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Owyhee County
Planning & Zoning

PO Box 128, Murphy, ID 83650
Phone (208) 495-2095 Fax (208) 495-2051

Land Use Permit Application

Requiring Public Hearing

X ☐ SINGLE FAMILY RESIDENCE ☐ COMMERCIAL ☐ SUBDIVISION ☐ CAFO ☐ INDUSTRIAL
☐ REZONE ☐ OTHER _____

Hylke van Es
APPLICANT/ APPLICANT REPRESENTATIVE

TBD Poison Creek Rd.
PROJECT ADDRESS/LOCATION

8144 U.S. Highway 95
MAILING ADDRESS

13 | 2N | 5W
SECTION | TOWNSHIP | RANGE

Marsing | Idaho | 83639
CITY | STATE | ZIP CODE

Does this parcel border dry land/range land? (Y) N
(If yes, please include fire mitigation measures on site plan)

(208) 899-0004 | hylkevones11@gmail.com
TELEPHONE | EMAIL OR FAX

RP02N05W135412
TAX ASSESSOR'S PARCEL NUMBER(s)

Dale Van Es
OWNER'S NAME

Agricultural
CURRENT ZONING OF THE SUBJECT PARCEL

8222 Deseret Dr
WNER'S MAILING ADDRESS

Agricultural
CURRENT USE OF THE SUBJECT PARCEL

Marsing | ID | 83639
CITY | STATE | ZIP CODE

Residential
PROPOSED USE

208 2500478 | dalevones@AOL.com
OWNER'S PHONE NUMBER | EMAIL OR FAX

2200 sq. ft
TOTAL SQ. FT OF ALL PROPOSED STRUCTURES

I DECLARE UNDER PENALTY OF PERJURY that I/we, Hylke van Es & Dale van Es, being duly sworn, depose and say that I/we am/are the applicant(s) in the foregoing application, that I/we have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. Furthermore, all information and data submitted to Owyhee County in support of my application is true and correct to the best of my knowledge. I/we acknowledge that by submitting this application a member or members of the planning and zoning commission may physically make a site visit to the proposed site and surrounding vicinity. I/we understand that this will be done at an unannounced time without conversation with owners, applicants, or the public.

Dated: 3-16-21 Signed: _____

Dated: 3-16-21 Signed: _____

On the 16th day of March, 2021, before me, the undersigned Notary Public, personally appeared, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

BARBARA EASTERDAY
Notary Public - State of Idaho
Commission Number 65817
My Commission Expires Jun 22, 2021

Barbara Easterday
Notary Public

Residing at Marsing Id
Commission Expires: 06-22-2021

FOR ADMINISTRATIVE USE
File No. Z21-15 Rec'd by: J. Sutton Date: 3/19/21 Pd: $1200.00 Check No. 118

AFFIDAVIT

TATE OF IDAHO)
COUNTY OF OWYHEE)

I, Hylke Van ES, being duly sworn, depose and say that I am the applicant in the foregoing application, that I have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. Furthermore, all information and data submitted to Owyhee County in support of my application is true and correct to the best of my knowledge.

APPLICANT SIGNATURE

8144 U.S. Highway 95
ADDRESS

Marsing, Idaho 83639
CITY/STATE/ZIP

(208) 899 - 0004
TELEPHONE

I, Dale Van Es, the owner (if other than the applicant) of the real property involved in this application, do hereby consent to the filing of this application.

OWNER SIGNATURE

8222 Desert Dr
ADDRESS

Marsing ID 83639
CITY/STATE/ZIP

208 250 0478
TELEPHONE

On the 16th day of March, 2021, before me, the undersigned Notary Public, personally appeared Hylke Van Es & Dale Van Es, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

BARBARA EASTERDAY
Notary Public - State of Idaho
Commission Number 65817
My Commission Expires Jun 22, 2021

Barbara Easterday
Notary Public

Residing at Marsing Id
Commission Expires: 06-22-2021

Hylke van Es
8144 U.S. Highway 95
Marsing, ID 83639
(208) 899-0004

March 14, 2021

Owyhee County Planning and Zoning Commission
PO Box 128
Murphy, ID 83650

Commission Members,

I, Hylke van Es, am requesting that the Owyhee County Planning and Zoning Commission consider this application for a Conditional Use Permit for a Single-Family Residence to be built on Parcel #RPO2N05W135412 at TBD Poison Creek Road, 13 2N 5W. The subject parcel's current use is Agricultural. The purposed use is Residential.

My intent is to have a house built at this location by Liberty Enterprises. The house will be a single story, single-family home with no basement. The house will be four bedrooms and two- and one-half bathrooms with a two-car garage. The home will be approximately 2200 sq ft. The house is to be built on the high point of the property, directly north of the existing barn.

The subject parcel is legally accessed via Poison Creek Road. The existing driveway is approximately 260 feet from the northwest corner of the parcel and approximately 840 feet from the northeast corner of the parcel. Access to the subject parcel does not require crossing over private property owned by any other party.

The subject parcel is located in the Gem Highway District. Gem Highway District will be consulted to ensure that the current access is brought up to all codes, including that the access must be an all-weather driving surface at least 20 feet wide with a six-inch gravel base, graded and compacted, with a turnaround space provided pursuant to the 2012 International Fire Code.

The subject parcel is in the Gem Herd District. I recognize and accept the responsibility to fence livestock on my own volition as owner of land in a herd district. Conditional permits will be sought, as necessary, for livestock brought onto the property. Fencing and livestock facilities will be updated, repaired and maintained to ensure fulfillment of the responsibility of living in a herd district.

The septic system will be placed where recommended by Liberty Enterprises, who will complete the system and any work associated with its construction, ensuring that all codes are followed. Approval of the septic system will be sought from Southwest District Health. Said approval will be submitted prior to seeking a certificate of occupancy.

The source of domestic water for the subject parcel will be a currently standing private well. The well will be evaluated by Liberty Enterprises to ensure that it is up to code and can supply an adequate amount of water. Said well will also supply water to landscaping and potential future livestock. Approval of the well site will be sought from Southwest District Health. Said approval will be submitted prior to seeking a certificate of occupancy.

Power is already established on the subject parcel. The power will be evaluated by Liberty Enterprises to ensure that it is adequate for the needs of the property and is safe and up to codes. Any new exterior lighting will be shielded so that the bulb is not visible below a horizontal plane running through the lowest point of the fixture and no light will be emitted from the sides of the fixture.

The land to the north of the subject parcel, across Poison Creek Road, is residential and irrigated farm ground. The land to the east and to the south of the subject parcel is state-owned, undeveloped dryland/range land. The land to the west of the subject parcel is residential and irrigated farm ground.

The Marsing Fire Department will also be consulted to ensure that the parcel and home are up to code and as safe as possible from fire hazards.

This parcel and purposed single-family dwelling will allow for myself, a farm owner's family member and employee who is employed full time in the operation of the farm, a home that is close to work and family, while still allowing me to carry out my dream of owning a home in Owyhee County. I will never attempt to subdivide the subject parcel.

