



# 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.)

- |  |  |   |
|--|--|---|
| <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 type="checkbox"/> SPECIAL USE PERMIT (MINERAL EXTRACTION) | <input type="checkbox"/> ZONING TEXT AMENDMENT  |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT             | <input checked="" type="checkbox"/> SUBDIVISION, PRELIMINARY     |   |
| <input type="checkbox"/> PLANNED UNIT DEVELOPMENT          | <input type="checkbox"/> SUBDIVISION, MODIFICATION               |   |

## PROJECT

NAME: EL PASO Ranch Subdivision

## SITE INFORMATION:

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

Quarter: NE 4 Section: 28 Township: 6N Range: 3W Total Acres: 72.88  
Subdivision Name (if applicable): \_\_\_\_\_

Site Address: EL PASO ROAD Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
City: \_\_\_\_\_

Tax Parcel Number(s): RPO6N03W280000 Current Zoning: A-3 Current Land Use: Agriculture

## PROPERTY OWNER:

Name: EL PASO INVESTMENTS, LLC

Address: 2350 W McMillan Rd.

City: Meridian State: ID Zip: 83646

Telephone: (208) 870-5991

Email: invest1977@yahoo.com

## APPLICANT:

Name: \_\_\_\_\_

Address: SHANE AS OWNER

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

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

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

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

[Signature]  
Signature: (Owner)

5-10-22

Date

[Signature]  
Signature: (Applicant)

5-10-22

Date

File No.: PP

Received By: MB

OFFICE USE ONLY

Date: 5/10/22

Fee: \$1340

Receipt No: 00237

22-005

**LETTER OF INTENT  
EL PASO RANCH 13 LOT SUBDIVISION  
Gem County, ID: NE ¼ Sec. 28, T6N, R3W  
El Paso Investments, LLC, Kelly Fulfer**

JUNE 28, 2022

Gem County Development Services  
415 E. Main Street,  
Emmett, ID 83617

Dear Development Services,

It is a pleasure to submit the Preliminary Plat for El Paso Ranch Subdivision, The site is located west of El Paso Road and north of Dobie Road and El Paso Road intersection. The application has been submitted per the standards set forth in the Gem County Development Code.

**SITE AND PRELIMINARY PLAT**

El Paso Ranch includes thirteen lots with the smallest lot being five acres. The current zoning of the development is A-3, Rural Agricultural (5-acre minimum). El Paso Ranch Subdivision is 72.4 acres. The intent is to provide 13 rural residential lots, 5 acres or larger for single family homes. Homes will be custom built like the homes currently being constructed for El Paso Reserve Minor Subdivision.

**Domestic Water and Sewer:** Water and sewer will be served by individual wells and septic systems. Southwest District Health has been on site and participated in test pits for each individual lot. IDEQ limits the flow of individual wells used for residential homes, thus, minimizing the use of groundwater.

**Domestic Water:** Well logs have been reviewed from the area with the water between 50 to 80 feet below ground surface. Most well are pumping from 150 to 220 feet below ground surface. Well yields during the test pumping have been as high as 75 gallons per minute for 180 minutes. This far exceeds the needs of domestic wells.

**Sanitary Sewer:** Sewer will include a septic tank and drain field for each lot. The drain field will drain into a sandy loam material on each lot. This material is acceptable for small residential drain field systems.

**Pressure Irrigation:** Irrigation water will be provided by a pressure irrigation system. The system will be owned and operated by a homeowner's irrigation association. Irrigation water is supplied by Black Canyon Irrigation District. Application has been made with the District to re-distribute water rights for each lot included in the pressure irrigation system. The intent is to minimize the use of the individual domestic wells for land scape, and provide pressure irrigation for landscape, pasture, etc. as required on the individual lot.



**Access (Private Lane):** The development will be accessed from El Paso Road using two private lanes. The southern access, Piper Lane, was approved previously for access of El Paso Reserve Minor Subdivision and will provide access for three lots. The northern access, Copperhead Lane, will provide access for ten lots. Copperhead Lane is approximately 2400 feet long with two cul-de-sacs. This private lane meets or exceeds private and county road standards, including an asphalt surface.

Copperhead Lane exceeds the County Code in length and is required to be accepted by the fire department. The two cul-de-sacs meet the county road standards as well as the fire department requirements. The width meets and exceeds the fire department requirements. Each driveway is an acceptable emergency service vehicle turnaround as well. The Middleton/Star Fire Department has issued letters approving both Piper Lane and Copperhead Lane.

**Stormwater Drainage:** Stormwater will be retained on site. Each lot is required to be landscape to retain stormwater on their individual lots. Copperhead Lane has been designed with swales on each side to provide stormwater retention from the private road.

**Buildings and Setbacks:** All residential structures in the proposed 13 lot subdivision will be located on the individual lots shall meet or exceed the distance and setback requirements of Gem County. Structures heights will be within the County Building Requirements at the time of the building application.

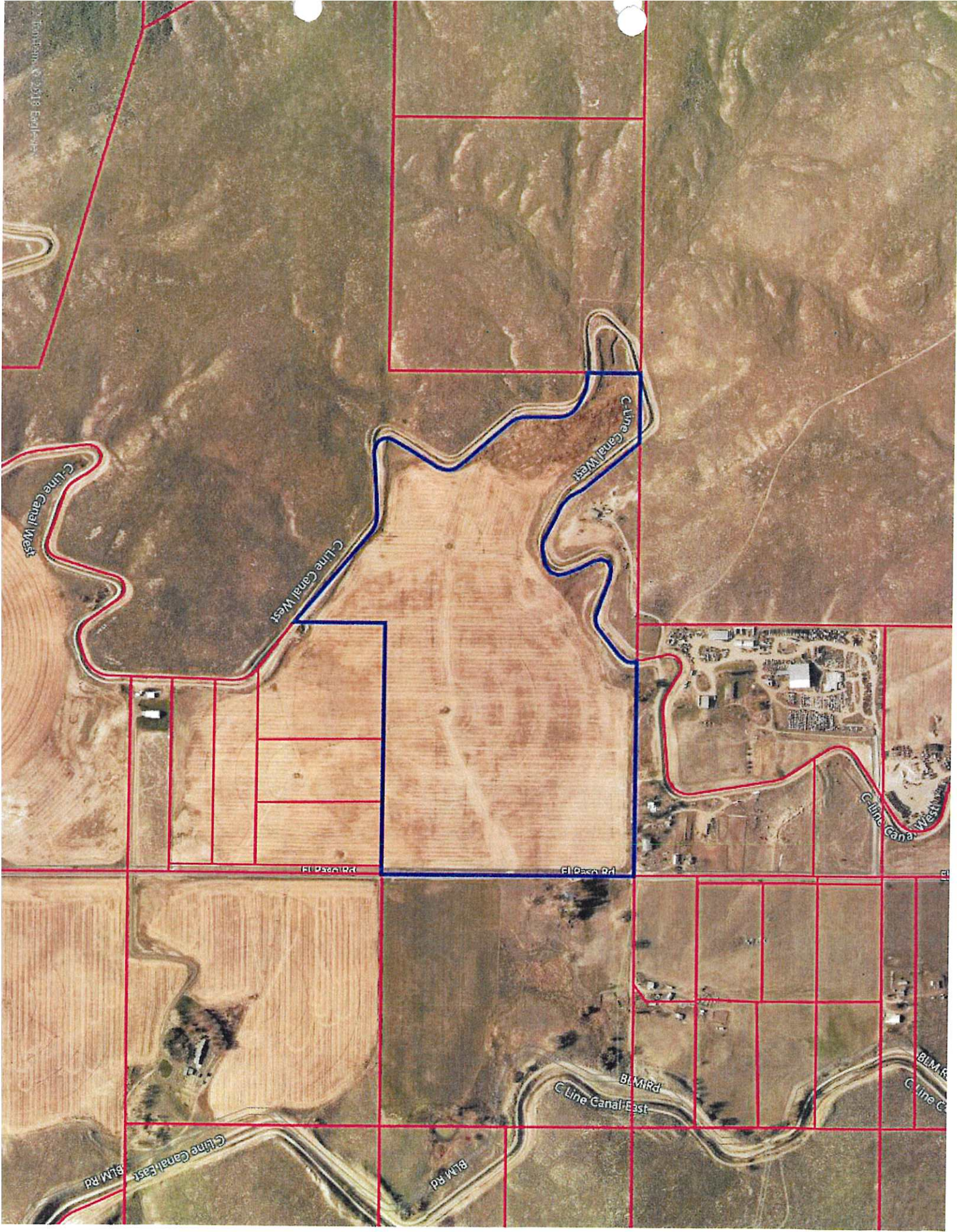
**Declaration of Protective Restrictions/CC&Rs:** The proposed 13-lot El Paso Ranch Subdivision will employ obligations and responsibilities as the Declaration of Protective Restrictions for The El Paso Ranch Subdivision and will be recorded at Gem County, Idaho.

### **Neighborhood Meetings**

The Neighborhood meeting was held on March 21, 2022, at 6:00 PM on site according to Gem County meeting guidelines. Notices were sent to residents within 300 feet of the project at least ten days prior to the meeting. Several questions and concerns were asked by those attending, including weeds control, wildlife, irrigation, existing easements and need for additional access easement, traffic on El Paso Road, groundwater supply & pressure irrigation and building height.

The Owner has agreed to add an additional 10 feet of easement for access to the northeast corner of the development. The development will have CC&R 's to support County Weed Control. The proposed perimeter fence allows for small wildlife to continue to migrate. Landscape of each lot will continue to provide for wildlife cover. A pressure irrigation system will limit the use and need for domestic well water usage. The new homes will comply with gem County building codes at the time of the building permit that limits the height of the homes. Access to El Paso Road from Copperhead Lane meets and exceeds minimum standards for county road access.









## 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:** STANDARD SUBDIVISION PERMIT FOR EL PASO RANCH SUBDIVISION

**FILE NUMBERS:** PP-22-005

**ZONING COMMISSION HEARING DATE:** AUGUST 8, 2022

**APPLICANT:** EL PASO INVESTMENTS, LLC  
2350 W McMILLAN ROAD  
MERIDIAN, ID 83646

**PROPERTY OWNER:** SAME

**SITE LOCATION:** EL PASO ROAD, T 06N R 03W Section 28

**STAFF PLANNER:** JENNIFER KHARRL

#### 1. APPLICATION SUMMARY & OVERVIEW

The applicant, El Paso Investments, LLC, on property they own, has applied for a Standard Subdivision Permit application (referred to as "Preliminary Plat" (PP) herein) to construct a single-family residential development on approximately 72.88 acres on El Paso Road. The property is currently bare. The property is zoned A-3, Rural Agriculture.

The PP application proposes 13 building lots. The average building lot size is 5.31 acres. Individual wells and septic systems are proposed for each lot. One new private road is proposed through the development and another private road is existing. A neighborhood meeting was held on March 21, 2022 and five (5) people attended the meeting.

The applicant is also requesting two exceptions to the Subdivision Ordinance (as allowed per Section 1-12) –to allow a block length over 1,000 feet without a secondary access and to allow a private road length over 1,200 feet without a secondary access. The applicant will be required to submit a letter from the Fire District regarding allowing one access. The Commission must make a recommendation to the Board regarding whether to grant or deny the exception – only the Board may grant exceptions to the Subdivision Ordinance.

#### Application Review Process

Standard subdivisions require one public hearing before the Commission and one public hearing before the



Board. The Board is the final, decision-making body. The Commission must make a recommendation to the Board within 45 days after the public hearing.

#### Staff Recommendation

Staff finds the majority of the Comprehensive Plan policies and required findings support the approval of the PP application under the proposed conditions. (See further analysis in Sections 4 - 6 below.) If the Commission feels all requirements have been adequately addressed at the hearing, a recommendation can be sent to the Board.

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

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

The property is located on El Paso Road. The property has approximately 1,321 feet of frontage along El Paso Road. The property is located in Section 28 of Township 6N, Range 3W.

