



# MASTER PUBLIC HEARING APPLICATION

GEM COUNTY DEVELOPMENT SERVICES

109 SOUTH MCKINLEY, EMMETT, IDAHO 83617 WWW.GEMCOUNTY.ORG PHONE: (208) 365-5144

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

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| <input type="checkbox"/> APPEAL                            | <input type="checkbox"/> PLANNED COMMUNITY                                  | <input type="checkbox"/> SUPPLEMENTAL AMENDMENT |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> REZONE   | <input type="checkbox"/> VACATION               |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT  | <input type="checkbox"/> SPECIAL USE PERMIT                                 | <input type="checkbox"/> VARIANCE               |
| <input type="checkbox"/> DESIGN REVIEW                     | <input checked="" type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT  |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT             | <input type="checkbox"/> SUBDIVISION, PRELIMINARY                           |   |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT          | <input type="checkbox"/> SUBDIVISION, MODIFICATION                          |   |

PROJECT NAME: Big Rock Quarry

## SITE INFORMATION:

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

Quarter: \_\_\_\_\_ Section: 24 Township: 10N Range: 1E Total Acres: 162 1/2

Subdivision Name (if applicable): \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: \_\_\_\_\_ City: \_\_\_\_\_

Tax Parcel Number(s): RPO10NOIE240000 Current Zoning: A-3 Current Land Use: pasture

## PROPERTY OWNER:

Name: Cherise LeBrecht

Address: 136 Brownie Rd

City: Horseshoe Bend State: ID Zip: 83629

Telephone: 307-389-1648

Email: \_\_\_\_\_

## APPLICANT:

Name: Matthew Church

Address: 136 Brownie Rd

City: Horseshoe Bend State: ID Zip: 83629

Telephone: 208 861-4357

Email: Matthew Church 6@Gmail.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.

Cherise LeBrecht 7-22-21  
Signature: (Owner) Date

Matthew Church 7-22-21  
Signature: (Applicant) Date

File No.: 2021-009 Received By: MB OFFICE USE ONLY Date: 10/22/21 Fee: 450.00 Receipt No: 1235



## MINERAL EXTRACTION SPECIAL USE PERMIT SUBMITTALS AND CHECKLIST

(Not a business license or building permit)

GEM COUNTY DEVELOPMENT SERVICES  
109 South McKinley, Emmett, Idaho 83617  
Phone: (208) 365-5144 WWW.GEMCOUNTY.ORG

DESCRIPTION OF EXISTING USE: pasture & water for our stock cows

DESCRIPTION OF PROPOSED SPECIAL USE: (Attach other sheets if necessary):

To Reopen existing gravel pit

Submittal Requirements (Refer to Gem County Code 11-6-5.0 for all requirements and standards):

FEE: Class 1 Permit: Up to 5 acres of excavated area: \$300.00  
Class 2 & 3 Permit: More than 5 acres of excavated area: \$450.00

**SITE PLAN:** A plan of the proposed site for the special use showing the location of all buildings (existing and proposed), excavation area, rock crusher area, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, outdoor site lighting, refuse and service areas, utilities, irrigation facilities, signs and other key natural features on the site. (Reference any items required on Notice to Proceed letter).

**WELL LIST:** A list of all documented wells (e.g. domestic, irrigation, injection) located within ½ mile of the subject property boundary. (Reference Idaho Department of Water Resources)

**GROUNDWATER DEPTH:** Submit a baseline groundwater depth taken from the proposed excavation area. Provide data source. Must be dated no later than one year prior to submittal.

**TRAFFIC PLAN:** Submit a traffic plan showing mitigation of any potential hazards that were addressed in the Notice to Proceed.

**PHASING PLAN:** For Class 2 and 3 permits, a phasing plan shall be submitted if the project will be phased.

Big Rock Ranch LLLP  
136 Brownlee Road  
Horseshoe Bend, ID 83629

Hours: Crushing, 7-5 Monday - Friday: Trucking, 7-5:30, Monday - Saturday

Equipment: Crusher, crawler with ripper, loader, water truck, service truck

Product: pit run, crushed rock of various sizes

This letter of intent will explain our plan for a gravel and rock extraction business on our ranch near Ola, ID.

\*a) This is a small family owned business and access will be limited to those operating equipment and purchasers of rock, either pit run or crushed by appointment. There is a pre-existing rock extraction site at the corner of High Valley Road and Timber Flat Road originally operated by the Sutton family of Ola. It has not been operated commercially for many years.

As the economy continually changes, there is need for additional rock and gravel demand in the northern part of Gem County and the High Valley area of Valley County. A location nearer to this area will provide a more affordable source as costs continue to increase.

Our intent is to develop the business in three phases.

\*b) The on-site crusher will be run Monday – Friday 7-5 or on an as needed basis when the stock piles are reduced. We may hire crushing by an outside company. It is anticipated that crusher would be at the site 3-6 weeks. Equipment anticipated to be used will be operated M-F, 7-5, a crawler with ripper to remove rock, a loader to move rock and load trucks, water truck for dust abatement and fire suppression, service truck for maintenance and repairs, excavator and other pieces of equipment as needed. Trucking hours will be M-S, 7-5:30.

\*c) Two new access entry points have been approved by the Gem County Road and Bridge Department Supervisor and those roads will be developed to the three proposed phases, including installing all required signage by the Gem County Road and Bridge Department. Ingress and egress will be from the new entrances on High Valley Road. One entrance will access two (2) pits (phases 2 and 3) and one (1) will access the third pit (phase 1). All three proposed pit locations are on Big Rock property. Occasional entry may be from Timber Flat Road by passenger and service vehicles.

\*d) We anticipate starting crushing operations to begin as soon as we receive approval and to continue into the foreseeable future.

\*e) Hours of operation will be 7-5 for extraction and crushing and 7-5:30 for trucking.

\*f) No explosives will be used in this operation at this time.

Phases:

We are proposing a three phase operation per the map provided to you which shows the proposed locations of phases 1, 2 and 3. It is our preference that we start with the proposed phase 2 pit because it is further away from residences which would limit potential noise and dust impacts to them while we work through the development process which includes removal of overburden and building berms as well as rock extraction. There currently is a small pond at the pre-existing site and proposed phase 1. We anticipate working this location as long as there is material. This location will be returned to a pond upon completion of rock removal. Phases 2 and 3 will be developed as material is depleted in the previous phase/phases.

We have discussed the proposal with neighbors who have indicated concerns of dust, noise and traffic. Based upon well logs, our baseline groundwater test and our intent to not use explosives we don't believe the operation will impact area wells. We have a water truck to provide dust abatement when operations are in effect and will provide earthen berms 10'-20' high between pit operations and residences on High Valley Road to assist with noise abatement.

Storm water retention ponds will be constructed if necessary to keep residue and loose materials on Big Rock property.

Additionally we respond to Gem County Findings Requirements:

1. The use must not create significant negative impact on public health, safety and welfare in the immediate vicinity;

No significant negative impact to public health, safety and welfare is anticipated. The pit closest to a residence will have an earthen berm of 10'-20' on the south side along HV Road to mitigate noise and dust from the crusher when in operation. The Crusher will be situated 1000' from High Valley Road and 1100' from the nearest residence (Rau) and 500' from Timber Flat Road which mitigates noise and dust. Road signage will be installed to notify of increased truck traffic from the operation per Gem County Road and Bridge requirements. An on-site water truck will also limit dust from vehicles entering/exiting and operational equipment. Well logs in the area indicate water levels below 50' and as no explosives are expected to be used, no impact to wells is anticipated.

2. The use must not create unsafe conditions to or an excessive burden on existing parks, schools, roads and other public facilities and utilities that serve or are proposed to serve the area;

No unsafe conditions or excessive burdens to existing parks, schools, roads and other public facilities and utilities that serve or are proposed to serve the area are anticipated. The Ola school and Ola town center are 1.5-2 miles SW of the proposed mineral extraction locations. We anticipate removal of 10-20 loads per month truckloads of material at most a day onto High Valley Road. There are currently no buses running on High Valley Road. There will be no impact to parks, roads, public facilities or utilities in the immediate or surrounding area.



3. The use must be sufficiently compatible or separated by distance or screening from adjacent lands so that existing uses will not be hindered in the enjoyment of their property and there will be no deterrence to the legal development of vacant land;

The area for the proposed gravel extraction pits is dry lava rock pasture land, zoned A-3, Rural Agriculture. Surrounding properties immediately adjacent to the location are of like landscape and used for livestock grazing. There are two residences near however mitigation efforts using earthen berms and water for dust abatement should alleviate concerns regarding noise and dust. Crushing operations will occur 1100' from houses. There is no deterrence to development of neighboring properties anticipated by the operation.

4. The structure and site must have an appearance that will not unreasonably create an adverse effect upon adjacent properties;

No structures are anticipated to be constructed. The crusher site will be flat with small piles of crushed gravel. Berms surrounding the pit area, crusher and equipment mentioned in the narrative, should not create an adverse effect on nearby properties.

5. The use must be consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Zoning in this area of Gem County is A-3, Rural Agriculture. Mineral extraction is an approved use in this zone and is consistent with the purposes of the zoning ordinance and zoning district.

6. The use must be in conformance with the Comprehensive Plan;

The proposed use conforms to provisions regarding mineral extraction outlined in the Gem County Comprehensive Plan.

7. The use must not cause a traffic hazard or congestion;

Installation of two new access roads, with approved entrance locations by Gem County Road and Bridge, installation of approved signage and the limited ingress/egress traffic, hazards will be reduced and no congestion is expected .

8. Existing land uses nearby must not be adversely affected unreasonably by intrusion of noise, glare, dust, vibration or general unsightliness;

The current proposed plan of operation will not adversely affect the area. Noise and dust abatement that includes distance, berms and dust control will eliminate or reduce those to acceptable levels. Vibration from the crusher will be restricted to the immediate area of the crusher and no glare is anticipated outside of sunshine reflection from equipment or windows during the course of the day. This will be a typical gravel operation with equipment either moving or parked and an array of rock or gravel piles.

9. The use must not cause significant adverse impact to surface or ground water resources

No explosives are planned to be used-at the present time. Well logs in the near vicinity have been provided and water levels vary with few definitive actual levels as most are in a range of feet.

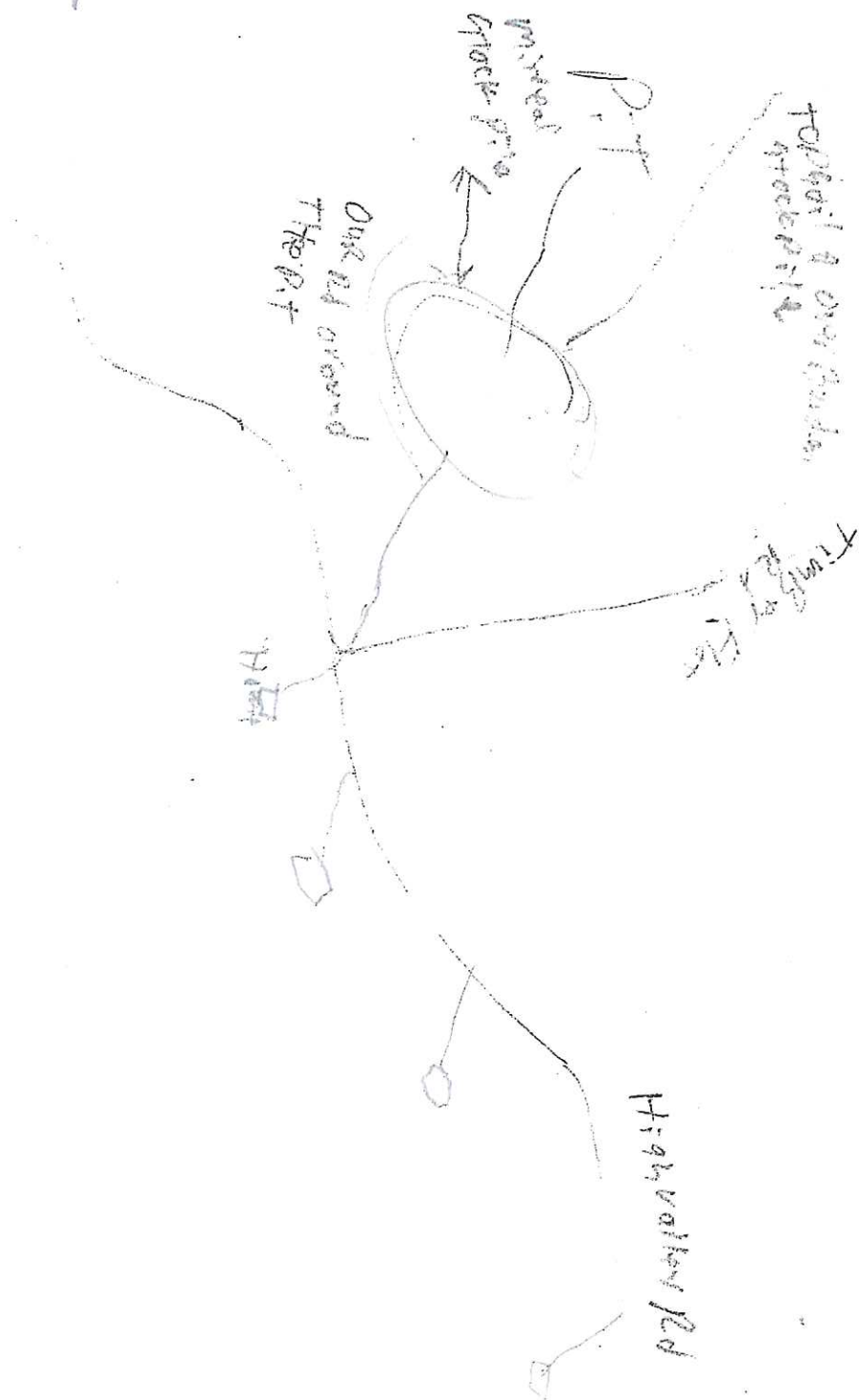
We have provided documentation of a baseline groundwater depth review/test. Our plan of operation using heavy equipment to extract the rock will cause no significant impact to wells in the area. Surface water is seasonal with the exception of our pond which is currently the pre-existing site and one we propose to return to a pond upon removal of usable resources.