The home and landscaping will be well kept, as will the livestock facilities. Weeds and pests will be controlled on the subject parcel. No abandoned or junk vehicles, debris, rubbish or other solid waste will accumulate on the property and a containment area will be constructed for trashcans to minimize wind, animals or other uncontrollable sources spreading trash to surrounding areas.

I understand that if granted, this conditional use permit will expire 24 months from the date the written decision is signed if no substantial progress has been made toward development of the permitted residential use or if an extension of the life of the permit has been requested prior to its expiration.

The purposed changes will allow this once prosperous piece of property to once again flourish. Currently, the subject parcel is sitting unused, but by building my home and living on this parcel, I will be able to bring it back into use.

With appreciation,

Hylke van Es

Review Criteria 1-9

1. **Whether the intended use is necessary or desirable to the public convenience and welfare.**
   Approval of the proposed project will ensure that a hardworking farmer and citizen of Owyhee County can live close to his work and build his dream of starting his own operation. Additionally, currently unused, mostly unmaintained, property will be returned to operation and functionality. The home will be attractive, well maintained and beautifully landscaped and the existing buildings will undergo needed repairs. Ultimately, the property will not only be utilized, but also beautified by the proposed project and a citizen of Owyhee County will get to establish his roots in Marsing.

2. **Whether the proposed use may create a hazard, nuisance, detriment, or other injury to other property in the immediate vicinity or to the health or safety to the citizens of the county in general.**
   The applicant does not believe that the proposed project will cause any negative impacts to the immediate vicinity or to the citizens of the county. Rather, the project will utilize currently unused ground in a practical, positive manner that will beautify the land. The house proposed in this project will be maintained with the utmost care and the current buildings and livestock facilities will be repaired so that they are neither hazardous, a nuisance, detrimental, injury inducing, or hazardous to the eye of the citizens of Owyhee County or neighboring properties.

3. **Whether essential public services, or the general public health or safety, or the general public environment may be negatively impacted by such use or whether there may be a requirement of additional funding in order to meet the needs created by the requested use.**
   The applicant does not see potential for any negative impacts on public services, public health or safety, or the general public environment due to the proposed project. The house will meet all codes, as will the access point, septic system, power, livestock fencing and well. The necessary funding for the project is secured and will not request public funds.

4. **Whether adequate sewer, water and drainage facilities, and other service systems are to be provided by the applicant to accommodate said use.**
   The applicant will complete and maintain all sewer, water, and drainage facilities and other service systems. Sewer, water, drainage facilities and other service systems will be provided by the applicant to accommodate the residential use, as well as for the livestock facilities.

5. **Whether the proposed use may have adverse impact on water supplies, both surface and underground.**

   The proposed project will have no adverse impact on surface or underground water supplies. The water rights for the parcel are provided by the existing well. The applicant intends to use the existing certified well. Surface water is graded to drain in the natural existing grade of the site.

6. **Whether the geological base on which the use is place may not support the proposed used.**

   The geological base is suitable and will support the proposed project. The natural grade will be utilized, and the addition of landscape will reduce potential erosion and utilize potential water runoff.

7. **Whether the proposed use at the site may endanger human health, animal health, animal life and plant life in the surrounding area and /or the county in general. (i.e., species of animals or plants, their habitats might be harmed or interfered with by the proposed use.**

   The proposed use of this site will not endanger human or animal health or animal or plant life in the surrounding area or the county in general. The proposed site is farm ground currently not being utilized that already has standing structures. The zoning change from agriculture to residential will not have any negative effect. The proposed structure will not be obscuring any habitat as it is to be placed on already cleared ground.

8. **Whether the proposed use compliments, benefits and is compatible with the surrounding land uses.**

   The proposed use of the land compliments, benefits, and is compatible with the surrounding land uses. As many of the surrounding properties are residential farm ground, the addition of a house to the subject parcel is compatible, complimentary, and beneficial.

9. **Whether special conditions could be imposed upon the proposed use which would so minimize any adverse impact as to justify the granting of the conditional use permit. In response to this point, please consider and propose and special condition which the commission could issue which would minimize or mitigate an adverse impact as described in all the above questions.**

   The standard special conditions have been received and read. The applicant agrees to and intends to fully abide by all standard special conditions that are imposed on every conditional use permit.

Instrument # 285574
MURPHY, OWYHEE, IDAHO
2015-01-02 09:30:10 No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY/OWYHEE
ANGELA BARKELL Fee: $13.00
Ex-Officio Recorder Deputy: map
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:
Van Es Dairy, Attn: Dale Van Es
8222 Desert Dr.
Marsing, ID 83639

File No. 558126

ELECTRONICALLY RECORDED - DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT.

WARRANTY DEED

For value received, **Richard P. Rausch, an unmarried man,** Grantor, does hereby grant, bargain, sell and convey unto **Dale Van Es and Jackie Van Es, husband and wife,** Grantees, whose current address is 8222 Desert Drive, Marsing, Idaho 83639, the real property described on Exhibit "A" attached hereto and made a part hereof.

To have and to hold said premises, with their appurtenances, unto Grantees and Grantees' heirs and assigns forever. The appurtenances associated with the premises specifically EXCLUDE the following water rights on file with the Idaho Department of Water Resources: 57-10650 and 57-10651, which are expressly reserved for the use with the real property excepted from the conveyance described in Exhibit "A."

Grantor does hereby covenant to and with Grantees that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances EXCEPT current years taxes, levies, and assessments, which are not yet due and payable, irrigation and utility assessments, unrecorded easements and encroachments visible upon the premises, any encumbrances suffered or done by Grantees, U.S. Patent reservations, and all recorded restrictions, covenants, dedications, easements, rights of way, agreements, and other matters of record; and that Grantor will warrant and defend the same from all lawful claims whatsoever, subject to the foregoing exceptions.

RICHARD P. RAUSCH

State of Idaho, County of Canyon

On this 18th day of December, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard P. Rausch, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Residing at: Wilder
Commission Expires: 12-7-17

KIMBERLY A. DOAN
NOTARY
PUBLIC
STATE OF IDAHO

EXHIBIT "A"

Description of Real Property

In Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho:

Parcel 1:

Section 13: West Half of the West Half of the Southwest Quarter of the Southwest Quarter;

Parcel 2:

Section 14: The East 90 feet of the Southeast Quarter of the Southeast Quarter;

EXCEPTING FROM both Parcels 1 and 2 the following described property:

Portions of Sections 13 and 14, Township 2 North, Range 5 West, Boise Meridian, situated in Owyhee County, State of Idaho, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 13, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, thence South along the West line of said Southwest Quarter of the Southwest Quarter, 340.00 feet to a point on said West line, being the POINT OF BEGINNING;

THENCE, East, 88.00 feet;

THENCE, South 22°00'00" East, 247.00 feet;

THENCE, South 78°00'00" West, 176.00 feet;

THENCE, North 77°00'00" West, 100.96 feet, to a point on a line that is 90.00 feet parallel to, and West of, such West line of said Southwest Quarter of the Southwest Quarter;

THENCE, North along such parallel line, 187.03 feet;

THENCE, North 58°10'19" East, 105.93 feet to the POINT OF BEGINNING.