### **B. Current Owner(s):** El Paso Investments, LLC

### **C. Applicant(s):** Same

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

### **E. Present Comprehensive Plan Designation:** Agriculture/Natural Resources

### **F. Property Size:** Approx. 72.88 acres

## **3. APPLICATION PROCESS FACTS**

### **A. Pre-Application Conference & Neighborhood Meeting:**

In accordance with Gem County Code 12-3-2, a pre-application conference was held on the PP application at the Development Services Department on March 2, 2022. A Notice to Proceed was issued on March 8, 2022. In accordance with Gem County Code 12-3-3, the applicant conducted a neighborhood meeting on March 21, 2022.

### **B. Application Submittal:**

The complete Preliminary Subdivision application for this item was received by the Development Services Department on July 6, 2022.

### **C. 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 July 21, 2022. Notice of this public hearing was mailed to property owners within 300 feet of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Gem County Code 11-7-6 on July 8, 2022. The physical property was posted for the public hearing on July 13, 2022. Requests for all impact agencies' reviews were mailed on July 8, 2022.

### **D. Relevant Ordinances and Required Actions:**

The Standard Subdivision Permit application review process is outlined in Gem County Code 12-3-8. Standard subdivisions require a public hearing before the Zoning Commission and the Board of County Commissioners ("Board"). The Administrator makes a recommendation to the Commission; the Commission reviews and makes a recommendation to the Board, and the Board is the final, decision-making body (after holding a second public hearing of their own). A final written decision for approval, approval with conditions or denial must be issued by the Board within 30 days of the close of their public



hearing (GCC 12-3-8-5).

E. History of Previous County Actions on Property. None.

F. Companion Applications: Private road application.

#### 4. LAND USE

A. Existing Land Use(s): Irrigated pasture land.

B. Description of Character of Surrounding Area: The immediate vicinity includes a combination of pasturelands and low-density single-family residential properties.

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	pastureland; rural residential; Youngstrom Trucking Business
South of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; rural residential
East of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; rural residential
West of site	Agriculture/Natural Resources	A-3, Rural Agriculture	pastureland; C-Line Canal West

D. Physical Constraints and Opportunities:

1. Wastewater & Domestic Water: The applicant intends to provide individual wells and septic systems within the development.
2. Vegetation: Pastureland
3. Floodplain: Staff has determined the property is located on Community Panel Number 160127 0265 A of the National Flood Insurance Program map and is identified as Zone D: areas of undetermined but possible, flood hazard.
4. Canals/Ditches/Irrigation/Creeks: The C-Line Canal West runs along the majority of the property. The property lies within the boundaries of the Black Canyon Irrigation District jurisdiction.
5. Hazards: The **C-Line Canal West** runs along the majority of the property. 5 of the 13 proposed building lots abut the canal. The application does not indicate how the canal will be addressed for any child safety measures. No measures are required by ordinance, but the Commission and Board should give special consideration to the ditch (given its size and impact on the site). This and any other potential hazards should be addressed by the applicant at the public hearing.

F. Streets and/or Access Information: The plat proposes to construct one new private road and utilize an existing private road that the developer already constructed. All Lots will access the private roads. Access will be prohibited from EL Paso Road except for the two private roads.

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



The Comprehensive Plan **Future Land Use Map** identifies the subject property as “Agriculture/Natural Resources”.

The Comprehensive Plan defines the “Agriculture/Natural Resources” category (in **Chapter 12**,) 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.”

The Plan also notes that “this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land-use policy is to buffer agricultural pursuits and to provide guidelines for conversion to future rural residential development of 1 unit to 40 acres or more. . New building and development within the Agriculture/Natural Resources area is based upon the existing zoning.”

*This property is located in A-3 zone and within the Agriculture/Natural Resources designation of the Future Land Use Map. The property contains 72.88 acres all proposed lots will meet the minimum zoning requirement.*

#### **Supporting Policies/Goals**

The Comprehensive Plan includes the following policies that generally support this application:

- Natural Resources, 6.11 – Prevent contamination of groundwater from sewage and wastewater through appropriate planning, treatment and through regulations.  
*The proposed plan appears to conform with SWDH standards, as preliminarily determined by SWDH staff during on-site visits for this application. This will be determined during the Subdivision Engineering Report (SER) process.*
- Housing, 3.1.1 Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all price ranges for present and future residents.
- Housing, 3.1.3 – Encourage compatible infill development, which will complement existing neighborhoods.
- Housing ,3.1.8 Rural residential and small ranchette type development shall be encouraged in areas where it is compatible with existing agricultural and ranching development.
- Natural Resources, 6.10 – Manage storm water generation and disposal consistent with best-available technology to prevent degradation of water quality and natural resources.  
*The developer will be required to contain all stormwater run-off on site. An engineered plan is required to be submitted as part of the construction drawings to be reviewed by the County Engineer.*
- Transportation, 10.1.4 Encourage clustering of uses and access points along arterials where applicable by land use
- Land Use, 12.2.1 – Encourage the provision of quality and diverse housing, as well as creative subdivision designs, of all prices ranges for present and future residents.

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

Gem County Code 11-4-3.A lists the purpose of the A-3 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 A-3 zone has a five (5) acre minimum lot size



requirement.

*The property is found to comply with the intent and purpose of the A-3 zone to allow single-family uses on 5-acre lots.*

**Attached Exhibits**

- Exhibit A – Required Findings
- Exhibit B – Proposed Conditions of Approval
- Exhibit C – Proposed Preliminary Plat

## EXHIBIT A

### REQUIRED FINDINGS FOR STANDARD SUBDIVISION PERMIT El Paso Ranch Subdivision (File #PP-22-005)

GCC 12-3-8-6 outlines the following required findings the County must make before an application can be approved. It states that "No standard subdivision permit application shall receive a recommendation of approval from the Commission or be approved by the Board unless each of the following findings and conclusions are made." There are nine (9) required findings. Each of these is listed below with staff comments and analysis shown in *italics* below each one. The Commission or Board may agree, disagree, and/or modify staff's proposed findings, but a finding cannot be omitted altogether. Each finding must be found to be either in favor or not in favor of the application.

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

*The applicant is proposing private, individual domestic wells for each lot, which is permitted under Gem County Code for lots in the A-3 zone. Gem County Code doesn't require a public drinking water system in the A-3 zone. This means the subdivision is not subject to the DEQ rules for a public drinking water system, which is defined by DEQ in the Idaho Administrative Code as having at least 15 service connections or serving 25 individuals daily at least 60 days out of the year. Gem County does not have any adopted water quality standards separate from the State of Idaho (DEQ or IDWR). Neither the SWDH or DEQ have testing requirements for private wells, so it is incumbent upon each property owner to have their individual wells tested. SWDH recommends testing at least one time per year, especially since contaminant levels can fluctuate. It is unlikely that each property owner will have their wells tested this often.*

*Domestic wells (those used for homes and other drinking purposes, used to irrigate no more than a ½ acre of land, and where no more than 13,000 gallons per day is used) are exempt from having to obtain a water right under Idaho statute.*

*The Department of Water Resources was sent a copy of the plat application but no response was received regarding the water supply.*

*The proposed subdivision complies.*

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

*An on-site, Pre-Development Meeting with Southwest District Health was held. Their preliminary review does not indicate any potential problems with individual systems. Upon submittal of the Final Plat application, the applicant will need to comply with SWDH requirements including hiring an engineer to supply a Subdivision Engineering Report (SER) and septic permits must be issued before any building permits are released by Gem County. DEQ standards shall be required as administered by Southwest District Health Department (SWDH).*

3. Proposed streets are consistent with the transportation element of the Comprehensive Plan and meet Gem County Road and Bridge Department Standards.



*The plat proposes to construct two new private roads to serve the subdivision. El Paso Road is classified as a Minor Collector roadway and requires a minimum 80-foot right-of-way width. The applicant is proposing to dedicate 40-feet of public right-of-way from the centerline of El Paso Road to meet this requirement.*

*The Gem County Road & Bridge Department (Neal Capps) was notified of the application and responded in writing regarding the new approach off of El Paso Road.*

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

*Staff is not aware of any soil or topographical conditions that may present a hazard within this development.*

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

*The subject property is zoned A-3, Rural Agriculture, and is within the Agriculture/Natural Resources designation on the Gem County Comprehensive Plan Future Land Use map. The A-3 zone allows for the development of single-family dwellings on minimum 5-acre lot sizes.*

*This minimum lot size is met with the El Paso Ranch Subdivision application and the plat states the proposed use is only single-family residential.*

*The Comprehensive Plan defines the "Agriculture/Natural Resources" area of the Future Land Use Map as being intended for agricultural pursuits and/or natural resource operations with "limited" residential uses. A section in Chapter 12 of the Plan states, "...this is an area where the community recognizes that there will be rural residential in long-range planning, but the purpose of this land use policy is to buffer agricultural pursuits. ..." The primary agricultural pursuit in this area is pasture activities. Other than houses, the overall character of the area should remain open, rural, and very low density (i.e. 5-acre lots or larger) to comply with the Comprehensive Plan goals.*

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

*El Paso Road is identified as a Minor Collector (80' total right-of-way width) with the Average Daily Traffic (ADT) volumes exceeding 8,500 vehicle trips per day at full build out and a 40' right-of-way from centerline is requested from the Gem County Road and Bridge Department. Gem County Subdivision Ordinance (12-5-5) requires the area to be dedicated be free and clear of all liens and encumbrances, this included by is not limited to fences or structures.*

*In order to mitigate other impacts on the Gem County Road and Bridge system and other public facilities, the Board adopted an Impact Fee Ordinance which establishes impact improvement costs required for any new residence. This fee is required at the time of building permit issuance of a new residence.*

*The developer is also be responsible, at their cost, to ensure all proposed utilities are available to the subdivision. Future lot owners are responsible to pay for private wells, private septic systems and extending the utilities from the subdivision boundary to their house.*

*Other than these items, no other requests for public facilities have been made by other agencies and/or departments.*

**7. The proposed subdivision complies with the design and improvement standards set forth in this Ordinance.**

GCC 12-6-1 sets the following standards for subdivision improvements:

- a) Natural Feature Areas – C-Line Canal West borders the property
- b) Utilities – the subdivision developer is responsible to extend power, phone and other proposed utilities to the subdivision boundary and provide utility easements to ensure each lot has legal access to said utility. Utilities will be more specifically designed at the time of Final Plat construction drawing submittal.
- c) Domestic Water Supply – individual domestic wells; to be constructed at time of future building permit – see Finding #1 above
- d) Irrigation – Black Canyon Irrigation District
- e) Sewage Disposal – individual septic systems to be approved via the SER; to be constructed at time of future building permit – see Finding #2 above
- f) Public & Private Streets – the required 40' ROW dedication of El Paso Road is shown on the plat.
- g) Lots – The A-3 zone requires a five (5) acre minimum lot size. As the applicant is proposing 5.00+ acre parcels, this standard has been met.
- h) Remainder lots – n/a
- i) Blocks – n/a
- j) Drainage – suitable drainage facilities required; will be reviewed by County Engineer at time of construction drawing submittal
- k) Park or School Site Dedication – n/a
- l) Public Access Easements – n/a
- m) Easements – All required easements will be more specifically designed for the Final Plat

**8. The proposed subdivision, when applicable, meets any standards for subdivision in floodplain or hillside areas.**

*This subdivision does not qualify as a Floodplain Subdivision or Hillside subdivision.*

**9. The proposed subdivision complies with all other standards set forth in this Ordinance or any other applicable ordinance or statute.**

*Staff finds that the following standards have not been met at this time:*

- Gem County Code, Title 12-6-1.F.4.c states that if the private road is more than 1,000 feet in length, a secondary emergency access must be provided. This is something the Board of County Commissioners can waive if they agree to it.
- Gem County Code, Title 12-6-1.M.2 states that any residential block length greater than 1,200 feet in length shall provide the necessary mitigation as required by the fire authority having jurisdiction. Final mitigation requirements shall be determined during the Board review and made conditions of approval. This is something the Board of County Commissioners can waive if they agree to it.



