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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**

SINGLE FAMILY RESIDENCE COMMERCIAL SUBDIVISION CAFO INDUSTRIAL
 REZONE OTHER _____

Hans Nederend
APPLICANT/ APPLICANT REPRESENTATIVE

4998 Hogg Rd
MAILING ADDRESS

Homedale ID 83628
CITY STATE ZIP CODE

208-571-6054 hansnederend@gmail.com
TELEPHONE EMAIL OR FAX

Nederend Farms LLC
OWNER'S NAME

4998 Hogg Rd
OWNER'S MAILING ADDRESS

Homedale ID 83628
CITY STATE ZIP CODE

208-571-6054 hansnederend@gmail.com
OWNER'S PHONE NUMBER EMAIL OR FAX

PROJECT ADDRESS/LOCATION

35 3 S West
SECTION TOWNSHIP RANGE

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

RPO3N05W354801
TAX ASSESSOR'S PARCEL NUMBER(S)

Agricultural
CURRENT ZONING OF THE SUBJECT PARCEL

Farm
CURRENT USE OF THE SUBJECT PARCEL

Home
PROPOSED USE

~ 11,000
TOTAL SQ. FT OF ALL PROPOSED STRUCTURES

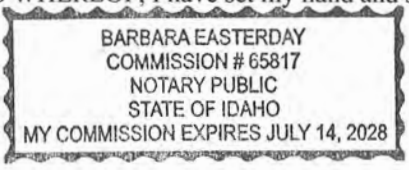
I DECLARE UNDER PENALTY OF PERJURY that I/we, Hans Nederend, being duly sworn, depose and say that I/we am/are the applicant(s) in the foregoing application, that I/we have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. 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: 3-8-24 Signed: Hans Nederend

Dated: _____ Signed: _____

On the 8th day of March, 2024, 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

Residing at: Homedale Id
Commission Expires: 7-14-28

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

Dear Members of the Owyhee County Planning and Zoning Commission,

I hope this letter finds you well. My name is Hans Nederend, and I am writing to formally request your approval for the construction of my house on parcel number RP03N05W354801, on behalf of Nederend Farms LLLP.

Nederend Farms LLLP is a family-owned agricultural business that has been a part of the Owyhee County community for more than 26 years. We are committed to responsible land use and development, and we value the importance of maintaining the agricultural heritage of our county.

I have identified parcel number RP03N05W354801, which is located on the east one-half of the southwest quarter and the part of the west one-half of the southwest quarter lying east of drain number 3 of section 5, Township 3 North, range 5 west of the Boise Meridian, Owyhee County, Idaho, as an ideal location to build a house for myself and my family. The proposed house will have approximately 6,000 square feet of available space, with a total building area of around 11,000 square feet, including the house and garage. The house will sit on a 5-acre lot, with the majority of the land dedicated to yard space, trees, and gardens. Although, the house will sit on approximately 5 acres, the parcel as is, will stay intact. NO new parcel will be necessary.

There are 2 pivots on the parcel. The one to the North which will be untouched and the pivot to the south on the parcel will be modified to a half-swipe pivot, with the bottom southeast corner being converted into a wheel line. This modification will allow us to maintain the farming operations around the house. The location of this parcel is ideal for our needs, as it places us in the middle of our operations, with dairies to the northeast and a feed yard to the southwest. Having our residence in this central location will enhance our ability to manage our operations effectively.

Building a house on this parcel will also allow us to provide improved housing options for our employees. My current home will be occupied by my dairy manager, who has been with our operation for over 22 years. He has a family of seven and has outgrown his current home. This will provide him with an upgrade in housing and allow him to live in the middle of both dairies. Consequently, I will be able to move my assistant manager into his house, creating more housing opportunities for our long-term employees.

I would like to highlight that building my house on this property will not require crossing over other private properties, eliminating the need for an easement. Additionally, the parcel is not located in a herd district. The surrounding farms are owned by Nederend Farms LLLP, ensuring that the proposed house will be well-integrated into the agricultural landscape.

Regarding water supply, I understand that I would need to drill a well for the home. However, for the yard and trees, I can utilize the current irrigation water that is allotted for the parcel. The majority of the water will still be used for irrigation purposes to support our farming operations. The current water source is from the Gem Irrigation District, and the proposed house will not disrupt the point of diversion. The only change will be the modification of the pivot to a half-swipe and the inclusion of a wheel line in the bottom corner.

In conclusion, Nederend Farms justification for being granted a special use permit is based on several factors. Firstly, our extensive experience as dairy farmers and farmers in the area for over 26 years demonstrates our deep-rooted commitment to agriculture in Owyhee County. Additionally, our ownership of one of the largest farming land bases in the county showcases our dedication to preserving and utilizing agricultural land.

Furthermore, Nederend Farms actively advocates for the preservation of land for agricultural purposes, as evidenced by their acquisition of farmland and the utilization of water rights on previously undeveloped land. This commitment to increasing agricultural lands in Owyhee County is commendable and sets us apart from other applicants.

In addition to our contributions to the agricultural sector, Nederend Farms also makes significant financial contributions to the county through taxes paid directly to Owyhee County and to the irrigation districts. Arguably, Nederend Farms pays the most in taxes in our community if not the most for sure in the top three of tax dollars paid. Moreover, their employees play a vital role in supporting the local economy by injecting millions of dollars into local businesses through their spending.

While there may be individuals from other regions seeking to relocate to Owyhee County, Nederend Farms unique and diverse contributions to the community make them stand out among other applicants. Granting a special use permit to Nederend Farms would not only recognize their long-standing presence and financial contributions but also support the growth and prosperity of Owyhee County as a whole.

I kindly request that the Owyhee County Planning and Zoning Commission review and grant approval for the construction of a house on parcel number RP03N05W354801. This development will enhance our ability to manage our operations effectively and contribute positively to the agricultural landscape of Owyhee County. We are committed to meeting all necessary requirements and engaging in open communication with the commission throughout the process..

We appreciate the commission's dedication to responsible land use planning and development and look forward to the opportunity to contribute positively to Owyhee County.

Thank you for your time and consideration.

Sincerely,

Hans Nederend
Nederend Farms LLLP

1. **Whether the intended use is necessary or desirable to the public convenience and welfare.**

Nederend Farms LLLP, a renowned agricultural enterprise, has recognized the importance of providing accommodation for their employees to enhance work-life balance and productivity. This written piece aims to explore the positive implications of project approval on Nederend Farms LLLP, specifically focusing on how it will enable employees to live closer to their work. Additionally, it highlights the potential benefits of the project, such as creating housing opportunities for long-term managers within the organization.

I. Importance of Employee Proximity

A. Enhancing Work-Life Balance:

1. Reduced Commute Time
2. Improved Well-being and Job Satisfaction

B. Increased Productivity and Efficiency:

1. Reduced Stress and Fatigue
2. Enhanced Workforce Retention

II. Project Approval: A Solution for Employee Housing

A. Creating Affordable Housing:

1. Construction of Employee Residences
2. Collaboration with Local Housing Authorities

B. Providing Proximity Incentives:

1. Rental Subsidies for Employees
2. Transportation Facilities or Allowances

III. Benefits for Long-Term Managers

A. Retaining Skilled Workforce:

1. Increased Job Security
2. Attracting Talent from Outside the Organization

B. Fostering Loyalty and Commitment:

1. Career Advancement Opportunities
2. Strengthening Organizational Culture

IV. Positive Impact on Nederend Farms LLLP

A. Operational Efficiency:

1. Reduced Absenteeism and Tardiness
2. Streamlined Workforce Management

B. Employee Engagement and Satisfaction:

1. Improved Morale and Teamwork
2. Higher Employee Retention Rates

Conclusion:

The approval of my house project is not only a significant milestone for Nederend Farms LLLP but also a game-changer for its employees. By enabling employees to live closer to their workplace, the project will enhance work-life balance, productivity, and overall well-being. Additionally, the availability of housing opportunities for long-term managers

will foster loyalty and attract skilled talent. Ultimately, this project will not only benefit the employees but also contribute to the growth and success of Nederend Farms LLLP as a thriving agricultural enterprise.

