Owyhee County

PO Box 128, Murphy, ID 83650
Phone (208) 495-2421

NOTICE OF APPEAL

Reserve Ridge LLC, bould Feeder Properties LLC 222-17
APPLICANT/ APPLICANT REPRESENTATIVE

909 N Robinson Blvd
MAILING ADDRESS

Nampa Idaho 83687
CITY STATE ZIP CODE

208-442-1898 208-965-8365
TELEPHONE FAX

John Hepton
OWNER'S NAME

909 N Robinson Blvd
OWNER'S MAILING ADDRESS

Nampa Idaho 83687
CITY STATE ZIP CODE

208-250-0710
OWNER'S TELEPHONE NUMBER

FILE NO.

Reserve Ridge LLC & bould Feeder Properties LLC
PROJECT NAME

13 & 24
18-19-20
SECTION

1S
1S
TOWNSHIP

5W
2W
RANGE

12971 Bailey Rd Melba, Idaho
PROJECT ADDRESS/LOCATION

see attached
TAX ASSESSOR'S PARCEL NUMBER(s)

Agriculture & Multi use
CURRENT ZONING OF THE SUBJECT PARCEL

Crop production & livestock Production
CURRENT USE OF THE SUBJECT PARCEL

Crop Production & Livestock Production
PROPOSED USE

Please attach a separate statement detailing the grounds for this appeal specifically identifying the part(s) of the written decision you disagree with and why you believe those parts of the decision were made in error.

I, John Hepton do herby file an appeal of the decision issued in the above named case.

I affirm that I am a party affected by the above-mentioned decision. All information and data submitted to Owyhee County in support of this application is true and correct to the best of my knowledge.

Dated: 8/23/22 Signed: _____

On the 23 day of August, 2022 before me, the undersigned Notary Public, personally appeared, known to me to be the person whose name is 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.

RECEIVED
AUG 24 2022
BY: _____
Initial: _____

CARI J BERRETT
NOTARY
PUBLIC
Comm. No. 20203997
STATE OF IDAHO

_____
Notary Public

Residing at Caldwell, Idaho
Commission Expires: 10/15 2026

FOR ADMINISTRATIVE USE

File No._____ Rec'd by: _____ Date: _____ Pd._____ Check No._____

Reserve Ridge LLC & Gould Feeders Properties LLC – Parcels for Reserve Ridge Calf Ranch CAFO Expansion Application

RP01S03W130005
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address: 909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 2 13 1S 3W
Property Class Description: 101 Irrigated Ag Land
Acres: 20.9680

RP01S03W130010
Owner Name: RESERVE RIDGE LLC
Situs Address:12971 BAILEY RD
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 1,S2NE,N2SE,LESS TAX 5 13 1S 3W
Property Class Description: 101 Irrigated Ag Land
Acres:64.9370

RP01S03W131390
Owner Name: RESERVE RIDGE LLC
Situs Address:12971 BAILEY RD
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 5 13 1S 3W
Property Class Description: 101 Non Irrigated Ag Land
Acres: 114.5830

RP01S03W240150
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address:
Mailing City: NAMPA
Mailing State: ID
Legal Description *:TAX 1 24 1S 3W
Property Class Description: 132 Non Res Imps on Cats 1-10
Acres:0.7580

RP01S03W139000
Owner Name: RESERVE RIDGE LLC
Situs Address:13917 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address: PO BOX 189
Mailing City: MELBA
Mailing State: ID
Legal Description: SESE 13 1S 3W
Property Class Description: 131 Residential Imp on Cat 10
Acres:40.0000

RP01S03W240010
Owner Name: RESERVE RIDGE LLC
Situs Address:14007 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: LOTS 1&9 LS TX 1&2 24 1S 3W
Property Class Description: 131 Residential Imp on Cat 10
Acres:4.9500

RP01S03W240020
Owner Name: RESERVE RIDGE LLC
Situs Address:14022 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 2 24 1S 3W
Property Class Description: 103 Non Irrigated Ag Land
Acres:35.0820

RP01S02W193021
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: THE W 1780' OF N2NW LESS TAX 2 19 1S 2W
Property Class Description: 101 Irrigated Ag Land
Acres:53.3440