*Otherwise, the application is found to comply with the standards of Gem County Code, Title 12.*

## EXHIBIT B

### STAFF RECOMMENDED CONDITIONS OF APPROVAL EL PASO RANCH SUBDIVISION (#PP-22-005)

#### General Conditions

1. The Preliminary Plat for "El Paso Ranch Subdivision" by Eagle Land Surveying, Jeremiah Fielding, PLS, is approved with conditions, as noted below.
2. The applicant shall comply with the conditions/comments of the following impact agencies:
  - a. Gem County Treasurer (7/15/22) (*this condition does not technically apply until Final Plat*)
  - b. Keller Associates (County Engineer (7/28/22)
  - c. Gem County Road and Bridge (7/18/22)
  - d. Emmett School District (7/14/22)
3. The Final Plat application shall be filed in accordance with the timeframes and format as required in Chapter 3 and 4 of the Subdivision Ordinance for Gem County.

#### Subdivision Improvement & Mitigation Conditions

4. Per GCC 12-6-1.C, the applicant must install utilities and underground service connections that shall be provided to each platted lot. Utilities can be either overhead or underground outside of the subdivision boundary but must be underground within the subdivision. Appropriate easements will need to be in place on the plat. It is the applicant's responsibility to ensure that future lot owners will bear no additional charge to obtain phone or power service for their lot.
5. Prior to the Board signature of the Final Plat, the subdivider shall prepare a new Quitclaim Deed for Lots 1-13 Block 1 of El Paso Ranch Subdivision. Copies of the new deed shall be provided to the Development Services Department for recordation with the plat.
6. The developer shall submit engineered construction drawings for the required improvements including a storm water drainage plan to be reviewed by the County Engineer.

#### Private Road Applications

1. The proposed Private Road name of "Copperhead Lane" is approved by the Street Naming Committee and shall be shown on the plat.
2. Applicant shall hire an engineer to design constructions drawings for the private road to be reviewed by the County Engineer.
3. Applicant shall comply with all Middleton Fire District requirements for emergency turnarounds on the private road. Submit a letter of approval from Middleton Fire District prior to the Board signature of the Mylar for the turnarounds and for the waiver requests due to the length of the private road and block.
4. Applicant shall purchase and install a blue private road sign and a stop sign at the intersection of the private road and El Paso Road.



5. Per GCC 12-6-1.F.4.d, the developer shall construct the private road as a subdivision improvement. The road shall be upgraded to 24' wide and obtain a final inspection prior to the Board signature of the Mylar.
6. Submit a signed and ready-to-record Maintenance Agreement for the private road to the Development Services Department prior to the Board signature of the Mylar.

OFFICE OF  
**Megan Keene**  
TREASURER  
TAX COLLECTOR  
PUBLIC ADMINISTRATOR

GEM COUNTY



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

July 15, 2022

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

RE: El Paso Ranch (Standard Subdivision)  
Loc: El Paso Road  
PIN: RP06N03W280000

Dear Michelle,

After reviewing the application for the El Paso Ranch Standard Subdivision, the following are my comments regarding the subject parcel:

Parcel RP06N03W280000 has 2021 taxes paid in full. This parcel or sub parcel(s) will have 2022 taxes due at a future date.

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

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

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

Sincerely,

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



July 28, 2022

Jennifer Kharri  
Gem County  
Planning Director  
109 S McKinley  
Emmett, Idaho 83617

**Re: El Paso Ranch Subdivision Preliminary Plat Application**

Dear Jennifer:

Keller Associates, Inc. has reviewed the Preliminary Plat for the El Paso Ranch Subdivision dated July 5, 2022. We reviewed this package to check conformance with the County Subdivision Ordinance. We have the following comments in order for the applicant to satisfy the County's requirements:

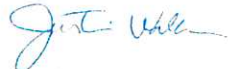
1. Per Gem County Code Chapter 6, subsection 11-6-3, private roads may serve no more than ten (10) building parcels and/or lots. Be advised that private roads will have to comply with other criteria in subsection 11-6-3.
2. It appears that there are slopes greater than 10% in some areas which qualifies as a Hillside Subdivision. Chapter 7, subsection 12-7-2: Hillside Subdivision outlines all requirements that are needed prior to plan approval.
3. The preliminary plat needs to show the road cross section and indicate where road slopes are greater than 5%.
4. Identify areas of cuts or fills of more than 4-feet.
5. Provide metes and bounds description with dimensions of the site.
6. Provide legend for hatching and shading on the plat. Assuming they are referencing wells and drain fields. If so, lots 2 and 6 do not comply with the minimum separation requirements of 50' per IDAPA and IDWR.
7. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
8. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
9. Plat shall comply with requirements of the local highway district.
10. Plat shall comply with irrigation district requirements.
11. Plat shall comply with Southwest District Health requirements.

We recommend that the **conditions 1 through 6 listed above be addressed prior to approval of the Preliminary Plat**. Any variance or waivers to the Gem County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**



Justin Walker, P.E.  
County Engineer

cc: File



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



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

July 18, 2022

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

RE: El Paso Ranch (Standard Subdivision)

Dear Jennifer,

Gem County Road & Bridge (GCRB) has reviewed the application for El Paso Ranch, a proposed 13 lot Subdivision, located adjacent to El Paso Road. El Paso Road is a minor collector, under Gem County Functional Class Map. This roadway is constructed of asphalt at a width of 24 feet and has a speed limit of 45mph. El Paso Road is a highly traveled commuter route to Caldwell and surrounding areas.

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

1. Applicant shall remove all vegetation and re-slope hillside berm to the north, thus improving visibility.
2. Applicant shall apply for an approach permit with Gem County Road & Bridge Department.
3. Approach shall be constructed to Gem County approach standards, at a 2% fall away from the existing roadway, with 12 inches of pit run and 4 inches of road mix.
4. Applicant shall pave the approach to the proposed subdivision.
5. Applicant shall provide GCRB with compaction test results for all road materials, subbase, pit run, road mix and asphalt. The compaction tests shall be a minimum of 92%.
6. Applicant shall hire an experienced paving contractor licensed in the State of Idaho.
7. Applicant or contractor, shall provide commercial asphalt mix design to GCRB for approval, prior to paving approach.
8. Applicant shall saw cut the edge of the existing pavement and apply tack oil on said roadway, prior to paving approach.
9. Paved approach shall be a minimum of 30 feet in width and a minimum of 20 feet in length. The asphalt shall be a depth of 3 inches after compaction. The compaction test shall be a minimum of 92%.
10. Approach shall meet Gem County approach standards upon completion.

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

Thank you,

  
Neal Capps, Director  
Gem County Road & Bridge

# INDEPENDENT SCHOOL DISTRICT OF EMMETT #221

Craig Woods, Superintendent



July 14, 2022

Jennifer Kharri  
Development Services Coordinator  
Gem County Development Services Office  
109 S McKinley Ave  
Emmett, ID 83617

RE: El Paso Ranch

Jennifer Kharri Gem County Development Services:

The Emmett Independent School District 221 wish to offer comments regarding an application made by El Paso Investments, LLC—El Paso Ranch, and the impact it may have on the Emmett School District.

The proposed development will present a challenge for the Emmett School District with additional students and bus stop concerns. The District transportation department would prefer that a small, lighted bus stop easement be established at the entrance of the development. This area would be used for neighborhood students to wait safely for school transportation.

Thank you again for listening to our concerns regarding this proposed subdivision.

Sincerely,

A handwritten signature in black ink that reads "Craig Woods".

Craig Woods

Emmett Ensures Educational Excellence



CERTIFICATE OF MAILING

I hereby certify that on the 8<sup>th</sup> day of July 2022, I served a true and correct copy of the foregoing upon:

**PROPERTY OWNER LIST WITHIN 300 FEET**

El Paso Ranch  
El Paso Road  
T06N, R03W, Section 28

Bureau of Land Management  
1387 S Vinnell Way  
Boise, ID 83709

Karen Youngstrom  
6355 El Paso Road  
Caldwell, ID 83607

Rodney Nettinga  
7200 S Locust Grove  
Meridian, ID 83642

Carl Youngstrom  
6345 El Paso Road  
Caldwell, ID 83607

Eleanor and Carl Blue Trust  
6560 El Paso Road  
Caldwell, ID 83607

Travis Swain  
6385 Havenfield Lane  
Caldwell, ID 83607

Bruce Berg  
10400 Dobie Road  
Caldwell, ID 83607

Judy Holmquist  
6390 El Paso Road  
Caldwell, ID 83607

David Youngstrom  
6365 El Paso Road  
Caldwell, ID 83607

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

  
Michelle Barron  
Associate Planner

## PRELIMINARY PLAT

PRELIMINARY PLAT  
EL PASO RANCH SUBDIVISION  
A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHEAST 1/4  
OF SECTION 28, TOWNSHIP 8 NORTH, RANGE 3 WEST, BOISE MERIDIAN  
GEM COUNTY, IDAHO 2022

SECTION LINE  
BOUNDARY LINE  
PROPOSED LOT LINE  
EXISTING & PROPOSED ACCESS/UTILITY EASEMENT

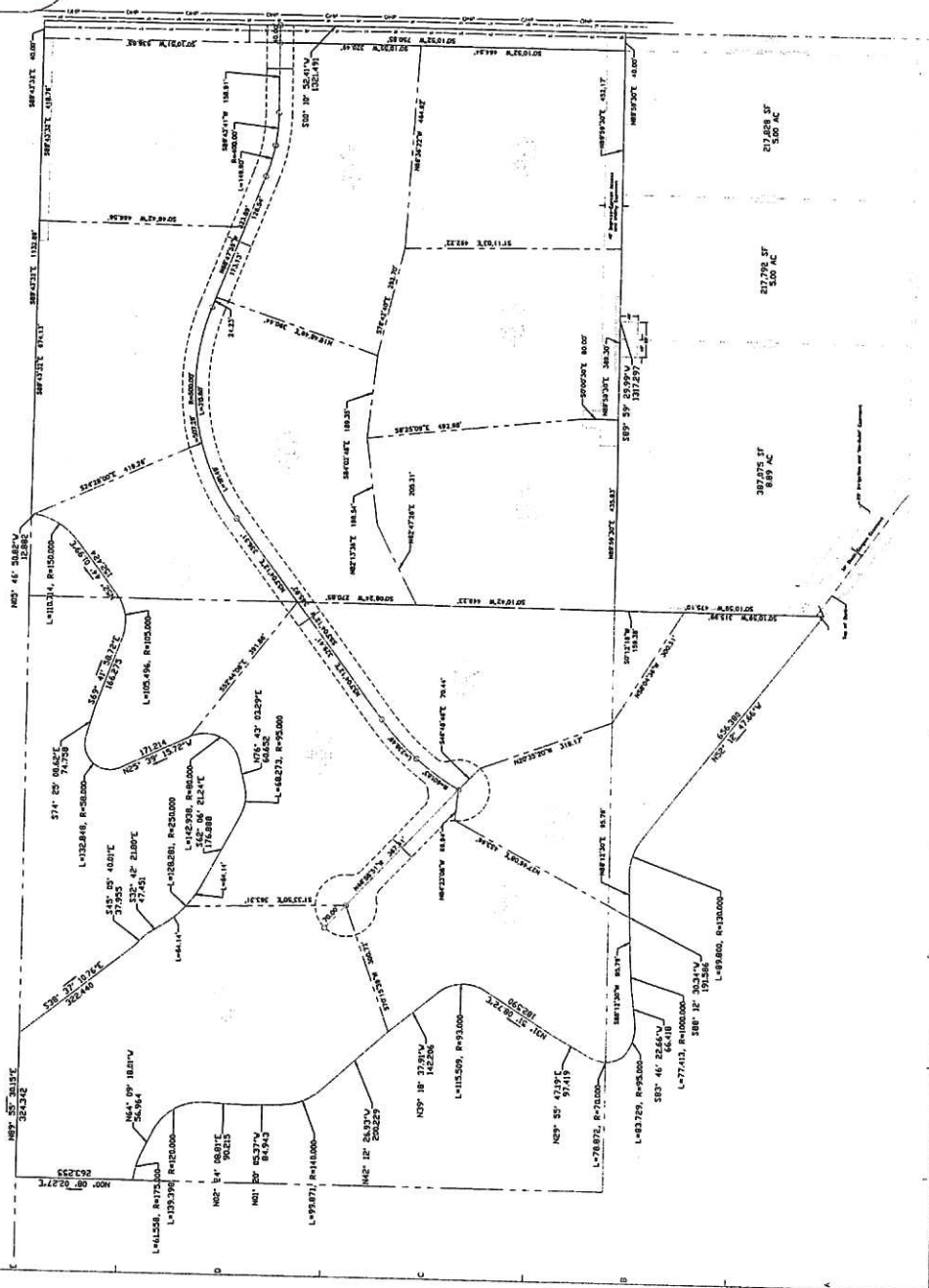
**DEVELOPER**  
DEL PASO INVESTMENTS, LLC  
2550 W. MCQUEEN RD.  
MCKINNEY, TX 75066  
(206) 879-5991