2. Whether the proposed use may create a hazard, nuisance, detriment or other injury to other property in the immediate vicinity or the health or safety to the citizens of the county in general.

In considering the proposed use, it is essential to address any potential hazards, nuisances, or risks to the immediate vicinity and the well-being of the citizens in the county. This written piece aims to analyze the proposed use thoroughly, highlighting its compatibility with safety regulations and its commitment to the welfare of the community. By demonstrating that the proposed use will not create hazards, nuisances, or injuries, we aim to assure the citizens of the county of their continued safety and protection.

I. Safety Measures and Regulatory Compliance

A. Adherence to Building Codes and Standards

1. Structural Integrity and Safety Protocols
2. Fire Safety Measures and Emergency Preparedness

B. Environmental Impact Assessment

1. Mitigation of Potential Hazards or Pollution
2. Compliance with Environmental Regulations

Conclusion:

The proposed use has been thoroughly assessed to ensure that it will not create hazards, nuisances, or injuries to the immediate vicinity or the health and safety of the citizens in the county. By adhering to safety regulations, implementing necessary measures, and engaging with the community, the proposed use demonstrates its commitment to maintaining a safe and protected environment. The citizens of the county can have confidence in the responsible and conscientious approach taken by the project, ensuring their continued well-being and peace of mind.

3. Whether essential public services, or general public health and safety, or general public environment may be negatively impacted by such use or whether there may be a requirement of additionally public funding in order to meet the needs created by the requested use.

In considering the proposed use, it is important to highlight its positive impact on essential public services, general public health and safety, and the overall well-being of the community. This written piece aims to analyze the proposed use comprehensively, showcasing its potential benefits and contributions. By demonstrating that the proposed use will not have a negative impact on essential services, public health, and the environment, and by highlighting its potential to benefit the community through additional housing for long-term managers and employees, we aim to assure the community of the project's positive influence.

- I. Promotion of Public Health and Safety
 - A. Compliance with Health and Safety Standards
 - 1. Adherence to Regulations and Best Practices
 - 2. Implementation of Safety Protocols and Training
 - B. Employee Well-being and Community Contribution
 - 1. Provision of Additional Housing for Long-term Managers
 - 2. Contribution of Employees to the Community

- II. Positive Impact on the General Public Environment
 - A. Environmental Responsibility
 - 1. Sustainable Design and Construction Practices
 - B. Community Engagement and Enhancement
 - 1. Supporting Local Businesses and Services
 - 2. Fostering a Sense of Community and Belonging

- III. No Additional Public Funding Required
 - A. Financial Viability and Sustainability
 - 1. Assessment of Costs and Benefits
 - 2. Identification of Revenue Streams and Private Funding Sources
 - B. Positive Economic Impact
 - 1. Job Creation and Economic Growth
 - 2. Reduced Dependence on Public Funding

Conclusion:

The proposed use not only avoids any negative impact on essential public services, public health, and the environment but also has the potential to benefit the community. By providing additional housing for long-term managers and employees who contribute to the community, the project enhances community well-being. The adherence to health and safety standards, the promotion of environmental responsibility, and the sustainable financial approach further reinforce the positive impact of the proposed use. The community can have confidence in the project's commitment to their well-being and its potential to contribute to a thriving and sustainable community environment.

4. Whether adequate sewer, water and drainage facilities and utility and other service systems are to be provided by the applicant to accommodate said use.

The proposed use prioritizes compliance with local codes and regulations in the provision of sewer, water utility, and other service systems. This written piece aims to emphasize the project's commitment to adhering to established standards, ensuring the safety, reliability, and efficiency of the infrastructure.

- I. Code Compliance Assessment
 - A. Understanding Local Codes and Regulations
 - 1. Comprehensive review of relevant codes and regulations

II. Sewer System in Accordance with Codes

A. Design and Installation of Sewer Infrastructure

1. Incorporating code-compliant design principles and best practices
2. Utilizing approved materials and construction techniques

B. Inspection and Approval Process

1. Obtaining necessary permits and certifications for system operation

III. Service Systems and Code Compliance

A. Electrical and Gas Services

1. Ensuring compliance with electrical and gas codes and regulations

Conclusion:

The proposed use is committed to complying with local codes and regulations in the provision of sewer, water utility, and service systems. By adhering to established standards, the project ensures the safety, reliability, and efficiency of the infrastructure. The design, construction, and operation of these systems will be carried out in accordance with code requirements. The community can have confidence in the project's commitment to meeting code standards.

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

The proposed use has secured water rights for yard, tree, and garden irrigation and is committed to sustainable water management practices. By drilling a well for household water supply and implementing proper grading for surface water drainage, the project ensures a reliable and efficient water source while minimizing the risk of water accumulation or erosion.

6. Whether the geological base on which the use is to be placed may or may not support the proposed use.

Nederend Farms is a strong advocate for agriculture use, recognizing its importance for the community and its own livelihood. This written piece aims to address the proposal of placing a house on the agricultural parcel, highlighting the farm's commitment to agriculture and its positive impact on the community. By emphasizing the farms dedication to maximizing agricultural use and providing housing for long-term managers, we aim to showcase the farms contribution to the local economy and its commitment to the agricultural industry.

I. Commitment to Agriculture

A. Maximizing Agricultural Use

1. Utilizing agricultural parcels for their intended purpose
2. Implementing efficient farming practices to optimize productivity

B. Maintaining Clean and Beautiful Facilities

1. Ensuring dairy facilities are well-maintained and visually appealing
2. Regularly addressing weed control to maintain a clean and professional appearance

II. Providing Housing for Long-Term Managers

A. Importance of Long-Term Managers

1. Recognizing the value of experienced and dedicated personnel
2. Ensuring continuity and stability in farm operations

B. Addressing Housing Needs

1. Providing on-site housing for long-term managers to enhance their commitment to the farm
2. Creating a supportive and efficient work environment for farm operations

III. Balancing Residential and Agricultural Needs

A. Zoning and Regulations

1. Considering local zoning regulations and restrictions
2. Ensuring compliance with applicable laws and permits

B. Assessing the Impact on Agricultural Operations

1. Evaluating the potential impact of a house on farm operations
2. Implementing measures to mitigate any potential negative effects

IV. Community Benefits

A. Job Creation and Local Economic Impact

1. Providing employment opportunities to locals in the community
2. Contributing to the local economy through agricultural activities

B. Supporting Sustainable Agriculture

1. Promoting environmentally friendly farming practices
2. Encouraging community involvement and education on sustainable agriculture

Conclusion:

Nederend Farms is committed to agriculture and maximizing the use of its agricultural lands. While recognizing the importance of residential housing for long-term managers, the farm aims to balance residential and agricultural needs. By providing on-site housing for managers and ensuring compliance with zoning regulations, Nederend Farms demonstrates its dedication to both agriculture and the local community. The farm's commitment to clean and beautiful facilities, along with its contribution to the local economy, makes it a valuable asset to the community.