Big Rock Quarry  
Parcel RPO0537001

Ownership 10 North  
Camp 1 East  
Section 29

Proposed New Rd

To 0/12





PARCEL BOUNDARY  
ROAD  
WATER  
EASEMENT

RIGHT-OF-WAY WIDTHS SHOWN HEREON.  
MADE FOR ASSESSMENT PURPOSES ONLY.  
BY THE COUNTY OF GEM, OREGON, 2010.

GEM COUNTY

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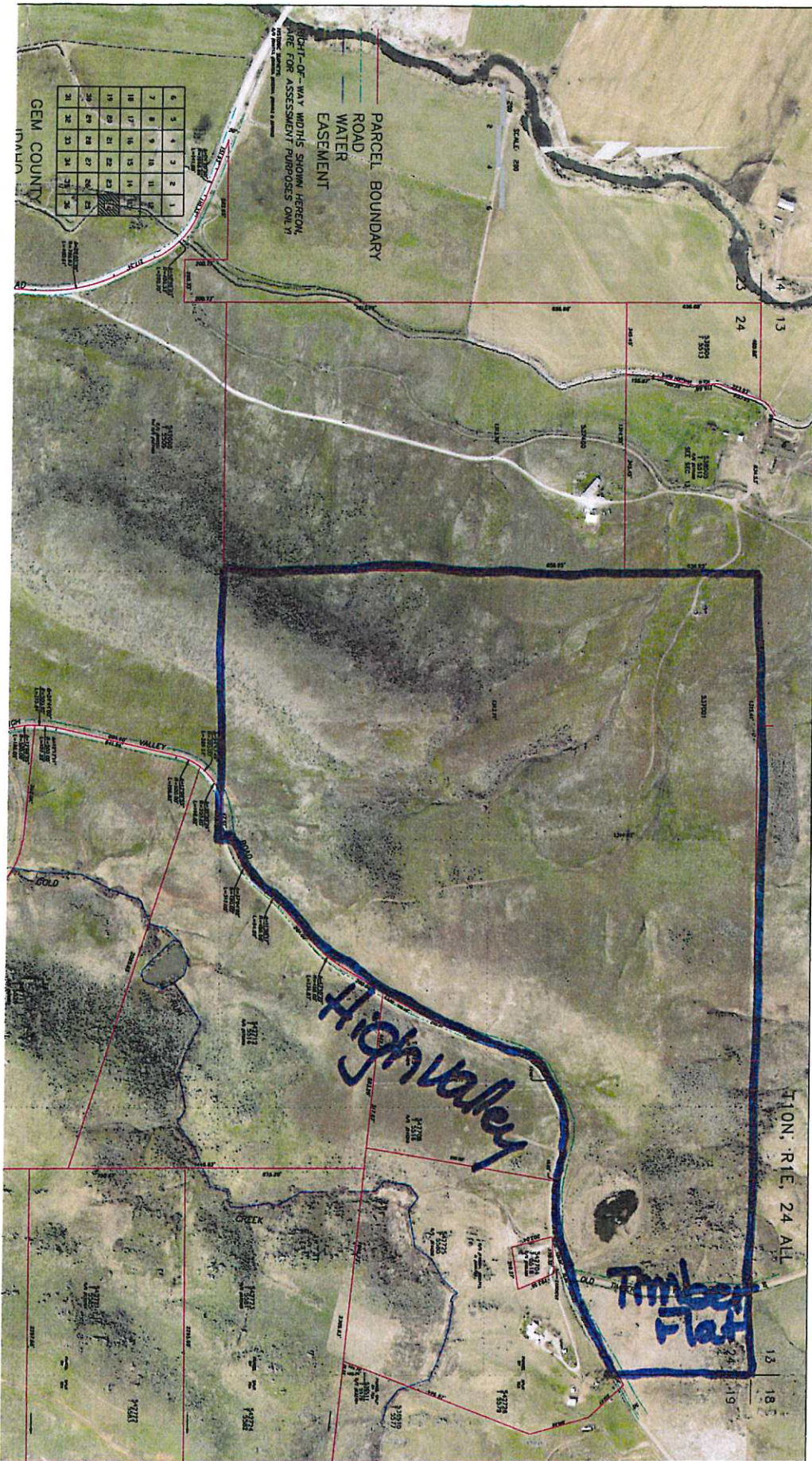
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T10N, R1E, 24 ALL

SCALE 200'

PARCEL BOUNDARY  
ROAD  
WATER  
EASEMENT

OUT-OF-WAY WIDTHS SHOWN HEREON  
ARE FOR ASSESSMENT PURPOSES ONLY

GEM COUNTY

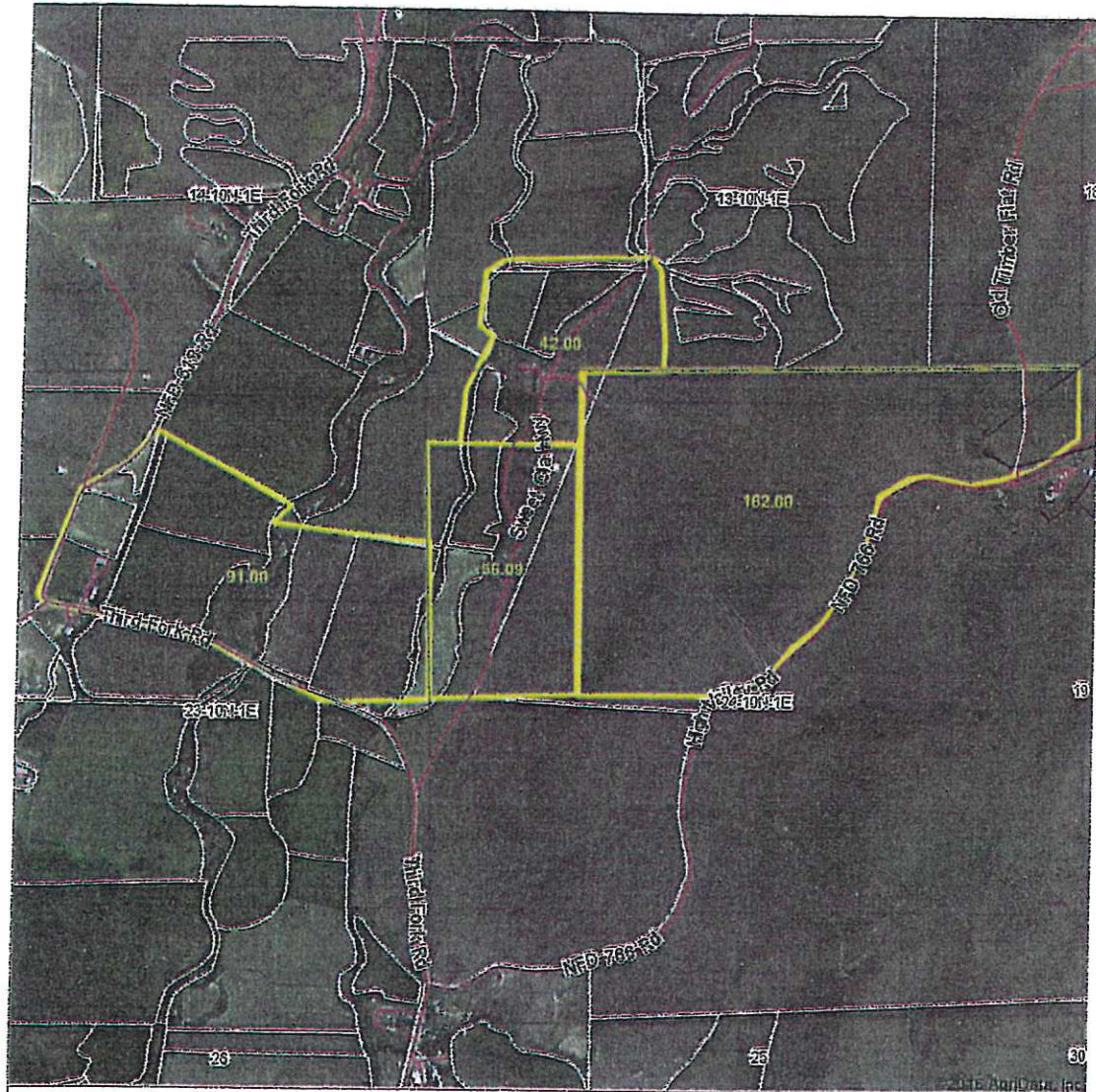
GEM COUNTY, A



Aerial Map - Ola Farm

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Aerial Map



map center: 44° 11' 25.02, 116° 17' 18.79

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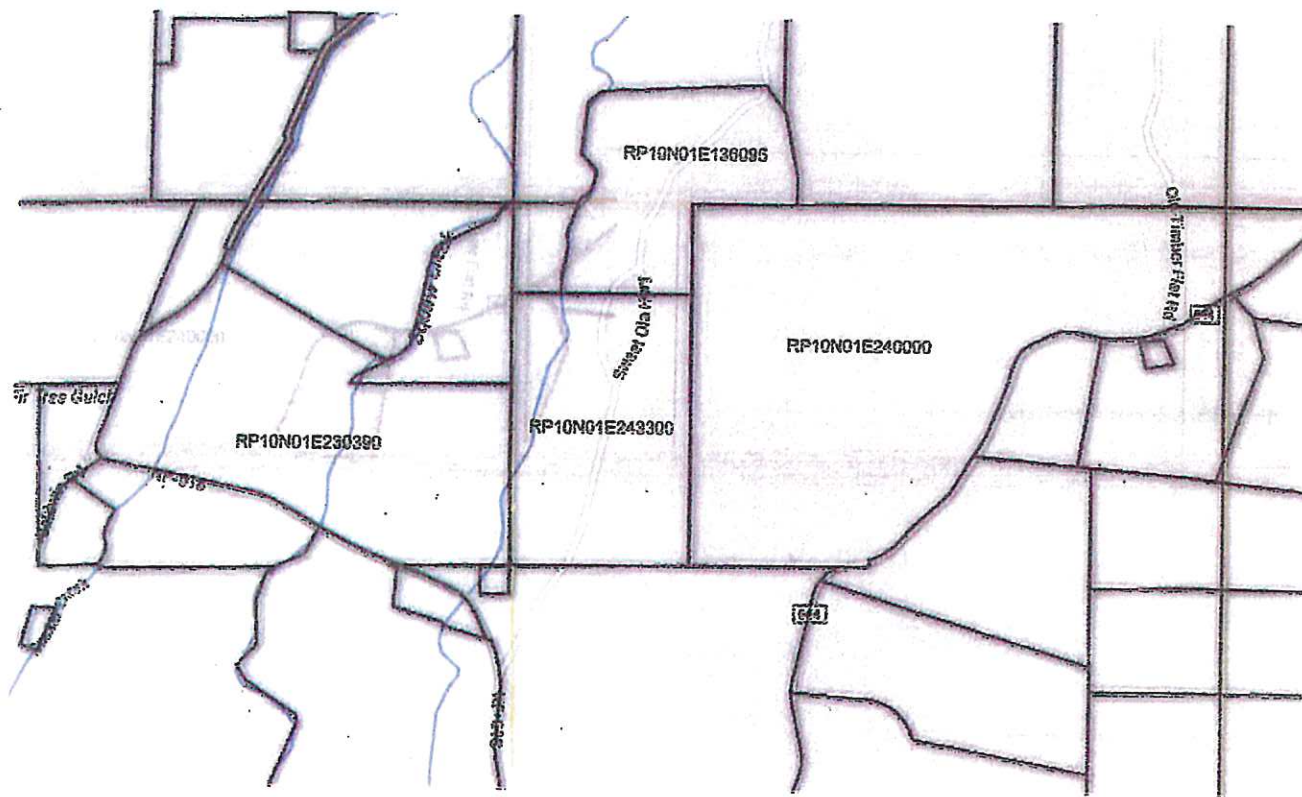


24-10N-1E  
Gem County  
Idaho



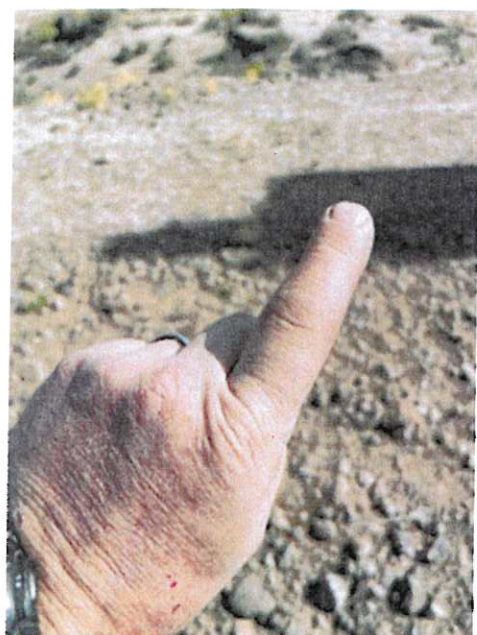
Field borders provided by Farm Service Agency as of 5/21/2009.