**CIVIL ENGINEER**  
ELWIN T. BUTLER PE  
7002 735-8645  
elwinbutler@yahoo.com

**SERVEYOR**  
EAGLE LAND SURVEYING, LLC  
106 W. MAIN ST. UNIT D  
MCKINNEY, TX 75064  
(208) 861-7513  
p1122200@yahoo.com

**CIVIL ENGINEER**  
ELWIN T. BUTLER, PE  
(208) 739-8668  
etbutler@yahoo.com

**DEVELOPER**  
EL PASO INVESTMENTS  
2350 W. MOULTON  
MERCEDIAN, ID 83644  
(208) 679-5991



PRELIMINARY PLAT NOTES

- [illegible]

PERMISSION TO REPRODUCE THIS

**A-J RURAL AGRICULTURE**  
70.28 ACRES  
2.60 ACRES  
72.88 ACRES

[illegible]

VICINITY MAP

**EXHIBIT**



EL PASO RANCH  
KELLY FULLER  
PO BOX 455  
2350 WEST MC MILLAN RD.  
MERIDIAN, IDAHO 83680  
208 870-5991

PRELIMINARY PLAT  
ASO RANCH SUBDIVISION  
GEM COUNTY  
GEM COUNTY

DATE	02/05/22
SHEET	PP 01





## Stephanie Crays

---

**From:** Joy Hall <jhall@meridiancity.org>  
**Sent:** Wednesday, July 20, 2022 9:54 AM  
**To:** Stephanie Crays  
**Subject:** El Paso/Oasis



Good morning,

I am writing in regards to a public hearing scheduled to be on the August 8<sup>th</sup> P&Z meeting. When the developer representatives had the community meeting at the site of the project, they were very professional and kind. They answered my questions and concerns. Unfortunately not everyone was satisfied with their answers and have now created a committee to fight the development. I personally do not have a problem with this development. One of the concerns/complaints from neighbors was that the school bus would now have to come all the way out to this development. Well, they already do, my son gets picked up the road further already. The owner of the land has a right to sell their property for whatever reason they choose. Also, I would rather have the larger nice homes they are saying will be built, then something less nice. There is nothing in that whole area but sage brush and goats, if they want to build a few beautiful homes, I am ok and will support the project. Please do not respond to this email address, use joyann59@hotmail.com

Thank you

*Joy Hall*

*7020 Koi Lane (thi is off Dobie Road)*

*Caldwell Id 83607*

*208-440-3318*

All e-mail messages sent to or received by City of Meridian e-mail accounts are subject to the Idaho law, in regards to both release and retention, and may be released upon request, unless exempt from disclosure by law.



# Concerns for the El Paso Ranch Subdivision.

RECEIVED  
JUL 21 2022  
BY: JC 11:00am

I am Karen Youngstrom, I live  
right beside this proposed sub-  
division.

Matter of fact we used to own  
said property before we had to sell  
it to Samie because of health reason.

My concerns are (which are many)  
This is a peaceful farming community.  
we have lived here over 50 yrs and  
seen alot of changes, but this is some-  
thing else. This is beyond change.  
This is like an invasion of privacy.

All the peace and quiet will be  
gone.

They can say all they want about  
the roads being in code. With all the  
traffic on it that is nonsense. There  
is farm equipment, big ag. Trucks, also  
livestock trucks going up + down this  
road every day. I have had (2) two med.  
boxes ran over because the on coming  
traffic wouldn't move over or stop to let  
the farm equipment go by. With this  
and the cars from the subdivision it  
will be like a freeway and a nightmare.

And lowering the speed don't make up  
for stupidity and common sense. And with  
another proposed subdivision going in  
not but a half mile away it will be  
worse.

Then there is the water concern, which is a big one, and also the sewer systems.

Where did you get the test results. There was no wells drilled on the 13 lots to tell them how deep they would be and the water level. The ground out here is all different. I never seen anyone out here taking test samples, with 13 plus lots it would take time.

With all those houses, wells and septic systems going in on this 72 ac. sub-

division plus the proposed one a half mi down the road what is it going to do on the aquifer. All those houses which will be 35 with wells not to say they will be taking water from already existing wells. Then the septic systems, there will be 35 of those also, draining in to and polluting the aquifer.

When we milked cows the Creamery had an inspector come out 2 sometimes 3 times a yr. to make sure the cows waste water and Barn waste didn't pollute the well water, which is the aquifer. These 35 plus homes will have an impact on it.

Another concern is the emergency services out here. Unless you have a direct line to the services, GPS don't work



out here and 911 goes to Canyon County then gets transferred back to Gem County.

The fire department takes at least forty five minutes to get here. And that is the fastest. I know this is true because we had BLM on fire and it took them that long. By that time you can say good bye to your property or BLM.

The schools are over crowded. Emmett and Middleton. I have a grandson who has to sign up every yr to make sure they have room for him to go to school.

The canals/roads are private property. The ditch riders or ditch company have a right of way to use them doing irrigation season. it is not for public use of any kind. no 4 wheelers, houses, pickups or hunters.

The wildlife are not all small. We have elk, deer that is considered large animals that go right thru the middle of the property, not caring where they go or run over. the smaller animals are fox, coyotes, badger (which are harmful to dogs and cats). not to say about ground squirrels and gophers. Then and for most are the Curlews which are protected in this area. There are only 3 areas which they nest and this is one of them.

What is the agreed addition of 10 ft. of easement for access to the northeast corner of the development. Last paragraph on pg 2.

There are also damages that have accrued that involved an irrigation underground line, the party that is involved can't get their amount of water they paid for because of the break in the line. All their property that is watered from that line is dried up or dead.

The developer and engineer didn't do their job to research the property to see it was there. Who's responsibility is it to do this research. When we had the meeting in March they had no idea. When we called them about it, we were told they would look into it. We called them because the neighbor wasn't getting any water and she could see it running down the field. Their answer to that was it was too wet to fix, and it was their (her) responsibility to fix it. If they are taking that way out, what else are they going to ignore.

I have a warranty deed that invalidates the Shepards right of way / Shepards Road of 50 feet.



00-0962

# WARRANTY DEED

For Value Received

GERALD YOUNGSTROM AND KAREN YOUNGSTROM, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

DAVID D. YOUNGSTROM, a single man  
the grantees , whose current address is 6355 ElPaso Road, Emmett, Idaho 83617

the following described premises, in

GEM

County Idaho, to-wit:

That portion of the North half of the North half of the NE $\frac{1}{4}$  lying North of the C-Line Canal in Section 28, Township 6 North, Range 3 West, B.M., Gem County, Idaho.

Together with and reserving unto the grantors an easement 50 foot in width with the centerline of easement being described as follows:  
Beginning at the section corners common to Section 21, 22, 28 and 27, Township 6 North, Range 3 West, B.M., thence West along the South line of Section 21 to the West side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, Township 6 North, Range 3 West, B.M. and the termination of said easement. (said easement is also known as Shepherders Road)


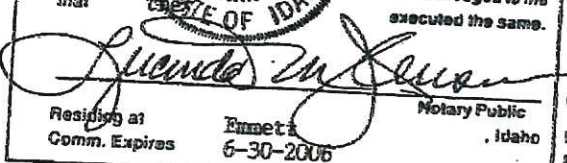
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 28, 2000

  
Gerald Youngstrom

  
Karen Youngstrom

STATE OF IDAHO, COUNTY OF GEM  
On this 28th day of November, 2000  
before me, a notary public in and for the said State, personally  
appeared  
Gerald Youngstrom and Karen Youngstrom  
  
known or identified to me to be the person s whose name s  
subscribed to the within instrument, and acknowledged to me  
that executed the same.  
  
Residing at Emmett, Idaho  
Comm. Expires 6-30-2006  
Notary Public

STATE OF IDAHO, COUNTY OF  
I hereby certify that this instrument was filed for record at the  
request of  
at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.,  
this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_, in my office, and duly recorded in Book  
of Deeds at Page \_\_\_\_\_  
Ex-Officio Recorder  
By \_\_\_\_\_ Deputy.  
Fees \$ \_\_\_\_\_  
Mail to: David D. Youngstrom  
6355 ElPaso Road  
Emmett, Idaho 83617

INSTRUMENT NO.

**Instrument # 214097**

EMMETT, GEM, IDAHO

2000-11-29

11:08:30 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED

*[Signature]*



# BLACK CANYON IRRIGATION NEWS

## FALL 2021

### 2021 DIRECTORS

Adam Blank (Chair)	District #1
John Hartman (Vice-Chair)	District #2
Dan Surmeier	District #3
Piet Laan	District #4
Mike Wagner	District #5

### BOARD MEETINGS

Regular Board Meetings are the second Tuesday of every month, at the District Office in Notus at 1:00 p.m. If that must be changed we post a notice on the main page of our website.

### 2021 ASSESSMENTS

#### Unit #1

Spring \$31.75/acre  
Fall \$27.50/acre  
\$45.00/assessment charge per billing

#### Unit #2

Spring \$31.75/acre  
Fall \$27.50/acre  
\$45.00/assessment charge per billing

#### Excess water

\$20.00/acre a foot

#### District Idle Acres

\$70.00/acre plus Transfer fee

### 2021 WATER SEASON

This irrigation season was relatively successful, especially considering the extreme drought conditions across the Northwest. Even though Cascade Reservoir did NOT fill, BCID was able to allocate the full amount of 2.50 feet per acre and deliver water to our Unit 2 patrons until the 17<sup>th</sup> of September with the expectation of carrying over approximately 24,000 acre feet into the 2022 irrigation season. This low carryover means that we will need a significantly above average snowpack in order to have an average irrigation season next year.

### 2021 ELECTIONS

An election was held on August 3, 2021, and the issue for consideration was if, in future Black Canyon Irrigation District elections, shall the qualified electors, as described in Idaho Code Sections 43-111 and 43-119, have the right to cast one (1) vote for each acre of assessed land and a proportionate vote for each fraction of an acre of assessed land owned by the elector within the District? All votes cast were Yes votes.

The election scheduled for November 2, 2021, was not held as John Hartman (District 2) and Piet Laan (District 4) were both re-elected by Reason of Petition (Idaho Code 43-201A).

### ~DELIVERY POINTS~

If you see an issue with the number of acres on your delivery points, please contact the office. We can only fix these while water is NOT running so you need to take care of these problems during the off season.

### BLACK CANYON IRRIGATION PROJECTS - FALL 2021 and SPRING 2022

For many years the District has focused on piping laterals in order to improve the project, however, we are shifting our focus toward existing infrastructure maintenance. Therefore, we are going to put more effort into the maintenance of the District, including replacing existing pipelines that are causing water delivery issues and replacing existing liner in the main canal that is beginning to fail. Most of the concrete infrastructure in the District is around 84 years old. It has served us well but it is time to begin rebuilding our project so it can continue to serve our patrons for another 80+ years.