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

The proposed site aims to benefit agricultural operations by promoting efficient management practices that prioritize the health and well-being of humans, animals, and plants. This written piece will address concerns regarding the potential impact of the proposed site on the surrounding area. By emphasizing the positive effects, such as improved crop and animal management, and closer proximity of managers to the dairy operations, we aim to assure the community that the proposed site will enhance agricultural practices while benefiting all stakeholders involved.

I. Efficient Crop and Animal Management

A. Centralized Location

1. Enhancing the ability to manage crops and animals by being situated in the middle of operations
2. Facilitating better monitoring and coordination of farming activities

B. Improved Workflow and Productivity

1. Streamlining the flow of operations for increased efficiency
2. Enabling timely decision-making and response to farming needs

II. Proximity of Employees to Dairy Operations

A. Enhanced Employee Management

1. Allowing employees to live closer to the dairy operations for better supervision and coordination
2. Facilitating effective communication and collaboration among employees

B. Animal Welfare and Job Opportunities

1. Ensuring the well-being of animals by providing timely care and attention from nearby employees
2. Creating job opportunities for local residents in the dairy industry

III. Ensuring Health and Prosperity

A. Human Health and Safety

1. Implementing measures to protect the health and safety of employees and the surrounding community
2. Adhering to applicable regulations and standards

B. Animal Well-being

1. Providing suitable living conditions and care for animals to ensure their health and well-being
2. Complying with animal welfare guidelines and regulations

C. Environmental Stewardship

1. Implementing sustainable farming practices to minimize environmental impact
2. Preserving the natural resources and biodiversity of the surrounding area

Conclusion:

The proposed site will not endanger human health, animal life, or plant life in the surrounding area. On the contrary, it will enhance agricultural operations by promoting efficient management practices and improving the well-being of humans, animals, and plants. By being centrally located within operations, the proposed site allows for better crop and animal management. Additionally, the proximity of employees to the dairy operations enhances employee supervision and animal care. The proposed site is committed to ensuring health, prosperity, and environmental stewardship. The community can be assured that the proposed site will have a positive impact on agricultural practices and the overall well-being of all stakeholders involved.

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

The proposed use of the site not only complements and benefits the surrounding land uses but also maximizes efficiency in agricultural operations. This written piece will address concerns regarding the compatibility of the proposed use with the surrounding area and highlight how the proposed home will contribute to the overall efficiency of agricultural practices. By emphasizing the utilization of all available land for agricultural purposes and Nederend Farms' advocacy for agriculture use, we aim to assure the community that the proposed use aligns with the values of promoting sustainable farming practices and supporting the local agricultural industry.

I. Centralized Operations and Efficient Land Use

A. Centrality for Improved Management

1. Locating the proposed home in the middle of operations enhances management efficiency
2. Facilitating better supervision and coordination of farming activities

B. Optimizing Land Utilization

1. Ensuring that the proposed home does not waste any space
2. Utilizing the surrounding land for agriculture purposes, including gardens and trees

II. Nederend Farms' Commitment to Farming

A. Maximizing Farm Ground Utilization

1. Demonstrating a track record of farming all available land at disposal
2. Adding previously unused land into production, utilizing available water rights

B. Advocacy for Agriculture Use

1. Proactively supporting and promoting the importance of agriculture in Owyhee County
2. Contributing to the economic growth and sustainability of the local agricultural industry

III. Sustainability and Environmental Stewardship

A. Conservation and Resource Management

1. Implementing sustainable farming practices to minimize waste and promote resource efficiency
2. Conserving water, soil, and other natural resources through responsible land management

B. Preservation of Agricultural Heritage

1. Recognizing and preserving the agricultural heritage of Owyhee County
2. Contributing to the long-term viability of farming for future generations

Conclusion:

The proposed use of the site is not only compatible with the surrounding land uses but also maximizes efficiency and supports the local agricultural industry. By centralizing operations and utilizing all available land for agriculture purposes, the proposed home enhances management efficiency and optimizes land utilization. Nederend Farms' commitment to farming, demonstrated by their track record of utilizing all available land and advocating for agriculture use, further reinforces their dedication to the agricultural community. Additionally, the farm's focus on sustainability and environmental stewardship ensures responsible land management and the preservation of Owyhee County's agricultural heritage. The community can have confidence that the proposed

use aligns with the values of maximizing efficiency, advocating for agriculture, and promoting the long-term viability of farming.

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

I have received and read the standard special conditions page. I fully intend to abide with the standard special conditions.

Instrument # 276545

MURPHY, OWYHEE, IDAHO

1-11-2012 02:10:15 No. of Pages: 4

Recorded for : AHRENS DEANGELI LAW GROUP, LLP

CHARLOTTE SHERBURN Fee: 19.00

Ex-Officio Recorder Deputy

Index to: DEED, BARGAIN AND SALE

Peterson

Recording Requested By And
When Recorded Mail To:

Edward D. Ahrens

Ahrens DeAngeli Law Group LLP

P.O. Box 9500

Boise, Idaho 83707-9500

Bargain and Sale Deed

Hans Nederend, Jr. and Janene Nederend, Trustees of The Hans Nederend Jr. Family Trust established November 10, 1995, Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to Nederend Farms, LLLP, an Idaho limited liability limited partnership, Grantee, whose current address is 4998 Hogg Road, Homedale, Idaho 83628, the following described real property located in Owyhee County, Idaho, more particularly described as follows, to wit:

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER WITH all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, reversions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described.

SUBJECT TO taxes and assessments for the year 2011 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show.

SCANNED
INDEXED

The Grantors execute this instrument solely in their fiduciary capacity. Any further recourse hereunder is to be only against the aforementioned trust.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 27th day of December, 2011.

The Hans Nederend Jr. Family Trust established November 10, 1995

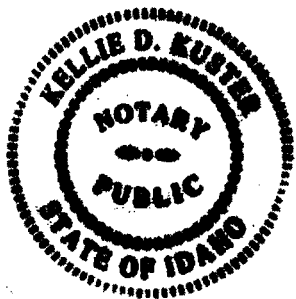
By: Hans Nederend, Jr., Co-Trustee
Hans Nederend, Jr., Co-Trustee

By: Janene Nederend Co-Trustee
Janene Nederend, Co-Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 27th day of December, in the year 2011, before me, Kellie D. Kuster a Notary Public, personally appeared Hans Nederend, Jr. and Janene Nederend, Trustees of The Hans Nederend Jr. Family Trust established November 10, 1995, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said trust.

(SEAL)



Kellie D. Kuster
Notary Public for Idaho
Commission expires: 11-25-2017

Exhibit "A"

TRACT I:

The Northwest Quarter of Section 35, Township 3 North, Range 5 West of the Boise Meridian, Owyhee County, Idaho.

Excepting therefrom:

That portion of the Northwest Quarter of the Northwest Quarter of Section 35, Township 3 North, Range 5 West of the Boise Meridian, Owyhee County, Idaho lying Northwest of Drain #3 and Southwest of the State Highway.

and Except the rights-of-way of the "B" Canal, Drain Ditches and State Highway.

TRACT II:

The East One-Half of the Southwest Quarter and that part of the West One-Half of the Southwest quarter lying East of Drain No. 3 of Section 35, Township 3 North, Range 5 West of the Boise Meridian, Owyhee County, Idaho.

