

EXHIBIT A

PLAT MAP



A PARCEL OF LAND LYING IN THE N 1/2 OF THE S 1/2 OF THE SW  
1/4 OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 6 EAST, BOISE  
MERIDIAN, ELMORE COUNTY, IDAHO. 2025

COUNTY: ELMORE  
ROADWAYS: MOUNTAIN HOME HIGHWAY DISTRICT  
FIRE DEPT: MOUNTAIN HOME FIRE DEPARTMENT

CURRENT ZONING: AG  
PROPOSED ZONING: AG

TOTAL AREA: 39.13 ACRES

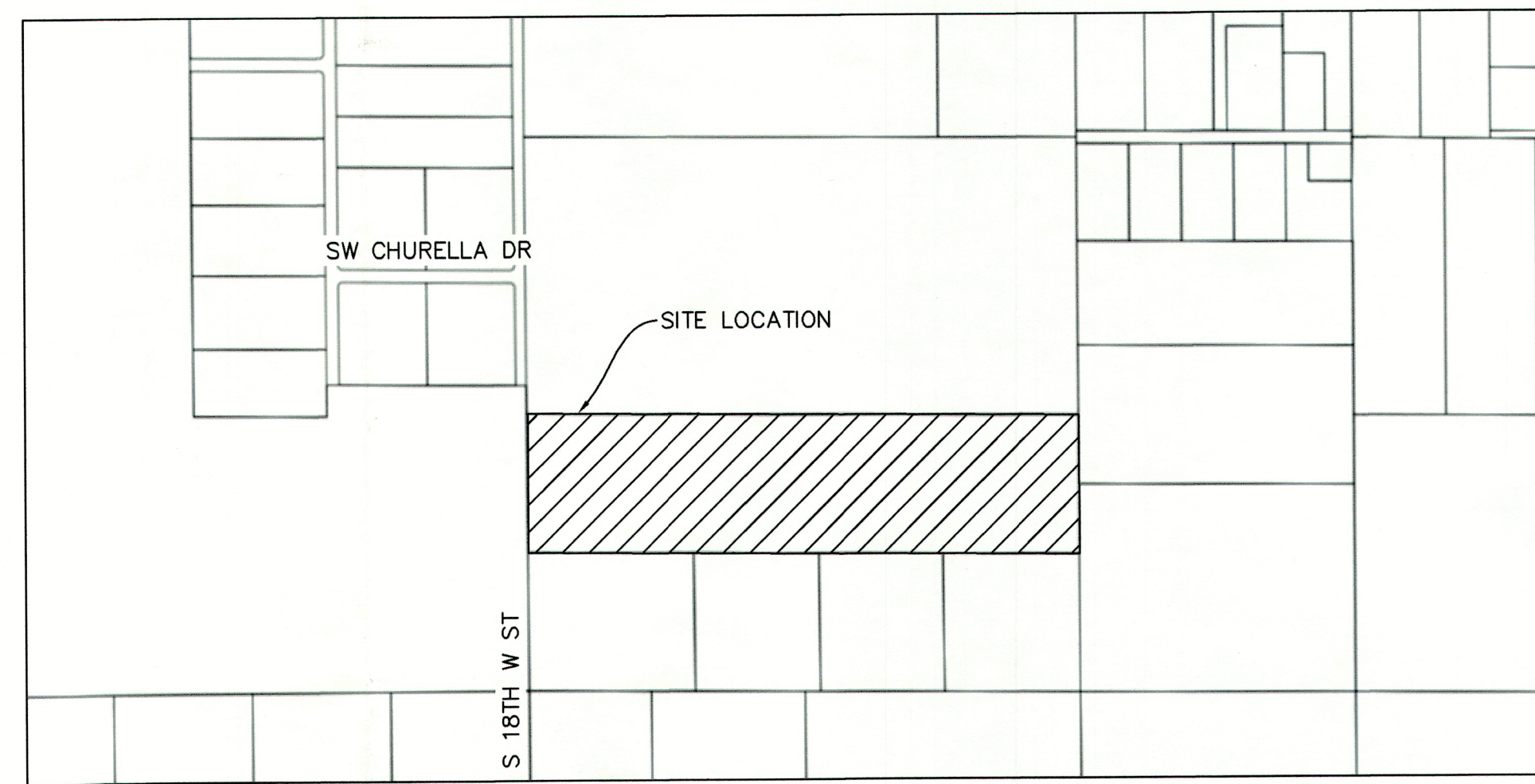
RESIDENTIAL: 4  
LOT 1: 5.00 ACRES  
LOT 2: 5.00 ACRES  
LOT 3: 5.00 ACRES  
LOT 4: 5.00 ACRES  
LOT 5: 5.00 ACRES  
LOT 6: 5.00 ACRES  
LOT 7: 9.13 ACRES

FRONT: 50 FEET  
SIDE: 50 FEET  
REAR: 50 FEET

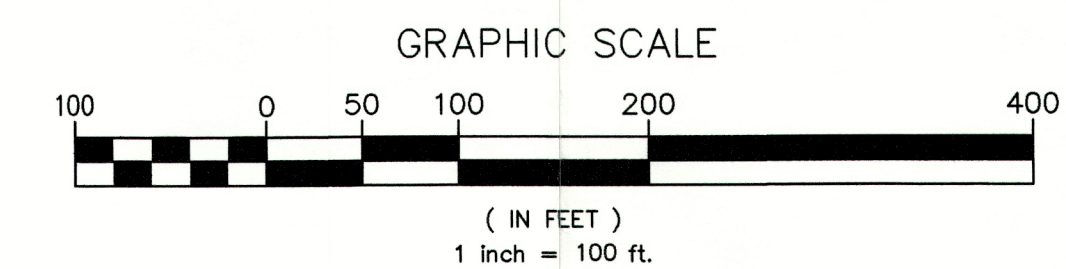
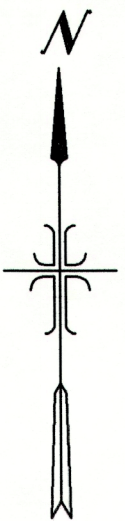
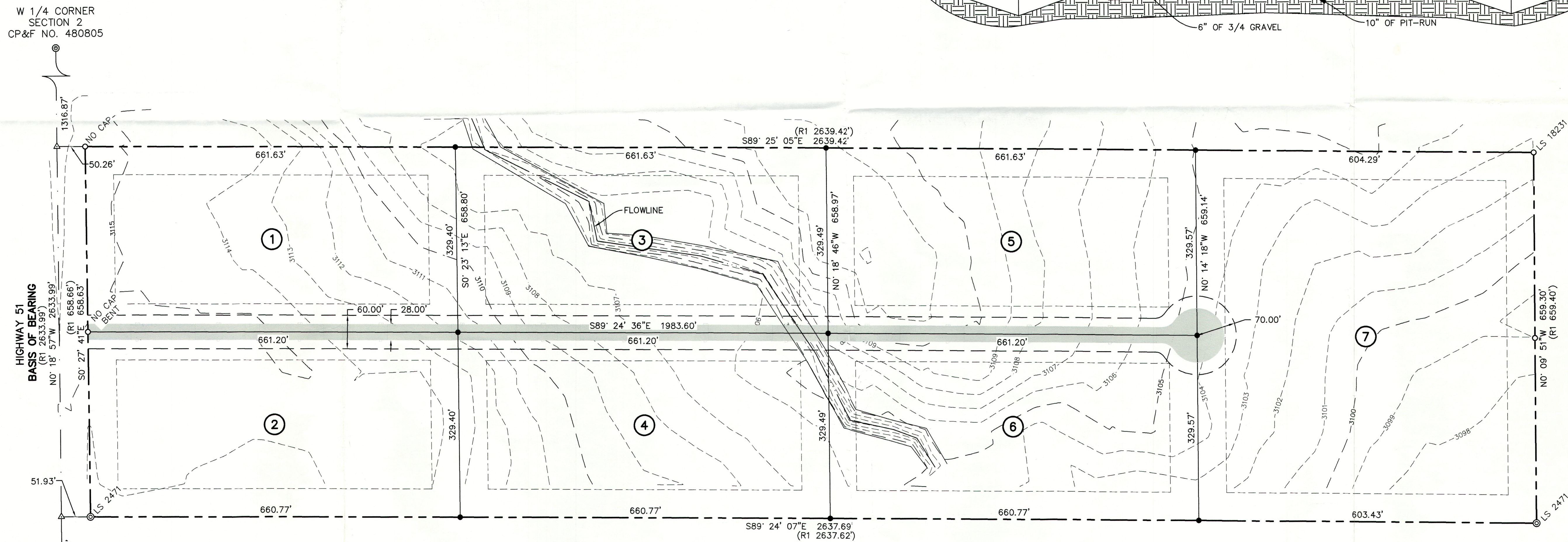
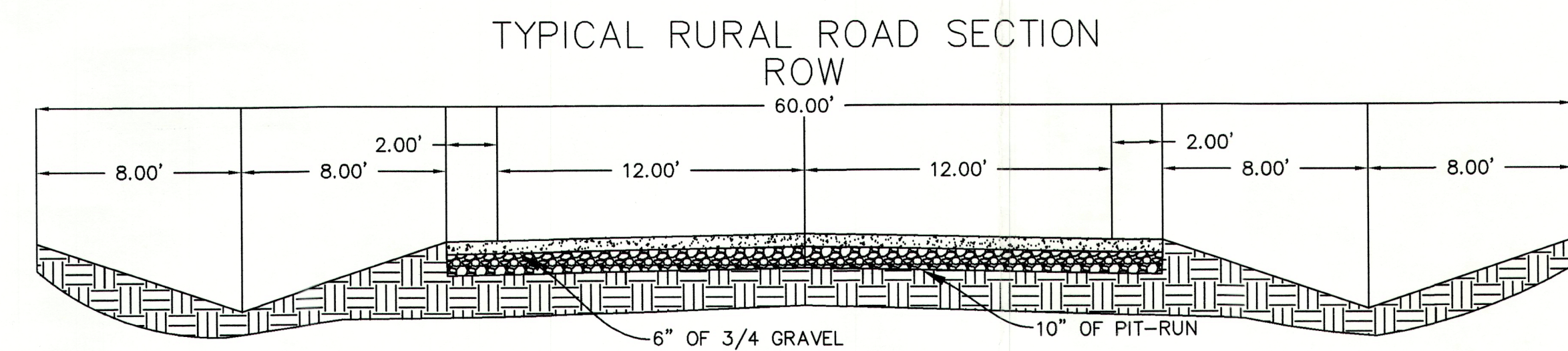
PRIVATE WELL

