

Edward Stolworthy

*CUP for a Reception Center/Wedding Venue
in an “A/NR” Agriculture/Natural Resource
Zoning District*

Planning and Zoning Commission’s
Public Hearing on September 11, 2024
Staff Report and Exhibits

BINGHAM COUNTY PLANNING AND ZONING COMMISSION
SECOND PUBLIC HEARING DATE: September 11, 2024

STAFF REPORT

APPLICATION OF: Conditional Use Permit for a Reception Center/Wedding Venue in an "A/NR" Agriculture/Natural Resource Zoning District

PROPERTY OWNER & APPLICANT: Edward Stolworthy

REQUESTED ACTION: Property owner Edward Stolworthy requested a Conditional Use Permit to build an 80' x 80' facility to operate as a reception hall and/or meeting hall with a living space within the structure, located on approx. one (1) acre of their 3.40-acre parcel at the May 22, 2024 Planning and Zoning Commission Public Hearing pursuant to Bingham County Code Section 10-5-3 *Land Use Chart* and the Specific Performance Use Standards of Bingham County Code Section 10-7-27, *Reception Center, Wedding (outside commercial zone)*.

After the Planning and Zoning Commission considered the record prior to the Public Hearing, the testimony and evidence presented at the Public Hearing, and deliberated, the Commission tabled action to receive the following information:

- (1) A Traffic Study that includes updated and multiple options of approach standards; and
- (2) Obtain the Fire Marshal's approval with updated occupancy.

In accordance with the above, the purpose of the second Public Hearing is to receive the above information at the request of the Planning and Zoning Commission and testimony related thereto, as follows:

- (1) a Traffic Study has been completed by the Applicant's Engineering firm, HLE, Inc. by Luke Jolley, PE, dated June 12, 2024 and provides, in summary, that the existing approach be completely abandoned as it does not meet and would not be permitted under the Idaho Transportation Department Standard Drawing 405-1 *Rural Approach* or the Federal Highway Administration Impact of Intersection of Angle on Highway Safety. If the Planning and Zoning Commission and/or Public Works makes the decision to recommend the relocation of the existing approach, the existing approach would need to be completely abandoned and asphalt removed from the new approach tie in at approx. 250 feet up the hill to be more perpendicular to the edge of Wolverine Road per Mr. Jolley's conclusion. which would then meet the Idaho Transportation Department Standard Drawing 405-1 *Rural Approaches* and the Federal Highway Administrations Impact of Intersection of Angle on Highway Safety. The Traffic Study also recommended with the new approach change from residential to commercial with a stop sign being installed at the end of the approach and be maintained at the landowner's expense. The Traffic Study is included herein as Exhibit A-11.

- (2) Correspondence was received from the Shelley/Firth Fire Chief Randy Adams who stated the way the plans sit now, without any furnishings or decorations, the structure would allow a maximum capacity of 125 people. Chief Adams estimates with furnishings and chairs that the Builder expressed will be in the structure once complete, a more realistic capacity will likely be closer to 75 - 80 people, however, he is unable to verify the capacity of guests/attendees at the proposed Reception Center/Wedding Venue until construction is completed and furnishings/decorations are installed. A copy of Chief Adam's email, dated July 23, 2024, is included herein as Exhibit A-12.

PARCEL INFORMATION:

Approx. Parcel Location:	954 E 600 N Wolverine Road, Firth, Idaho 83236
Parcel Information:	RP0542502
Township, Range & Section	Township 2 South, Range 37 East, Section 3
Total Acreage:	Approx. 1 acre of a 3.40-acre parcel
Flood Plain:	No
City Impact Area:	No
High Nitrate Priority Area:	Yes
Fire District:	Shelley/Firth
School District:	Firth School District

ZONING AND COMPREHENSIVE PLAN:

Zoning:	Agriculture/Natural Resource
Comprehensive Plan Map Designation:	Agriculture
Surrounding land uses:	Agriculture/Natural Resource zoning to the North, East, South and West. There are very few single-family residential parcels in the vicinity with one residential parcel adjacent to the subject parcel. The remainder of the area features large agriculture farm parcels to the north, south, east, and west with Presto Bench located to the west.