Excepting therefrom the following parcel:

A tract of land located in the Southwest Quarter of Section 35, Township 3 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

Commencing at the South Quarter corner of said Section 35; thence along the South line of said Section,

North 89° 10' 12" West a distance of 14.00 feet to a point, the TRUE POINT OF BEGINNING; from which the Southwest corner of said Section bears North 89° 10' 12" West a distance of 2617.58 feet.

Thence leaving said Section line,

North 00° 25' 34" East, a distance of 273.68 feet to a point; thence North 89° 10' 12" West, a distance of 124.09 feet to a point; thence South 00° 25' 34" East, a distance of 273.68 feet to a point on the South line of said Section; thence along said line, South 89° 10' 12" East to the TRUE POINT OF BEGINNING.

TRACT III:

Lot 3 and the Southeast Quarter of the Northwest Quarter of Section 2, Township 2 North, Range 5 West, Boise Meridian, Idaho.

Excepting therefrom the following described parcel:

A tract of land located in Government Lot 3 and a portion of the Northwest Quarter of Section 2, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of said Section 2; thence along the North line of said Section,

South 89° 10' 12" East a distance of 1315.79 feet to a point marking the TRUE POINT OF BEGINNING, said point being the Northwest corner of Government Lot 3, from which the North Quarter corner of said Section bears

South 89° 10' 12" East a distance of 1315.79 feet; thence leaving said Section line, along the West line of Government Lot 3 and along the Southerly extension of said line,

South 00° 12' 49" West, a distance of 1627.76 feet to a point on the Centerline of the "A-Line" canal; thence following the centerline of said canal the following courses and distances:

South 41° 30' 49" East, a distance of 254.83 feet to a point of curvature; 86.58 feet along a curve to the left, having a radius of 90.00 feet, through a central angle of 55° 07' 11" the long chord of which bears

South 69° 04' 24" East, a chord distance of 83.28 feet, to a point;

North 83° 22' 01" East, a distance of 117.88 feet to a point; thence leaving said centerline, along the centerline of a large drain ditch the following courses and distances:

North 18° 14' 26" West, a distance of 158.21 feet to a point;

North 21° 49' 26" West, a distance of 268.69 feet to a point of curvature; thence 150.60 feet along a curve to the right, having a radius of 375.00 feet, through a central angle of 23° 00' 33", the long chord of which bears

North 11° 41' 17" West, a distance of 149.59 feet to a point;

North 01° 33' 08" West, a distance of 290.83 feet to a point;

North 06° 20' 13" West a distance of 684.36 feet to a point; thence leaving said centerline of said ditch,

South 89° 10' 12" East, a distance of 363.00 feet to a point; thence

North 00° 12' 49" East, a distance of 316.22 feet to a point on the North line of said Section 2 and said Government Lot 3; thence along said North line,

North 89° 10' 12" West, a distance of 458.78 feet to the TRUE POINT OF BEGINNING.

Valuation Summary Sheet

OWYHEE County

3/7/2024 12:08:46 PM

Parcel Number: RP03N05W354801

Property Address:

Effective Date: 3/29/2005

Tax Code Area: 3-0000

Expiration Date:

Legal Description: E2SW,W2SW LYING E OF DRAIN #3, LESS TAX 5 35 3N 5W

Legal Party Name	Address	City St Zip
NEDEREND FARMS LLLP	4998 HOGG RD	HOMEDALE, ID 83628
		Primary Owner

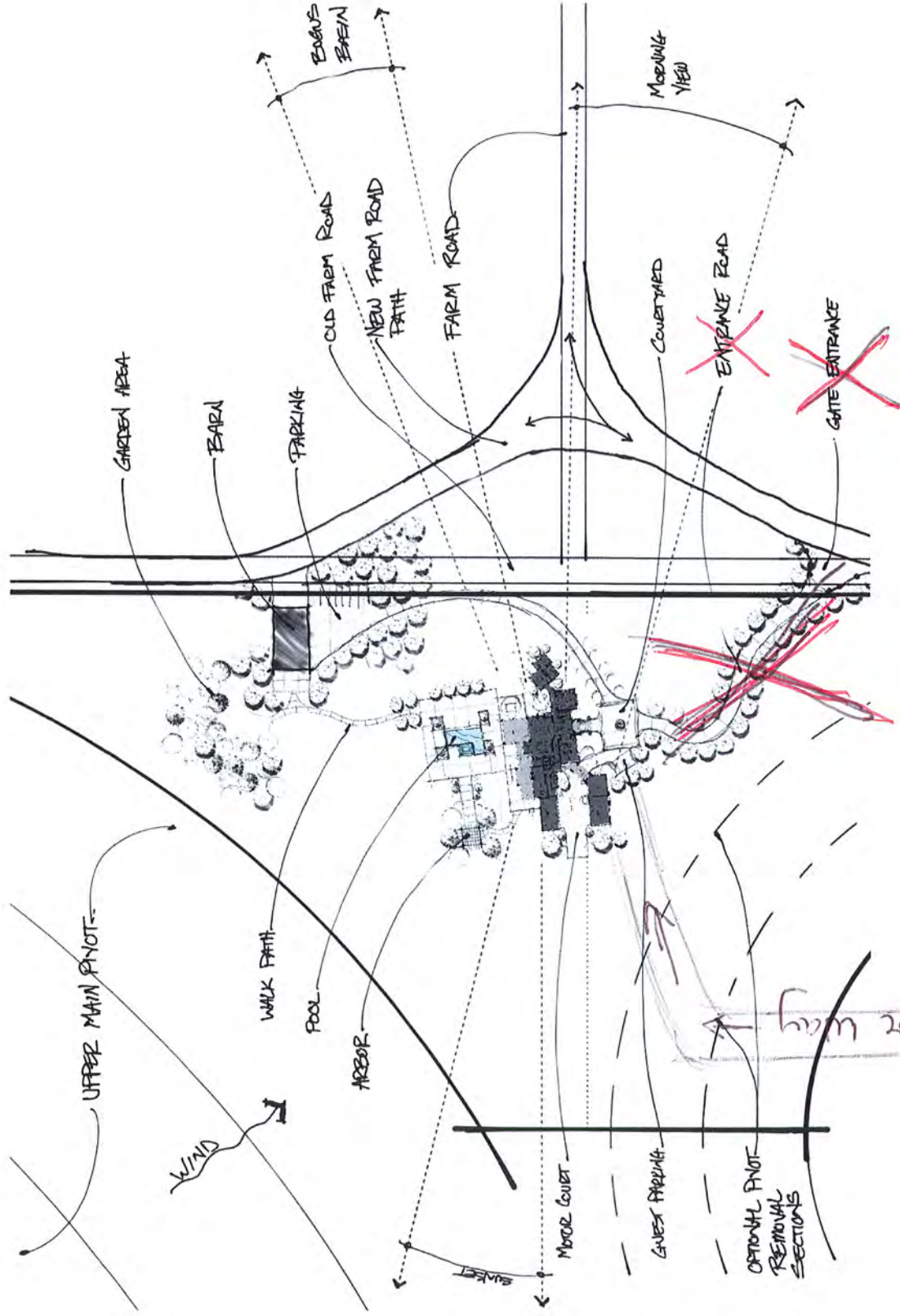
Cat ID	Ext	Rv Year	Unit	Quantity	Value	HO Mkt	HO Exemp	PTR	Other
01	L00	2019	AC	86.591	\$86,158	\$0	\$0	\$0	\$0
19	L00	2019	AC	2.686	\$0	\$0	\$0	\$0	\$0
Totals:				89.277	\$86,158	\$0	\$0	\$0	\$0