RP01S02W193023
Owner Name: RESERVE RIDGE LLC
Situs Address:13718 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address: 909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description *-TAX 2 19 1S 2W
Property Class Description: 548 MH Dec RP on owner land
Acres:0.5950

RP01S02W193010
Owner Name: REYNOLDS CREEK CALF RANCH LLC
Situs Address:13648 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: NENW LS THE W 520' & Tax 2 19 1S 2W
Property Class Description: 534 Residential Imp on Cat 12
Acres:24.2610

RP01S02W186020
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 5 18 1S 2W
Property Class Description: 101 Irrigated Ag Land
Acres:20.0400

RP01S02W186012
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 15 18 1S 2W
Property Class Description: 101 Irrigated Ag Land
Acres:7.7934

RP01S02W186000
Owner Name: RESERVE RIDGE LLC
Situs Address:13763 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 16 18 1S 2W
Property Class Description: 131 Residential Imp on Cat 10
Acres:5.5766

RP01S02W185420
Owner Name: RESERVE RIDGE LLC
Situs Address:
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: THE E 330' OF THE S 660' OF LOT 3 LYING N&E OF CANAL 18 1S 2W
Property Class Description: 101 Irrigated Ag Land
Acres:5.0000

RP01S02W185450
Owner Name: RESERVE RIDGE LLC
Situs Address:12906 BAILEY RD
Mailing Address: 909 Robinson BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description *TAX 6 18 1S 2W
Property Class Description: 148 MH declared RP on Cat 10
Acres:7.1850

RP01S02W185470
Owner Name: RESERVE RIDGE LLC
Situs Address:12858 BAILEY RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: N 340' OF THE W 160' OF LOT 3 18 1S 2W
Property Class Description: 534 Res imps on Cat 12
Acres:1.2490

RP01S02W181210
Owner Name: RESERVE RIDGE LLC
Situs Address:13631 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TX 2 LS SESW SW OF PUMP CANAL, SWNE S&W OF HWY 78 ROW 18 1S 2W
Property Class Description: 131 Non Res Imps on Cat 1-10
Acres:112.7500

RP01S02W187800
Owner Name: RESERVE RIDGE LLC
Situs Address:13615 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 1,SESE 18 1S 2W
Property Class Description: 132 Residential Imps on Cat 10
Acres:120.0000

RP01S02W187030
Owner Name: reserve Ridge, LLC
Situs address:
Mailing Address:909 N ROBINSON BLVD
Mailing City: NAMPA
Mailing State: ID
Legal Description: TAX 7 18 1S 2W
Property Class Description: 101 Irrigated Ag Land
Acres: .2130

Leased Property

RP01S02W190010
Owner Name: RC A TRUST Gary Johnston, Trustee
Situs Address:13528 REYNOLDS CREEK RD, MELBA, ID 83641
Mailing Address: P.O. Box 220
Mailing City: STAR
Mailing State: ID 83669
Display Description *:NWNE LESS TAX 1,SWNE,NENE 19 1S 2W
Acres:119.2000

RP01S02W203000
Owner Name: RC B TRUST Gary Johnston, Trustee
Situs Address:
Mailing Address: P.O. Box 220
Mailing City: STAR
Mailing State: ID 83669
Display Description *:NWNW 20 1S 2W
Acres:40.0000

RP01S02W203000
Owner Name: RC B TRUST Gary Johnston, Trustee
Situs Address:
Mailing Address: P.O. Box 220
Mailing City: STAR
Mailing State: ID 83669
Display Description NENW LESS TAX 1 20 1S 2W
Acres:39.0000

August 24, 2022

Dear Owyhee County Commissioners,

Thank you for considering our appeal on conditional use permit Z22-17. Although planning and zoning did approve an increase in calves within the above permit, which we appreciate, we believe they overlooked a major factor regarding the conversion rate animals and purchased land for the Reynolds Creek Calf Ranch expansion.

