF _____, 2022, BY THE BOARD OF COUNTY COMMISSIONERS OF GEM COUNTY, IDAHO.

CHAIRMAN _____ DATE _____

CERTIFICATE OF COUNTY RECORDER



VICINITY MAP
NOT TO SCALE





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