Deed Date	Deed Reference
1/11/2012	276545
1/11/2012	251455
1/11/2012	251313
1/11/2012	204635
1/11/2012	204599

Zone Code:
Parcel Type:
Location Code: 2000

Comments:
 SPLIT FROM #> RP03N05W354800A

↑ North ↑



ENLARGED SITE PLAN

↑ Secretary Road →

NORTH

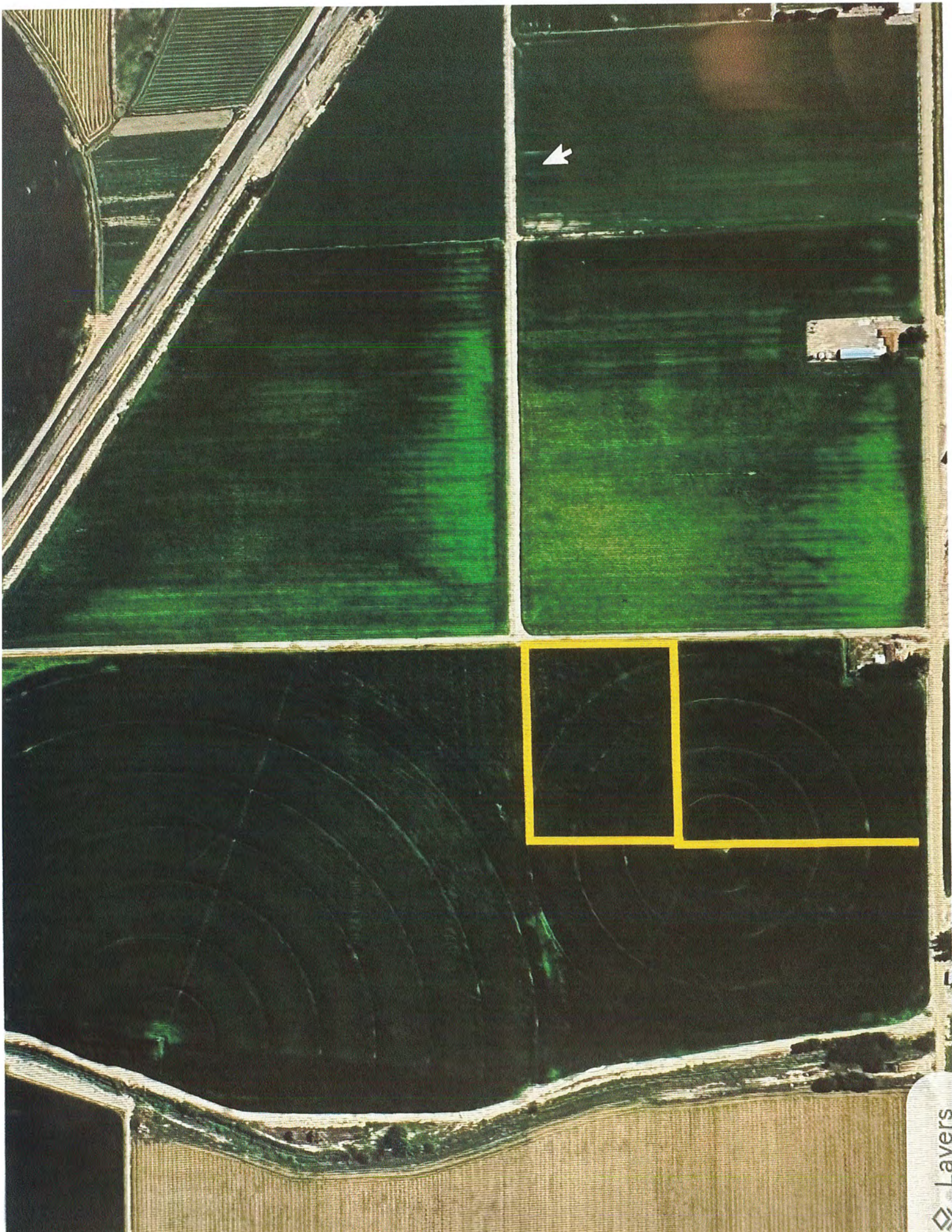
NEDEREND RESIDENCE

PLAN CONCEPTS



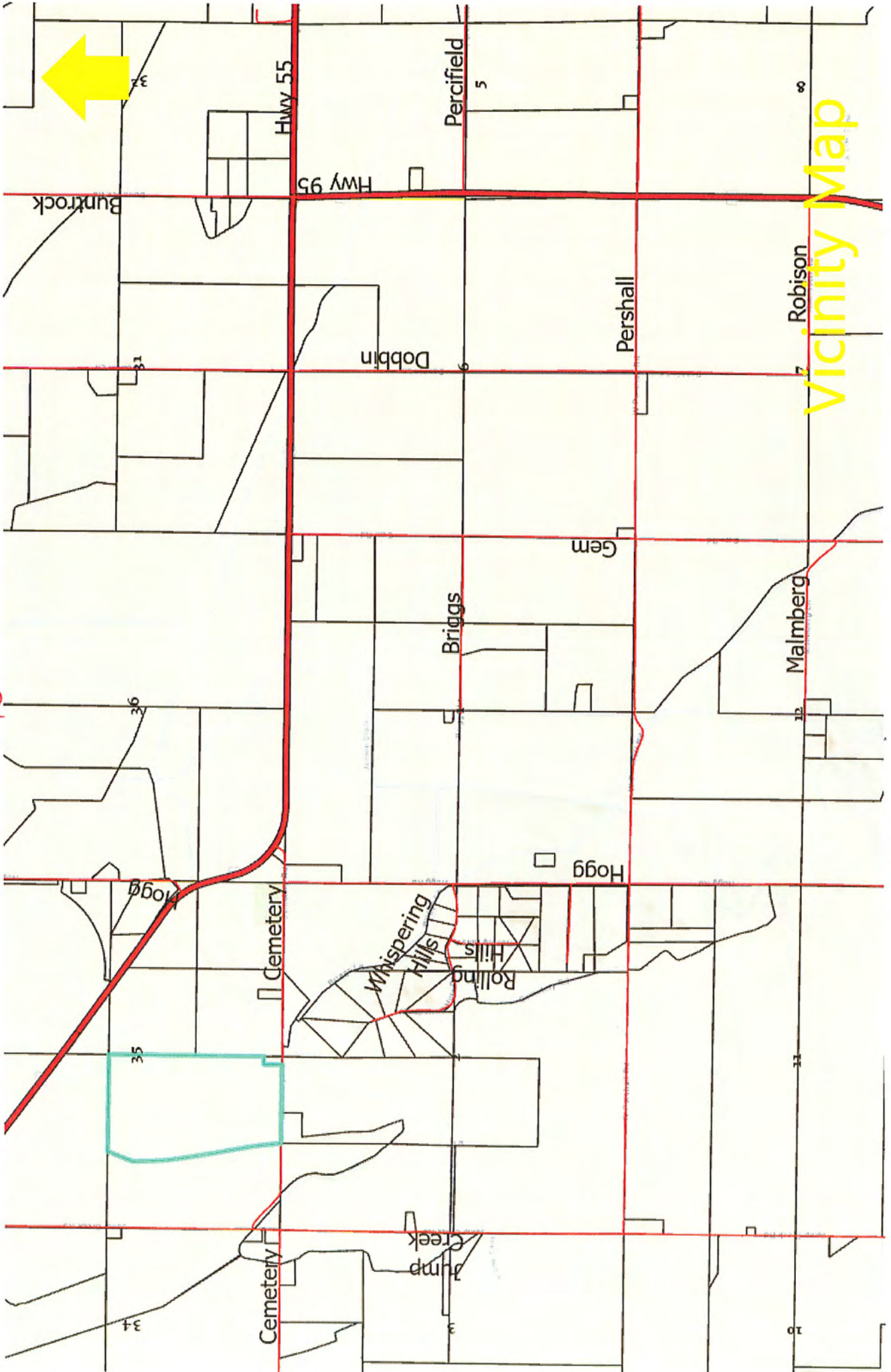


↑ North ↑

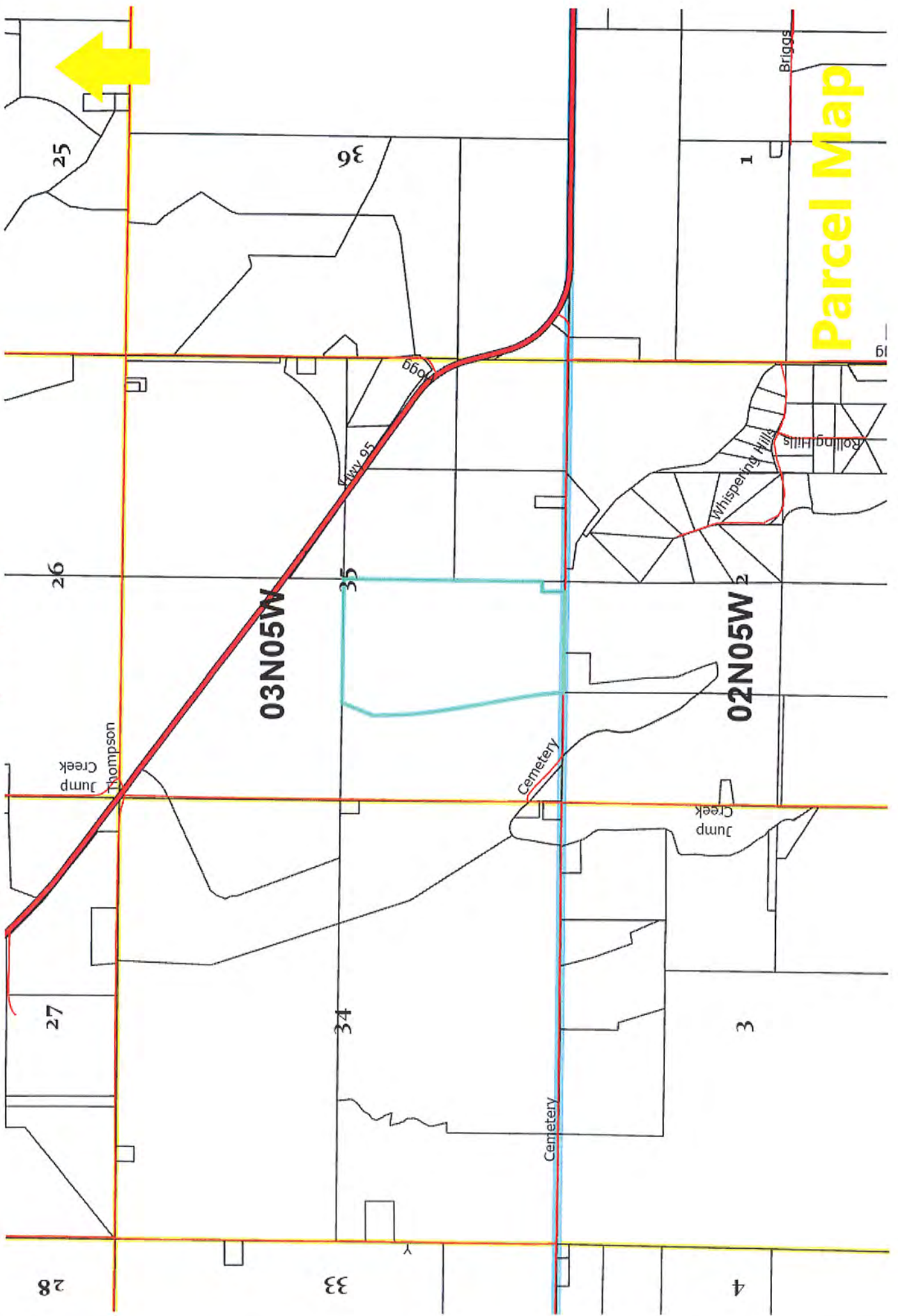


Vicinity Map

↑ North ↑



↑ North ↑



Parcel Map

↑ North ↑



Aerial Far

Image © 2021 Airbus

emetery Rd

95

95



Aerial Close

Cemetery Rd

Cemetery Rd

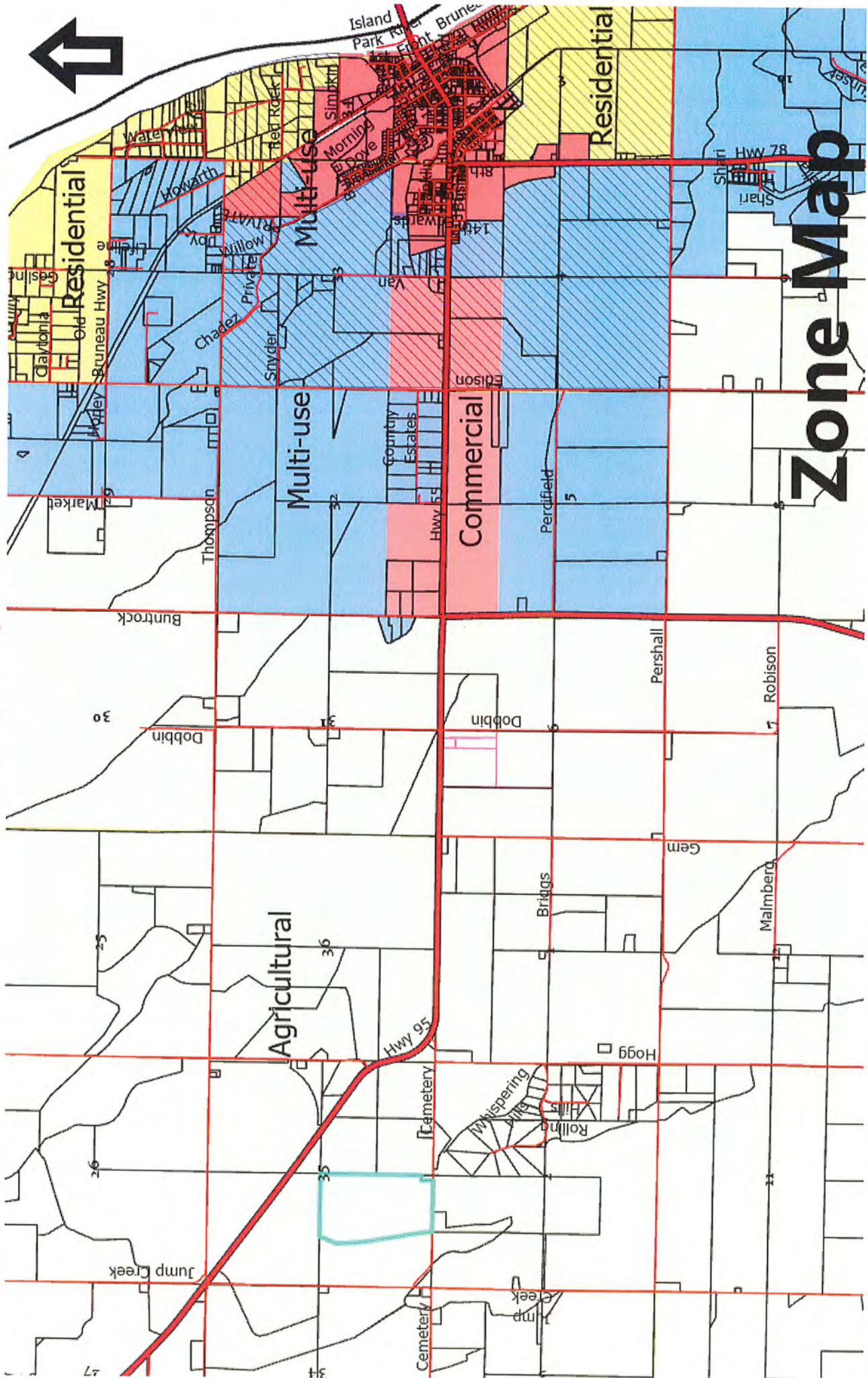
In 1900 © 2024 Airbu

A Line

Rd

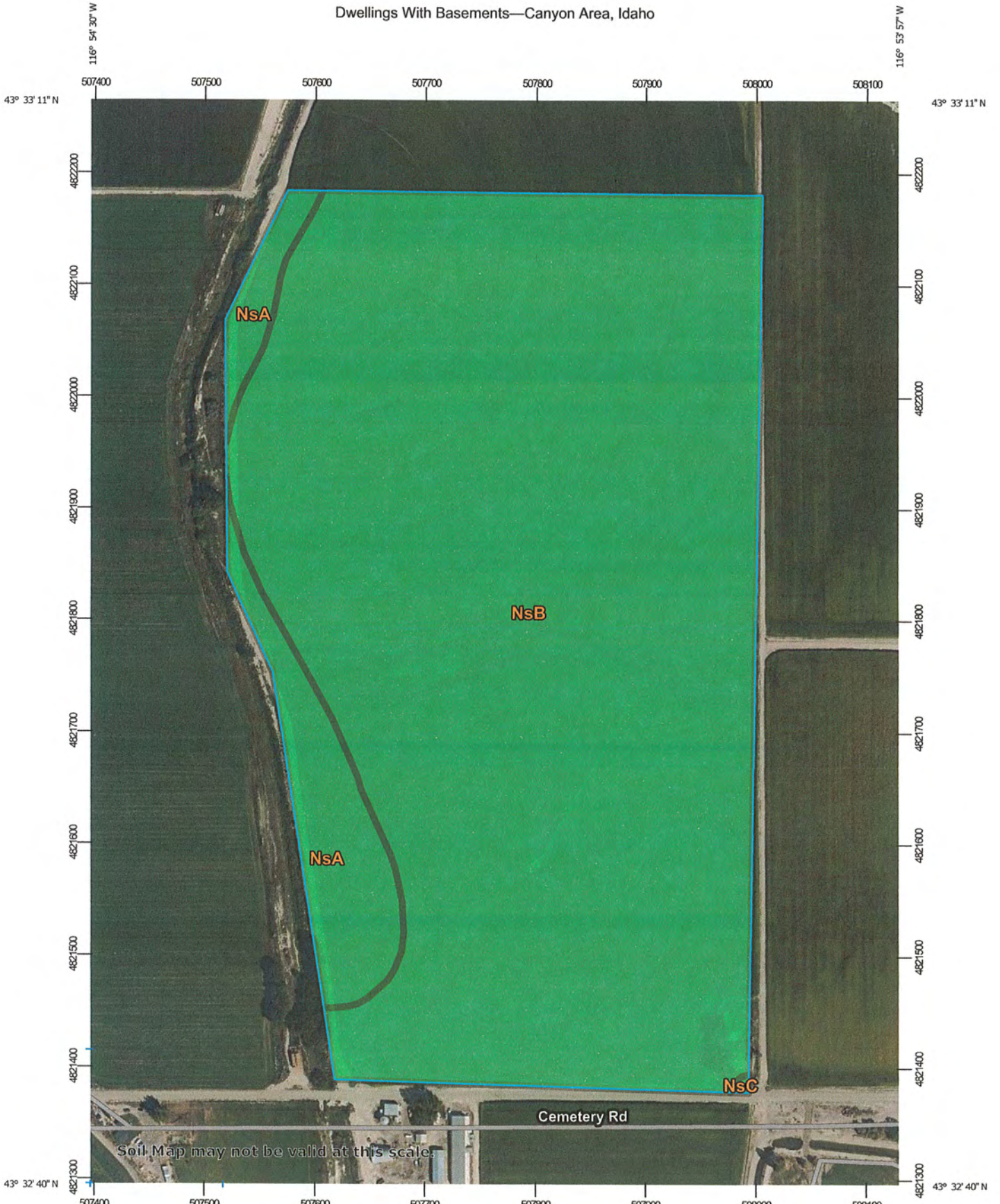
U.S. Rte 95

↑ North ↑

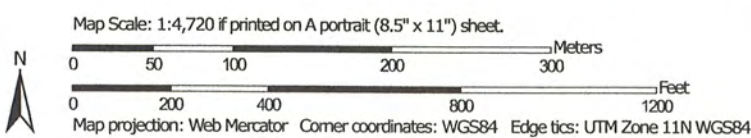


Zone Map





















Dwellings With Basements—Canyon Area, Idaho



Soil Map may not be valid at this scale.



MAP LEGEND

- Area of Interest (AOI)**
 - Area of Interest (AOI) 
 - Background  Aerial Photography
- 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 