### RIGHT OF WAY ISSUES

Each and every year we have right of way issues. Last year was no different with the placing of fences, plants, material, equipment, and even survey markers (please make sure that surveyors do a set back off the right of way when placing pins so they don't get destroyed). Underground pipelines also have an O&M right of way that requires that nothing is placed within them to allow repairs and maintenance. Please, if you are planning on doing anything next to one of our canals, ditches, drains, pipelines, or laterals, contact us first so we can provide you with the right of way information from the BOR to prevent potential problems.

**NOTE:** Please be aware that irrigation ditch banks and roads are private property. The Irrigation District has an exclusive right of way and ditch roads/banks are not for public use. If you utilize these roads for walking or other recreational purposes and are not the owner of those lands, you ARE trespassing. This is a growing problem and we are receiving an increasing number of complaints from landowners regarding

*trespassing on Ditch Banks*





Letter of Opposition  
To

Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Randy & Louisa Cone, a Gem County  
resident living at 7120 El Paso Rd., oppose the  
Proposed El Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects:

- This will cause a increase of traffic on El Paso Rd.
- causing more accident. Also drilling all those wells
- will effect our water table. No more here
- in 1976 to be in a sub area with the increase
- of homes this will change things. Also it
- will make the school more crowded. We feel
- strongly that the wildlife will be moved
- to other area because their natural habitat
- will make them move. It will also create a
- higher risk for fires due to backing up
- to BLM land.

I urge you to deny this Proposed Subdivision.

Respectfully,

Randall Cone  
Louisa Cone





Letter of Opposition  
To

Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

\* Randy & Larissa Cone, a Gem County

resident living at 7126 El Paso Rd, oppose the  
Proposed El Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects:

- This will cause a increase of traffic on El Paso causing
- more accidents. Also drilling all those wells will
- affect our water table. We moved here in 1976 to be
- in a rural area and with the increase of homes
- this will change. Also it will make the schools
- more crowded. We feel strongly that the wild life

I urge you to deny this Proposed Subdivision.

Respectfully,

Randy Cone

Larissa Cone

Also create a higher risk  
for fire due to backing up to  
BLM land.



**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Mark Wisniewsky, a Gem County resident living  
at 7384 Cloud Court Caldwell, ID. 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
to the area:

- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
- Impact on current domestic wells and unknown long-term effects
- Destruction of Agricultural land
- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Mark Wisniewsky





**Letter of Opposition  
To  
Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Israel Valdez, a Gem County resident living  
at 10777 Dobre Rd Caldwell, Id, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
to the area:

- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
- Impact on current domestic wells and unknown long-term effects
- Destruction of Agricultural land
- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

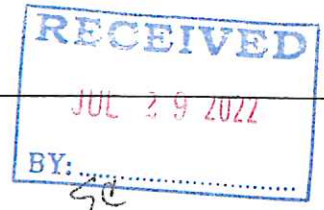
Respectfully,

Israel Valdez  
1

# JESSICA HARDMAN

9980 Blanc Ln Caldwell, Idaho 83607 · 208-965-7058

Jkattbery1@gmail.com



Gem County Development Services  
415 E Main St  
Emmett, Idaho 83617  
July 27, 2022

Dear Gem County Development Services ,

I am Jessica Hardman, a daughter, a wife, a mother, and a Gem County Resident, opposed to El Paso Ranch 13 Lot Subdivision. The proposed subdivision is in direct opposition to the reason I moved out here to raise my young family.

I, like so many other young families, native to this area, find it difficult to buy or even rent a reasonable place in this high housing market. My husband & I decided to rent from my parents for a variety of reasons, one being it was the perfect atmosphere for raising our young ones. The rural lifestyle provides my children with imaginations, freedoms, and firsthand life skills that they cannot get by living an urban lifestyle. We raise chickens and have access to milking cows and goats. These things are what will make my children's lives rich with a true education. I haven't worried about them roaming our property with their little imaginations. With the proposed housing additions, it brings up fears that I have about increased traffic traveling El Paso at high speeds. We live on a property that has a pass-through driveway directly onto El Paso rd. We have natural landscaping that creates a visual boundary for my children while playing in the front yard on their scooters, tricycles, or motor cars. I haven't had to worry too much but as the housing has gone in on El Paso and Dewey, I have watched the traffic passing though increase. I worry about more traffic to the already high speeds that people usually drive out here. My concern is for the safety of my children increases.

Kinship is a definite reason for living out here where most people know each other, neighbors, and surrounding housing. There is safety in knowing the good people here and these are people who I know look out for and watch over my family. "It takes a village to raise a child" is a famous quote, this neighborhood is my village. There is trust and respect with our neighbors. When we talk about adding people, strangers to our community the worry of what kind of people move here increases. Will they be a force for good or do I need to protect my family from them? It is overwhelming and brings my worries and fears to the surface. Will I still be able to let my children roam freely with their imaginations on our property or will I need to restrict them from parts of the property? Restrict them for their safety against strangers and traffic passing by. That conflicts with the purpose of us living out at the edge of the county.

Let's preserve the farming and ranching life here in Gem County. The new homes recently built have not matched the already existing aesthetics of our rural life. Most homes on El Paso are

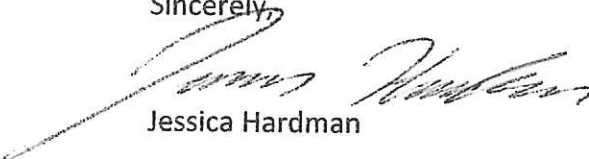


manufactured homes, most of the existing homes don't have attached garages. They do have barns and outbuildings. They most definitely do not have RV bays. The existing homes here are not a place to build high-end homes that are more appropriate for the Eagle and Meridian housing market.

My husband and I have recently purchased a snowplow and now run as contractors for plowing during the winter months. There have been times that we had to use our plow to get safely down El Paso Road, or even when we come home from a job we've had to plow to get home safely. El Paso road is not regularly maintained or plowed during the winter months on a proper and reasonable basis for the traffic and residents it currently has. We are the last priority route for plow from the county and even if we are priority for the school bus route the county needs to do better in this area.

I agree with my neighbors who are speaking about concerns for emergency response times, fire hazards, road infrastructures, sheriff patrols, water rights, overwhelming our underground wells, and crime. I am opposed to the proposed subdivision due to increased traffic with no patrol to keep the speeders in check. As well as for the reason of introducing unknown people with varying family structures and educations which increase my worry for crime against my children. I am also concerned about preserving our rural lifestyle and agriculture lands that should be handed down to the next generation. My sole job is to provide the best life for my kids, preserve the rural lifestyle, keep my children creative and exploring. I also must protect my children from the unknowns and that is why I oppose this development. I am asking planning and zoning to deny this development and consider allowing the new construction closer to town where it belongs; and where the county has planned to allow high density housing to support the city and county's long-term plans.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jessica Hardman', written over a horizontal line.

Jessica Hardman



Joshua Attebery  
9980 Blanc Ln  
Caldwell, Idaho 83607  
July 26, 2022

Planning & Zoning Associate  
Planning & Zoning  
Gem County  
415 E Main St  
Emmett, Idaho 83617

Planning & Zoning Associate:

I am Joshua Attebery, an IT technician, a son, an uncle, and a Gem County Resident, opposed to the proposed El Paso Ranch 13 Lot Subdivision. After thoughtful reflection and personal experience with the excessive growth in the Boise Valley, I find myself opposed to the proposed subdivision.

Being a single young adult living in this high housing market has made it virtually impossible for me to afford housing. Therefore, I have been forced to remain a resident in my parents' home. I contribute this crisis in large part to developers who have over built in the valley. As well as the county planning and zoning commissions who have irresponsibly allowed our market to be overly saturated with housing. I know they are looking out for their bottom line, and it can be a financial benefit for communities, but it has gotten out of control. Housing cost has been a problem for young adults like myself, being native and working a good job; still housing is out of my reach. I watch the growth and know that it's just driving the housing cost higher and it discourages me. I have contemplated moving out of state to an area with less housing saturation. It is a heart-breaking thought and not fair to me or my family for being Idaho natives.

I also have fears that if we allow additional housing on El Paso that the crime rate will increase. I don't know the details or science behind figuring the crime rates based on population, but I do know that basic math says more houses more opportunity for crime. Just recently our good friend had her home broken into. Her home faces El Paso, and she lives alone. I know that it's frightening to think of higher crime. Granted we are living the rural life and our homes are not convenient for 'high' crime, but even one break-in is devastating to our community.

My next concern about traffic have been increasing since the homes were built on Dewey just before it bends around to the Curlew Preservation, and then again on El Paso at Triple H Estates subdivision. I know that most, if not all, of us out here head to Nampa for our weekly, or monthly shopping. Not to mention traffic heading to a job in the Boise Valley twice a day. Each home adds at least three more cars on our roads. El Paso Rd is one of three ways Gem County Residents have of getting to the Boise Valley



for work or shopping. Our road is most popular for those who need access to Caldwell or Nampa. I would bet Costco is the most popular destination for those living a frugal rural life. That makes El Paso Rd a terribly busy road to travel daily. This is concerning because the road wasn't built to handle the traffic that was already driving on it.

No shoulders, no turn lanes for cars having to turn across traffic, or safe passing zones. The passing zones are an issue when you are following Farm Equipment at a significantly reduced speed. I can see how frustrated drivers could potentially cause life threatening incidents because we have no safe passing zones. There are no safe passing zones because of the rolling hills that make up the road to Hwy 52. We have had three unreported auto accidents right out our front door in the past 5 years.

The potholes that appear year after year are a perfect example of the underlying condition of El Paso rd. I feel that additional traffic on an already poorly constructed road will be a bigger issue for safety. I would recommend the County address how they will manage the road issues. Either the county needs to fit it in their budget OR they apply an impact fee to the builders to cover the cost.

My next concern, the weeds along our road are out of control, this is a safety issue on two levels. The limited visibility for those trying to turn onto El Paso. Being able to see oncoming traffic is a problem. I also have concerns about the entrance locations of the proposed subdivisions. Limited visibility along with the fact that the intersecting entrances are at the base of the rolling hills that make it a blind intersection. I feel we will set drivers up for fatalities. The traffic on El Paso is usually speeding and when faced with a car pulling out at the base of a blind hill it spells disaster.

The second issue with the weed control is fire safety. El Paso has BLM land on both sides and the potential of an out-of-control fire during the dry season is hazardous. Will the county take a more active role in maintaining the weeds that grow along the roadside? The fire response time from Middleton is at least 20 min, which spells disaster for the easily ignitable properties around us.

I also agree with the concerns of our neighbors and even my other family members and join them in opposing the El Paso Ranch 13 lot subdivision. Thank you for your time. I hope you take our concerns and give us practical solutions when considering this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua Attebery', with a stylized, flowing script.

Joshua Attebery

208-866-7408



**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, ROGER BEATTY, a Gem County resident living  
at 7010 Pleasant View Dr Caldwell, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
to the area:

- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
- Impact on current domestic wells and unknown long-term effects
- Destruction of Agricultural land
- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

RB





**Letter of Opposition  
To  
Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

Jackie Beatty, a Gem County resident living  
at 7010 Pleasant View Dr, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Jackie Beatty



**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Jamie Michaelis, a Canyon near Gem Gem County resident living  
at 28273 Harvey Rd Caldwell 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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I urge you to deny this Proposed Subdivision.

Respectfully,

Jamie Michaelis





**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Amy Bail, a Gem County resident living  
at 7125 Pleasant View Dr, Caldwell, ID 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
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on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
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- Destruction of Agricultural land
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- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Amy Bail



**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Michael A Lamberson, a Gem County resident living  
at 10755 Dobie Rd Caldwell, ID 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.


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Paso Investments, LLC, Kelly Fulfer.