## INDIVIDUAL SEPTIC SYSTEMS

REFERENCE IS MADE TO THE FOLLOWING:  
 -(R1) ROS INSTRUMENT NO. 480806  
 J.J. HOWARD LLC.



VICINITY MAP  
MOUNTAIN HOME, ID – NOT TO SCALE



SURVEYOR  
JJ HOWARD, LLC.  
5983 W. STATE ST., STE. D  
BOISE, ID 83703  
PHONE: 208.846.8937

OWNER/DEVELOPER  
EDGAR HERNANDEZ  
MOUNTAIN HOME, ID 83647  
PHONE: 208.284.0161

<b>REVISIONS</b>					
NO.		DATE	BY	DESCRIPTION	
PROJECT NO.			DATE		
240704			10/16/24		
SCALE		DESIGNED		CHECKED	
1"=100'		EJA		EJH	

PRELIMINARY  
PLAT

1 OF 1

**J.J. HOWARD**  
**ENGINEERING & LAND SURVEYING**  
5983 W. State St., Ste. D  
Poncha, ID 83703 (208) 846-9937



LA HACIENDA  
PRELIMINARY PLAT



# EXHIBIT B

## PRE-APPLICATION MEETING NOTES



## Elmore County Land Use & Building Department

520 East 2nd South  
Mountain Home, ID 83647  
Phone: (208) 587-2142  
Fax: (208) 587-2120

**Pre Applications are good for 90 days from the Pre Application Meeting Date.**

### Pre Application Meeting Form

Date: 9/23/2024 Meeting Location: Land Use office

Elmore County Staff: Mitra Hacey, David and  
city of Mtn Home Planning staff

Applicant Name: Edgar Hernandez

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

Applicant Phone Number: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Property Owner: Edgar Hernandez

Property Address: TBD

Parcel Number: RPOUSOE 02110

Proposed Use/Application: WP to subdivide 40  
acre parcel into 8/5 acre lots.

Application(s) required: WP app

Notification distance: 1 mile



Other requirements: \_\_\_\_\_

Additional Meeting Required: \_\_\_\_\_

Case Number: \_\_\_\_\_

Additional Notes: ITD requirements for approach  
from Hwy 51. MTHD requirements. CDA  
requirements. Central sewer/water of  
Sacramento.

Pier of site to see about slopes.

need comment from ITD  
city dry line / sewer and a water  
treatment parcel belonging to City and  
will be ~~trucking~~ developed for collection  
ponds -

Road, drainage needs to go to Angie







# EXHIBIT C

## NEIGHBORHOOD MEETING with RADIUS





February 6, 2025

To Whom It May Concern:

You are invited to attend a neighborhood meeting on February 6. The Meeting will be held on-site (see attached vicinity map). We are proposing a 7-lot subdivision that will take access from Highway 51. Your comments are greatly appreciated as we can move forward with our application.

Sincerely,

J J Howard Land Surveying





## ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 East 2<sup>nd</sup> South • Mountain Home, ID • 83647 • Phone: (208) 587-2142

Fax: (208) 587-2120 • [www.elmorecounty.org](http://www.elmorecounty.org)

### Neighborhood Meeting Sign Up Sheet

Date of Neighborhood Meeting: 2/20/2025

Start Time of Neighborhood Meeting: 6:00

End Time of the Neighborhood Meeting: 6:30

Location of Meeting: 1395 Highway 51

Description of the proposed project: 7-167 subdivision

Notice Sent to neighbors on: Feb. 16<sup>th</sup>

Location of the neighborhood meeting: Hernandez Towing

1395 Highway 51 Mountain Home

#### Attendees:

<u>Name</u>	<u>Address</u>
1. <u>Eric Howard</u>	<u>5983 W State Boise Id 83705</u>
2. <u>Steve Brown</u>	<u>2050 SW Graham Dr Mtn Home, ID 83647</u>
3. <u>Amber Brown</u>	<u>2050 SW Graham Dr Mtn Home, ID 83647</u>
4. <u>DENNIS WALLACE</u>	<u>2000 SW GRAHAM DR Mtn Home ID 83647</u>
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____



11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

**Neighborhood Meeting Certification:**

Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variance, conditional uses, zoning ordinance map amendments and expansions or extensions of nonconforming uses as per Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.

**Applicant:**

Name: J.J. Howard

Address: 5983 W. State #D

City: Bowen State: ID Zip: 83703

Telephone: 208-846-8937 Fax: \_\_\_\_\_

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with the Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.