Ola Farm - Gem County Assessor's Map

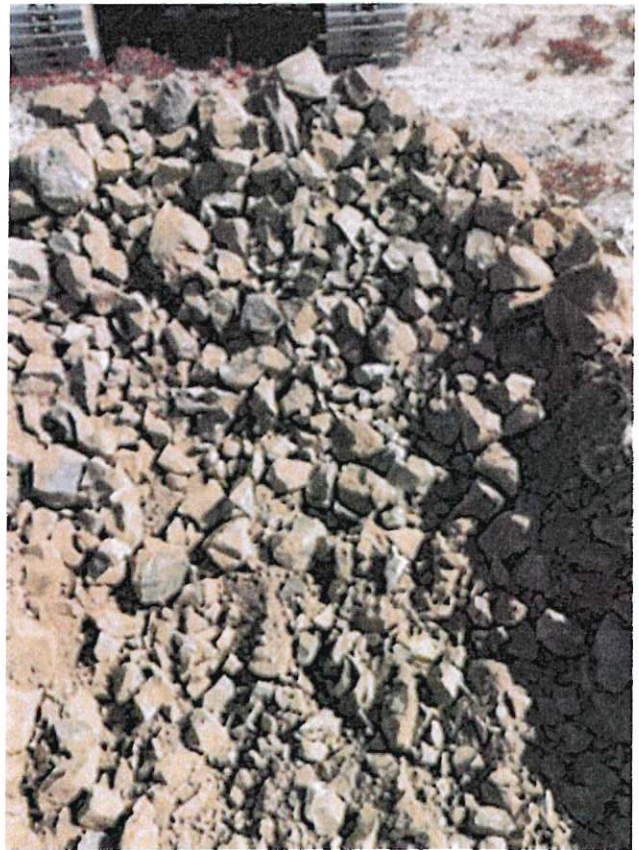
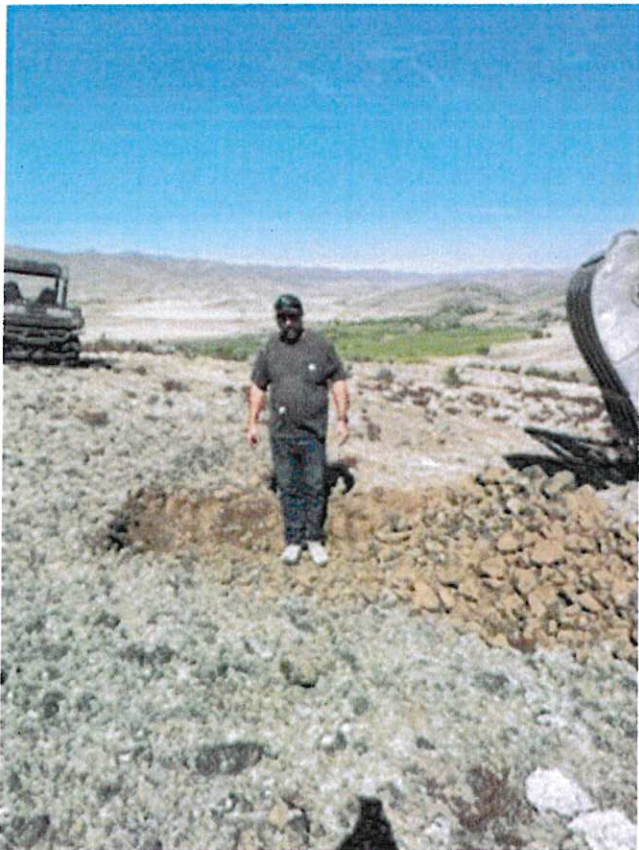
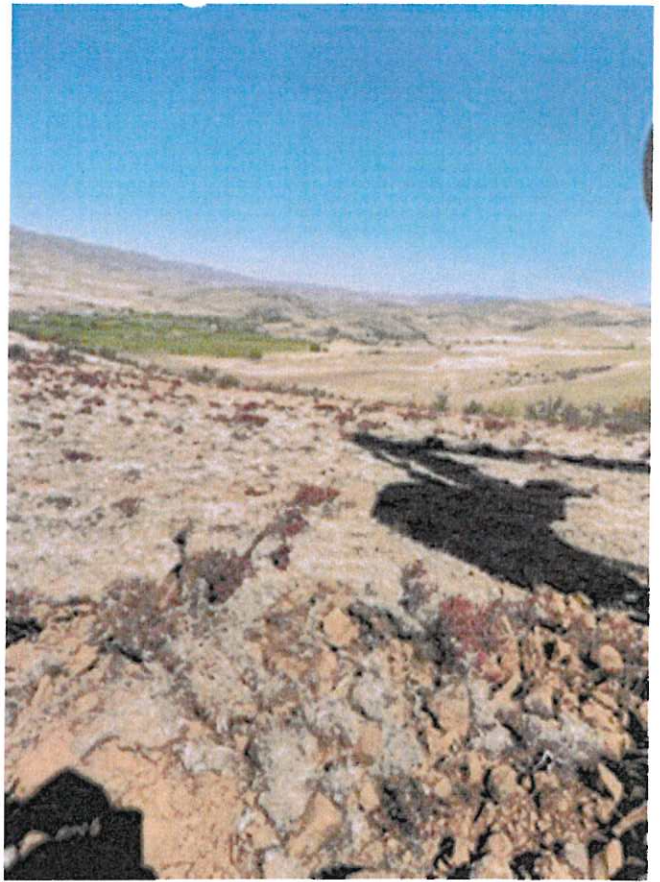
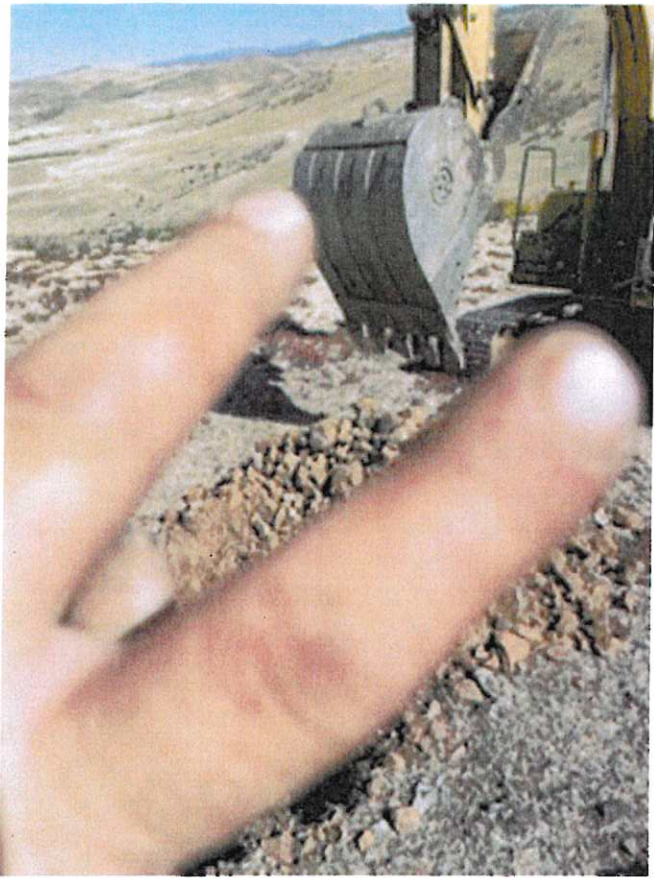








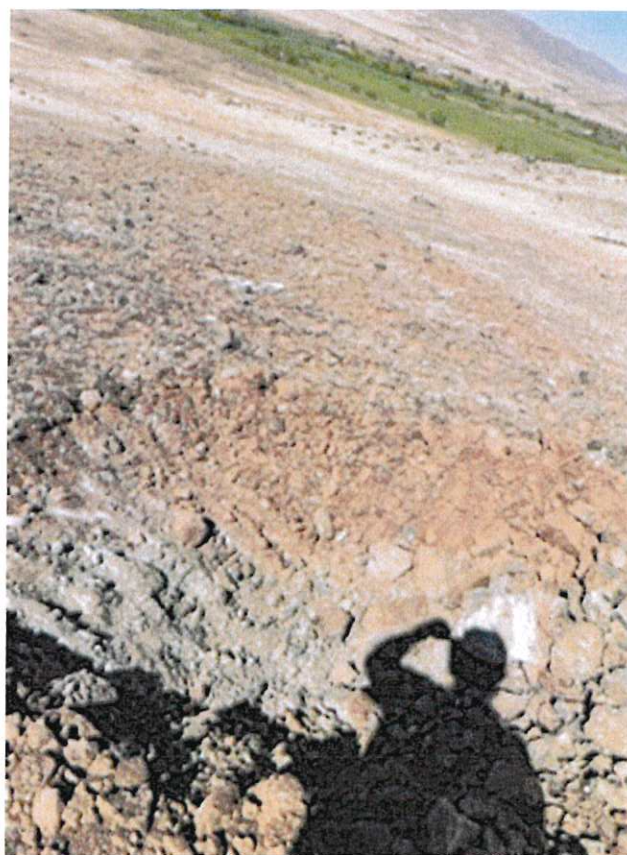
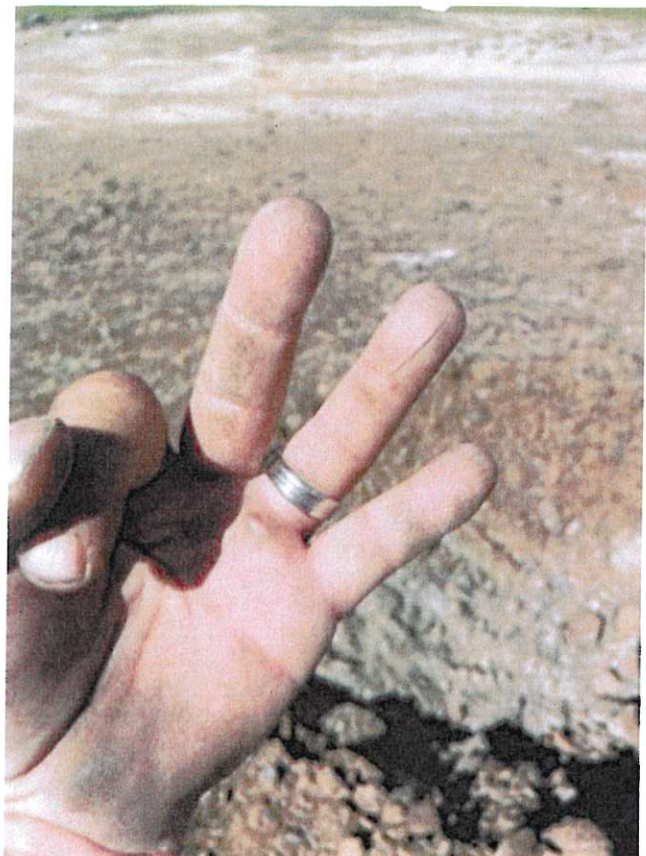
















## **GEM COUNTY DEVELOPMENT SERVICES DEPARTMENT**

109 S. MCKINLEY AVENUE EMMETT, IDAHO 83617

**OFFICE OF THE ADMINISTRATOR  
PLANNING & ZONING**

PHONE: (208) 365-5144

WEB PAGE: GEMCOUNTY.ORG

### **STAFF REPORT**

**DESCRIPTION:** SPECIAL USE PERMIT APPLICATION - MINERAL EXTRACTION

**FILE NUMBER:** SUP #21-009

**ZONING COMMISSION HEARING DATE:** DECEMBER 13, 2021

**APPLICANT:** MATT CHURCH  
136 BROWNLEE ROAD  
HORSESHOE BEND, ID 83629

**PROPERTY OWNER:** CHEREE LeBRECHT  
136 BROWNLEE ROAD  
HORSESHOE BEND, ID 83629

**SUBJECT PROPERTY:** T 10N, R 01E, SECTION 24

**STAFF PLANNER:** JENNIFER KHARRL

#### **1. APPLICATION SUMMARY**

The applicant, Matt Church, on property owned by Cheree LeBrecht, is requesting approval of a Special Use Permit (SUP) to allow an expansion of an existing gravel pit including three phases that will include rock crushing. The operation is proposed on a 162 +/- acre parcel at the northwest intersection of High Valley Road and Timber Flat Road. The property is located in the A-3, Rural Agriculture zone. The existing gravel pit has been a grandfathered use due to the fact that it had been in existence since before the Zoning Ordinance required a permit for it. The access to the site will be via two driveways off of High Valley Road that need to be officially approved by the Road and Bridge Department.