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- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,







Kim St. Ours

7387 Cloud Ct.

Caldwell, ID 83607

kstours1@yahoo.com  
208-859-2672

**Letter of Opposition**

**To**

**Proposed El Paso Ranch 13 Lot Subdivision**

**Gem County, ID: NE ¼ Sec. 28, T6N R3W**

**El Paso Investments, LLC, Kelly Fulfer**

To:

Gem County Development Services

415 E. Main Street,

Emmett, Idaho 83617

I Kim St. Ours, a Gem County

resident living at 7387 Cloud Ct., Caldwell, ID 83607, oppose the  
Proposed El Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects:

- Impact on water aquifer. See attached, "Cone of depression."  
IDWR does not protect the water table. Neither does IDWR.
- Goes against Vision Statement of new Gem County comp. plan  
"Preserve agricultural land"
- Is not the kind of housing Gem County needs -  
more affordable, higher density, closer to city services
- Impact on point-to-point internet (i.e. Anthem) & cell  
phone data capacity. Already poor infrastructure here.
- Drilling additional wells on previously farmed land increases  
potential for contaminating the aquifer. →

- Additional pressure on fire + EMT services.
- Additional risk of fires spreading from BLM as crops provide a buffer.
- We don't want to be a suburb of Middleton, we are part of Gem County.

I urge you to deny this Proposed Subdivision.

Respectfully,

Kim St. Ours

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102°

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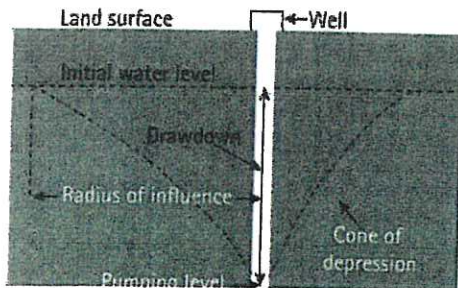
Search Site

See highlighted portions

## Lake Lowell community concerned after 10 wells go dry in July, development continues

by Sarah Jacobsen

Friday, August 27th 2021



South Lake Lowell community concerned after 10 wells go dry in July, development continues (Photo: Sarah Jacobsen)

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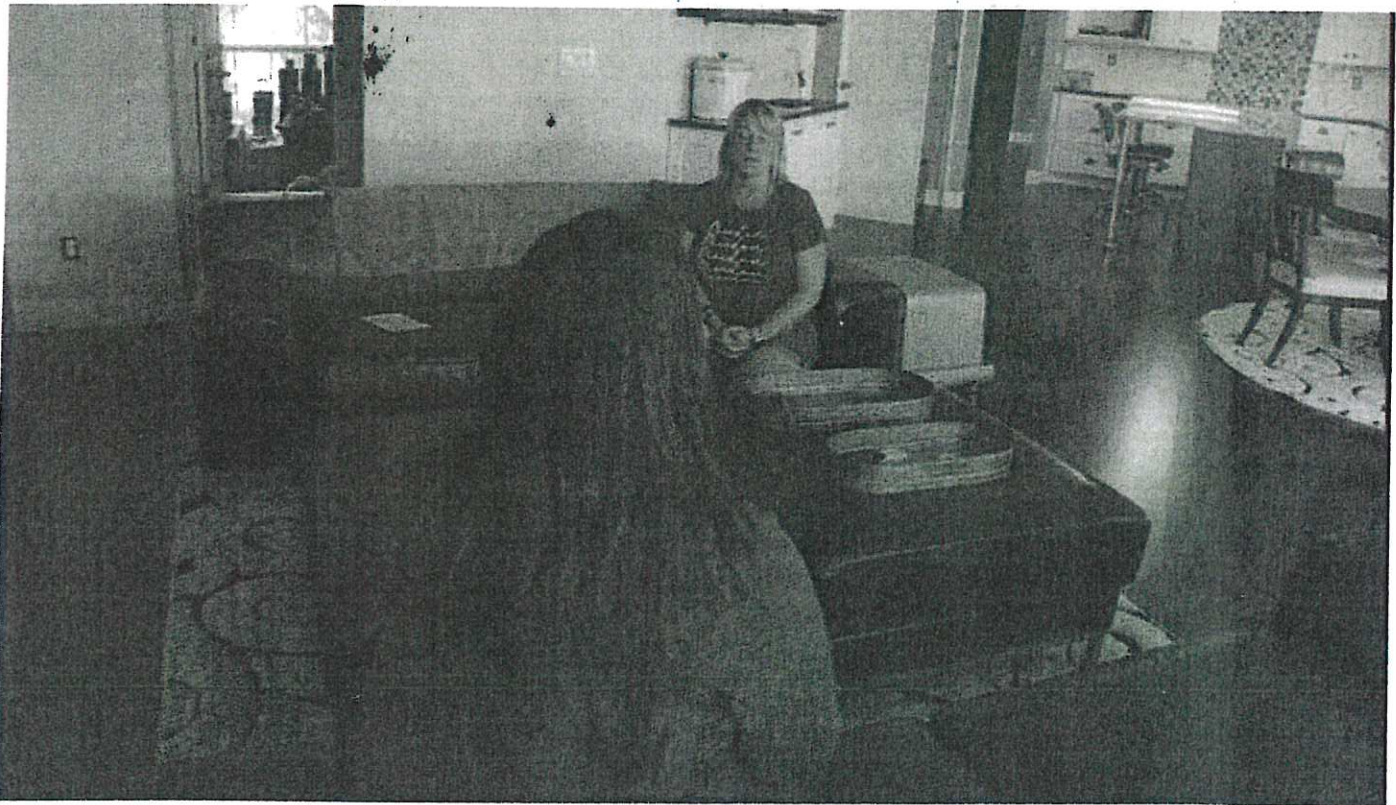
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## BOISE, Idaho (CBS2) — Construction is booming in Canyon County Search Site

But recent drought, coupled with wells running dry, has residents concerned over new development, water rights, and public safety.

Deer Sky Ranch, a development in south Lake Lowell has around 10 homes that have had wells go dry. That was just in July of 2021.



South Lake Lowell community concerned after 10 wells go dry in July, development continues (Photo: Sarah Jacobsen)

Rapid population growth and a historic drought are putting stress on the area's water supply.

None more apparent than south of Lake Lowell.

"There is a misconception that we have a lot of water available to us," said Kim Calderon, a south Lake Lowell resident. "But that's not the case."

She says she's concerned after 10 neighboring wells went dry just last month.



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## Search Site



South Lake Lowell community concerned after 10 wells go dry in July, development continues (Photo: Sarah Jacobsen)

"The (groundwater) recharge that originally had been occurring from farmlands has been taken away with development," Kim says.

Claudia is one of those neighbors.

Right now, on top of rationing her indoor water resources, she is now having to let her garden go.

Meanwhile, Kim continues to rally her neighbors.

"We received a notification for a development that was going in across the street, 45 homes," Calderon said. "We were concerned because they wanted to use domestic wells versus community wells and domestic wells are not regulated and they add to the drawdown or cone of depression."

This (below) is a 2D model of a cone of depression. Keep in mind that an individual cone can spread for more than a square mile wide.

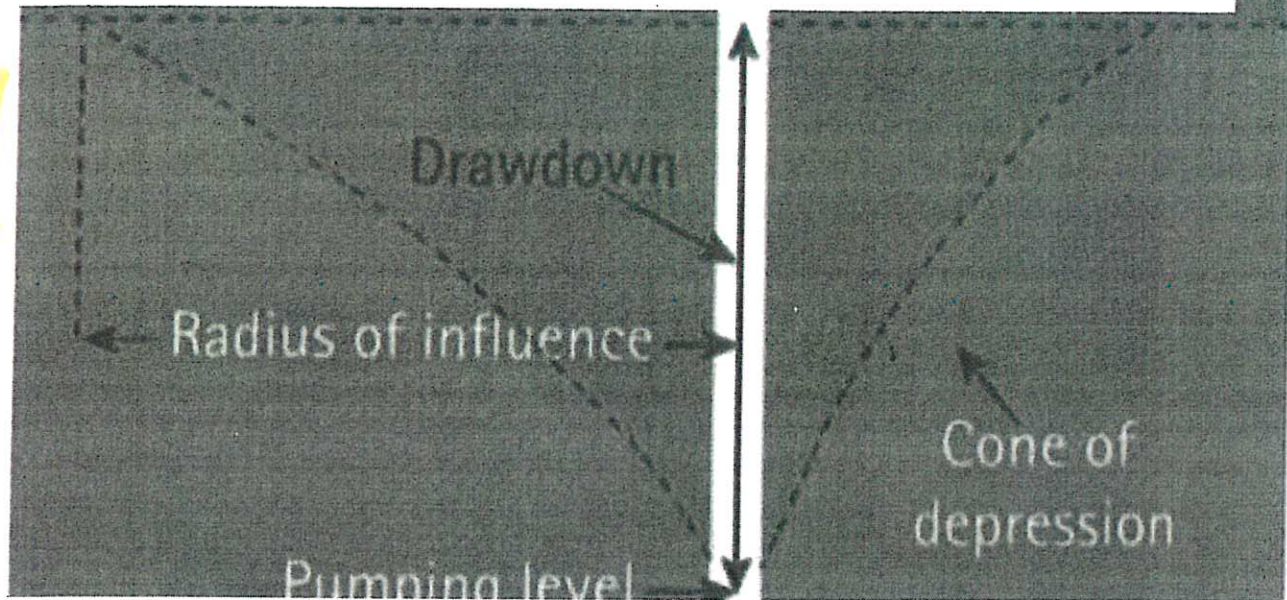


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Search Site



South Lake Lowell community concerned after 10 wells go dry in July, development continues (Photo: IDWR)

Soil type in the area adds to that concern - clay is prominent - meaning lower filtration and recharge.

Yet, developments in the area are booming, this the map Calderon compiled of every proposed and approved development for the area.

"This is the 35 homes we were able to stop it was originally 45 now 35, this is another application for 35 coming in," Calderon shows. "This has already been approved in perpetuity, this is 100 plus homes."

The bottom line for development - it is unknown what level of development the aquifer in that area can support.

That's because of the Idaho Department of Water Resources - the agency that manages water for the state through water allocation and distribution processes.

While the department maintains a series of monitoring wells in that area to keep tabs on water levels. This doesn't include private wells or the subsequent drawdown of water resources.



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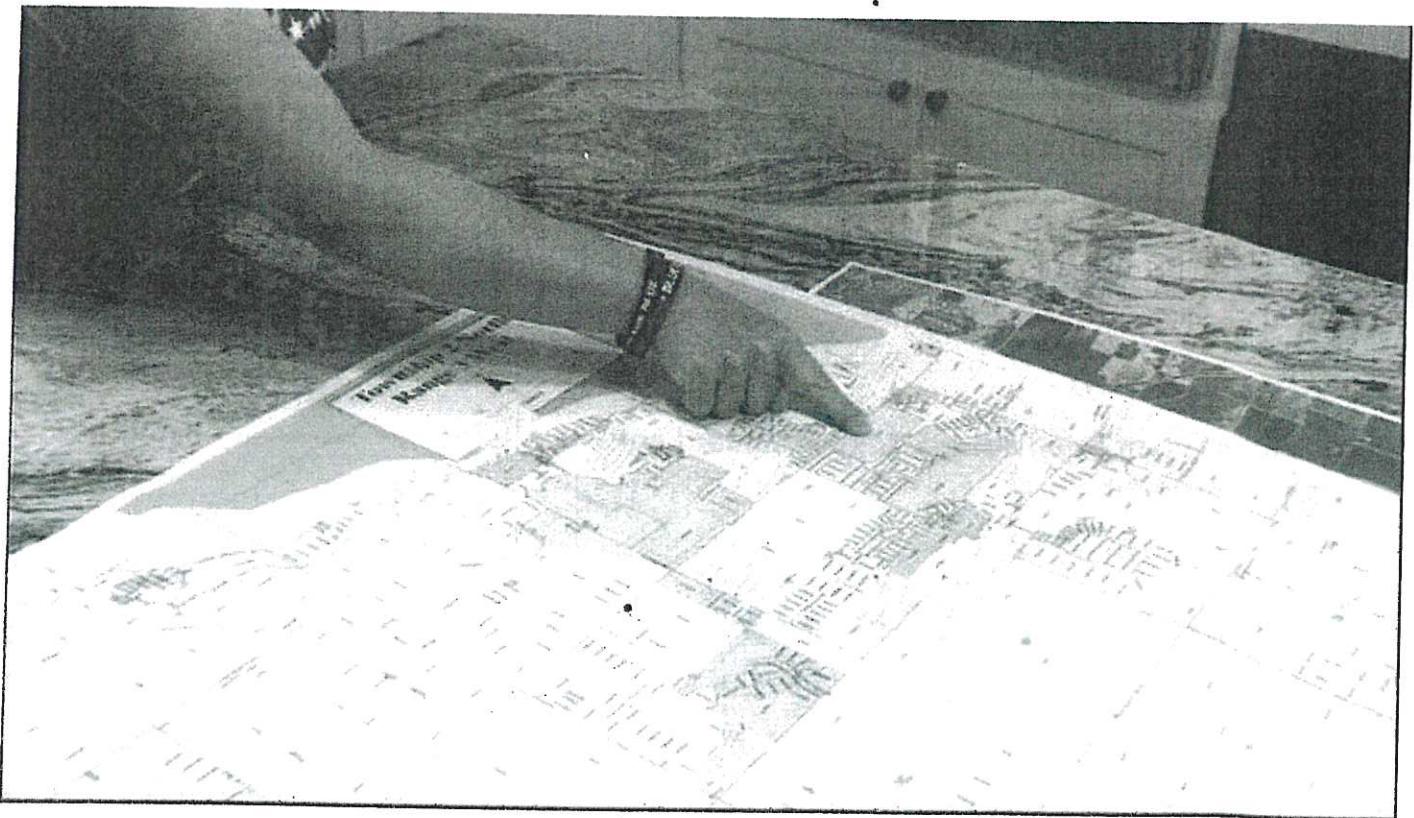
drawdown is occurring "