Signature: (Applicant)

2-20-25

Date



PARCEL #	OWNER	ADDRESS 1	ADDRESS 2
RP000460040010	SPENCER, WILLIAM L	2533 SW CHURELLA DR	
RP000460040020	SHETLER, CLINTON L	2451 SW CHURELLA DR	
RP04S06E026110	HERNANDEZ, EDGAR ANTONIO	1292 SW TORRES PEDROZA DR	
RP04S06E026230	GUMP, MATTHEW T	35 SW SWEETGUM DR	
RP04S06E028050	SELL, JERROD R	3024 E RAGUSA ST	
RP04S06E028210	SHAKOORI PROPERTIES LLC	140 W SKYLARK DR	
RP04S06E028550	CITY OF MOUNTAIN HOME	P O BOX 10	
RP04S06E031265	REYNOLDS, ALAN	510 JULIAN AVE	
RP04S06E025410	OCF II HOLDINGS LLC	2208 E SUMMERSWEET DR	STE 170215
RP04S06E026215	SHIMMON 2002 REVOCABLE TRUST	P O BOX 1351	
RP04S06E026220	BROWN, STEVEN M	2050 SW GRAHAM DR	
RP04S06E026225	WALLACE, DENNIS	2000 SW GRAHAM DR	



CITY	STATE	ZIP CODE	PROPERTY ADDRESS
MTN HOME	ID	83647	2533 SW CHURELLA DR
MTN HOME	ID	83647	2451 SW CHURELLA DR
MTN HOME	ID	83647	
MTN HOME	ID	83647	
MERIDIAN	ID	83642	1195 SW VERA
BOISE	ID	83702	
MTN HOME	ID	83647	
HONOLULU	HI	96818	
BOISE	ID	83716	
EMPIRE	CA	95319	
MTN HOME	ID	83647	2050 SW GRAHAM DR
MTN HOME	ID	83647	2000 SW GRAHAM DR



EXHIBIT D

APPLICATION





## ELMORE COUNTY LAND USE & BUILDING DEPARTMENT

520 E 2<sup>nd</sup> South – Mountain Home, ID 83647 – (208) 587-2142

[www.elmorecounty.org](http://www.elmorecounty.org)

### Conditional Use Permit Application

The Elmore County Land Use & Building Department **DOES NOT** accept faxed applications or signatures.

Application must be completed in **INK**. Please use addition sheets of paper if necessary. This application must be complete, and all fees paid prior to acceptance by the Elmore County Land Use & Building Department. A public hearing will not be scheduled until the application is accepted.

The Conditional Use Permit Application must be in compliance with Title 7, Chapter 9 of the Elmore County Zoning and Development Ordinance.

Pre-application meetings are strongly encouraged for Conditional Use Permit Applications. Pre-application meetings are by appointment only. Do not hesitate to contact the Land Use & Building Department with any questions or concerns.

1. Name of applicant: J.J. Howard / owner: Edgar Hernandez
2. Address of applicant: 5983 W. State #D / 1395 Hwy 51 Mountain Home  
Base 10. 83703
3. Daytime telephone number of applicants: 208-846-8937 / 208-284-0161
4. Email Address: Foley m @ j j howard eng.com
5. Name, address, and daytime telephone number of developers: \_\_\_\_\_

See above.

6. Address of subject property: OFF OF Hwy 51 Parcel # RPDHSD6E026110
7. Name, address, and daytime telephone number of property owner (if different from applicant): \_\_\_\_\_

See above.

8. Attach Legal Description and acreage of property and legal description and acreage of part that CUP is to encompass:

Attach at least one of the following:

☒ Deed ☐ Proof of Option ☐ Earnest Money Agreement ☐ Lease Agreement ☐ Assessor's Parcel Master Inquiry RP# 04506E026110

9. Common directions of how to get to the proposed Conditional Use Permit property from a known beginning point: OFF OF W 36<sup>th</sup> S turn onto Hwy 51 and head

north



10. a. Current zoning: AG b. Current district (if applicable): \_\_\_\_\_

11. a. Is the proposed location within an ☐ Area of Critical Concern (ACC) or ☐ Community Development Overlay (CDO)? ☐ Yes ☐ No If in a CDO, what CDO? \_\_\_\_\_  
If in an ACC or CDO, technical studies, an environmental assessment, or environmental impact statement may be required.

b. Is the proposed development within any city's impact area? ☒ Yes ☐ No

c. Is the proposed site within an Airport Hazard Zone or Airport Sub Zone? ☐ Yes ☒ No  
If yes, applicant shall provide approval from the Federal Aviation Administration and/or the Idaho Department of Aeronautics and Transportation.

d. Is any portion of the property located in a Floodway or 100-year Floodplain? ☐ Yes ☒ No  
If yes submit map showing location of floodway and/or floodplain in relation to the property and/or proposal.

e. Does any portion of this parcel have slopes in excess of 10%? ☐ Yes ☒ No If yes, submit contour map.

f. The impacts of a proposed development and/or land use on adjacent land uses and transportation facilities must be considered. The applicable Highway District or Transportation Department may require a Traffic Impact Study (TIS) if the proposed development or land use has associated with its special circumstances deemed by the district or department to warrant a study. A notation and signature from the applicable district or department stating no study is required or a copy of this study must be submitted with this application.

g. The impacts of the CUP on existing public services and facilities (such as the fire department, emergency services, sheriff's department, schools, etc.) must be considered. A letter from the applicable agency governing the public service or facility stating how the developer will provide for said services with plans and/or drawings or that said services are not required may need to be submitted with the application.

h. Are there any known hazards on or near the property (such as canals, hazardous material spills, soil or water contamination, etc.)? ☐ Yes ☒ No If yes, describe and give location: \_\_\_\_\_

i. Are there hazardous materials and/or wastes involved either in your operation or generated off site and brought onto the property? ☐ Yes ☒ No

12. Does any other agency require a permit (DEQ, EPA, IDWR, FAA, state, federal, etc.)? ☐ Yes ☒ No If yes, who? \_\_\_\_\_

☐ Proof of having applied for or acquired other agency(ies) permit(s) submitted with CUP application.



13. ADJACENT PROPERTIES have the following uses:

North Bare land AG East Bare land AG  
South Residential AG West Bare land AG

14. EXISTING USES and structures on the property are as follows: Bare land

15. A written narrative stating the specific PROPOSED USE. Include as much detail as possible (use additional sheets of paper if necessary):

40 acre parcel subdivide into 7 lots  
5 acre parcels

16. a. The conditional use is requested to begin within 1 ☐ days/☒ months after permit approval (permit expires if not used within 1 year of approval) and is for 2 years or ☐ perpetuity.

b. Construction or improvements associated with conditional use is expected to begin within: 1 ☐ days/1 month/☐ years and be completed within 1 ☐ days/☐ months/☒ years.

17. Proposed Use(s): Houses Hours of Operation: \_\_\_\_\_

Days of Operation: \_\_\_\_\_ Maximum Number of Patrons: \_\_\_\_\_

Sewage disposal: municipal/individual septic: \_\_\_\_\_

Water: municipal supply/community well/individual well: \_\_\_\_\_

Number of employees during largest shift: \_\_\_\_\_ Proposed number of parking spaces: \_\_\_\_\_

18. PRELIMINARY FLOOR PLANS: To a professional standard with sizes and types of interior spaces indicated, 15 copies 8½" x 11".

19. ENVIRONMENTAL IMPACT STATEMENT AND/OR ASSESSMENT: When a development or proposal is of a more complex nature, when it is required by the Zoning and Development Ordinance, and/or when the site is located within an Area of Critical Concern, and Environmental Impact Statement and/or Assessment may be required at the expense of the applicant. **(The Land Use & Building Director will determine if an EIS is required)**

EIS Required: ☐ Yes ☐ No Director Initial \_\_\_\_\_

Department Note: \_\_\_\_\_

20. **PROPERTY OWNER'S ADDRESS:** A list of property owner's/purchasers of record names and addresses within a minimum radius of 300' of property boundaries encompassed by proposed Conditional Use Permit. Said list shall be obtained from the tax records of the appropriate county.

See Attached

\*\*Radius extended to: 300 ☒ feet ☐ mile(s) Date: 2/4 Initial MF

21. Is this application submitted with any additional applications? NO

later we will submit preliminary & Final Plat

22. Title 7, Chapter 9, Section 7-9-7 states that the Elmore County Planning and Zoning Commission shall review all proposed conditional use applications and find adequate evidence that such use meets all of the following standards. The applicant must provide said evidence. Following are the standards the conditional use must meet (please use additional sheets of paper if necessary):

- A. How does the proposed land use constitute a conditional use as determined by the land use matrix?

Residential Subdivision

- B. How will the proposed land use be in harmony and accordance with the Comprehensive Plan and the Ordinance?

This subdivision fulfills item 6 under land use objective to encourage orderly development of subdivision & individual parcels.