NOTICE OF PUBLIC HEARING: In compliance with Idaho Code Title 67 Chapter 65 and Bingham County Code Section 10-3-6:

1. On August 20, 2024, Notice of this Second Public Hearing was sent to Government Agencies, Property Owners within 300' of the property, and four individuals who testified at the May 22, 2024 Public Hearing.
2. Notice was published in the Idaho State Journal and Post Register newspapers on August 17, 2024.
3. Notice was posted on-site in two (2) places and current photographs of the site were taken on August 27, 2024.

TESTIMONY RECEIVED PRIOR TO THE PLANNING AND ZONING COMMISSION'S SECOND PUBLIC HEARING ON SEPTEMBER 11, 2024:

(T-1A) Bingham County Surveyor submitted testimony on August 28, 2024 and stated the applicant needs to obtain and record ingress/egress easement to Wolverine Road as necessary, provided pertinent and/or required standards and/or recommendations. There appears to be a gap between the existing recorded easement (Inst. No. 760129 & 759522) and Parcel No. RP054502. *Staff Comment: the parcel number referenced was missing a number and is RP0542502.*

(T-2A) Bingham County Public Works submitted testimony on August 28, 2024 and stated: After reviewing the HLE Approach study: It can be seen that the extreme skew of the existing approach does not meet the ITD or FHWA standards for skew and sight distance, though, the new proposed approach does. However, after meeting with legal counsel over the multiple easement issues pertaining to both approaches, I cannot make a recommendation until the easement issues are sorted out. Due to this, currently my only recommendation can be to deny the CUP application and have the applicant reapply after all easement issues are corrected and contain an approach location that meets all current standards.

**FOR REFERENCE THE FOLLOWING INFORMATION IS APART OF THE
MAY 22, 2024 PUBLIC HEARING RECORD**

TESTIMONY RECEIVED PRIOR TO THE PLANNING AND ZONING COMMISSION'S PUBLIC HEARING WAS FROM :

(T-1) Bingham County Surveyor had no comments or concerns.

(T-2) Bingham County Public Works commented Wolverine Road is a Major Collector posted at 50 mph. The approach spacing requirement is 175 feet. The current approach meets all requirements. Planning Staff adds the proposed approach is existing and is from a private road to the structure and therefore road approach standards are not applicable.

(T-3) Department of Environmental Quality stated the applicant should be made aware that a water system serving 15 or more connections or serving an average of at least 25 individuals for at least 60 days out of the year, regardless of configuration, qualifies as a public water system as defined in the Idaho Rules for Public Drinking Water Systems (IDAPA 58.01.08). This includes water used for drinking and personal hygiene. If the water system could be used to provide water to 25 or more individuals for 60 or more days out of the year, it would qualify as a public drinking water system and the applicant must contact DEQ to request additional information regarding the construction and operation of the public water system. Additionally, any proposed public water system construction plans and specifications must be prepared by a professional engineer and must be submitted to DEQ for review and approval prior to construction in accordance with Idaho Code 39-118. The applicant must contact the Southeast Idaho Public Health district for information about permitting and constructing septic systems. Large or complex septic systems would also need to be designed by a licensed professional engineer and be reviewed and approved by DEQ, as part of the health district permitting process.

(T-4) Shelley/Firth Fire District Marshal stated the District will require the owner to maintain proper egress at all times. They must also maintain a fire lane for fire vehicles at all times. They will also need designated overflow parking in its own space, not on the County road, in the egress area or in the fire lane. They will also need to have the proper separation required by the Building Code from the “A” occupancy to the “R” occupancy.

(T-5) Southeast Department of Public Health stated on April 3, 2024, Ed Stolworthy applied for a septic permit for a 2-bedroom apartment as well as an “event barn”. The number of people using the system listed on the application was 150 people.