### Search Site

Meaning the full effects of development aren't fully known.

So Kim has now called on her community of more than 150 neighbors to bring attention to the issue.

Mainly bringing her concerns to the Canyon County Commissioners and the Idaho Department of Water Resources.



South Lake Lowell community concerned after 10 wells go dry in July, development continues (Photo: Sarah Jacobsen)

"They were not aware of all of the other developments that had already been approved and not yet built and that's about 600 homes," Calderon said.

While the Idaho Department of Water Resources is monitoring the area, Calderon tells me the need for real-time water level quantity and quality monitoring will give the county a better picture of the situation - for better planning,

Until then, Kim is continuing to lead the charge.

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[Search Site](#)

## MORE TO EXPLORE

**Ada Sheriff says it likely will need an extra \$250K to pay for fuel costs this fiscal year**

**Nampa man killed in crash**

**55-year-old man drowns in Salmon River trying to save dog**

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by Taboola

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**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Richard S. Bail, a Gem County resident living  
at 7125 Pleasant View dr. 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
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- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
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- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Richard S. Bail



**Letter of Opposition**  
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**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Tabatha Lamberson, a Gem County resident living  
at 10705 Dobie Rd Caldwell, ID 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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Paso Investments, LLC, Kelly Fulfer.

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Respectfully,





**Letter of Opposition**  
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**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Patrick Fry, a Gem County resident living  
at 7369 Cloud Ct, Caldwell, ID, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

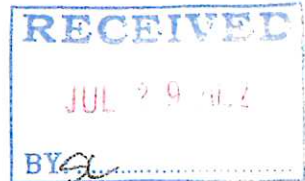
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I urge you to deny this Proposed Subdivision.

Respectfully,

Patrick Fry



**Letter of Opposition**  
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**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Mary K, a Gem County resident living  
at 7369 Cloud Ct. Caldwell, ID, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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I urge you to deny this Proposed Subdivision.

Respectfully,

Mary K. Fry





**Letter of Opposition**  
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**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Karen Youngstrom, a Gem County resident living  
at 6355 El Paso Caldwell, Id 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
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I urge you to deny this Proposed Subdivision.

Respectfully,

Karen L. Youngstrom

**Letter of Opposition**  
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**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**



To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Donald Kraft, a Gem County resident living  
at 7372 Cloud Ct. Caldwell., oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

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Respectfully,

Donald H Kraft





**Letter of Opposition**  
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**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Deborah H. Kraft, a Gem County resident living  
at 7372 Cloud Ct., Caldwell, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

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- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Deborah H. Kraft

Larry Attebery  
9980 Blanc Ln  
Caldwell, Idaho  
83607  
208-867-7252



July 28, 2022

Gem County Development Services  
415 E Main St  
Emmett, Idaho 83617

Planning & Zoning Associate,

I am Larry Attebery, an Electronics Technician, a husband, a father, a grandfather, and a Gem County resident, oppose the proposed El Paso Ranch 13 Lot Subdivision.

My career takes me out of town two weeks at a time, so the time I am home with my family is very precious to me. My concern with adding additional housing on El Paso is the traffic. Consistently on my weeks home I will witness one or two cars that pass who are speeding at close to 100 mph. The current speed limits on the road are posted once till it turns into Dewey. The road travelers believe that there are no consequences for speeding because we are a forgotten part of the County. With cars speeding at those speeds, it makes me nervous pulling out of our driveway. We are at the bottom of a small hill. If a car is going 100mph when I start to pull out there is NO-WAY, they will be able to stop and that spells disaster. Please don't allow more traffic on our road.

I also have concerns about our well water if it is enough to supply our home and the additional homes without negative effects. This is a topic that can only be answered by an impact study of our aquifers. I am sure my fellow neighbors have mentioned this topic. I'd like to know the county's response to this issue. I ask that you protect our precious water resources.

I want to join my voice with those of my family and surrounding neighbors. Their concerns are my concerns as well. I ask the county to deny the housing and keep the new construction closer to town. I am looking forward to hearing how you plan to manage our concerns. Thank you for your time and understanding of our circumstances.

Sincerely,

Larry Attebery





Rodney Emery  
6612 SE 11th Ave  
Caldwell, 83607



I am 100% against this subdivision that is proposed to go in a mile and a half from my house. The traffic on SE 11th, or Dobie as it is called on the Gem county side, is too much already. Every car up my road is a Gem county vehicle and 2 out of 3 run the stop sign at Crest and 11th. 100% of them are Gem county vehicles and are traveling 10 mph or more over the 35 mph speed limit. They run the stop sign at full speed. 11th, or Dobie, is the fastest route to the freeway from the eastern side of Gem county and keeps increasing it's traffic exponentially daily, without a large number of new traffic coming from this one or two developments. This/these subdivisions will impact Gem County roads almost not at all as the people who will live there will do a majority of their travel to Canyon County for their daily travels. Please stop this subdivision. This kind of growth is not necessary here.

Thank You,

Rod Emery

**Letter of Opposition**  
**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**



To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I KEN Buskirk & Linda Buskirk, a Gem County resident living  
at 30030 Farmway Rd. Caldwell Id., oppose the Proposed El  
Paso Ranch 13 Lot Subdivision. 83607

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

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I urge you to deny this Proposed Subdivision.

Respectfully,

Ken Buskirk





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**To**  
**Proposed El Paso Ranch 13 Lot Subdivision**  
**Gem County, ID: NE ¼ Sec. 28, T6N R3W**  
**El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I STEVEN STARMER & BRENDA EDENS, a Gem County resident living  
at 7250 PLEASANT VIEW DRIVE, CALDWELL, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
to the area:

- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
- Impact on current domestic wells and unknown long-term effects
- Destruction of Agricultural land
- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

Steve Starmer Brenda Edens



**Letter of Opposition  
To  
Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer**

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Jordan Hardman, a Gem County resident living  
at 9980 Blanc Ln Caldwell Idaho, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

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- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,





Letter of Opposition  
To

Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer

To:

Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I Stephanie Attebery, a Gem County resident living  
at 9980 Blanc Ln Caldwell ID 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

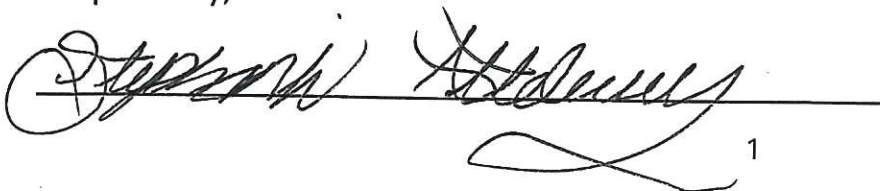
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- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

I urge you to deny this Proposed Subdivision.

Respectfully,

  
1



**Attebery Family**  
9980 Blanc Ln  
Caldwell, Idaho 83607

Phone: 208-867-7145  
E-mail:  
skattebery@gmail.com

## **Gem County**

Opposition Letter to El Paso  
Ranch Subdivision

## **Development Services**

415 E Main St  
Emmett, Idaho 83617

**July 20, 2022**

Planning & Zoning Associate,

I am Kathy Attebery, an event planner, a wife, a mother, a grandmother, and a Gem County Resident, oppose the proposed El Paso Ranch 13 Lot Subdivision. After reflection and attending your County Comprehensive Planning Meeting on July 19, 2022, I find myself opposed to the proposal of a subdivision. I feel that this proposal conflicts with Gem County's vision for its future. Along with what I am comfortable with for growth where myself and my family reside.

I'll address the issues that directly conflict with the County's Comprehensive plan. Firstly, the county wants to keep our area here at the edge of the county off El Paso & Dewey as preserved agriculture land. This is what the people of the county have asked for, to keep Gem County a Rural community. To allow this second proposal of at least three, from El Paso Investments, would directly impact the precious agriculture land we have here. It would also begin the process of allowing our rural community to faze towards becoming densely populated. Let's not allow the beauty of our agriculture land be disturbed like so many of our communities around us have been. We must look a few miles to the East and West of Gem County to find the mass disruption of the rural lifestyle. The residence of the County are drawn here for that rare lifestyle and are not looking to have it taken from us. We are witnessing the rule of numbers, once one subdivision is allowed more will follow. "If you build it, they will come" seems to be a prophetic movie line. The housing that has been allowed over the past two years on Dewey and El Paso seem to have induced a building increase, and if allowed it will continue to grow.

The county plan also addresses what has been concerning our family since we moved here over 8 years ago, infrastructure. I'll address the infrastructure of the road conditions first. The El Paso Road is a main access to Emmett Hwy 52 from Canyon County. The high levels of traffic that pass our home daily concern us for the main fact that the road is not built to withstand the current traffic. The ruts that are created by the volume of traffic has become dangerous. Our home has a pass-through driveway and as we pull out the ruts are monstrous and cause us to have to approach at an angle and slowly. This becomes dangerous when traffic speeds passed. The posted speed is not adhered to out here. The drivers feel it is a suggestion and not the law. The ruts have also caused several low riding sedans to spark



when traveling passed. Once we found a piece of the underside of a car in our driveway. The potential fire hazard alone is concerning.

The county has also allowed the road to become in such disrepair that giant potholes appear year after year. Once our car got a flat tire due to the size of a pothole that was unavoidable because of head on traffic not allowing us to swerve around it. With the rolling hills and the non-passing lanes, it becomes a problem for safety when turning off and onto the road from driveways. The current road also has no shoulder. This becomes a problem when emergency vehicles must pull off the road, or when the UPS or FEDEX drivers have a delivery and pull off the road. What they are really doing is stopping in the lane but trying to get as close to the edge as they can. How dangerous is this?

We own a 30 ft Alpine 5<sup>th</sup> Wheel, and we have problems with the lane widths along El Paso Road. We are larger vehicles driving the road. Our tires are usually on the lines because the lanes are not wide enough. We are not alone here, the Truckers that supply the Emmett Valley have easier access to I84 when using El Paso Road as their access to and from Emmet. Gem County has only three direct ways to the Boise Valley. El Paso is one of the most popular because it is a straight line to either exit 17 or 25 on I84. Those large commercial trucks frequent this road, and it needs to have wider lanes to accommodate larger vehicles. Especially if the county is planning to add to the traffic by allowing the housing developments to continue.