- C. How will the proposed land use comply applicable base zone and with the specific standards as set forth in the Ordinance?

under the zoning Matrix Subdivisions are allowed with a conditional use permit

- D. How does the propose land use comply with all applicable County Ordinance?

This CUP and future subdivision complies with specific standards set forth in Chapter 10 title 1 of the subdivision ordinance

- E. How does the propose land use comply with all applicable State and Federal regulation?

All wells and septic systems will need to comply with state and federal regulations and approval

- F. What about the proposed land use's design, construction, operation and maintenance makes it harmonious and appropriate in appearance with the existing or intended character of the general vicinity and how will it not change the essential character of said area?



The existing parcel will be harmonious in this area.

G. Why or how will the proposed land use not be hazardous or disturbing to existing or future neighboring uses?

Surrounding parcels are currently used. single family homes with no major agricultural facilities

H. How will the proposed land use be served adequately by available public facilities/services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer or how will these public services be provided by the applicant/developer?

lots will be served by individual wells and septic systems and will be serviced by a private drive

I. Why or how will the proposed land use not create excessive additional requirements at public cost for public facilities/services or be detrimental to the economic welfare of the county?

no additional services will be required to the public

J. Why or how will the proposed land use not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors?

Residential subdivisions generally do not create the above conditions

K. Why or how will the proposed land use not result in the destruction, loss or damage of a natural or scenic feature of major importance?

The existing parcel is not in a recreational scenic feature identified by Elmore County publications

23. **ADDITIONAL INFORMATION:** Any additional information as required or needed by the Planning and Zoning Commission, Land Use & Building Department, or interested agency.

**A neighborhood meeting must be conducted prior to submitting application.** Requirements for a neighborhood meeting are outlined in the Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.

**A master site plan is required with this application.** Requirements for a master site plan are found in Title 10, Chapter 6 of the Elmore County Zoning and Development Ordinance.

**Agency signature sheet on page 7 of this application.**

Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval may be the final action in any multi-agency approval process. Proof of having obtained or applied for necessary permits and/or approvals from applicable local (other than Elmore County) state, and/or federal agencies may be required prior to issuance of a Conditional Use Permit by Elmore County. If required, documentation shall be submitted with the Conditional Use Permit application.

The Planning and Zoning Commission shall hold at least one public hearing on an application for a Conditional Use Permit. A public hearing will be scheduled within sixty (60) days after acceptance of the application. The Land Use & Building Department will mail hearing notices to the surrounding property owners and to any agency that may have an interest in the proposal. The Land Use & Building Department will place a Notice of Public Hearing in the Mountain Home News at least fifteen (15) days prior to said hearing. The Land Use & Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing.

This application may be approved, conditionally approved, denied, or tabled.

If the application is approved or conditionally approved by the Planning and Zoning Commission, the applicant will be sent a document that is the official "Conditional Use Permit". This document may be in the form of a Findings of Fact, Conclusions of Law, and Order, and will enumerate the conditions attached to the approval and issuance of the permit and will state the consequences of failure to comply. The permit shall not become effective until after an elapsed period of fourteen (14) days from the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order. During this time, any interested person may appeal the action to the Board of Elmore County Commissioners. The applicant will be notified of any pending appeals. An appeal will stay all proceedings until its resolution.

If the Conditional Use Permit is denied by the Planning and Zoning Commission, the applicant may reapply or the applicant may appeal the decision in writing to the Board of Elmore County Commissioners. Appeal of a Planning and Zoning Commission decision must be made within fourteen (14) days after the date of the Planning and Zoning Commission Chairperson's signature on the Findings of Fact, Conclusions of Law, and Order,

The applicant hereby agrees to pay the fees established by the Board and agrees to pay any additional fees incurred (initial) ME. The applicant also verifies that the application is complete and all information contained herein is true and correct (initial) ME. The initial applicant understands there could be a delay in a decision should the applicant or their representative not attend any meeting where the application is being considered.

Property Owner Signature	Date	Applicant Signature	Date
--------------------------	------	---------------------	------

**ADMINISTRATIVE USE ONLY**

Date of Acceptance:	<u>2-21-25</u>	Accepted by	<u>Alyssa</u>
CUP FEE: \$400.00	Fee \$ <u>400</u> .00	( <input type="checkbox"/> Pd) Receipt #	<u>Paid</u>
Date Paid:	<u>2-21-25</u>	Case# CUP-	<u>2025-14</u>



# Conditional Use Permit Checklist

DATE

<input type="checkbox"/>	† Pre-application Meeting with Director (Planner if Director elects)	
<input type="checkbox"/>	† Planner processes a list of Adjoining Property Owners as recommended by Director	
<input type="checkbox"/>	† Applicant Holds Neighborhood Meeting/ Planner is provided verification	
<input type="checkbox"/>	Planner advises Admin Assistant that this CUP application is ready for acceptance	
<input type="checkbox"/>	Property Owner's Name	
<input type="checkbox"/>	Applicant's Name	
<input type="checkbox"/>	Project Name	
<input type="checkbox"/>	Zoning Permit Notes	
<input type="checkbox"/>	† Any Other Application/s (Concurrent/Prior)	
<input type="checkbox"/>	Case Files Created by Admin Assistant    P&Z <input type="checkbox"/> Projects <input type="checkbox"/> Hard Copy <input type="checkbox"/>	
<input type="checkbox"/>	Admin Assistant provides a complete application to Planner (Hard Copy)	
<input type="checkbox"/>	Planner reviews the application and requests additional information from applicant	
<input type="checkbox"/>	Planner reaches out to the Director if guidance or assistance is needed	
<input type="checkbox"/>	† Planner sends Application Acceptance Letter to Applicant within 30 days	
<input type="checkbox"/>	† Planner requests Permit Tech to place it for a Planning and Zoning Hearing	
<input type="checkbox"/>	† Planner prepares a Notice for Newspaper to publish 15 days in advance of the hearing	
<input type="checkbox"/>	† Planner saves a copy of the publication in Project folder	
<input type="checkbox"/>	† Planner prepares Letters for Surrounding Property Owners and Agencies 21 days in advance	
<input type="checkbox"/>	Permit Tech sends out letters 15 days in advance and saves a copy in Project folder	
<input type="checkbox"/>	† Planner provides a Notice of Public Hearing Sign to applicant for posting on-site 7 days in advance	
<input type="checkbox"/>	Planner receives pictures of the site posting and saves them in Project folder	
<input type="checkbox"/>	† Planner prepares a Staff Report 21 days in advance for review by Director & PA	
<input type="checkbox"/>	† Director makes a determination if FCO would be combined with public hearing	
<input type="checkbox"/>	† After this review, Planner completes the Staff Report, Exhibits, and draft COA	
<input type="checkbox"/>	Planner provides a Staff Report and draft COA to applicant 7 days in advance	
<input type="checkbox"/>	Planner provides the staff report packet to Permit Tech 7 days in advance	
<input type="checkbox"/>	Permit tech includes it in Planning and Zoning Commission Packet	
<input type="checkbox"/>	† Planning and Zoning Commission Action:	
<input type="checkbox"/>	Approved _____ Denied _____ Continued _____	
<input type="checkbox"/>	† Planner retrieves Notice of Public Hearing Sign	
<input type="checkbox"/>	† Planner writes FCO 21 days in advance of the next P&Z Hearing for review by Director & PA	
<input type="checkbox"/>	† FCO Scheduled _____ Approved/Signed _____	
<input type="checkbox"/>	† Copy of FCO Mailed to Applicant by Permit Tech	
<input type="checkbox"/>	† Copy of Approved and Signed Minutes in the Record (Project folder) by Permit Tech	
<input type="checkbox"/>	† Permit Tech stores the hard copy files	

Instrument # 509577 # Pages: 2  
ELMORE COUNTY, Idaho  
Mar 29, 2024 11:53:15 am Fee: \$ 15.00  
For: GUARANTY TITLE INC  
SHELLEY ESSL, Recorder  
SBOWEN, Deputy

**WARRANTY DEED**  
24034

For Value Received.