We purchased three separate adjacent properties that all had existing livestock facilities on them. The Jesinko property was considered a grand fathered CAFO by the county and the other two facilities that were not CAFOs but under Owyhee County statute could house 999 hd of mature beef animals. Even if I consider the Jesinko not a grand fathered CAFO and only give them the 999 hd of mature animals allotted for, that means we purchased the ability to have up to 999 hd of mature animals on three operations for at total of 2997 hd of mature animals. In most every description of mature animals I can find across the state, they are considered 1200 lbs per head. In my testimony, I used 950 hd of mature animals at each operation because no operation is ever completely full all the time.

950 hd x 1200lbs (mature weight) on three purchased operations is 3,420,000 lbs of animals. If you divide that by the 275 lb average weight on our proposed expansion that is 12,436 head of calves at our average weight. In my testimony, I added that 12,000 head to our existing permit to show that just allowing us to operate the new facilities within our operation type and bring under one CAFO which is required under one nutrient management plan converts to 47,000 head of calves. I reached out to Phil the Road Department Supervisor about the proposal, it was reported back to me that no highway study was required because the traffic by the previous owners and/or our lease use of the facilities was already accounted for cattle, feed traffic, etc. We agreed and proceeded with the preparation and presentation of our proposal. I was present at the deliberation of the hearing, and I believe this point was completely overlooked in that they granted an additional 2,000,000 lbs. which doesn't even allow me to operate my purchased facilities at capacity under one CAFO and nutrient management plan. This drastically affects our ability to utilize the purchased land and facilities and will influence future land values if purchased operations can't be used at for their intended activity.

It's also unfortunate that early in deliberation the P&Z commissioners stated that Reynolds Creek Calf Ranch currently had 35,000 head of calves at an average weight of 400 lbs. They deliberated through all the conditions with that thought pattern and then once they realized our permit was always 35,000 hd at an average weight of 200 lbs, the process seemed to freeze. As can be verified by the deliberation recording everything went pretty quiet, and they didn't really know what to do. It's just unfortunate that they got mixed up at the beginning. I do appreciate the members and the process and I realize it's not easy.

Another important point that was made in the hearing by one of the P&Z commissioners was that not one neighbor immediately adjacent to our current main operation came to testify against our expansion. They all came in 2016 because they didn't know what to expect. After proving that we would do what we say and be good neighbors, none came out in opposition. This is especially important because the majority of our expansion is at our current location. I grant there was coordinated opposition from homeowners east of HWY 78. They believed we were making a big expansion their direction which was simply not the case. We did plan to add pens next to the existing Jesinko feedlot in the amount of approximately 2500 hd. After hearing the opposition, we voluntarily agreed to withdraw any new pens outside the old Jesinko Feedlot footprint. This reduced our animal number request to 52,500 and with the reduction being bigger pens of larger sized cattle that reduction takes our average animal weight down closer to 250 lbs. We don't believe animal weight should be a stipulation because in Owyhee County CAFOs are permitted by what they do. Approximately half our calves are in hutches, and they flow through the system everyday so by nature we will always have a lightweight average.

Our expansion is almost exclusively at our existing site and more specifically will be behind our red fence or south of our operation against the BLM. With no expansion outside the Jesinko Feedlot footprint and the fact that there is a tree line south of that feedlot, our expansion will be basically unnoticeable to the public. Bringing all our operations under one CAFO and one nutrient management is required by law, and it brings us under more scrutiny with the State Department of Ag. We have a proven track record of doing what we say we will do. Even most of the opposition stated that they believed were good operators and have improved the operation greatly. As testified, our expanded facility would generate 60 million dollars. We generate a huge financial opportunity to local farmers and service providers up and down the Snake River Corridor in Owyhee County. We do all we can to support the local community including donating 100 meals everyday that include beef to the local food bank and high-level support of 4H and FFA to mention a couple. We don't have any violations or nonconformances and are committed to constant improvement. We do honest business in an Ag zone, in an AG county, in an Ag State. We are asking to be reconsidered for a permit of 52,500 hd of calves at an approximate average weight of 250 lbs. Lower numbers to accommodate our neighbors to the east but enough to allow us to utilize our purchased properties and operate at an efficient level. This will also allow us to meet state and county codes of being under one CAFO and nutrient management plan.

Thanks again for your consideration,

John Hepton