"Mining and extraction activities" is listed as a "Special Use Permit" in Gem County Code (GCC) 11-5-5, Zoning Matrix in the A-3 zone. The property lies within the "Agriculture/Natural Resources" land designation of the Future Land Use Map. This designation does allow for mining uses if a Special Use Permit is approved.

#### **2. APPLICATION & PROPERTY FACTS**

##### **A. Site Address/Location:**

SUP #21-009

Big Rock Quarry

The property is located in Ola at the northwest corner of High Valley Road and Timber Flat Road in Section 24, T 10N, R 01E.

B. Current Owner(s): Cheree LeBrecht  
136 Brownlee Road  
Horseshoe Bend, ID 83629

C. Applicant(s): Matt Church

E. Present Zoning: A-3, Rural Agriculture

F. Present Comprehensive Plan Designation: Agriculture/Natural Resources

G. Property Size: Approx. 162 acres

### 3. APPLICATION PROCESS FACTS

A. Application Submittal:

The application for this item was received and deemed complete by the Development Services Department on October 22, 2021.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Gem County Zoning Commission was published in accordance with requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-15-5 on November 24, 2021. Notice of this public hearing was mailed to property owners within ½ mile of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on November 19, 2021. The physical property was posted for the public hearing on November 19, 2021. Requests for all impact agencies' reviews were mailed on November 19, 2021.

C. Relevant Ordinances and Required Actions:

The subject application constitutes a Special Use as determined by Gem County Code (GCC). If the Commission determines so, by reason of the provisions of the GCC Title 11, Chapter 7, a public hearing is required before the Zoning Commission on this matter.

D. History of Previous Actions on Property: None.

E. Companion Applications: None.

### 4. LAND USE

A. Existing Land Use(s): Bare, dry grazing land that has been used for mineral extraction in the past.

B. Description of Character of Surrounding Area: The immediate vicinity is primarily dry grazing and native grasslands with some rural residential.

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	Dry Grazing Land

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
South of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Dry Grazing Land; few residences
East of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Dry Grazing Land
West of site	Agriculture/Natural Resources	A-3, Rural Agriculture	Dry Grazing Land

D. Existing Site Characteristics:

The property is dry grazing open land with an existing pond. Timber flat road bisects the eastern portion of the property.

E. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: No existing services on the property.
2. Topography: Moderate slopes/terrain
3. Vegetation: Native, dryland vegetation
4. Floodplain: this area has never been mapped by FEMA.
5. Canals/Ditches/Irrigation/Creeks: N/A; dry land outside of irrigation district boundaries
6. Hazards: Staff is not aware of any on-site existing or potential hazards on the property. The applicant should disclose any known hazards on the property at the public hearing.

F. Landscaping Information: Gem County has not required gravel extraction operations to install new landscaping unless buffering of adjacent residential properties is needed or required. The Commission may, after the public hearing, require other landscaping improvements as a condition of approval if it is deemed necessary for protecting adjacent property values and quality of life.

G. Special Use Information: A Special Use Permit application is required for mineral extraction in the A-3 zone.

H. Building Setback Information: Any new structures shall meet the setback requirements.

I. Streets and/or Access Information: Access to the existing gravel pit is via driveways directly off of High Valley Road.

**5. COMPREHENSIVE PLAN POLICIES & GOALS** [Staff comments and analysis are shown in *italics*.]

The Comprehensive Plan defines the "Agriculture/Natural Resources" category as follows:

"Irrigated and non-irrigated lands located throughout the county that consist of a diversity of natural resource-based land uses, including crops, pastures, grazing, mining, forestry and similar industries that are land-dependent."

*This property is located in an A-3 zone and within the Agriculture/Natural Resources designation of the Future Land Use Map. This area allows for "some mining."*



- The Economic Development chapter of the Comprehensive Plan includes the following goal and policy that pertain to this application:

4.1.4 Promote job creation to meet the employment needs of a growing work force; therefore reducing need for residents to commute outside the community for employment. Ensure that needed infrastructure is provided for new and expanding businesses.

- The Land Use chapter of the Comprehensive Plan includes the following policies that pertain to this application:

12.9.3 Encourage and support commercial and industrial development throughout the County - if it is in compliance with County ordinances and supports the County's agricultural economy.

*This policy does not differentiate between heavy and light industrial uses and may or may not support this application. If the Commission finds the application is in compliance with County ordinances and the SUP findings, then it can support the proposed use. It is questionable that extraction businesses directly support the agricultural sector since most gravel is used for new roads, parking lots and other construction-related projects.*

- The Natural Resources and Hazardous Area chapter of the Comprehensive plan includes the following goals and policies that pertain to this application:

6.4 Protect the safety and welfare of the public by identifying area with physical development constraints (i.e. steep slopes and fill areas).

6.22 Construction site dust control measures and revegetation should be evaluated during review of development projects, especially those involving grading work; and minimize sediment and dirt tracked into streets where it can become airborne or carried into storm drains when wet and create hazards to traffic or pedestrians.

6.34 Manage or limit development activity in known hazardous areas. Take steps to identify hazards and take appropriate steps to minimize the public's exposure to these hazards.

## 6. ZONING ORDINANCE [Staff comments and analysis are shown in *italics*.]

- A. Schedule of Zoning Regulations: Gem County Code 11-5-5, Zoning Matrix, permits Mining and Extraction Activities with a Special Use Permit in the A-3 zone.
- B. Purpose Statement of Zone: Gem County Code 11-4-3 lists the purpose of the A-3, Rural Agricultural, zone as follows: "Lands lying within those unincorporated portions of Gem County that are restrained by topography and/or vehicular access and are intended to remain rural in nature without urban development. The regulations governing this zone are designed to protect long-term agricultural pursuits."

*The Commission must find that the proposed use is consistent with the purpose of the zone. Mining and Extraction Activities are listed as a permitted use with a Special Use Permit.*

Other: The following section of the Zoning Ordinance directly and addresses the application:

- **11-1-3. Purpose:**
  - A. Provide protection of property rights by conserving existing uses and controlling future development.
  - B. Provide protection from the menace to the public safety that would result from placement of

buildings or other structures in such locations, or in such a manner as to interfere with present or future traffic movement, and to promote beauty along the highways and elsewhere.

- C. Ensure that adequate public facilities and services are provided to the people at a reasonable cost.
- D. Ensure that the economy of the County and localities is protected and enhanced.
- E. Encourage the protection of prime agriculture lands for the production of food, and to foster agriculture and industry together with uses related thereto.
- F. Ensure that the important environmental features of the County and localities are protected and enhanced.
- G. Encourage urban and urban type development within incorporated cities.
- H. Avoid undue concentration of population and overcrowding of the land.
- I. Ensure the development of land is commensurate with the physical characteristics of the land.
- J. Protect life and property in areas subject to natural hazards and disasters.
- K. Protect fish, wildlife and recreation resources.
- L. Avoid undue water and air pollution.
- M. Promote the health, morals, convenience, order, prosperity, and general welfare of the inhabitants of the County.
- N. Secure safety from fire, flood, traffic hazards and other dangers.
- O. Ensure public health is protected from diseases resulting from unsanitary, overcrowded conditions.
- P. Protect the tax base.
- **11-6-5.O. Gravel Extraction, Rock Quarries, Sand and Clay Extraction and other Natural Resources of Commercial Value:**

*This section outlines all of the standards for operating said uses and these are included in Section 10 as proposed conditions.*

#### **7. REQUIRED FINDINGS & STAFF ANALYSIS** [Staff comments and analysis are shown in *italics*.]

***\*The following are staff analysis of the findings, refer to the application packet for applicants statements regarding the findings and public testimony to assist in your decision.***

- A. The use must not create significant negative impact on public health, safety and welfare in the immediate vicinity;

*Staff finds that the proposed mineral extraction business, if operated according to the proposed conditions of approval and operated in accordance with county regulations, it should not create a significant negative impact on health, safety and welfare in the immediate vicinity. The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.*

- B. The use must not create unsafe conditions to or an excessive burden on existing parks, schools, roads and other public facilities and utilities that serve or are proposed to serve the area;



*Staff finds that the proposed use could be adequately served by the Gem County Sheriff's Department, Gem Rural Fire District #2 and Gem County Road and Bridge Department if applicant complies with the conditions of the Road Mitigation Agreement. There will be no school impact with this project. The Commission should refer to any comments submitted from impact agencies, especially the Gem County Road and Bridge letter.*

- C. The use must be sufficiently compatible or separated by distance or screening from adjacent lands so that existing uses will not be hindered in the enjoyment of their property and there will be no deterrence to the legal development of vacant land;

*The nearest existing land use (other than native habitat) is a single-family dwelling located approximately 400 feet southeast of the proposed extraction site (Phase 1) and approximately 1,100 feet from the proposed crusher location. The applicant is proposing a berm as a buffer between the pits and existing residences.*

*There are several adjacent vacant lands owned by private parties to the north, east, and southwest. Some type of residential and/or agricultural development is possible on those private parcels. The Commission must assess if approval of a new mineral extraction site would deter development on these private parcels.*

- D. The structure and site must have an appearance that will not unreasonably create an adverse effect upon adjacent properties;

*No permanent structures are proposed to be built with this application. The proposed excavation and crushing areas will be visible from the adjacent private parcels. The applicant is proposing a berm as a buffer between the pits and existing residences. "Adverse effect" is typically determined through public testimony.*

- E. The use must be consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

*The purpose of the A-3 zone is listed in Section 6 above. Mineral extraction has generally been found to be compatible with this zone, especially where the use is isolated from schools, parks and residences. There are 16 purposes of the Zoning Ordinance listed in GCC 11-1-3 (see section 6 above). Some of these may be interpreted as supporting the application while others may be interpreted as not supporting the application. The Commission must weigh these purpose statements against the evidence presented in the record to determine if this finding can be met.*

- F. The use must be in conformance with the Comprehensive Plan;

*The Comprehensive Plan analysis is provided in Section 5 of this report. Staff finds that, if operated according to the conditions below, the proposed use could be in accordance with the objectives and policies of the "Agriculture/Natural Resource" designation on the Future Land Use Map of the Comprehensive Plan.*

- G. The use must not cause a traffic hazard or congestion;

*Staff has received comments back from the Gem County Road and Bridge Department stating that they will require approach permits for the access and a road mitigation agreement that covers dust abatement and maintenance of the County Roads as needed. The concerns can be addressed with conditions.*

- H. Existing land uses nearby must not be adversely affected unreasonably by intrusion of noise, glare, dust, vibration or general unsightliness;

*Staff finds that the expanded mineral extraction operation may create an adverse impact on nearby residences. The noise, dust and vibration from the operation has the potential of adversely affecting the existing land uses nearby. The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.*

- I. The use must not cause significant adverse impact to surface or ground water resources.

*Staff finds that the proposed extraction operation shouldn't have an adverse impact to surface or ground water resources based on the proposed depth of extraction. The Commission should review this finding in relationship to the proposed conditions and other evidence presented at the hearing.*

## 8. IMPACT AGENCIES NOTIFIED

Gem County Road and Bridge  
Gem Rural Fire District #2  
Gem County Mapping  
Squaw Creek Conservation District  
Environmental Protection Agency  
Idaho Department of Water Resources  
Bureau of Reclamation  
Bureau of Surface and Mineral  
Idaho Department of Transportation

## 9. STAFF RECOMMENDATION

The Commission must consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Staff has raised questions concerning findings "A", "C", "E", "H" and "I" that the Commission should address at the public hearing. Any minor outstanding concerns can be included in the County's permit as conditions. If the Commission proceeds with approval, we recommend the conditions in Exhibit A be placed on the permit.



**EXHIBIT A**  
**SITE SPECIFIC CONDITIONS OF APPROVAL**  
**AVIMOR**  
**MINERAL EXCAVATION**  
**FILE #SUP-21-009**

1. The Special Use Permit is non-transferable to another property and is only valid on parcel #RP10N01E240000. It may be transferred to a new owner upon application to the Development Services Department.
2. Hours of operation for mineral extraction, crushing and product hauling shall be limited to the hours of 7:00 AM to 5:00 PM, Monday through Friday. **to be discussed at the hearing**
3. The permit is approved as a Class 3 Permit and applies to operations that will be active for more than 3 years and not greater than 10 years. This does not preclude the ability to apply for a time extension.
4. The permit is subject to an on-site review at the discretion of the Development Services Department to ensure compliance.
5. No business signs were proposed and none are approved with this permit.
6. The berms as shown on the site plan included with the application shall be in place prior to operation of Phase 1.
7. No extraction or earth movement is allowed within the minimum setback areas, which includes 8 feet from the north and west property lines and 60 feet from the centerline of High Valley Road on the south side and Timber Flat Road on the east side. The tops and toes of cut and fill slopes shall remain fully outside the setback areas.
8. Blasting is not approved with this permit. Applicant shall apply for an amendment to the SUP for any type of blasting. The amendment shall include a baseline groundwater depth taken from the area that will be blasted.
9. Unless waived by the Commission, safety fencing, at a minimum of six (6) feet in height, shall be erected around any active extraction areas.
10. The vehicle gates serving the property shall be relocated a minimum of 100 feet north of High Valley Road to allow for adequate turnout distance for emergency vehicles and other trucks.
11. The applicant shall comply with the following letters from impact agencies:
  - a. Gem County Road and Bridge Department (Neal Capps), 12/2/21
12. The applicant shall submit a letter of approval for the access roads from Fire District #2.
13. Prior to the start of any gravel extraction, the applicant shall provide the Development Services Department with a copy of the Reclamation Plan approved by the Idaho Department of Lands.
14. As each phase is completed, it shall be reclaimed in accordance with the State-approved Reclamation Plan prior to commencement of the next phase.