**JENNA HALSELL AND BRIAN COLE HALSELL, WIFE AND HUSBAND**

the Grantors do hereby grant, bargain, sell, convey and warrant unto

**EDGAR ANTONIO HERNANDEZ AND RUTH N HERNANDEZ, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**

the Grantees whose current address is:  
1292 SW Torres-Pedroza Dr, Mountain Home, ID 83647

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

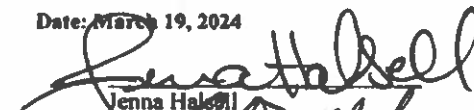

**Township 4 South, Range 6 East, Boise Meridian, Elmore County, Idaho**

**Section 2: N1/2S1/2SW1/4**

**SAVE AND EXCEPT** that portion deeded to the State of Idaho for right-of-way for public highway forever, as recorded October 11, 1951, as Instrument Number 82884 in Book 2 of Highway Deeds at page 252, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that they will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: March 19, 2024

  
Jenna Halsell  
  
Brian Cole Halsell




State of Arkansas

County of *Baxter*

On this *20th* day of March, 2024, before me, the undersigned, a Notary Public, in and for said State, personally appeared **JENNA HALSELL AND BRIAN COLE HALSELL**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

  
\_\_\_\_\_  
Notary Public  
Residing at: *Baxter Co. Arkansas*  
Commission Expires: *9/10/32*

MICHAEL ALLEN BAILEY  
Notary Public - Arkansas  
Baxter County  
Commission # 12720621  
My Commission Expires Sep 10, 2032

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Land Use & Building Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Land Use & Building Staff will inform the applicant of the desired agency signatures prior to application submittal.

#### Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.

<ul style="list-style-type: none"> <li>• Central District Health (or other Sewer District) Sewer Permit (580-6003)</li> </ul>	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: right;">Date</div>
Comment: <div style="border-bottom: 1px solid black; width: 100%;"></div>	
<ul style="list-style-type: none"> <li>• Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115)</li> </ul>	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: right;">Date</div>
Comment: <u>N/A</u> <div style="border-bottom: 1px solid black; width: 100%;"></div>	
<ul style="list-style-type: none"> <li>• Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 599-0000) (BGRFD 834-2511) (AFD 864-2182)</li> </ul>	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: right;">Date</div>
Comments: <div style="border-bottom: 1px solid black; width: 100%;"></div>	
<ul style="list-style-type: none"> <li>• Assessor's Office (Verify Legal Description) (ext. 247)</li> </ul>	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: right;">Date</div>
Comments: <div style="border-bottom: 1px solid black; width: 100%;"></div>	
<ul style="list-style-type: none"> <li>• Treasurer's Office (Verify Tax Status) (ext. 501)</li> </ul>	<div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="text-align: right;">Date</div>
Comments: <div style="border-bottom: 1px solid black; width: 100%;"></div>	



Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.
5. If this a new residence, you will need to obtain signature from the following agencies.

Central District Health (or other Sewer District) Sewer Permit (208-580-6003)

Date

Comment: \_\_\_\_\_

Roadway Jurisdiction (MHHD 208-587-3211) (GFHD 208-366-7744) (AHD 208-864-2115)

Date

Comment: \_\_\_\_\_

 - MHFD  
Fire District (MHRFD 208-587-2117) (Oasis 208-796-2115) (GFFD 208-599-0000)  
(BGRFD 208-834-2511) (ARFD 208-864-2182)

2.19.2025

Date

Comment: \_\_\_\_\_

Assessor (For Manufactured Homes Only)

Date

Comment: \_\_\_\_\_

EOGAR HERNANDEZ

Agency signatures are used for the applicant to make initial contact with certain agencies to address issues prior to a public hearing and application submittal. Additional agencies not listed may have additional requirements. The agencies listed below may be required for future approvals or signatures depending on the type of conditional use. The signature does not constitute a final approval by the agency. The agency signatures below do not guarantee approval from the Elmore County Land Use & Building Director, Elmore County Planning and Zoning Commission or Elmore County Board of Commissioners. The agencies listed below will be notified of the public hearing. Elmore County Land Use & Building Staff will inform the applicant of the desired agency signatures prior to application submittal.

#### Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.

Brian W. Cooper

2/19/25

- Central District Health (or other Sewer District) Sewer Permit (580-6003) \_\_\_\_\_

Date

Comment: Subdivision application, fees, test holes and engineering report required.

- Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) \_\_\_\_\_

Date

Comment: \_\_\_\_\_

- Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 599-0000) (BGRFD 834-2511) (AFD 864-2182) \_\_\_\_\_

Date

Comments: \_\_\_\_\_

- Assessor's Office (Verify Legal Description) (ext. 247) \_\_\_\_\_

Date

Comments: \_\_\_\_\_

- Treasurer's Office (Verify Tax Status) (ext. 501) \_\_\_\_\_

Date

Comments: \_\_\_\_\_





Elmore County Transmittal  
Division of Community and Environmental Health

RETURN TO:

☒ Elmore Co.  
Land Use &  
Building Dept.

Mtn. Home

☐ Glens Ferry

Rezone # \_\_\_\_\_

Conditional Use # CUP - Edgar Hernandez 2 Subdivision















Preliminary / Final / Short Plat \_\_\_\_\_

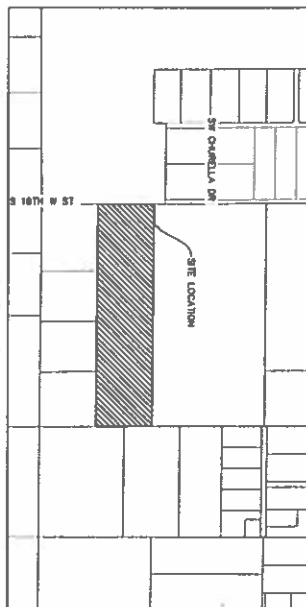
- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- |  |   |
|--|---|
| <input type="checkbox"/> high seasonal ground water  | <input type="checkbox"/> waste flow characteristics |
| <input type="checkbox"/> bedrock from original grade | <input type="checkbox"/> other _____                |
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- |  |  |   |
|--|--|---|
| <input type="checkbox"/> central sewage    | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water well |
| <input type="checkbox"/> interim sewage    | <input type="checkbox"/> central water           |   |
| <input type="checkbox"/> individual sewage | <input type="checkbox"/> individual water        |   |
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> central sewage   | <input type="checkbox"/> community sewage system | <input type="checkbox"/> community water |
| <input type="checkbox"/> sewage dry lines | <input type="checkbox"/> central water           |  |
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> food establishment     | <input type="checkbox"/> swimming pools or spas | <input type="checkbox"/> child care center |
| <input type="checkbox"/> beverage establishment | <input type="checkbox"/> grocery store          |  |
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- ☒ 14. Subdivision application, fees, test holes and engineering report required.