Instrument # 295190
MURPHY, OWYHEE, IDAHO
2018-02-21 10:50:46 No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY/OWYHEE
ANGELA BARKELL Fee: $25.00
Ex-Officio Recorder Deputy: map
Index To: DEED
Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Desert Farms Real Estate, LLC
c/o Van Es Dairy, Attn: Dale Van Es
8222 Desert Dr.
Marsing, ID 83639

(Pioneer Title File No. 638225)

ELECTRONICALLY RECORDED - DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT.

DV

WARRANTY DEED

For value received, **Kelly Lynn Rausch, as Successor Trustee of The Richard P. Rausch Revocable Living Trust Dated November 9, 2015,** Grantor, does hereby grant, bargain, sell and convey to **Desert Farms Real Estate, LLC,** Grantee, whose current address is 8222 Desert Drive, Marsing, Idaho 83639, the following described real property:

As described in Exhibit "A" attached hereto and made a part hereof.

To have and to hold said premises, with their appurtenances, unto Grantee forever. The appurtenances associated with the premises specifically include the following water rights on file with the **Idaho Department of Water Resources: 57-10650 and 57-10651.**

Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances EXCEPT current years taxes, levies, and assessments, which are not yet due and payable, irrigation and utility assessments, unrecorded easements and encroachments visible upon the premises, any encumbrances suffered or done by Grantee, U.S. Patent reservations, and all recorded restrictions, covenants, dedications, easements, rights of way, agreements, and other matters of record; and that Grantor will warrant and defend the same from all lawful claims whatsoever, subject to the foregoing exceptions.

Dated: February 3, 2018

Kelly Lynn Rausch

Kelly Lynn Rausch, as Successor Trustee of
The Richard P. Rausch Revocable Living Trust
Dated November 9, 2015

Notarial Acknowledgment

STATE OF ARIZONA

COUNTY OF MARICOPA

On this 3 day of February, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Kelly Lynn Rausch, as Successor Trustee of The Richard P. Rausch Revocable Living Trust Dated November 9, 2015, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same as Successor Trustee of said Trust.

Name (printed): Lauren W Lunday

Residing at: 9719 N. Hayden Rd
Scottsdale Az 85258

OFFICIAL SEAL
LAUREN W LUNDAY
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
My Comm. Expires 11/17/2021

Commission Expires: 11-17-2021

[NOTARIAL SEAL]

295190

Exhibit "A"

Description of Property

Portions of Sections 13 and 14, Township 2 North, Range 5 West, Boise Meridian, situated in Owyhee County, State of Idaho, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 13, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, thence South along the West line of said Southwest Quarter of the Southwest Quarter, 340.00 feet to a point on said West line, being the POINT OF BEGINNING;

THENCE, East, 88.00 feet;

THENCE, South 22°00'00" East, 247.00 feet;

THENCE, South 78°00'00" West, 176.00 feet;

THENCE, North 77°00'00" West, 100.96 feet, to a point on a line that is 90.00 feet parallel to, and West of, such West line of said Southwest Quarter of the Southwest Quarter;

THENCE, North along such parallel line, 187.03 feet;

THENCE, North 58°10'19" East, 105.93 feet to the POINT OF BEGINNING.

Exhibit "A"

Description of Property

Tract I:

Portion of Section 13, Township 2 North, Range 5 West, Boise Meridian, situated in Owhyee County, State of Idaho, described as follows:

That portion of the Northwest Quarter of the Southwest Quarter of Section 13 lying East of the Gem Irrigation District Lateral S.C. 26.9.

Tract II:

Portions of Sections 13 and 14, Township 2 North, Range 5 West, Boise Meridian, situated in Owyhee County, State of Idaho, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 13, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, thence South along the West line of said Southwest Quarter of the Southwest Quarter, 340.00 feet to a point on said West line, being the POINT OF BEGINNING;

THENCE, East, 88.00 feet;

THENCE, South 22°00'00" East, 247.00 feet;

THENCE, South 78°00'00" West, 176.00 feet;

THENCE, North 77°00'00" West, 100.96 feet, to a point on a line that is 90.00 feet parallel to, and West of, such West line of said Southwest Quarter of the Southwest Quarter;

THENCE, North along such parallel line, 187.03 feet;

THENCE, North 58°10'19" East, 105.93 feet to the POINT OF BEGINNING;

TOGETHER WITH an easement for utilities and vehicular and pedestrian access to and from said Tract II property under and over the following described real property:

> A strip of land seventy-five (75) feet in width located in Section 13, Township 2 North, Range 5 West, Boise Meridian, situated in Owyhee County, State of Idaho, described as follows:
>
> BEGINNING at a point on the North line of the Northwest Quarter of the Southwest Quarter of said Section 13 lying upon the centerline of the S.C. 26.9 Lateral of the Gem Irrigation District;

THENCE West 75 feet along said North line of the Northwest Quarter of the Southwest Quarter of said Section 13;

THENCE Southerly along a line running parallel to and 75 feet West of the centerline of said S.C. 26.9 Lateral to a point 650 feet Southerly of the North line of the Southwest Quarter of the Southwest Quarter of said Section 13;

THENCE East 75 feet from said parallel line to the centerline of said S.C. 26.9 Lateral;

THENCE Northerly along said centerline of said S.C. 26.9 Lateral to the POINT OF BEGINNING.

Valuation Summary Sheet

Time: 2/10/2021 9:15:46 AM

Parcel Number: RP02N05W135412

Property Address: 7770 POISON CREEK, MARSING ID 83639

Effective Date: 1/1/2010

Tax Code Area: 5-0000

Expiration Date:

Legal Description: NWSW LYING E OF THE GEM IRRG LATERAL "SC 26.9" 13 2N 5W

Legal Party Name	Address	City St Zip	
DESERT FARMS REAL ESTATE LLC	8222 DESERT DR	MARSING, ID 83639	Primary Owner

Cat ID	Ext	Rv Year	Unit	Quantity	Value	HO Mkt	HO Exemp	PTR	Other
01	L00	2020	AC	19.100	$16,732	$0	$0	$0	$0
02	L00	2020	AC	5.967	$1,283	$0	$0	$0	$0
05	L00	2020	AC	6.000	$180	$0	$0	$0	$0
19	L00	2020	AC	3.033	$0	$0	$0	$0	$0
32	R01	2020		-	$10,824	$0	$0	$0	$0
		Totals:		34.100	$29,019	$0	$0	$0	$0

Deed Date	Deed Reference
2/21/2018	295189
2/21/2018	292083,215
2/21/2018	243339
2/21/2018	220911
2/21/2018	210638-43

Zone Code:

Parcel Type:

Location Code: 3000

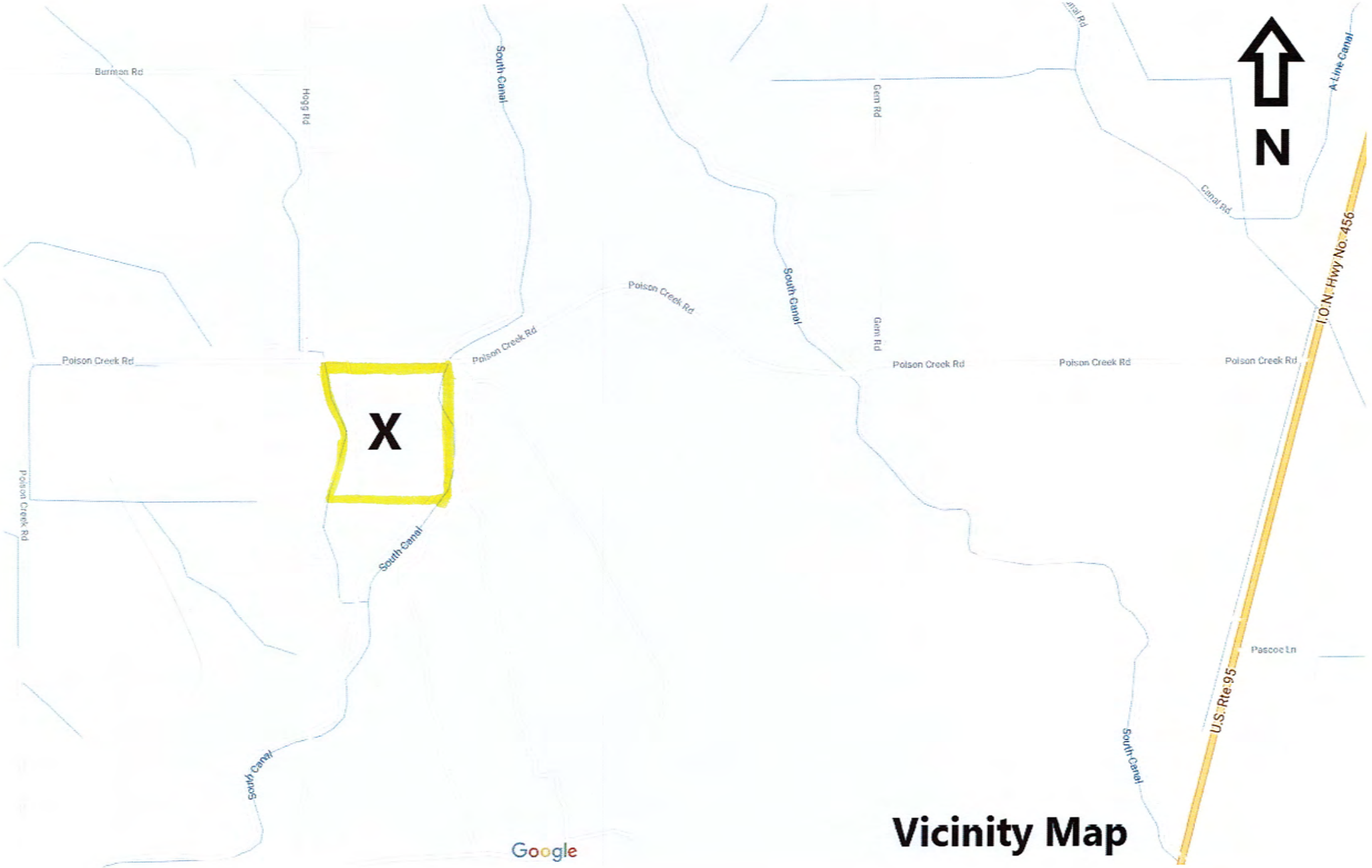
Comments:

SPLIT FROM #> RP02N05W135410A

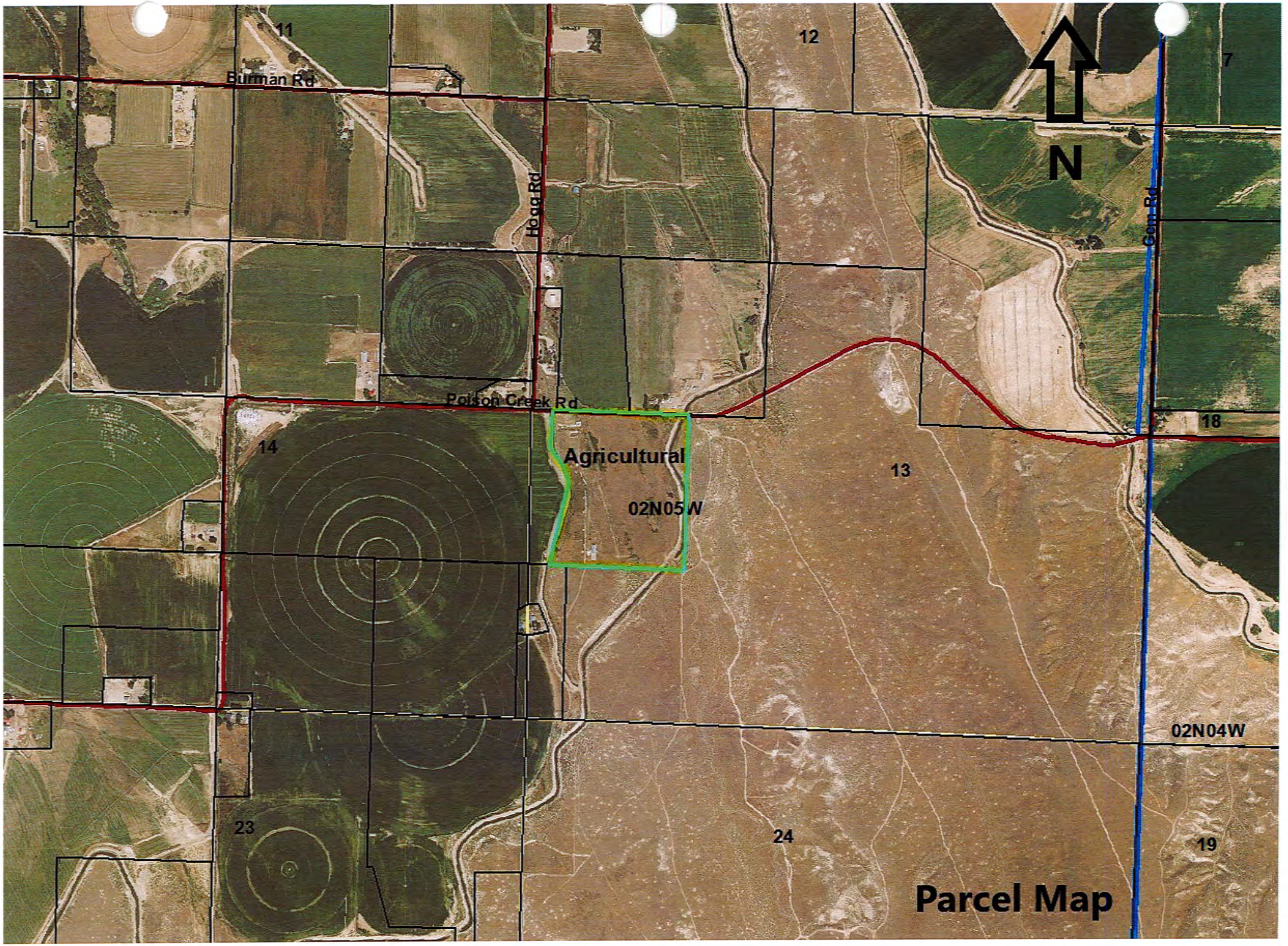
COMBINED/OLD#> MH02N05W135410T

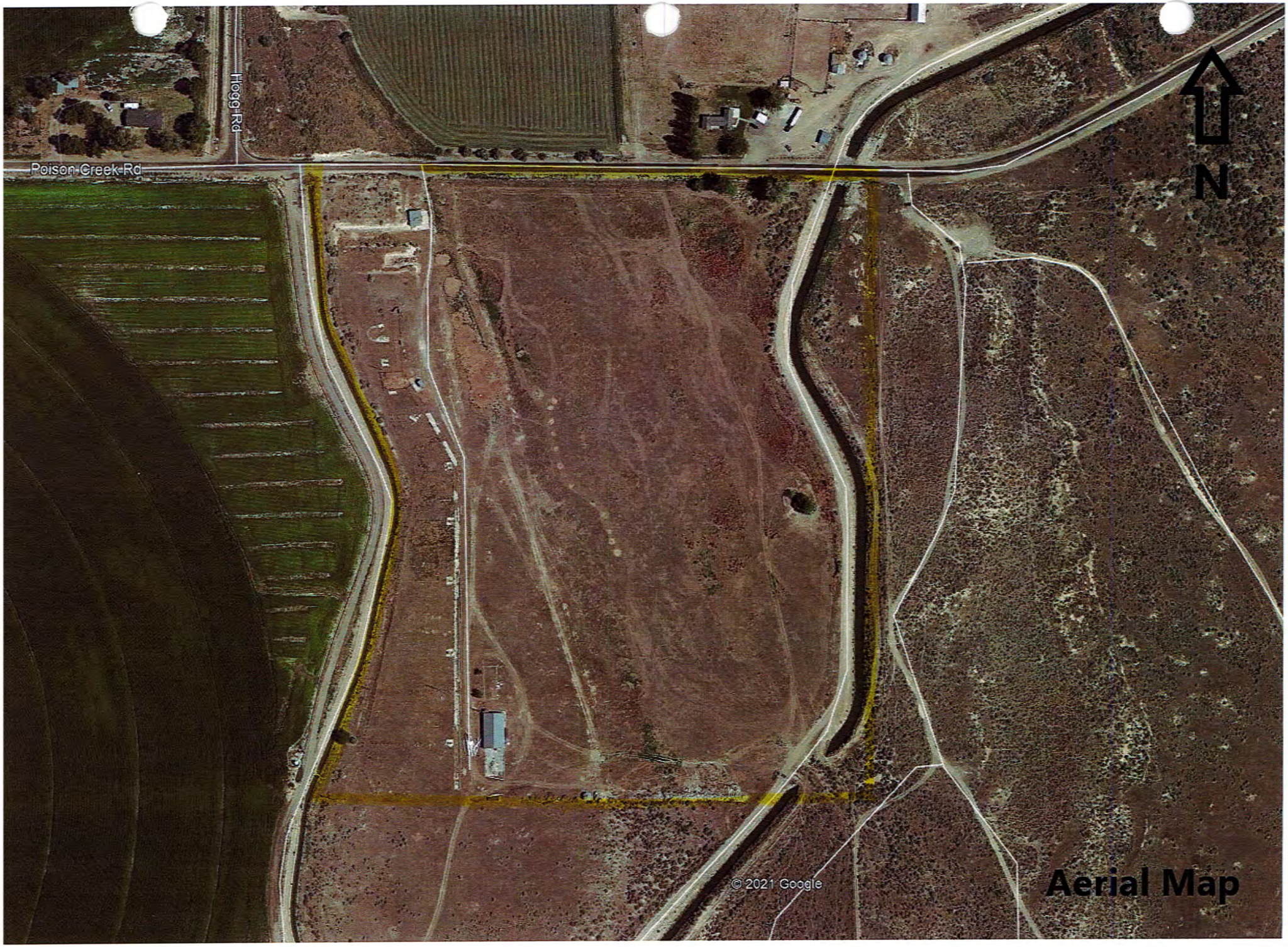
Detailed Site Plan

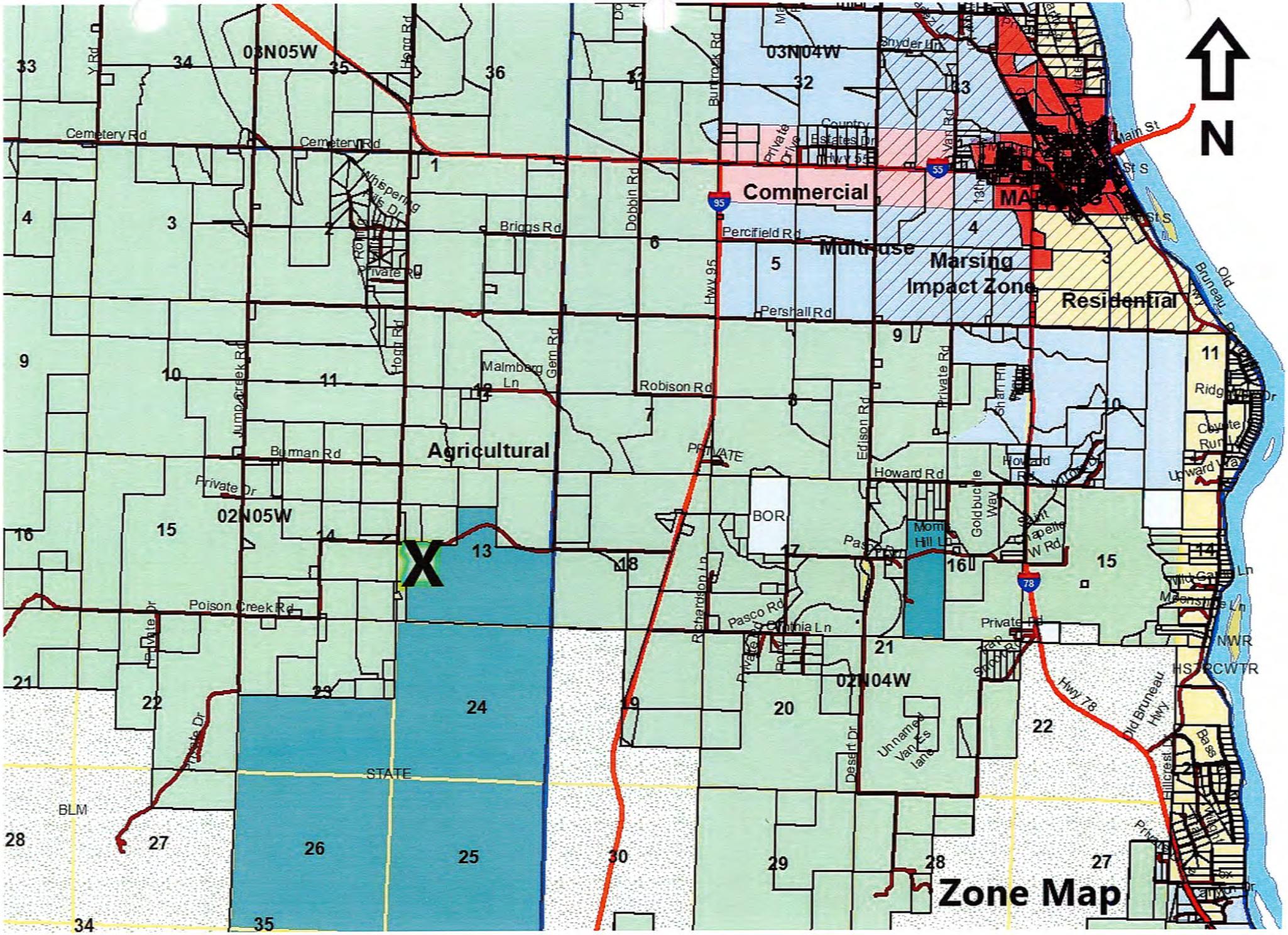
- property line
① = existing commodity shed (outbuilding)
② = existing barn (outbuilding)
③ = proposed construction zone
↑ = ground slope & water flow
④ = power access pole
⑤ = water access point
⑥ = existing private access (intended to be sole residential access)
⑦ = proposed 96' diameter