15. The rock crusher shall be placed in a location as determined during the public hearing and sited to minimize noise impacts in compliance with all Federal State regulations.
16. The crusher shall be operated in accordance with dust abatement standards of the Idaho Department of Environmental Quality. Water must be available on site and used to control fugitive dust from the crushing operation.
17. The applicant shall comply with all Idaho Department of Lands, Idaho Department of Environmental Quality, Idaho Department of Water Resources, Idaho Transportation Department, Occupational Safety & Health Administration, Mining Safety & Health Administration, Environmental Protection Agency and any other applicable state or federal regulations.
18. The applicant shall comply with all requirements of the publication, "Best Management Practices for Mining in Idaho," published by the Idaho Department of Lands.
19. All costs incurred to comply with the conditions of approval shall be borne by the owner/operator.
20. The applicant shall comply with the following requirements of Gem County Code 11-6-5.N regarding grading, earth moving and gravel pit operations. The excavation work shall:
  - a. Result in the smallest amount of bare ground exposed for the shortest time feasible;
  - b. Use diversions, silting basins, terraces and other methods to trap sediment;
  - c. Construct and stabilize sides and bottom of cuts and fills to prevent erosion or soil failure;
  - d. Restore topsoil or loam to a depth of not less than four inches.
21. The Zoning Commission shall review the status of this permit at the five (5) year anniversary of issuance of the permit. Said review shall be held in a public meeting but not require a public hearing. If the Commission makes a determination that full compliance with the terms of the permit is not met, the Commission shall give the owner/operator an appropriate time period in which to bring the site into compliance. If, at the end of said period, there is still no compliance, the Commission may begin permit revocation proceedings.
22. The Zoning Commission may require the owner/operator post a financial guarantee for improvements not already required by the Idaho Department of Lands.



*Gem County  
Road & Bridge Dept.  
402 North Hayes Ave.  
Emmett, ID 83617-2646*



*Neal Capps, Director  
Phone: 208-365-3305  
Fax: 208-365-2530  
Email: [gcrb@co.gem.id.us](mailto:gcrb@co.gem.id.us)*

December 2, 2021

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

RE: SUP (Mineral Extraction)

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the Special Use Permit application of Matt Church for a proposed mineral extraction operation, located on High Valley Road. High Valley Road is a major roadway for residents in High Valley and recreational enthusiast, which creates a large number of vehicles traveling this roadway daily. GCRB has met with the applicant on location, regarding the ingress/egress to the proposed mineral extraction operation.

GCRB recommends the following conditions be added to the Special Use Permit if approved;

1. Applicant shall apply for an access approach permit with GCRB.
2. Applicant shall enter into a road mitigation agreement with GCRB, covering the following items;
  - A. Applicant shall place signage for Heavy Truck Traffic. There shall be a total of two (2) yellow and black signs, with the dimensions of 36" X 36". Signs shall be mounted on an approved breakaway post. See (Att: A)
  - B. Applicant and/or Mineral Extraction Company, shall supply GCRB with monthly truck reports of trucks hauling out proposed minerals extracted.
  - C. Applicant and/or Mineral Extraction Company, shall apply dust abatement to High Valley Road during operating months and/or hauling out material, or abide by a speed limit of 10 mph while hauling materials.
  - D. Applicant and/or Mineral Extraction Company, shall be responsible for any maintenance of High Valley Road from Sweet-Ola Highway to said Mineral Extraction Operation, if damaged while hauling out materials.

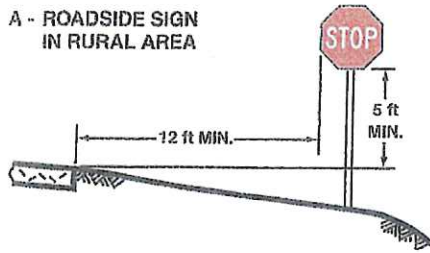
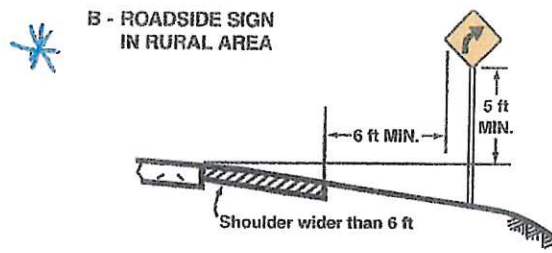
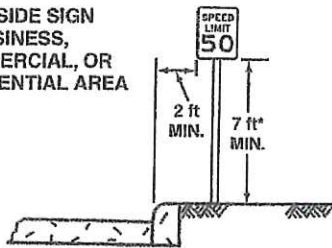
If you have any questions please contact me at the office phone number 208-365-3305.

Thank You,

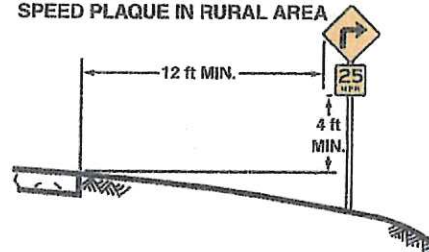
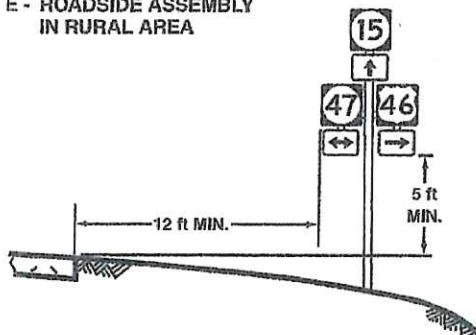
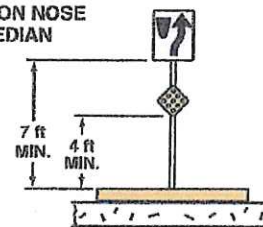
A handwritten signature in blue ink, appearing to read "Neal Capps", is written over the "Thank You," text.

Neal Capps, Director  
Gem County Road & Bridge Department

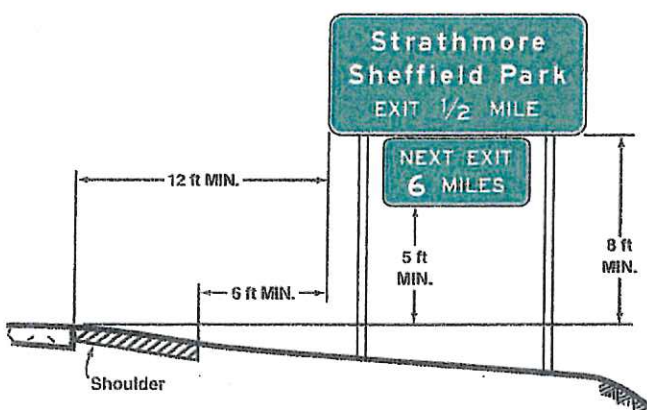
Figure 2A-2. Examples of Heights and Lateral Locations of Sign Installations

A - ROADSIDE SIGN  
IN RURAL AREAB - ROADSIDE SIGN  
IN RURAL AREAC - ROADSIDE SIGN  
IN BUSINESS,  
COMMERCIAL, OR  
RESIDENTIAL AREA

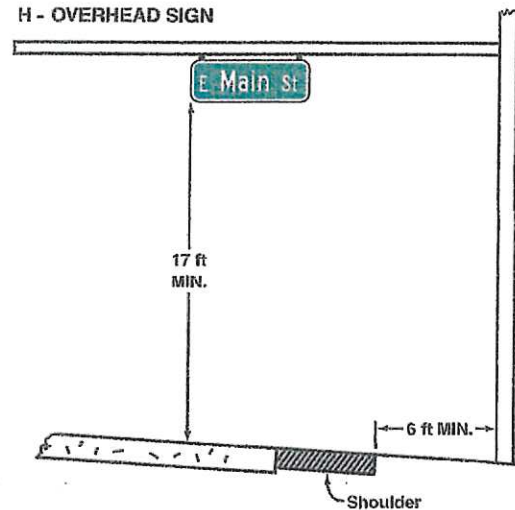
\*Where parking or pedestrian movements are likely to occur

D - WARNING SIGN WITH ADVISORY  
SPEED PLAQUE IN RURAL AREAE - ROADSIDE ASSEMBLY  
IN RURAL AREAF - SIGN ON NOSE  
OF MEDIAN

G - FREEWAY OR EXPRESSWAY SIGN WITH SECONDARY SIGN



H - OVERHEAD SIGN



#### Note:

See Section 2A.19 for reduced lateral offset distances that may be used in areas where lateral offsets are limited, and in business, commercial, or residential areas where sidewalk width is limited or where existing poles are close to the curb.



Option:

- 03 On grades, sign faces may be tilted forward or back from the vertical position to improve the viewing angle.

#### **Section 2A.21 Posts and Mountings**

Standard:

- 01 Sign posts, foundations, and mountings shall be so constructed as to hold signs in a proper and permanent position, and to resist swaying in the wind or displacement by vandalism.

Support:

- 02 The latest edition of AASHTO's "Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals" contains additional information regarding posts and mounting (see Page i for AASHTO's address).

Option:

- 03 Where engineering judgment indicates a need to draw attention to the sign during nighttime conditions, a strip of retroreflective material may be used on regulatory and warning sign supports.

Standard:

- 04 If a strip of retroreflective material is used on the sign support, it shall be at least 2 inches in width, it shall be placed for the full length of the support from the sign to within 2 feet above the edge of the roadway, and its color shall match the background color of the sign, except that the color of the strip for the YIELD and DO NOT ENTER signs shall be red.

#### **Section 2A.22 Maintenance**

Guidance:

- 01 Maintenance activities should consider proper position, cleanliness, legibility, and daytime and nighttime visibility (see Section 2A.09). Damaged or deteriorated signs, gates, or object markers should be replaced.
- 02 To assure adequate maintenance, a schedule for inspecting (both day and night), cleaning, and replacing signs, gates, and object markers should be established. Employees of highway, law enforcement, and other public agencies whose duties require that they travel on the roadways should be encouraged to report any damaged, deteriorated, or obscured signs, gates, or object markers at the first opportunity.
- 03 Steps should be taken to see that weeds, trees, shrubbery, and construction, maintenance, and utility materials and equipment do not obscure the face of any sign or object marker.
- 04 A regular schedule of replacement of lighting elements for illuminated signs should be maintained.

#### **Section 2A.23 Median Opening Treatments for Divided Highways with Wide Medians**

Guidance:

- 01 Where divided highways are separated by median widths at the median opening itself of 30 feet or more, median openings should be signed as two separate intersections.

## Square Steel Tube

Another sign post is the square steel tube (perforated) design, which is used in many localities. Posts of this type are also considered breakaway if they are 2 ¼ inches or less in size.

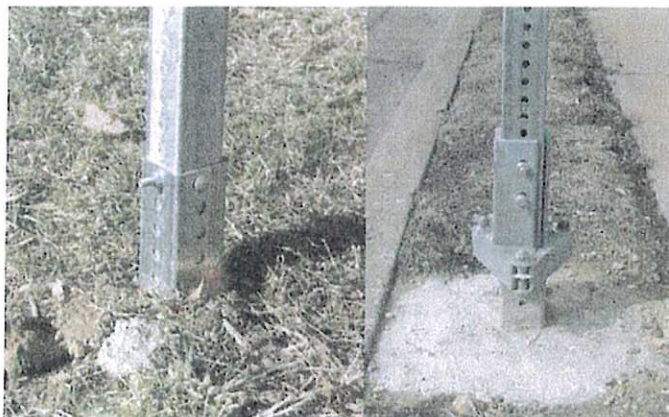
**Post Support.** Posts can be driven into the ground. Do not place concrete around the post. A broken or damaged post is easier to remove if it is not driven or set into the ground more than three feet.

**Breakaway Devices.** As with the U-channel post, sleeve assemblies can be used for the base or slip couplings can be used near the base. These devices will increase the safety of a sign if it is hit and make it easier to repair. After the sign has been hit, the broken stub of the post can be removed from the base sleeve and a new sign post put back in place.



Typical square steel post.

NC  
12/6/21



Two types of breakaway designs.



You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



Proposed Mineral Extraction

Heavy Truck Traffic

High Vally Road

Heavy Truck Traffic

Google Earth

400 m

Camera: 3,944 m 44°11'28"N 116°16'32"W 1,032 m

## Michelle Barron

---

**From:** Ken Pratt <kenpratt2@comcast.net>  
**Sent:** Friday, December 3, 2021 10:54 PM  
**To:** Michelle Barron  
**Subject:** gravel pit in Ola, Idaho

Michelle,

Wanted to add to the public record that I have very pleased to understand Matt Church is working to get gravel in the ola area. We need a source close to help with freight costs and improve the high valley hill road and surrounding areas.