Reviewed By: Robert C. Jones  
Date: 2/19/25

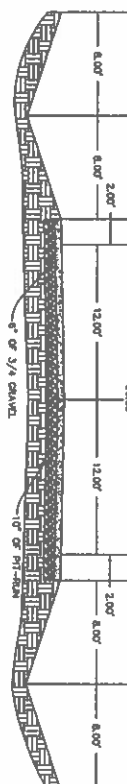
XXXXXXX SUBDIVISION

1. LOCATION	
COUNTY:	CLATSOP
ROADWAY:	MOUNTAIN HOME HIGHWAY DISTRICT
FIRE DEPT.:	MOUNTAIN HOME FIRE DEPARTMENT

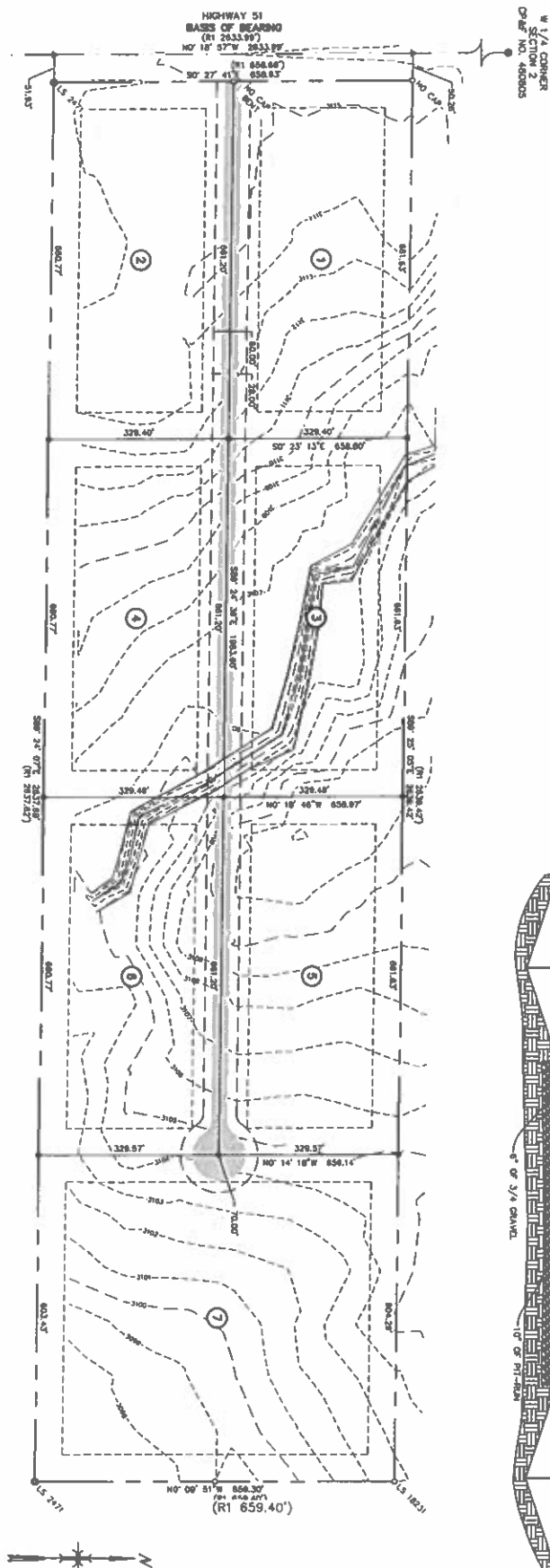
	BOUNDARY LINE
	SECTION LINE
	PROPOSED LOT LINE
	PROPOSED RIGHT OF WAY LINE
	BLANKING NETWORK LINE
	TELNET
	PROPOSED EDGE OF ROADWAY
	ROUND 5/8" MAN HOLE
	ROUND 1/2" MAN HOLE
	SET 1/2" x 24" MAN HOLE CAP
	CALCULATED POINT-NOT SET
	PROPOSED LOT HEADINGS
	PROPOSED LOT HEADINGS
	EXISTING 1" CONTIGUOUS LINE PROJECT DATA



MINORITY MAP  
MOUNTAIN HOME, ID - NOT TO SCALE



TYPICAL RURAL ROAD SECTION ROW



CP# NO. 374119

**GRAPHIC SCALE**

{ 80 FEET }

1 inch = 100 ft.

SUBJECTOR  
J J HOWARD, LLC  
28653 W. STATE ST., STE. 0  
BOISE, ID 83703  
PHONE: 208.844.6837

DIRECTOR/DEVELOPER  
EDGAR HOWARD  
XXXXXXXXXXXXXXXXXXXX  
BOULDER HOLE, ID 83047  
PHONE: 208.284.0761

[illegible]

PROJECT  
TITLE



**J.J. HOWARD**  
ENGINEERING & LAND SURVEYING

5923 W. State St., Ste. 9  
Indian, ID 83403 (208) 896-8832



February 6, 2025

To Whom It May Concern:

You are invited to attend a neighborhood meeting on February 6. The Meeting will be held on-site (see attached vicinity map). We are proposing a 7-lot subdivision that will take access from Highway 51. Your comments are greatly appreciated as we can move forward with our application.

Sincerely,

J J Howard Land Surveying



PARCEL #	OWNER	ADDRESS 1	ADDRESS 2
RP000460040010	SPENCER, WILLIAM L	2533 SW CHURELLA DR	
RP000460040020	SHETLER, CLINTON L	2451 SW CHURELLA DR	
RP04S06E026110	HERNANDEZ, EDGAR ANTONIO	1292 SW TORRES PEDROZA DR	
RP04S06E026230	GUMP, MATTHEW T	35 SW SWEETGUM DR	
RP04S06E028050	SELL, JERROD R	3024 E RAGUSA ST	
RP04S06E028210	SHAKOORI PROPERTIES LLC	140 W SKYLARK DR	
RP04S06E028550	CITY OF MOUNTAIN HOME	P O BOX 10	
RP04S06E031265	REYNOLDS, ALAN	510 JULIAN AVE	
RP04S06E025410	OCF II HOLDINGS LLC	2208 E SUMMERSWEET DR	STE 170215
RP04S06E026215	SHIMMON 2002 REVOCABLE TRUST	P O BOX 1351	
RP04S06E026220	BROWN, STEVEN M	2050 SW GRAHAM DR	
RP04S06E026225	WALLACE, DENNIS	2000 SW GRAHAM DR	

CITY	STATE	ZIP CODE	PROPERTY ADDRESS
MTN HOME	ID	83647	2533 SW CHURELLA DR
MTN HOME	ID	83647	2451 SW CHURELLA DR
MTN HOME	ID	83647	
MTN HOME	ID	83647	
MERIDIAN	ID	83642	1195 SW VERA
BOISE	ID	83702	
MTN HOME	ID	83647	
HONOLULU	HI	96818	
BOISE	ID	83716	
EMPIRE	CA	95319	
MTN HOME	ID	83647	2050 SW GRAHAM DR
MTN HOME	ID	83647	2000 SW GRAHAM DR

EXHIBIT E

ACCEPTANCE LETTER





# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.502  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**James Roddin**  
Director

**David Abrahamson**  
Planner

**Andrew Meek**  
Planner

**Johnny Hernandez**  
Building Official

**Colton Janousek**  
Building Inspector

**Josh Proffit**  
Building Inspector

**Matt Gouchner**  
Code Enforcement

**Sandra Nuner**  
Permit Technician

**Liz Elliott**  
Admin Assistant

**Date:** December 15, 2025.

**To:** Eric Howard and Edgar Hernandez

**Subject:** Notice of Public Hearing

**Parcel:** RP04S06E026110

Dear Applicant,

This is to inform you that the Elmore County Planning and Zoning Department on your request for a Conditional Use Permit (CUP-2025-14) to subdivide a 39.1-acre parcel into 6 5-acre parcels and 1 9.13-acre parcel located at parcel number RP04S06E026110 in the Agriculture zone. Public Hearing will be conducted on January 22, 2026, at 7:00 p.m. at 2280 American Legion Blvd. in the Rocky Bar Conference Room.

The Elmore County Planning and Zoning Department has **approved** the application subject to the Conditions of Approval attached to the Staff Report, which will be sent to you on or before January 12, 2026.

The decision of the Elmore County Planning and Zoning Commission may be appealed to the Board of County Commissioners within fourteen (14) calendar days from the Commission's final action.

If there is no appeal filed for your application. You can proceed in the permitting process to move your project forward.

If you have any further questions, please feel free to contact me at (208) 587-2122 or via e-mail at [dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov)

Sincerely,

*David Abrahamson*

David Abrahamson  
Elmore County Planner

# EXHIBIT F

## AGENCY AND PROPERTY NOTIFICATION



# Elmore County Land Use and Building Department

2280 American Legion Blvd  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.502  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

James Roddin  
Director

David  
Abrahamson  
Planner

Andrew Meek  
Planner

Johnny  
Hernandez  
Building Official

Colton  
Janousek  
Building Inspector

Josh Proffit  
Building Inspector

Matt Gouchner  
Code  
Enforcement

Sandra Nuner  
Permit  
Technician

Liz Elliott  
Admin Assistant

**Date:** January 12, 2026

**To:** Whom it May Concern

**Subject:** Notice of Public Hearing

**Parcel:** RP04S06E026110

Dear Landowner,

This is to inform you that the Elmore County Planning and Zoning Department has a request for a Conditional Use Permit (CUP-2025-14) to subdivide a 39.1-acre parcel into 6 5-acre parcels and 1 9.13-acre parcel located at parcel number RP04S06E026110 in the Agriculture zone. Public Hearing will be conducted on January 22, 2026, at 7:00 p.m. at 2280 American Legion Blvd. Elmore County Public Service Bldg. #1 in the Rocky Bar Conference Room.