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

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 20, Aug 31, 2023

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

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

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 With Basements

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
NsA	Nyssaton silt loam, 0 to 1 percent slopes	Not limited	Nyssaton (95%)		7.1	8.2%
NsB	Nyssaton silt loam, 1 to 3 percent slopes	Not limited	Nyssaton (90%)		80.2	91.8%
NsC	Nyssaton silt loam, 3 to 7 percent slopes	Not limited	Nyssaton (90%)		0.1	0.1%
Totals for Area of Interest					87.4	100.0%

Rating	Acres in AOI	Percent of AOI
Not limited	87.4	100.0%
Totals for Area of Interest	87.4	100.0%

Description

ENG - Engineering

Dwellings are single-family houses of three stories or less. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet.

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

Dear Fire District,

I hope this letter finds you well. My name is Hans Nederend, and I am writing to formally request your approval for the construction of my house on parcel number RP03N05W354801, on behalf of Nederend Farms LLLP.

Nederend Farms LLLP is a family-owned agricultural business that has been a part of the Owyhee County community for more than 26 years. We are committed to responsible land use and development, and we value the importance of maintaining the agricultural heritage of our county.

I have identified parcel number RP03N05W354801, which is located on the east one-half of the southwest quarter and the part of the west one-half of the southwest quarter lying east of drain number 3 of section 5, Township 3 North, range 5 west of the Boise Meridian, Owyhee County, Idaho, as an ideal location to build a house for myself and my family. The proposed house will have approximately 6,000 square feet of available space, with a total building area of around 11,000 square feet, including the house and garage. The house will sit on a 5-acre lot, with the majority of the land dedicated to yard space, trees, and gardens.