Winter conditions become a huge issue when we are not plowed. I heard that the county plows out here on school days as the bus routes have priority. I rarely see the plows until the road is packed and icy already causing dangerous conditions and the plow just shines the icy road more than helps create safety. With the proposed housing this adds cars, minimum of three cars per home, to the already problematic roads. What solution does the County have to address this? Will the county make the builders pay impact fees to cover the cost of making a functioning road with shoulders and turn lanes into the subdivisions or will the County cover the cost?

The second issue with infrastructure is Patrol and Emergency Response. We are at the edge of Gem County and our response team is a mix of Canyon County as well as Gem County. We have the Gem County Sheriff and Paramedic with the Canyon County Mid-Star Fire Department. The response time is no less than 25 minutes up to 45 minutes, as a resident out here those numbers are not comforting. With the county's property tax assessment that has increased exponentially over the last 2 years I have wondered why the funds have not been allocated to more staff at the Sheriff's office. We are rarely patrolled out here. Also, why is there no plan to put in a Fire Department on this end of the County? Will the County make the builders pay impact fees to help with cost of adding a Fire Department closer so that response time is less?

Property taxes are another concern for us. If the housing is allowed to saturate our rural area our home prices will increase therefore increasing the taxes. In normal inflation that is a good thing. However, with the GIANT increase it's not manageable. We have gone from purchasing our home for \$350,000 in 2014 to an assessed value of \$1,106,365 this year. This is unreasonable and puts us in a precarious situation with our mortgage payments. We will not have the choice of residing where we love if the property taxes go any higher. We will have to choose another area with lower tax rates to survive. With the already increased rates I am looking for the county to make my life out here easier with priority seasonal road maintenance, better sheriff patrol, quicker emergency response times, and a re-built road for safety.



Crime rates, with increase housing the crime rates will also increase. With the low staffing for patrol and control this only makes the county look defenseless. I'm not an expert but I know that this proposed housing will have an impact on crime. Population, its racial and ethnic makeup, its composition by age and gender, educational levels, and prevalent family structures are all key factors in assessing and comprehending the crime issue. When we start upsetting the norm and bring in people who don't have experience in agriculture or the process of harvesting problems can arise, and friction occurs. What is the County's response to manage this potential issue?

Concerns about preserving agriculture, our rural way of life, as well as preserving wildlife in the County Comprehensive plan. Allowing new construction homes to be built out here on the edge of BLM land that houses large game such as Elk, Deer, Mountain Lion, and Fox, as well as Birds of Prey, Geese, Ducks, and Curlew. This land is on the border of the protected Curlew Birds habitat. Think of the impact more housing will have on the wildlife. It can potentially force them away. What is the County's plan for maintaining the wildlife habitats if this subdivision of potentially many subdivisions is allowed?

One of my last concerns is of the impact the housing will have on my current domestic well. This year we have faced something called a "mega drought" which had the potential of compromising the sustainability of our well water. Thankfully, it was just a scare and did not play out. It did however bring my fears to the forefront and made water a priority for us. If we add to the problem by increasing the number of homes that draw from the same aquifer, are we not allowing future problems with our wells? We all have seen the devastation of California water issues with dried up wells due to over housing and overwhelming the underlying aquifers. When a well runs dry, it will disrupt an entire community, making it impossible to sustain agriculture, industry, and life itself. Depletion of our groundwater is a critical issue and needs addressed. Will the County do an impact study on our well water and its effects if we allow more housing?

Lastly, I feel that allowing this subdivision will disrupt the current rural look and feel of our community here. The housing increase does not fit with our current rural aesthetics. Myself and my family are against this proposed subdivision. I ask the County to consider wisely, to understand our issues, to address the solutions before approving the additional housing on El Paso Road. If there are no solutions, then there should be no housing.

Sincerely,



**Kathy Attebery**





Letter of Opposition  
To  
Proposed El Paso Ranch 13 Lot Subdivision  
Gem County, ID: NE ¼ Sec. 28, T6N R3W  
El Paso Investments, LLC, Kelly Fulfer

To:  
Gem County Development Services  
415 E. Main Street,  
Emmett, Idaho 83617

I, Maria Castaneda, a Gem County resident living  
at 1350 Sagebrush Ln, Caldwell, ID 83607, oppose the Proposed El  
Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El  
Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects this Proposed Subdivision will bring  
to the area:

- Increased road decline and traffic congestion adding to an already dangerous situation  
on El Paso Road, Dewey Road and Dobie Road/SE 11<sup>th</sup>
- \* Impact on current domestic wells and unknown long-term effects \*
- Destruction of Agricultural land
- Impact on wildlife habitat and further destruction of wildlife habitat
- EMS Response (Sheriff, Fire, Medical)
- This type of Proposed Subdivision does not fit into the current area

Please  
save our  
water  
&  
roads!

I urge you to deny this Proposed Subdivision.

Respectfully,

Maria Castaneda

&  
think of the increased  
fire danger!!

Mark & Marie Rose

9950 Blanc Ln. Caldwell, ID 83607 | 208-286-8984 | mkgrose@yahoo.com



7/22/2022

Gem County Development Services  
415 E. Main St.  
Emmett, ID 83617

**RE: Proposed El Paso Ranch 13 Lot Subdivision in Gem County, involving El Paso Investments, LLC.  
Kelly Fulfer**

**Dear Gem County Development Services:**

We are Gem County residents living at 9950 Blanc Ln. We oppose the proposed El Paso Ranch 13 Lot Subdivision (NE 1/4 Sec. 28, T6N R3W) as it is presently presented by El Paso Investments, LLC, Kelly Fulfer.

Our opposition is based on the following negative effects this proposed subdivision will bring to the area:

- The roads are presently inadequate to the current levels of traffic congestion and speed. Fatal accidents have occurred recently supporting these concerns. El Paso Rd. does not have the ability to be expanded and safety concerns will only heighten with the increased traffic from the development. The maintenance of the road is also a concern with the traffic from construction vehicles and increased population.
- Water tables will be affected with the increased number of private wells installed to support this subdivision.
- The impact on water availability will encourage more farmers to leave the area, selling to more developers and furthering construction. This area is farm country, on the border of the county and removed from most services. Development like this is better placed closer to town where the services can better support the population influx.
- Continued development will push out the wildlife as their natural habitats are disturbed or destroyed. Wildlife is part of the charm of country life, and we do not want to see it disappear. We are further concerned with the increased population so close to the BLM land and the increased risk of wildfires.
- Response times on community services for law enforcement, fire and other emergency services are already well over 30 minutes and can push up to an hour wait time. Increased development will only increase response time and the probability of emergencies and wildfires, placing our home at greater risk.

We urge you to deny this proposed subdivision or postpone consideration until impact reports can be provided to residents and we have the opportunity to respond with responsible demands that would support the community they are impacting. It is not right for corporations to come into a community,



develop areas that increase the demand on our resources and services, and then leave, dissolving the LLC they worked under and ~~eliminating their liability to all future harmful effects~~. As residents we will have no recourse when our well will need to be redrilled, our community services are further delayed in response time and our roads have been worn from the construction traffic. We ask you to consider the needs and concerns of our community first.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kari Rose". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Mark & Kari Rose

Letter of Opposition

To

Proposed El Paso Ranch 13 Lot Subdivision

Gem County, ID: NE ¼ Sec. 28, T6N R3W

El Paso Investments, LLC, Kelly Fulfer



To:

Gem County Development Services

415 E. Main Street,

Emmett, Idaho 83617

I Brittney Ketcherside, a Gem County

resident living at 7353 Cloud Ct., oppose the  
Proposed El Paso Ranch 13 Lot Subdivision.

This Proposed Subdivision is in Gem County, ID: NE ¼ Sec. 28, T6N R3W and proposed by El Paso Investments, LLC, Kelly Fulfer.

My opposition is based on the following negative effects:

- Developer cannot tell us how adding 13 new wells will affect current wells in the next 10 years - well levels have started dropping quickly
  - Placement of private lanes next to blind hills. Very similar to Dobie and cloud - there will end up being another fatality out here
  - Fire prevention - developer claims that by adding grass requirement will prevent this. Would like to see a plan with fire department.
  - Road conditions - construction vehicles drive like idiots out here as well as other vehicles - patrols aren't able to be out here as needed.
  - ShenFF's response is 30 mins min. Need more EMS resources to accommodate growing area if approved
  - Developer needs to be held responsible for broken irrigation lines belonging to neighbor. This is very poor impression for someone who wants to build the area
- I urge you to deny this Proposed Subdivision.

Respectfully,

Brittney Ketcherside



July 28, 2022



Ben County Development Services  
415 Main Street  
Emmett, Idaho 83607

RE: Opposition To Proposed El Paso Ranch 13 lot  
subdivision NE 1/4 SEC 28 T6N R3W  
El Paso Investments, LLC, Kelly Fuller  
TAX PARCEL 4 RPO 6140 3W 28 000 0  
my opposition is based on the following list of  
Concerns:-

1. Southwest District Health Dept. hasn't received the Engineering report on the septic systems installed.
2. Structures and buildings need to fit into the existing neighborhood. Pictures of the existing homes will be provided by Vicki Hallman with her concerns.
3. El Paso road is a good road as the road Dept. does a good job of maintenance and repairs as needed.  
An additional account is not needed, stop signs are safer. Existing residents stop at the entry of El Paso and check traffic before entering El Paso Road. Proven to be safe for years.  
Also, additional lane would require taking land from existing land owners, and be less safe.

4. Speed limit on El Paso Rd. should remain 43 mph or increase to 50 mph, as other County roads, to keep traffic moving. We don't need slow congested traffic.
5. Any needed County upgrades such as new schools, firehouses, additional police, road upgrades etc. needs to be done after these houses are sold and share in paying for County expenditures they create.
6. Irrigation systems, isn't planned in letter of intent, completely, as the water in the Canal is full of debris and needs to be cleaned before it reaches the planned pressure systems. The representative for the subdivision told me they removed the existing turbulent flow cleaning structure the former owner used for cleaning the Canal water before it reached his irrigation system. The water needs to be cleaned before it reaches the landowners property. The representative also told me the landowners were responsible for their own filters. These smaller filters will plug up rapidly and the system will fail. ~~Until~~ Until their systems are installed and proven to work correctly, they are in violation of the letter of intent for both



well water & a promised pressurized irrigation system.

### Neighborhood meetings-

Letter of intent says land owner agreed to adding an additional 10 ft. of easement for access to the northeast corner of the development. She says she didn't do any such thing.

Also, there was a discussion of a sheep herders road that belongs to this same lady. If she is correct the lots along the north side of the development may not have 5 ac of land. This needs to be resolved before this subdivision should be approved.

Sincerely,

Jessie Lucena  
5500 Elda Rd.

7/29/22



## Proposed El Paso Ranch Subdivision

NE 1/4 Sec 28 T26N R3W Tax# RP06N03W2800

My concern of proposed project are wells septic systems, speed limits and traffic.

Also schools, property values.

I would hope you look close at the effect of amount of wells being drill and consider that we are in a drought also the result this will have on the aquifer overtime In the letter of intent they stated well logs have been reviewed I would like see report they are speaking about and where these well are located

Southwest Health was contacted concerning septic systems. Southwest Health ~~have~~ stated that an engineering report has yet been submitted, therefore ~~septic systems cannot be~~ ~~for~~ report can not be finalized or okayed.

I don't believe lowering the Speed limit or adding a turn lane will be the solution But will add to the problem.

Emmett Classrooms are already over crowded what effect will the increase of students have on School system

over



I don't believe the home proposed to be built fits in the existing neighborhood. ~~The~~ Home surround the subdivision do not have multiple car garages with RV garages. I am also worried what this will do to the value of existing homes.

In consideration I would like you to consider the well, septic, speed, traffic and the type of home being built. We all have been accustom to a quite calm farming community.

Orlivi Holmes  
6345 El Paso Rd  
Caldwell Idaho  
83607