Getting good roads in this area is important as more and more folks want to vacation, ranch and live in the ola and high valley area.

thanks,

Ken Pratt

Pratt Holdings LLC

High Valley Idaho



## Michelle Barron

---

**From:** Wally Sutton <wallysutton75@gmail.com>  
**Sent:** Monday, December 6, 2021 9:46 AM  
**To:** Michelle Barron  
**Subject:** Matt Church Gravel Pit in Ola Idaho

I would like to let you know I am in support of this proposal. I think it would be good for the community to have this.

Wally Sutton

Sent from my iPhone

## Michelle Barron

---

**From:** Mark Andelin <mfandelin@gmail.com>  
**Sent:** Tuesday, November 23, 2021 12:36 PM  
**To:** Michelle Barron; matthewchurch6@gmail.com  
**Subject:** rock quarry

Michelle,

I am in favor of the special use permit for Matt Church for his Mineral Extraction operation in Ola.

Mark Andelin  
Sierra Vista Properties, Inc.

Sent from Mail for Windows



**Michelle Barron**

---

**From:** Stubbs <ksutton49@gmail.com>  
**Sent:** Monday, November 29, 2021 6:43 PM  
**To:** Michelle Barron

Hi Michelle. This is Kenny Sutton. I'm contacting you to say I'm in favor of the gravel pit proposed by Matt Church. It would be nice to have a source of gravel in Ola.

Thank you.

## Michelle Barron

---

**From:** Tyler Strickland <strickland\_7@msn.com>  
**Sent:** Tuesday, November 23, 2021 4:41 PM  
**To:** Michelle Barron  
**Subject:** Proposed gravel operation Ola Idaho

Gem County Commissioners,

I would like to voice my support in FAVOR of Matt Church's proposed gravel operation in Ola, Idaho. This operation would be very beneficial to the community of Ola.

Tyler Strickland  
24008 Timberflat RD, Ola ID

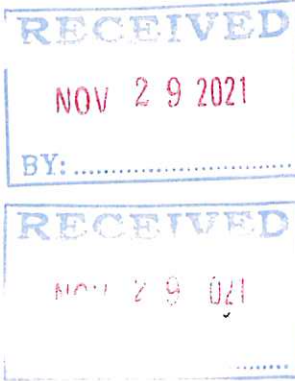


Linda Rau

22855 High Valley Road

P.O. box 8

Ola, Idaho 83657



To: Gem County Zoning Commission

Dear Commission,

I am writing to state my opposition of the special use permit applied for by Matt Church. Besides the obvious concerns of noise, dust, enjoyment of our property and most important of all is the devaluation of our property.

Please see enclosed printouts of surveys about devaluation of property values who are in close proximity to gravel pits. Although these surveys occurred in other states (Pennsylvania, Ohio, Michigan, and Colorado) all agree that this is factual and give estimated of 15% to 25% reduction of value, the most reduction to those closest to the pits. I called and spoke with several Realtors in Emmett to ask them if this is also true here in Idaho. Their response is that this is absolutely true here also!

If this permit is granted there are 5 residents along High Vally Road whose property value would be affected. (See enclosed maps) My property at 22855 High Vally Road is the closest to the existing pit at the corner of High Vally Road and Timber Flat, and it is only 324 feet to the center of the Pond from my garage.

If this permit is granted it is requested that there be a restriction to the permit that the existing pit with the pond will not be allowed to be mined. It is entirely too close to the property owners along this stretch of High Vally Road.

Thank you for your consideration in this matter.

Sincerely,

Linda Rau

11/29/2021

A handwritten signature in black ink that reads 'Linda Rau'.



Note

This Wetland  
Pond has  
nesting ducks  
and Canada  
Geese every  
Spring - ✓





Big Rock Quarry Project

Legend



1000 ft

Google Earth



M. Electricity Generating Facilities: Certain types of electricity generating facilities are permitted in agricultural and industrial zones if all conditions are met below:

1. The facility must only use natural gas, biomass, solar cells or wind power to produce electricity for sale. The use of diesel fuel is allowed only for emergency generation or electricity for fire suppression or winding down turbines.
2. The owner or operator of the facility must show compliance with applicable Idaho public utility and federal energy regulatory commission rules and regulations before receiving a zoning permit and must operate the facility in conformance with those same regulations.
3. Facility improvements must be at least two thousand five hundred feet (2,500') from any residence existing at the time of the application for permit. This distance shall be measured from the centerline of the power producing turbine to the closest edge of the residence. The distance may be shortened if the applicant applies for and is granted a variance using the standards and procedures contained in chapter 13 of this title. Provided however, that the owner of any affected residence may waive, in writing, the setback requirement for that residence. If such waiver is submitted to the development services office no variance is required.
4. Operation of the facility shall not create or cause any dangerous, injurious, noxious or otherwise objectionable condition that could adversely affect the surrounding area or adjoining premises. Operation of the facility shall not result in any noise louder than fifty eight (58) decibels on the A-weighted decibel scale as measured from seven hundred fifty feet (750') from the centerline of the power producing turbine. A higher decibel reading would require a variance. The administrator shall cause the applicant to provide information detailing possible adverse impacts and require mitigation of the same as set forth in chapter 13 of this title.
5. The applicant, with its zoning permit application, shall submit and thereafter follow a landscaping, screening and noise control plan to comply with subsection M4 of this section. The plan's ability to comply with subsection M4 of this section shall be certified by a licensed engineer employed by the applicant. All improvements on the facility shall be enclosed by an appropriate security fence.
6. The applicant shall demonstrate and maintain an adequate fire protection and fire suppression capacity, including entering into an agreement with a public firefighting agency when the property is within the jurisdiction of such agency. Said agreement must be submitted with the building permit application and be recorded prior to issuance of a certificate of occupancy.
7. Before a zoning permit is granted, the applicant shall hold at least two (2) public meetings. Notice of those meetings shall be by publication in a local newspaper and by mail to property owners within one mile of the proposed facility.

N. Filling, Grading, Lagooning, Dredging, Or Other Earthmoving Activity:

1. Will result in the smallest amount of bare ground exposed for the shortest time feasible.
2. Will provide temporary ground cover, such as mulch.
3. Will use diversions, silting basins, terraces and other methods to trap sediment.
4. Will provide lagooning in such a manner as to avoid creation of fish trap conditions.
5. Will not result in a floodway, channel or natural drainage.
6. Will construct and stabilize sides and bottom of cuts, fills, channels and artificial watercourses to prevent erosion or soil failure.
7. Will not have below grade excavation except for drainageways within fifty feet (50') of any lot line or public right of way.
8. Will restore topsoil or loam to a depth of not less than four inches (4").
9. All state or federal regulations and permits must be complied with.
10. Compliance with ordinance 2007-21. (Ord. 2009-05, 9-28-2009)

O. Gravel Extraction, Rock Quarries, Sand And Clay Extraction And Other Natural Resources Of Commercial Value:

1. Prohibited Areas:

- a. Mineral Extraction Overlay: No new mineral extraction operations shall be located within the areas identified on the "mineral extraction" overlay map on file with the county.
- b. Zones: See section 11-5-5 of this title for zones where mineral extraction uses are a prohibited use or a special use.

2. Mineral Extraction Permit Classifications: A permit, as defined below, shall be required before commencing any mineral extraction operation, unless otherwise exempted by this chapter.

- a. Class 1 Permit: This is a permit to meet the needs of small, short term excavation and/or construction projects. It applies to operations that will not exceed five (5) acres of excavated area to a maximum depth of twenty feet (20') and will be active for no more than twenty four (24) months. Class 1 permits are not eligible for time extensions. On site crushing is

provisions for special use



not permitted as part of a class 1 permit.

b. Class 2 Permit: This permit applies to operations that will be active for more than twenty four (24) months and will not exceed ten (10) acres of excavated area.

c. Class 3 Permit: This permit applies to all operations that do not fall under class 1 or class 2 above.

3. Exceptions: A mineral extraction permit shall not be required for any of the following:

a. Excavation or grading for agricultural or noncommercial purposes;

b. Excavation or removal of three hundred (300) cubic yards or less of material per year for use on the owner's property; or

c. Excavation conducted directly by federal or state authorities in connection with construction or maintenance of roads, highways or utilities or excavation conducted by a local jurisdiction during an emergency as declared by the governing board.

4. Required Findings For Mineral Extraction Permit: In lieu of the special use permit (SUP) general standards in section 11-7-3 of this title, the commission shall use the following findings to review mineral extraction operation permits. The commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use is able to meet each finding:

a. The use must not create significant negative impact on public health, safety and welfare in the immediate vicinity.

b. The use must not create unsafe conditions to or an excessive burden on existing parks, schools, roads and other public facilities and utilities that serve or are proposed to serve the area.

c. The use must be sufficiently compatible or separated by distance or screening from adjacent lands so that existing uses will not be hindered in the enjoyment of their property and there will be no deterrence to the legal development of vacant land.

d. The structure and site must have an appearance that will not unreasonably create an adverse effect upon adjacent properties.

e. The use must be consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

f. The use must be in conformance with the comprehensive plan.

g. The use must not cause a traffic hazard or congestion.

h. Existing land uses nearby must not be adversely affected unreasonably by intrusion of noise, glare, dust, vibration or general unsightliness.

i. The use must not cause significant adverse impact to surface or ground water resources.

5. Preapplication And Application Submittal Requirements:

a. Prior to the submittal of any special use permit application for a class 2 or class 3 mineral extraction use, the applicant shall have completed a preapplication conference with the administrator. An applicant seeking a preapplication conference shall submit one copy of a legible concept plan to the administrator that includes all properties of record within one-half ( $1/2$ ) mile of the site, existing buildings, roads, irrigation facilities and other key natural features on the site.

b. Upon receipt of a notice to proceed, the applicant shall submit an application form, provided by the development services department, filled out completely and signed by the property owner.

c. Submit a list of all documented wells (e.g., domestic, irrigation, injection) located within one-half ( $1/2$ ) mile of the subject property boundary.

d. Submit a baseline groundwater depth taken from the proposed excavation area. The data source must be provided and it must be no more than one year old. Depending upon the time of year and the size of the future excavated area, the administrator may request additional data.

e. If explosives are intended for use in the excavation operation, the application shall include the estimated time frames, amounts and impacts of said explosives.

f. Submit proposed commencement and completion dates for the commercial extraction operation.

g. Submit a traffic plan showing mitigation of any potential hazards.

6. General Requirements (Applicable To All Class 1 Through 3 Permits):

a. The owner/operator shall comply with all relevant sections of subsection N of this section regarding grading, earthmoving and gravel pit operations.

b. All mineral extraction operations shall be considered a temporary use of land.

P. 2



c. Mineral extraction permits are nontransferable to another property and only valid at the location specified in the application. Permits may be transferred to a new owner. All terms and conditions of the original permit remain in effect and in full force upon any transfer to a new owner.

d. Proposed hours of operation for both extraction and crushing shall be disclosed in the special use permit application and may be limited by the county in the permit to protect the public welfare.

e. All permits shall be subject to an on site review at the discretion of the development services department to ensure compliance.

f. Unless otherwise approved by the commission during the SUP process, any new signs shall comply with chapter 10 of this title.

g. Prior to the start of operations, the owner/operator shall provide the development services department with a letter from the appropriate fire district approving the vehicular access to the site.

h. Prior to the start of operations, the owner/operator shall provide the development services department with a copy of the reclamation plan approved by the Idaho department of lands.

i. The owner/operator shall comply with all Idaho department of lands, Idaho department of environmental quality, Idaho department of water resources, Idaho transportation department, occupational safety and health administration, mining safety and health administration, environmental protection agency and any other applicable state or federal regulations.

j. All costs incurred to comply with the conditions of approval shall be borne by the owner/operator.

k. All public notices for extraction operations shall be done in accordance with section 11-7-6 of this title except that the public mailing shall be provided to property owners and residents up to one-half ( $\frac{1}{2}$ ) mile beyond the external boundaries of the land being considered for all permits.

l. Outdoor site lighting, if used, shall be downcast lighting compatible with dark sky protection standards.

m. The owner/operator shall comply with all relevant sections of title 13 of this code regarding property located within the 100-year floodplain.

#### 7. Extraction And Operating Standards:

a. No extraction, movement or stockpiling is allowed within the minimum yard setback areas as defined in section 11-5-7 of this title except where ponds are contiguous and the county encourages the potential joining of ponds. The tops and toes of cut and fill slopes shall remain outside the setback areas.

b. Unless waived by the commission or board, safety fencing, at a minimum of six feet (6') in height, shall be erected around any active extraction areas.

#### 8. Mineral Processing Standards (Postextraction Activities):

a. Any rock crusher associated with a class 2 or class 3 operation shall be placed in a location as determined during the public hearing and sited to minimize noise impacts in compliance with all federal and state regulations (class 1 permits do not allow on site rock crushing).

b. The crusher shall be operated in accordance with dust abatement standards of the Idaho department of environmental quality.

c. Upon depletion of the area, all temporary buildings and structures except property line fences and structures for the loading, measuring or weighing of salable material in storage, shall be entirely removed from the property.

d. For any mineral extraction operation that results in a permanent pond, the following standards shall apply:

(1) For the purpose of this section, a "pond" shall be defined as any pit, mine or quarry area where the reclamation plan results in an area designed to contain standing water year round that is greater than three feet (3') in depth;

(2) The pond shall be designed to create a meandering edge around the full perimeter;

(3) If the pond will be a public access pond and stocked with fish or other aquatic species regulated by Idaho fish and game, the applicant shall provide documentation from Idaho fish and game's regional office to the development services department that the proposed pond is designed to create viable fish and/or wildlife habitat;

(4) If applicable, the applicant shall provide documentation from Southwest district health that the proposed pond shall not cause septic leach fields on adjacent properties to fail;

(5) The applicant shall comply with all requirements of the publication, "Best Management Practices For Mining In Idaho", published by the Idaho department of lands.