The Elmore County Planning and Zoning Department has **approved** the application subject to the Conditions of Approval attached to the Staff Report.

This application may be reviewed prior to the hearing at the Land Use and Building Department during regular business hours. Any interested person shall be heard at said public hearing, and the public is welcome and invited to submit testimony. Anyone who wishes to testify but is unable to attend may submit testimony before the hearing by sending it to Elmore County Land Use and Building Department at 2280 American Legion Blvd., Mountain Home, Idaho 83647. Written testimony must be received by 5:00 p.m. on Thursday, January 21, 2026.

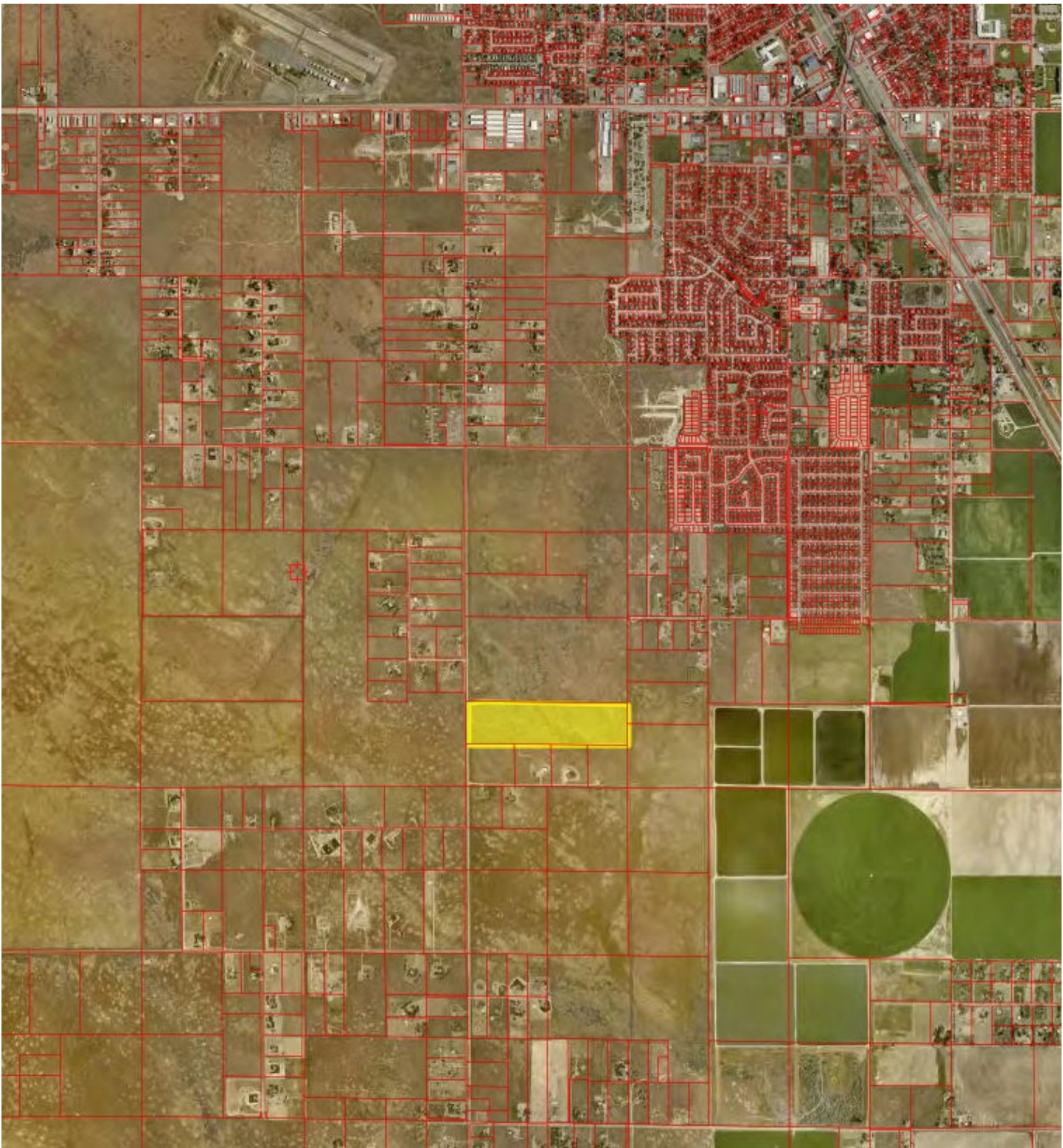
If you have any further questions, please feel free to contact me at (208) 587-2122 or via e-mail at [dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov)

Sincerely,

*David Abrahamson*

David Abrahamson  
Elmore County Planner







# Elmore County Land Use and Building Department

520 East 2<sup>nd</sup> South Street  
Mountain Home, ID 83647  
Phone: (208) 587-2142 ext.502  
Fax: (208) 587-2120  
[www.elmorecounty.org](http://www.elmorecounty.org)

**James Roddin**  
Director

**David Abrahamson**  
Planner

**Andrew Meek**  
Planner

**Johnny Hernandez**  
Building Official

**Colton Janousek**  
Building Inspector

**Josh Proffit**  
Building Inspector

**Matt Gouchner**  
Code Enforcement

**Sandra Nuner**  
Permit Technician

**Liz Elliott**  
Admin Assistant

**Date:** December 15, 2025.

**To:** Whom It May Concern

**Subject:** Notice of Public Hearing

**Applicant:** Eric Howard of JJ Howard

**Owner:** Edgar Hernandez

**Parcel:** RP04S06E026110

Conditional Use Permit No. 2025-14 (CUP-2025-14) intends to subdivide one (1) 39.1-acre lot in the Agriculture (Ag) zone into 7 different parcels. The site is located on Highway 51, south of downtown Mountain Home as shown on the vicinity map. The property is abutted by Ag zones to the north and east, and Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 2. The parcel is RP04S06E026110. A common way of locating the property from Mountain Home is by going South on Highway 51, go approximately 1.8 miles and property will be on the left side. Just before Graham Drive.