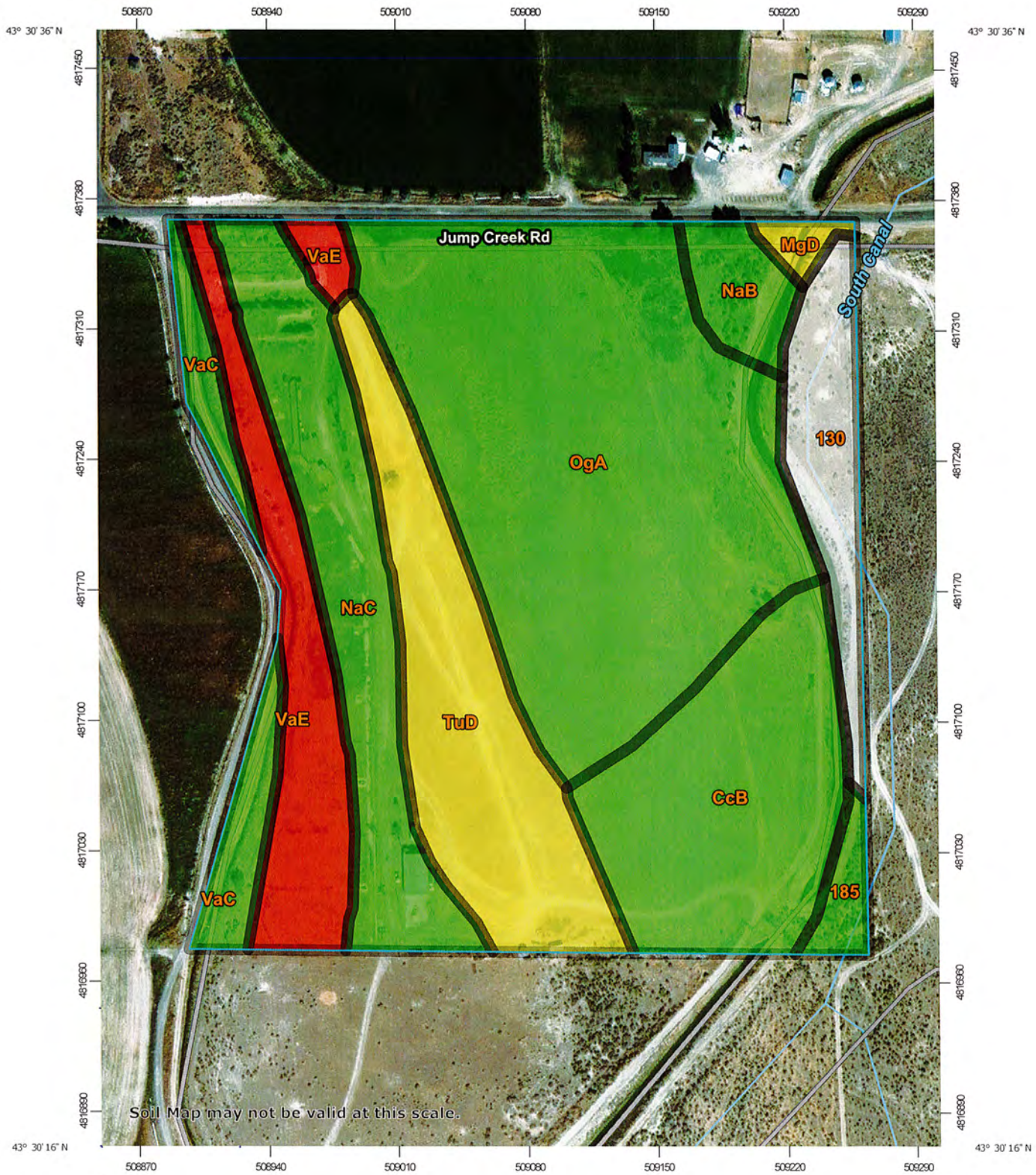
Vicinity Map


11
12
7
Burman Rd
Hogg Rd
N
Com Rd
Poison Creek Rd
18
14
Agricultural
13
02N05W
02N04W
23
24
19
Parcel Map


Hlodgy Rd
Poison Creek Rd
N
© 2021 Google
Aerial Map



N
Commercial
Multi-use
Marsing
Impact Zone
Residential
Agricultural
Zone Map
03N05W
03N04W
02N05W
02N04W
Cemetery Rd
Briggs Rd
Percifield Rd
Pershall Rd
Robison Rd
Burman Rd
Howard Rd
Poison Creek Rd
Pasco Rd
Cynthia Ln
Private Rd
Hwy 95
Hwy 78
Main St
Old Bruneau Hwy
Jump Creek Rd
Hogg Rd
Gem Rd
Dobbin Rd
Edison Rd
Private Dr
Richardson Ln
Desert Dr
Unnamed Van Es lane
Goldbuckle Way
Saint Chapelle W Rd
Mom's Hill Ln
Coyote Run Ln
Upward Way
Ridge Dr
Meanshine Ln
Hillcrest Dr
Country Estates Dr
Shyder Ln
Whispering Pills Dr
Malmberg Ln
Private Drive
PRIVATE
BOR
STATE
BLM
NWR
HSTRCWTR
X



Map Scale: 1:2,920 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Very limited
- Somewhat limited
- Not limited
- Not rated or not available

Soil Rating Lines
- Very limited
- Somewhat limited
- Not limited
- Not rated or not available

Soil Rating Points
- Very limited
- Somewhat limited
- Not limited
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:20,000 to 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Canyon Area, Idaho
Survey Area Data: Version 17, Jun 3, 2020

Soil Survey Area: Owyhee County Area, Idaho
Survey Area Data: Version 19, Jun 4, 2020