#### 9. Roads And Access:

a. The owner/operator shall comply with subsections 11-6-3I and J of this chapter regarding construction of an all weather driveway that meets the applicable fire authority standards.

P. 3



b. When determined appropriate by the road and bridge department, the owner/operator shall enter into a road mitigation agreement with Gem County to address the impacts on the public road system. Said agreement shall be signed and executed prior to the start of operation.

c. No gate serving the property shall be located within one hundred feet (100') of a public road right of way to allow for adequate turnout distance for emergency vehicles and other trucks.

d. All haul roads shall have a durable surface and shall be graded to drain all surface water from the road driving surface.

#### 10. Groundwater, Dewatering And Wells:

a. The zoning commission, based on information presented in the public record, may require an on site groundwater monitoring system to be installed to help provide information regarding potential impacts and drawdowns of off site domestic wells in the vicinity of the excavation.

b. If dewatering of the on site monitoring well(s) or domestic wells in the vicinity occurs, the county shall have the authority to place a stop work order on the operation until the problem is resolved to the satisfaction of the county engineer.

c. If site dewatering creates a public nuisance to property in the vicinity (e.g., flooding, standing water for long periods of time, etc.), the county shall have the authority to place a stop work order on the operation until the problem is resolved to the satisfaction of the county.

#### 11. Permit Time Frames, Phasing And Extensions:

a. Commencement: The land use time limitations outlined in section 11-7-11 of this title shall apply to all class 2 and class 3 permits. These time frames apply only to the required improvements outlined in the permit and do not apply to the extraction operation itself.

##### b. Phasing:

(1) A phasing plan shall be submitted with the special use permit application for all class 2 and class 3 permits. Said plan shall be reviewed as part of the public hearing and become an operation plan of the permit.

(2) The zoning commission shall review the status of every permit after the completion of any phase or at the five (5) year anniversary of issuance of the permit, whichever period is shorter. Said review shall be held in a public meeting but not require a public hearing. If the commission makes a determination that full compliance with the terms of the permit is not met, the commission shall give the owner/operator an appropriate time period in which to bring the site into compliance. If, at the end of said period, there is still no compliance, the commission may begin permit revocation proceedings.

(3) As each phase is completed, it shall be reclaimed in accordance with the state approved reclamation plan and any applicable county reclamation conditions prior to commencement of the next phase.

##### c. Permit Duration And Time Extensions:

(1) The county shall have the authority to establish operation durations on each permit based upon site specific and neighborhood specific factors. Relevant factors include, but are not limited to, proximity to residential, education or commercial uses, the zoning district, length of operating season, and similar factors. However, in no case shall a class 2 permit be less than two (2) years or a class 3 permit be less than three (3) years. Neither a class 2 or class 3 permit shall be greater than ten (10) years. This does not preclude the ability to apply for a time extension.

(2) All class 2 and class 3 permits are eligible to apply for a time extension to the permit. Time extensions require submittal of an application and a public hearing. Public notice for a time extension shall be done in accordance with the same noticing process used for the original special use permit. The commission shall base its decision upon the original record, relevant code enforcement records, public complaints of record, other regulatory agency records and testimony from the owner/operator, affected parties and staff.

12. Performance Guarantees And Bonding: As a condition of approval, the zoning commission may require the owner/operator post a financial guarantee for improvements not already required by the Idaho department of lands.

#### SUMMARY OF CLASS 1, 2 AND 3 PERMIT STANDARDS

Standard	Class 1	Class 2	Class 3
Maximum excavated area	5 acres	10 acres	No maximum
Maximum pit depth	20 feet	None	None
Maximum period of permit/operation	24 months	None	None
Time extension allowed	No	Yes	Yes
Requires preapplication conference	No	Yes	Yes
On site rock crushing allowed	No	Yes	Yes
Phasing plan required	No	Yes	Yes
Prohibited on the mineral extraction overlay map	No	Yes	Yes

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242 copy

SUMMARY OF ANALYSIS:

IMPACT OF AN OPERATIONAL GRAVEL PIT ON HOUSE VALUES

DELAWARE COUNTY, OHIO

Professor Diane Hite<sup>1</sup>

Auburn University

Auburn, AL

Based on 2,812 house sales observations within five miles of a gravel pit in Delaware County, Ohio, I conclude that gravel pit operations have a statistically demonstrable negative impact on nearby house prices.

I use a standard hedonic price statistical model that controls for house characteristics; the model results are attached at the end of this summary. The model estimates effects of house price (in 1000s) as a function of different characteristics including distance in miles to a single gravel pit operation. Results of the model are attached.

The coefficient of the estimated model is 0.1252 times the natural logarithm of distance to the gravel pit. Because the mathematical form of the model is complicated, I attach Figure 1 to illustrate the effect of the gravel pit on house prices (Note, the vertical axis is predicted house price).


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<sup>1</sup>The findings here reflect my own views, and not those of Auburn University.



## Submittals regarding gravel pits and property values studies:

### 1. Delaware County, Ohio

 This study looked at 2,812 house sales within 5 miles of a gravel pit. It found a significant impact on home prices. A comparable home within ½ mile of a pit is worth 36% less than it would be if it were located farther away (see pg. 2).

### 2. Richland Township, Michigan


It is important to note that this is not an independent study of the relationship between property values and gravel pits. The author did not analyze property values to find out IF there was an effect from gravel pits, but took that relationship as proven and used the findings from the Delaware county study to estimate *how much* a proposed pit would affect property values ("a significant negative impact on housing values," – p. 2).

As such, this study does not, on its own, add direct support for the conclusion that gravel pits affect property values. However, in addition to estimating the impact of a proposed pit, the author of this study also addressed a few related, important points:

- a. Reclamation of the pit "would occur too far into the future to mitigate adverse property value impacts for current . . . residents" – p.7.
- b. The author also refutes claims that gravel pits have no adverse impact on property values, specifically addressing five reports that were supposed to support that finding of no adverse impact (see p 8-11).
  - One of the five studies addressed by the author, a 1981 study by the US Bureau of Mines, in fact *supports* the conclusion that gravel pits have negative impact on property values.

### 3. Garfield County, Colorado

This is an extensive study of a geographically large county with a wide diversity of landforms and economic activities.

 This study did independently assess the relationship between property values and certain land uses. It found that gravel pits do negatively affect property values. For every one mile difference, an additional \$4,096 difference in value (p. IV-12).

The study notes that "gravel extraction facilities present a fairly uniform and consistent impact on the enjoyment of property nearby," and that this "occurs in virtually every county in Colorado" (p. V-1).

The study also presents some possible ways to mitigate the impacts of gravel pits (p.V-2), but does not give any indication that these mitigations would reduce the impact on property values, or if they would, how much of a reduction they would provide. Even with the mitigations, the study still concludes that the presence of gravel pits "does impact land values" (p.V-2).


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Lower Milford Residents Association

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## Quarry

## Devalued Real Estate

People worldwide oppose proposals for the development of new quarries or the expansion of existing facilities in their neighborhoods. The opposition is understandable.

Operators of pits and quarries remove virtually all vegetation, topsoil and subsoil to access the resource. In so doing, they remove any natural habitat that may have been on site, and disrupt pre-existing stream flows.

The extraction of aggregate resources changes the slope of the land and alters water drainage patterns.

Once the aggregate is extracted . . . water storage capacity is lost. Aggregate operations . . . are characterized by the release of significant amounts of particular matter (i.e. dust) and noise pollution from extraction and processing activities as well as smog precursors and greenhouse gases from the operation of heavy equipment and machinery. The heavy truck traffic to and from aggregate sites is often a serious hazard and nuisance.



**Blast Vibrations Can Be Felt for a Large Distance** The noise and vibration can damage historical homes in the area.

[Templates](#)



affecting people over wider areas, and is a significant source of air pollution itself. --Pembina Institute, 2005

### Must-see Stuff

Real Estate Loss  
Wildlife Danger  
Traffic Hazard  
Water Contamination  
Noise Pollution  
Air Pollution

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## Volunteer



Help us fight for

### Lower Milford Township.

You can help with fundraisers, programs, publicity, and leadership. Sign up [here](#) to help **LMRA**. Spend as much time as you would like.

## Zoning Board Hearings on Quarry Delayed



**The Zoning Board Hearings** regarding the application to build a quarry at **West Mill Hill** has been postponed until there is

a resolution of the appeal of the **Commonwealth Court** of the *Planning Commission* decision. The **Township** has appealed the decision and **LMRA** has joined in the appeal. Since the decision has a important influence on how both parties will proceed, it was agreed to wait to see what the outcome will be before proceeding.

## Library

- [Documents](#)
- [Legal Matters](#)
- [Presentations](#)
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## Real Estate

The building of a quarry will significantly affect the home values in the area. Studies has shown the effect occurs up to 5-8 miles from the quarry site. In addition increased traffic of quarry dump trucks through neighborhood with houses only a few feet from the road, e.g., Limeport and some place in the Hosensack area, should be adversely affected.

This section presents information on how a quarry can affect our Township.

## Do We Need a New Quarry in Pennsylvania?



**Geryville Materials** desire to build a quarry on *West Mill Hill Rd* in *Lower Milford Township* is based on two arguments according to their testimony at various hearings.

- They deserve to make a profit from their land; a quarry is the way they want to do it.
- They would lower the cost of stone to the Pennsylvania Department of Transportation.

## Property Values Decrease When a Quarry is Built

Property values drop when a quarry is built. Over the past twenty years, the evidence is clear. Scientific methods have been developed to account for other factors such as the size and location of the property, the local environment, age of the house etc., so that the effect of property value changes caused only by the quarry can be calculated. The value of property decreases most within the immediate vicinity but will be felt several miles away. Homes within a quarter mile will drop by about 30%. A mile away the value of homes will decrease by about 13%, Home as far as 3 miles away can expect about a 6% drop in value.



On average, property within a mile of the quarry will lose about 19% of its value as soon as a quarry begins. For example, a \$350,000 home will lose about \$67,000 if it is within a mile of the quarry. For Lower Milford Township, this loss translates to more that \$6 million loss in property value with its attendant loss in local taxes, change in the type and mix of new construction, and other effects. These losses do not account for losses in other areas where truck traffic, dust, noise will contribute to further loss in property value.

More: Property Values Decrease When a Quarry is Built

### Latest News

- [Geryville Materials vs Lower Milford Township Quarry Fight](#)
- [The Battle for Quality in Lower Milford Township](#)
- [Planning Commission Overturned by Pennsylvania Commonwealth Court](#)
- [Favorable Ruling by PA Court of Common Pleas](#)
- [Final Resolution of 2004 Special Exception Application](#)

### Please Help us



You membership helps pay for our legal defense. Also, strong community support is notice to **Geryville Materials** that we will not permit destruction of our **Township**.

Please consider helping. [Click here to join or donate](#)

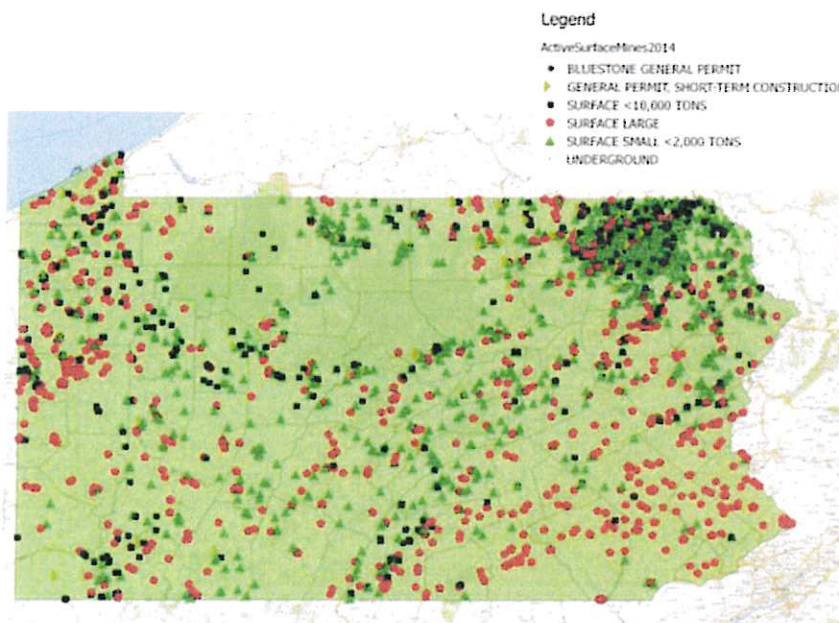
Lower Milford Residents Association Copyright 2012



The first reason begs the question as to whether their desire to maximize profit at the cost of millions of dollars to residents surrounding the site is justified. Their greed to get as much money as possible because "they can" will be the subject of a future article.