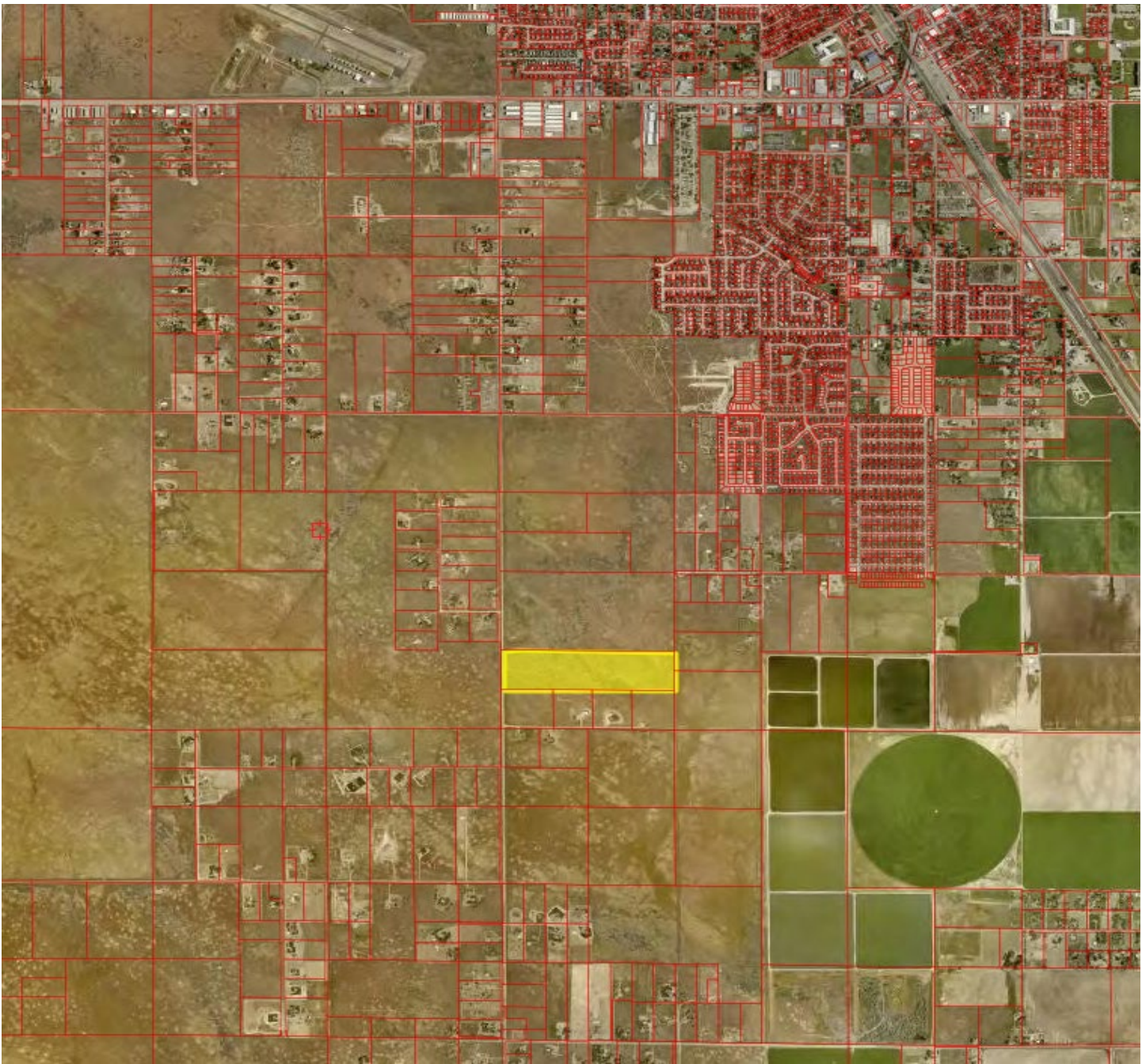
The Elmore County Board of Commissioners is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA). Any Person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsauer, 24 hours prior to the Public Hearing at 208-587-2130, extension 1280, or via email [kramsauer@elmorecountyid.gov](mailto:kramsauer@elmorecountyid.gov), or in person at 150 South 4<sup>th</sup> East, Mountain Home, Idaho.

Sincerely,

*David Abrahamson*

David Abrahamson  
Elmore County Planner





Enclosed: Application and site plan

CC:  
Elmore County Sheriff  
Central District Health  
Elmore County Emergency Services  
Idaho Department of Lands  
City of Mountain Home

Mountain Home Highway District  
Department of Environmental Quality  
Elmore County Engineer  
Idaho Department of Transportation  
Idaho Department of Water

# EXHIBIT G

## MOUNTAIN HOME NEWSPAPER PUBLIC HEARING NOTICE



# ELMORE COUNTY

## PLANNING AND ZONING COMMISSION

---

2280 American Legion Blvd  
Mountain Home, ID 83647  
Telephone 208-587-2142, ext. 502 | Fax 208-587-2120

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the laws of the State of Idaho and Ordinances of Elmore County, that the Elmore County Planning and Zoning Commission will hold a PUBLIC HEARING at 7:00 p.m. on Thursday, January 22, 2026, in the Elmore County Public Service Building #1 at 2280 American Legion Blvd., Mountain Home, Idaho, to accept testimony and consider an application from Eric Howard of JJ Howard, for a Conditional Use Permit to subdivide one (1), 39.1-acre lot in the Agriculture (Ag) zone into six (6), 5-acre parcels and one 9.13-acre parcel. The site is located on Highway 51, south of downtown Mountain Home. A common way of locating the property from Mountain Home is by going South on Highway 51, approximately 1.8 miles on the left-hand side, before Graham Drive. The property is abutted by Ag/Desert zones to the north and east, and Ag/Residential (R) zones to the south and west. The parcel is in Mountain Home's Area of City Impact. The site is Township 4 South, Range 6 East, Section 2. The parcel is RP04S06E026110.

This application may be reviewed prior to the hearing at the Land Use and Building Department during regular business hours. Any interested person shall be heard at said public hearing, and the public is welcome and invited to submit testimony. Anyone who wishes to testify but is unable to attend may submit written testimony before the hearing by sending it to Elmore County Land Use and Building Department, 2280 American Legion Blvd., Mountain Home, Idaho 83647. Written testimony must be received by 5:00 p.m. on Thursday, January 21, 2026.

Social media posts are not considered written public testimony. If you wish to provide written public testimony, please provide your name, address, and comments before the hearing by sending it to Elmore County Land Use and Building Department, 2280 American Legion Blvd., Mountain Home, Idaho 83647 or email [dabrahamson@elmorecountyid.gov](mailto:dabrahamson@elmorecountyid.gov). The Elmore County Facebook page is used for outward communication only. It is not intended as a means for the public to submit testimony on any public hearing matters pending before any Elmore County board or commission. Elmore County's social media is moderated but is not regularly monitored

and is not a public forum. Likes, Comments, or Shares posted here are not entered into the record of any public hearing. Public hearing testimony must be either submitted at the public hearing or received in advance of the public hearing by email, mail, physical delivery.

The Elmore County Board of Commissioners is responsible for ensuring compliance with the American Disabilities Act (ADA. Any person needing special accommodations to participate in the public hearing should contact the Elmore County ADA Coordinator, Kacey Ramsaur [kramsauer@elmorecountyid.gov](mailto:kramsauer@elmorecountyid.gov) 24 hours before the Public Hearing at 208-587-2130, Ext.1280, or 150 South 4<sup>th</sup> East, Mountain Home, Idaho.

One publication: Wednesday, January 7, 2026.

David Abrahamson  
Elmore County Planner  
Elmore County Land Use and Building Department

EXHIBIT H

SITE POSTING







# EXHIBIT I

## LETTER FROM CITY



---

December 2, 2024

Re: **RP04S06E026110: HERNANDEZ, EDGAR ANTONIO**

To Whom it may concern:

I have reviewed the application for Hernandez. Please make a note that while this parcel is not within the 600' of the current location of the wastewater treatment plant pond parcels, the Hernandez parcel does abut City owned Property (parcel RP04S06E028550) that will be utilized for the future use of the treatment plant, and we would ask that a note be put on the deed for disclosure of the property's proximity and potential effects this facility may have on the property.

This property is located in the County and zoned as ag. It is within the Area of Impact and is designated Urban Development on the City of Mountain Home's Future Land Use Map. These are areas in transition where city services, including water and sewer are expected to be provided within the next twenty years. At the time of a request for annexation these areas will be zoned based on compatibility of the proposed zoning with surrounding land uses.

This parcel is not contiguous to the City Limits and would not be required to be built to City Standards (City Code 9-9-16) and is not located within an area of critical concern. (City Code 9-9-5). This preliminary plat for the Hernandez Subdivision meets the requirements of 9-16-16 e.2. subdivision lots five (5) acres or more development standards, as the lot sizes are five (5) acres or more, exceed the minimum lot width of three hundred feet (300'), and one well and one septic is allowed per five (5) acres. However, a soils and groundwater analysis are required per this section and 9-16-10 of the City Code.

If you have any additional questions concerning this matter, please contact me.

Thank You,

Brenda Ellis  
Senior City Planner  
City of Mountain Home  
P 208-580-2091  
M 208-591-0163  
bellis@mountain-home.us