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 11, 2014—Mar 11, 2017

MAP LEGEND

MAP INFORMATION

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Dwellings Without Basements

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
CcB	Cencove fine sandy loam, 1 to 3 percent slopes	Not limited	Cencove (85%)		4.9	14.5%
MgD	Marsing loam, 7 to 12 percent slopes	Somewhat limited	Marsing (90%)	Slope (0.16)	0.3	0.7%
NaB	Nannyton fine gravelly sandy loam, 1 to 3 percent slopes	Not limited	Nannyton (80%)		0.9	2.6%
NaC	Nannyton fine gravelly sandy loam, 3 to 7 percent slopes	Not limited	Nannyton (95%)		4.3	12.7%
OgA	Oliaga loam, 0 to 1 percent slopes	Not limited	Oliaga (85%)		11.7	34.9%
TuD	Turbyfill fine sandy loam, 7 to 12 percent slopes	Somewhat limited	Turbyfill (90%)	Slope (0.16)	4.7	13.9%
VaC	Vanderhoff loam, 3 to 7 percent slopes	Not limited	Vanderhoff (95%)		1.4	4.2%
VaE	Vanderhoff loam, 12 to 30 percent slopes	Very limited	Vanderhoff (90%)	Slope (1.00)	3.2	9.4%
Subtotals for Soil Survey Area					**31.3**	**92.9%**
Totals for Area of Interest					**33.7**	**100.0%**

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
130	Pits, gravel	Not rated	Pits, gravel (100%)		1.9	5.7%
185	Typic Torripsamments-Typic Torrifluvents complex, gently sloping	Not limited	Typic Torripsamments (40%)		0.5	1.4%
Subtotals for Soil Survey Area					**2.4**	**7.1%**
Totals for Area of Interest					**33.7**	**100.0%**

Rating	Acres in AOI	Percent of AOI
Not limited	23.7	70.3%
Somewhat limited	4.9	14.6%
Very limited	3.2	9.4%
Null or Not Rated	1.9	5.7%
Totals for Area of Interest	**33.7**	**100.0%**

Description

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Hylke van Es
8144 U.S. Highway 95
Marsing, ID 83639
(208) 899-0004

March 14, 2021

Marsing Fire Department
Attn: Russ Lindeman
PO Box 299
Marsing, ID 83639

To Whom It May Concern:

I am in the process of applying to Owyhee County Planning and Zoning for a conditional use permit to establish Parcel #RPO2N05W135412 be zoned Residential. The current zoning of the subject parcel is Agricultural. It is my intention to build a Single-Family Residence on the 34.1-acre parcel of land located at TBD Poison Creek Road, 13 2N 5W, Marsing, Idaho. I have included a map of the subject parcel for your convenience.

I request that you reply to me, and Planning and Zoning, with any comments or concerns you may have about my project. If I do not receive a response, I will assume that the Marsing Fire Department has no objections to my proposal. Thank you for your time and for your consideration of my request and project.

Sincerely,

Hylke van Es

N
Jump Creek Rd
Hogg Rd
Potter Creek Rd
South Canal
©MyTopo
0
1,000 ft

Hylke van Es
8144 U.S. Highway 95
Marsing, ID 83639
(208) 899-0004

March 14, 2021

Gem Irrigation District
South Board of Control
PO Box 67
Homedale, ID 83628

To Whom It May Concern:

I am in the process of applying to Owyhee County Planning and Zoning for a conditional use permit to establish Parcel #RPO2N05W135412 be zoned Residential. The current zoning of the subject parcel is Agricultural. It is my intention to build a Single-Family Residence on the 34.1-acre parcel of land located at TBD Poison Creek Road, 13 2N 5W, Marsing, Idaho. I have included a map of the subject parcel for your convenience.

I request that you reply to me, and Planning and Zoning, with any comments or concerns you may have about my project. If I do not receive a response, I will assume that the Gem Irrigation District has no objections to my proposal. Thank you for your time and for your consideration of this my request and project.

Sincerely,

Hylke van Es

N
Hogg Rd
Jump Creek Rd
Owyhee
Poison Creek Rd
South Canal
0
1,000 ft

Hylke van Es
8144 U.S. Highway 95
Marsing, ID 83639
(208) 899-0004

March 14, 2021

Gem Highway District
Attn: Keith Berends – Roads Supr.
PO Box 453
Marsing, ID 83639

To Whom It May Concern:

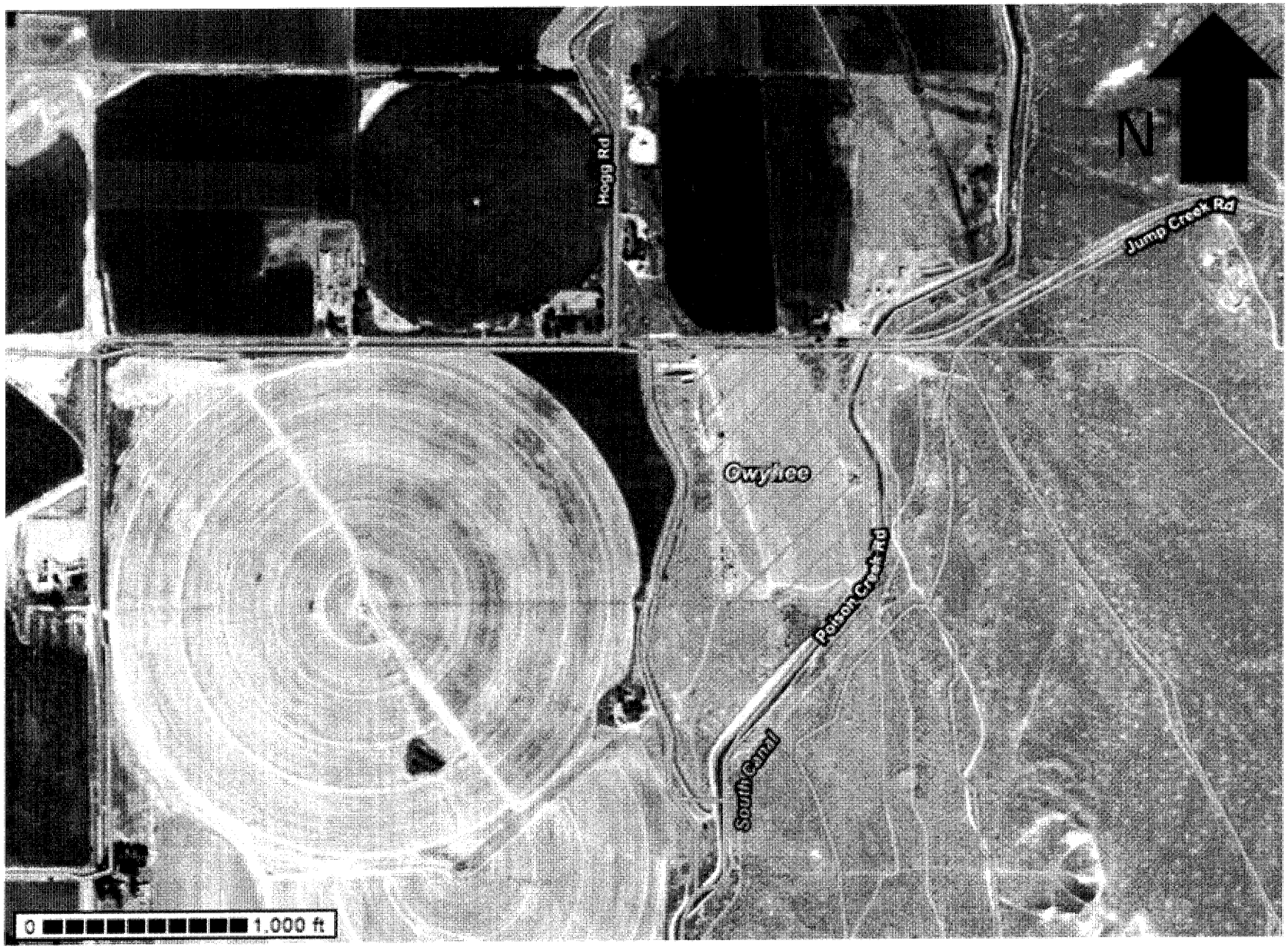
I am in the process of applying to Owyhee County Planning and Zoning for a conditional use permit to establish Parcel #RPO2N05W135412 be zoned Residential. The current zoning of the subject parcel is Agricultural. It is my intention to build a Single-Family Residence on the 34.1-acre parcel of land located at TBD Poison Creek Road, 13 2N 5W, Marsing, Idaho. I have included a map of the subject parcel for your convenience.