The second reason presumes that the location of a quarry will provide stone that cannot be obtained from existing quarries and transported to the worksite at a competitive price. That would imply that there are insufficient quarries to bid on stone delivery contracts in our area. Otherwise, "what the market will bear" is what the cost will be. The difference between the winning bid price cost of mining, preparing, and delivery determines their profit. In addition, **Geryville Materials** will be contracting with a quarry operator, almost certainly with **Haines & Kibblehouse**, to operate the property. Thus, added cost will be incurred to pay them to run the facility. Qualitatively, the issue is whether there are sufficient quarries to provide stone in our area so that bids can't be sole sourced and not cost advantage should be the criteria to determine the need for another quarry.

## How Many Active Quarries Are there in Pennsylvania?



Active Quarries in PA 2014

There are currently 3182 active quarry sites in Pennsylvania. These are categorized by DEP as

- Specialty stone and short term mining— 115 of these active mines.
- Smaller facilities up to 2000 tons per day – 1611 sites
- Intermediate facilities up to 10000 tons/day – 517 sites
- Large surface mines that can produce greater than 10000 tons per day – 937 mines

Read More...Do We Need a new QuarryDo We Need a New Quarry in Pennsylvania?

29 November 2021

1 Of 2

Gem County Development Services  
Gem County Zoning Commission  
109 S. McKinley Ave  
Emmett, ID 83617



RE: Virtual Public Hearing on Monday, December 13, 2021 at Gem County Courthouse.  
Special Use Permit for Mineral Extraction by Matt Church.

To Whom It May Concern:

We bought our property on High Valley Road so we could enjoy the serenity and beauty of the area. We enjoy sitting outside and watching the deer on the mountainside including a doe and her fawns. The quail in the rocks and bushes call each other. These coveys currently stay a lot of the time around the existing pond on the Big Rock Ranch LLLP. Coyotes howl to let you know they are out there and possibly there are wolves. Elk have stood majestically on the skyline. Noise, building, open operating gravel pits, and increased traffic will move these animals to greener pastures. We have already seen a decrease in wild game and the peace and quiet of the area.

The installation of a running gravel pit has not been discussed with this neighbor. Do not make statements in written letters which are not true. I might not have a house on the property at the present time, but the Raus and the Shivelys are closest neighbors. We do have a well and septic which are being used. Will the Crusher be situated 1100' from our property?

How many of you would vote yes on allowing a gravel pit to be put in across from your present home? If you are at all honest, there would not be a one of you who would vote yes. There are acres of land available on the Big Rock Ranch LLLP to develop a pit which would be out of sight and hearing of High Valley Road. We strongly protest an access road being put directly across from our property. Put the road on Timber Flat Road. You already state that a road will be there for limited usage. This would not eliminate the increased traffic on High Valley Road, but would make it a lot safer for the fast traveling traffic which comes out of High Valley each day by requiring trucks to slow down to turn onto High Valley Road. Both proposed access roads



off High Valley Road are on turns. How safe is that? Has the Gem County Road and Bridge Department already given consent to put in new access roads, one right across from us, or are they really going to consider relocating these new approaches? Look into the future. My great grandchildren might need to catch the school bus from here as will other children from homes on High Valley Road.

In the Boise Valley area gravel pits are required to put in berms with landscaping. The berms might look good at the start of development, but in many cases the county does not follow through with enforcing the owners to maintain their berms. Weeds and dead vegetation are the norm. Maintained landscaping eats into profits especially in Ola where water is at a premium. Once a pit is built, the counties seem to relinquish all responsibility except for collecting taxes.

No impact on wells is anticipated at this time. That is the key wordage—at this time. Your attorney is certainly good at writing a legal document. It will affect the ground water seepage on our land which comes from the Big Rock Ranch LLLP and the present pond. We have three trees at the present time which are alive solely because they receive this ground water which seems to seep year long. Explosives are not expected to be used—at this time. Explosives would certainly affect water flow but so will digging.

We appreciate your notifying us as a courtesy. Heaven forbid if any of you should change your mind about allowing this development at this location. After all, Matt and Cheree live in Horseshoe Bend, not in Ola. Change isn't always for the better except for those hoping to line their pockets with money.

Concerned neighbors

  
David L. Shively

  
Judith A. Shively

25047 Bowknot Road  
Middleton, ID 83644

## Michelle Barron

---

**From:** amberegbert31@gmail.com  
**Sent:** Sunday, December 5, 2021 10:20 AM  
**To:** Michelle Barron  
**Subject:** Matt Church Big rock quarry project

Big rock quarry project

Dear planning and zoning,

I am writing to you pertaining to the mineral extraction that is requested by Matt church of the property High Valley Road T 10N, R 01E, Section 24.

I have been paying taxes on Parcel 10N 01E Sec 23 in NE Se, Tax 5504 For around eight years. My grandma and grandpa, Leo and Lucille Marsters, have owned this property for many years but passed away around 20 years ago, (as well as their only children, my dad and aunt have also passed away). I have applied for the necessary death certificates to move this into my name. This and the land around it had been owned by my grandparents for many years. They had sectioned this one acre off to donate it to the Ola school district for them to build a school on many years ago. The school district chose another piece of property more convenient and this one acre piece was never passed on out of my grandparent's name.

I was contacted earlier this spring by Matt Church inquiring about this 1 acre piece of property and wanting to purchase it. It does not show access from the road but my grandfather, being a real estate agent, I know that he would have had access allowed. Therefore, as it stands, it makes perfectly good sense for Matt to want to purchase it as he could get a building permit and build a home and section off more land to join it. I am not against selling it once it is in my name. He never spoke at all about the excavation plans that he had for their property or the property across the street so this comes as quite a surprise.

The large gravel pit is shown to be directly across the street and extractions possibly surrounding my grandparent's/my property. This would give me little chance of ever being able to build or sell on this land as the gravel pit would be quite an eyesore, not to mention the noise and dust would be right outside the front and possibly back door.

This big rock quarry project would prevent me from selling this property other than to connected property owner to use for minerals and business purposes.

As the person responsible for this land, I feel that this Big Rock quarry brings the surrounding property value down. I understand the property owners wanting to utilize the natural resources but this is directly impacting my properties. For this reason I am opposed to this big rock quarry project unless a purchase agreement could be made and they could use it as they wish.

Thank you for hearing me out.

Sincerely,

Amber and Bruce Egbert

Property owner

Sent from my iPhone



## Michelle Barron

---

**From:** Carolyn Nichols <carenichols@hotmail.com>  
**Sent:** Sunday, December 5, 2021 9:29 PM  
**To:** Michelle Barron  
**Subject:** Big Rock Quarry

I am responding to the application for a Special Use Permit by Matt Church and Cheree LeBrecht for mineral extraction in Ola, Idaho. I emailed Gem County requesting the legal description and complete file, however I did not receive it.

I own property with an adjoining property line directly north of this proposed area being considered for a Special Use Permit on Old Timber Flat Road (RP10N01E137200 & RP10N02 E 184800).

Having not seen the complete file, I have some questions that are still unanswered.

I am very interested to understand how close to my property line the applicants plan to be, should they be granted a Permit to extract rock and/or how access roads that might be built might impact me. With the topography of the land there is no way a berm of any height would help to quiet noise as much of my property is above the proposed pit.

I have a number of concerns and objections to this application:

1. Properties near newly formed gravel pits often lose value between 10-25%, depending on how close to the pit they are located. Should devaluation of properties in the adjacent area occur, this will negatively impact my property value, and could result in reduced property tax income for Gem County. Additionally, does the applicant intend to compensate people for the devaluation of their properties and the resulting decreased tax revenues to Gem County? It doesn't seem right to me that one person can make money off their property/business at the expense of every neighbor in the area.

2. The proposal states "We have provided documentation of a baseline groundwater depth review test. Our plan of operation using heavy equipment to extract the rock will cause no significant impact on wells in the area. Surface water is seasonal with the exception of our pond, which is currently the pre-existing site and one we propose to return to a pond upon removal of usable resources."

It also states "No explosives will be used in the operation at this time."

This does not stop the applicant from using explosives in the future if this Permit is granted.

Located on my adjacent property are multiple year-round natural water springs. I am concerned that, should explosives be used in the future, such action could disturb these springs and the water they provide. Should this Permit be granted, what mitigation plans will be in place in the event that wells or springs in the area are disturbed or damaged?

3. The proposal states "We anticipate removal of 10-20 loads per month truckloads of material at

most a day onto High Valley Road. There will be no impact to parks, roads, public facilities or utilities in the immediate or surrounding area.”

This is not a clear statement and efforts should be taken to clarify the applicants intent. Is it 10-20 loads per month or per day? As you review this application I would also point out that High Valley Road is a gravel road, and that removing 10-20 truckloads of material (daily or monthly) will certainly have impacts on this road’s maintenance. If Gem County approves this Permit, this will place further financial strain on Gem County for maintenance - and likely with decreased funding due to decreased property values.

4. The “phases” section of the proposal states conflicting plans. It first states starting in phase 2 pit but they also state they plan to use pit 1 as long as possible before going to pit 2 and 3. This part of the application also states that their “intent” is to not use explosives, however this does not stop them from using them.

5. In section b of the letter of intent states that this operation could run Monday through Friday from 7 am to 5 pm with berms built to reduce the noise. There simply is no way for berms to stop the noise that will come from this pit from affecting the entire area. The proposed site is on a hillside among residential homes and ranches. It is also located very close to Ola. I also expect the water trucks used for dust abatement will not cover the entire excavation area as well as the crusher and the roads if this is Permitted. This dust and noise will negatively affect residents of the area.

In closing, I find this proposal to be concerning. It is very ambiguous regarding how it could successfully operate without affecting the surrounding area and its residents. The proposed site is front and center in the area. As such, it will affect the entire area negatively with dust, noise, lowered property values, and increased road maintenance, and possibly well and spring damages if explosives are used. I believe that many problematic issues are glossed over with words such as “intent”, “at this time”, and “anticipated”. The parameters of what can be done in this pit with this proposal are loose to non-existent. This leaves nearby land owners and residents totally at a loss should damages occur or problems arise. The proposal does not acknowledge the potential devaluation of property values nor the devaluation of peace and quiet in the area.

There is potential for spring and well damage if explosives are used.

For these reasons I request that this permit be denied

I feel there are areas more appropriate for a gravel pit that would do less damage to surrounding residents and properties.

If you choose to allow this to proceed, I would request that several clarifications be made and restrictions placed on such a permit:

1. No explosives allowed to be used. I do not know what Matt Church’s expertise level with explosives is but there is just too much risk to area wells and springs as many are close by. There are homes very close by.

2. Limitations on hours of operation may be appropriate so as to less impact people.

3. A mitigation plan should be developed to compensate property owners should the devaluation of their property occur.



4. Development of a plan for the upkeep of High Valley Road and who will be responsible to pay for this.
5. Consider limitations for use when the road is wet and soft.
6. Consider requiring that a substantial bond be in place by the potential Permit holders to ensure funds are in place if damages on nearby properties occurs.
8. That this permit not be transferable to another party to use. (No leasing to another operator)

Thank you for your consideration of my concerns,  
Carolyn Nichols

CERTIFICATE OF MAILING

I hereby certify that on the 19<sup>th</sup> day of October 2021, I served a true and correct copy of the foregoing upon:

**PROPERTY OWNER LIST WITHIN ½ MILE**

Church/LeBrecht  
T10N, R01E, Section 24

Stephen Miller  
PO Box 23  
Ola, ID 83657

Gary Rau  
PO Box 8  
Ola, ID 83657

Bar Circle Arrow Ranch LLC  
PO Box 26  
Ola, ID 83657

David Shively  
25047 Bowknot  
Middleton, ID 83644

Sutton Circle Arrow Ranch LLC  
PO Box 25  
Ola, ID 83657

Robert Bray  
PO Box 65  
Ola, ID 83657

Wallace Family Residence Trust  
22150 Sweet Ola Highway  
Ola, ID 83657

Miller Living Trust  
23025 High Valley Road  
Ola, ID 83657

Larry Strickland  
3605 Van Deusen Road  
Emmett, ID 83617

Wille Family Trust  
PO Box 65  
Ola, ID 83657

Leo Marster Jr  
1333 W Central Road  
Emmett, ID 83617

Brumback Properties LLC  
14975 S 1800 W  
Bluffdale, UT 84065

Shannon Foruria  
PO Box 24  
Ola, ID 83657

Carolyn Nichols  
111 Knutson Drive  
Sitka, AK 99835

Mauricio Maya  
3275 White Cloud Drive  
Hacienda Heights, CA 91745

Lee Self  
23000 Second Fork Road  
Ola, ID 83657

Sierra Vista Properties, Inc  
PO Box 30  
Ola, ID 83657

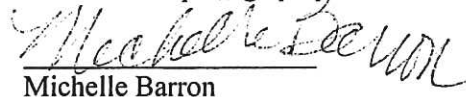
Donald E & Andrea Betzold Trust  
PO Box 296  
Horshoe Bend, ID 83629

Leadabrand Revocable Trust  
3896 S Council Springs Road  
Boise, ID 83716



N A Waldner Trust  
PO Box 43  
Ola, ID 83657

By depositing a copy thereof in the United States mail, with first class postage prepaid.

  
Michelle Barron  
Associate Planner