There are 2 pivots on the parcel. The one to the North which will be untouched and the pivot to the south on the parcel will be modified to a half-swipe pivot, with the bottom southeast corner being converted into a wheel line. This modification will allow us to maintain the farming operations around the house. The location of this parcel is ideal for our needs, as it places us in the middle of our operations, with dairies to the northeast and a feed yard to the southwest. Having our residence in this central location will enhance our ability to manage our operations effectively.

Building a house on this parcel will also allow us to provide improved housing options for our employees. My current home will be occupied by my dairy manager, who has been with our operation for over 22 years. He has a family of seven and has outgrown his current home. This will provide him with an upgrade in housing and allow him to live in the middle of both dairies. Consequently, I will be able to move my assistant manager into his house, creating more housing opportunities for our long-term employees.

I would like to highlight that building my house on this property will not require crossing over other private properties, eliminating the need for an easement. Additionally, the parcel is not located in a herd district. The surrounding farms are owned by Nederend Farms LLLP, ensuring that the proposed house will be well-integrated into the agricultural landscape.

Regarding water supply, I understand that I would need to drill a well for the home. However, for the yard and trees, I can utilize the current irrigation water that is allotted for the parcel. The majority of the water will still be used for irrigation purposes to support our farming operations. The current water source is from the Gem Irrigation District, and the proposed house will not disrupt the point of diversion. The only change will be the modification of the pivot to a half-swipe and the inclusion of a wheel line in the bottom corner.

Please provide me with any concerns you may have.

Sincerely,

Hans Nederend
Nederend Farms LLLP

Dear Irrigation District,

I hope this letter finds you well. My name is Hans Nederend, and I am writing to formally request your approval for the construction of my house on parcel number RP03N05W354801, on behalf of Nederend Farms LLLP.

Nederend Farms LLLP is a family-owned agricultural business that has been a part of the Owyhee County community for more than 26 years. We are committed to responsible land use and development, and we value the importance of maintaining the agricultural heritage of our county.

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There are 2 pivots on the parcel. The one to the North which will be untouched and the pivot to the south on the parcel will be modified to a half-swipe pivot, with the bottom southeast corner being converted into a wheel line. This modification will allow us to maintain the farming operations around the house. The location of this parcel is ideal for our needs, as it places us in the middle of our operations, with dairies to the northeast and a feed yard to the southwest. Having our residence in this central location will enhance our ability to manage our operations effectively.

Building a house on this parcel will also allow us to provide improved housing options for our employees. My current home will be occupied by my dairy manager, who has been with our operation for over 22 years. He has a family of seven and has outgrown his current home. This will provide him with an upgrade in housing and allow him to live in the middle of both dairies. Consequently, I will be able to move my assistant manager into his house, creating more housing opportunities for our long-term employees.

I would like to highlight that building my house on this property will not require crossing over other private properties, eliminating the need for an easement. Additionally, the parcel is not located in a herd district. The surrounding farms are owned by Nederend Farms LLLP, ensuring that the proposed house will be well-integrated into the agricultural landscape.

Regarding water supply, I understand that I would need to drill a well for the home. However, for the yard and trees, I can utilize the current irrigation water that is allotted for the parcel. The majority of the water will still be used for irrigation purposes to support our farming operations. The current water source is from the Gem Irrigation District, and the proposed house will not disrupt the point of diversion. The only change will be the modification of the pivot to a half-swipe and the inclusion of a wheel line in the bottom corner.

Please provide me with any concerns you may have.

Sincerely,

Hans Nederend
Nederend Farms LLLP



South Board of Control, Owyhee Project
P. O. Box 67,
Homedale, ID 83628

Ridgeview Irrigation District

Phone (208)337-3760

office@southboardofcontrol.com

Gem Irrigation District

Fax (208)337-5107

March 6, 2024

Hans Nederend
5177 Buntrock Road
Marsing, ID 83639

Gem Irrigation District has reviewed your request for a conditional use permit to build a home on a 5.0-acre lot in the East ½ of the SW ¼ of T3N R5W Sec. 35, which is in Owyhee County Tax Parcel number RP03N05W354801.

We have this property listed on our records as part of Property Number 1445 with 76.3 ac of water right receiving water from the A Canal.

Properties within the Gem Irrigation District are allotted 4-acre feet of water per acre, in a full water year. In a drought or reduced water year this can be reduced according to the amount of water available for irrigation. Water delivery to the above property will be delivered to the current delivery point as it has in the past and then will become the responsibility of the owner of the dwelling for water delivery methods and times past that point.

With the above requirements the South Board of Control approves your request to establish a dwelling on the property listed above. We feel there is no reason that this will affect the Gem Irrigation District and we therefore agree to the requested use. Should you have any questions regarding this decision please contact our office at (208)337-3760.

Should you have any questions regarding this decision please contact our office at (208)337-3760.

Sincerely,

Carl Seiders
Carl Seiders,
Manager

cc: Owyhee County Planning and Zoning

Dear Road District,

I hope this letter finds you well. My name is Hans Nederend, and I am writing to formally request your approval for the construction of my house on parcel number RP03N05W354801, on behalf of Nederend Farms LLLP.

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Please provide me with any concerns you may have.

Sincerely,

Hans Nederend
Nederend Farms LLLP

Dear School District,

I hope this letter finds you well. My name is Hans Nederend, and I am writing to formally request your approval for the construction of my house on parcel number RP03N05W354801, on behalf of Nederend Farms LLLP.

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Please provide me with any concerns you may have.

Sincerely,

Hans Nederend
Nederend Farms LLLP



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: Nederend Farms LLC

Name: Hans Nederend

Address:

Legal: Section: 35 Township: 3 Range: 5

Assessor's Parcel Number: RPO3N050354801

Signature: [Handwritten Signature] Date: 3-3-24

Signature Date

STATE OF IDAHO, County of Owyhee ss.

On this 8th day of March, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared:

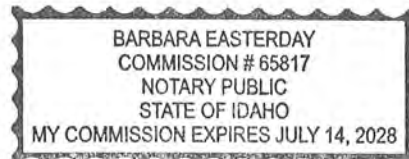
Known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Signature: Barbara Easterday

Name: Barbara Easterday

Residing at: Homedale Id 83628

My Commission expires: 7-14-28



Nederend Contacts

Hans Nederend (applicant)

208-571-6059

Hansthefourth@gmail.com

Superior Custom Homes (Builder)

Blake Richards

208-869-6858

superiorcustomhomesid@yahoo.com

Rob Nyhof (Architect)

208-401-4390

rob@robnyhofdesign.com

~~BUILDING~~ PERMIT RECEIPT

Permit Number: **Z24-20**

Applicant Name: **NEDEREND, HANS JR**

Applicant Address: **5177 BUNTROCK ROAD
MARSING ID 83639**

Permit Summary

Total Fees:	\$	1,200.00
Total Paid:	\$	1,200.00

Amount Due:	\$	-
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Fee Detail

Permit Fee:	\$	-
Review Fee:	\$	-
Driveway Fee:	\$	-
Landfill Fee:	\$	-
Inspection Fees:	\$	-
Additional Fees:		
Code	Quantity	Amount
Conditional Use	1.00	\$ 1,200.00
Total Fees:	\$	1,200.00

Permit Payment(s)

Receipt Number	Description	Paid By	Date	Method	Amount
1	Cup App. Fee	Hans Nederend	03/08/2024	Credit Card	\$ 1,200.00
Total Paid:					\$ 1,200.00