The existing access is 260 feet from the northwest corner of the parcel and approximately 840 feet from the northeast corner of the parcel. Access to the parcel does not require crossing over private property owned by any other party. I am requesting that the Gem Highway District offers any comments as to safety concerns about this access and any necessary changes that must be made for the it to be safe.

I request that you reply to me, and Planning and Zoning, with any comments or concerns you may have about my project. If I do not receive a response, I will assume that the Gem Highway District has no objections to my proposal. Thank you for your time and for your consideration of this my request and project.

Sincerely,

Hylke van Es


N
Hogg Rd
Jump Creek Rd
Owyhee
Poison Creek Rd
South Canal
0
1,000 ft

Hylke van Es
8144 U.S. Highway 95
Marsing, ID 83639
(208) 899-0004

March 14, 2021

Marsing School District
Attn: Superintendent Stewart
PO Box 340
Marsing, ID

To Whom It May Concern:

I am in the process of applying to Owyhee County Planning and Zoning for a conditional use permit to establish Parcel #RPO2N05W135412 be zoned Residential. The current zoning of the subject parcel is Agricultural. It is my intention to build a Single-Family Residence on the 34.1-acre parcel of land located at TBD Poison Creek Road, 13 2N 5W, Marsing, Idaho. I have included a map of the subject parcel for your convenience.

I request that you reply to me, and Planning and Zoning, with any comments or concerns you may have about my project. If I do not receive a response, I will assume that the Marsing School District has no objections to my proposal. Thank you for your time and for your consideration of this my request and project.

Sincerely,

Hylke van Es

N
Hogg Rd
Jump Creek Rd
Owyhee
Poison Creek Rd
South Canal
0
1,000 ft

UNITED STATES POSTAL SERVICE.

MARSING
210 W MAIN ST
MARSING, ID 83639-9998
(800)275-8777

03/15/2021 10:29 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		$0.55
Marsing, ID 83639			
Weight: 0 lb 0.50 oz			
Estimated Delivery Date			
Thu 03/18/2021			
Certified Mail®			$3.60
Tracking #:			
70160750000011297756			
Return Receipt			$2.85
Tracking #:			
9590 9402 6294 0274 2060 37			
Total			$7.00
First-Class Mail® Letter	1		$0.55
Homedale, ID 83628			
Weight: 0 lb 0.60 oz			
Estimated Delivery Date			
Thu 03/18/2021			
Certified Mail®			$3.60
Tracking #:			
70160750000011297749			
Return Receipt			$2.85
Tracking #:			
9590 9402 6294 0274 2060 44			
Total			$7.00
First-Class Mail® Letter	1		$0.55
Marsing, ID 83639			
Weight: 0 lb 0.50 oz			
Estimated Delivery Date			
Thu 03/18/2021			
Certified Mail®			$3.60
Tracking #:			
70160750000011297732			
Return Receipt			$2.85
Tracking #:			
9590 9402 6294 0274 2060 51			
Total			$7.00
First-Class Mail® Letter	1		$0.55
Marsing, ID 83639			
Weight: 0 lb 0.60 oz			
Estimated Delivery Date			
Thu 03/18/2021			
Certified Mail®			$3.60
Tracking #:			
70160750000011297725			
Return Receipt			$2.85
Tracking #:			
9590 9402 6294 0274 2060 68			
Total			$7.00
Grand Total:			$28.00

7016 0750 0000 1129 7756

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☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$7.00

$2.85 0339 06

MARSING ID 83639 MAR 15 2021 USPS

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Street and Apt. No., or PO Box No.: PO Box 453
City, State, ZIP+4®: Marsing, ID 83639

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0750 0000 1129 7749

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Homedale, ID 83628

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☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$7.00

$2.85 0339 06

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03/15/2021

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Street and Apt. No., or PO Box No.: PO Box 67
City, State, ZIP+4®: Homedale, ID 83628

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$7.00

$2.85 0339 06

MARSING ID 83639 MAR 15 2021

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03/15/2021

Sent To: Marsing Fire Department
Street and Apt. No., or PO Box No.: PO Box 299
City, State, ZIP+4®: Marsing, ID 83639

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Marsing, ID 83639

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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.55
Total Postage and Fees	$7.00

$2.85 0339 06

MARSING ID 83639 MAR 15 2021 USPS

Postmark Here

03/15/2021

Sent To: Marsing Fire Department
Street and Apt. No., or PO Box No.: PO Box 340
City, State, ZIP+4®: Marsing, ID 83639

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Owyhee County, Idaho

RIGHT TO FARM
Disclosure Statement

A. It is the intent of the Legislature of the State of Idaho pursuant to IDAHO CODE Title 22 Chapter 45, RIGHT TO FARM ACT to reduce the loss to the state of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance.
B. It is the intent of the Owyhee County Board of Commissioners and the Planning and Zoning Commission to uphold, support, and enforce the RIGHT TO FARM ACT.
C. The County of Owyhee fully supports and permits "agricultural operations" as defined in IDAHO CODE 22-4502, Definitions, when operated in accordance with generally recognized agricultural practices which includes conformity with Federal, State, and local laws and regulations and when not adversely affecting public health and safety.

I acknowledge Idaho's RIGHT TO FARM, and I accept the agricultural environment they protect and do agree to live within said environment.

Name: Hylke van Es

Name: Dale Van Es

Address: TBD Poison Creek Rd

Legal: Section: 13 Township: 2N Range: 5W

Assessor's Parcel Number: RP02N05W135412

Signature — Date: 3/14/2021

Signature — Date: 3-16-2021

STATE OF IDAHO, County of Owyhee ss.

On this 16th **day of** March, 2021, **before me, the undersigned, a Notary Public in and for said State, personally appeared:**

Dale Van Es & Hilke Van Es

Known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Signature: Barbara Easterday
Name: Barbara Easterday
Residing at: Marsing Id
My Commission expires: 06-22-2021

BARBARA EASTERDAY
Notary Public - State of Idaho
Commission Number 65817
My Commission Expires Jun 22, 2021