Building Plans indicate the following:

- A two-bedroom apartment
- An exercise room
- A commercial type of kitchen including two dishwashers, 3-compartment sink, BBQ grill, fryer, griddle, range, etc.
- Venue space with stage and balcony
- Bridal suite with kitchenette and full bathroom
- Groom room with full bathroom and sitting area
- Men’s bathroom with two (2) toilets and one (1) shower
- Women’s bathroom with three (3) toilets and one (1) shower
- Additional laundry room (separate from the apartment)

Southeast Department of Public Health advised Mr. Stolworthy that if this kitchen was to be used for commercial purposes it may require a food license and health inspection. Additionally, if the kitchen is used commercially, the septic system may need to be increased to handle the additional flows. Mr. Stolworthy informed them it would be used more like a warming kitchen for events and then for his own personal use outside of events. He also indicated the exercise room is for personal use only.

After initial discussion regarding the sizing of the septic system as based on the above-mentioned 150 people, fixtures and usage, Mr. Stolworthy revised the application on April 14, 2024. The application as updated now lists 75 people for the venue sizing.

A septic permit was issued on April 16, 2024, based on this event barn hosting 75 people in addition to 5 regular employees as well as the 2-bedroom apartment. At this time the system requires a 1750-gallon septic tank and a 1389 square feet of disposal area (drain field).

TESTIMONY RECEIVED AT THE PLANNING AND ZONING COMMISSION’S PUBLIC HEARING WAS FROM THE FOLLOWING INDIVIDUALS. THE MINUTES OF THE PLANNING AND ZONING COMMISSION ARE INCLUDED HEREWITH AS EXHIBIT S-14 FOR REFERENCE (see pages 5-13).

(T-6) Luke Jolley, Professional Engineer with HLE of 800 West Judicial, Blackfoot, ID, testified as the Applicants Representative.

Testimony in opposition was received from:

(T-7) Kevin Hardy, 948 E Wolverine Road, Firth, ID. Mr. Hardy concluded his testimony with a submission of Exhibit (T-7A) which was a list of 26 individuals he was testifying on behalf of.

(T-8) Denise Hardy, 948 E Wolverine Road, Firth, ID. Mrs. Hardy read her written testimony into the record; the written testimony was introduced into the record as Exhibit (T-8A).

(T-9) Joyce Monson, 817 E Presto Road, Firth, ID.

(T-10) Charlotte Reid, 213 Little Indian Road, Firth, ID.

At the conclusion of public testimony, the County Public Works Director Whited responded to questions of the Commission followed by Mr. Jolley's rebuttal testimony on behalf of the Applicant.

PLANNING AND ZONING COMMISSION DISCUSSION, DELIBERATION, AND DECISION CAN BE REFERENCED AND ARE INCLUDED HEREWITH AS EXHIBIT S-13.

PLANNING AND ZONING COMMISSION STANDARDS FOR CONSIDERATION:

The Commission shall follow Bingham County Code Section 10-8-3: *Review of Application* as follows:

- A. The commission shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:
 1. Constitute a conditional use as established on the official schedule of zoning regulations or as determined by the commission to be a conditional use for the zone involved.
 2. Be in accordance with the general objectives or with any specific objection of the Comprehensive Plan and/or this title.
 3. Be designed, constructed, operated and maintained to be appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area as far as is possible.
 4. Not be unduly hazardous or disturbing to existing or future neighboring uses; nor involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to persons, property or the general welfare of the public by reason of excessive production of traffic, noise, smoke, fumes, odors or other pollutants.
 5. Not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the County.

6. Be served adequately by essential public facilities and services or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such services.
7. Have legal access to the subject property for the development. Have vehicular approaches to the property that are designed to eliminate a traffic hazard on adjacent public thoroughfares.
8. Not result in the destruction, loss or damage to a scenic or historic feature of major importance.
9. If applicable, have adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and have utility systems provided to accommodate said use.

COMPLIANCE WITH THE FOLLOWING SPECIFIC USE PERFORMANCE STANDARDS ARE REQUIRED FOR THE REQUESTED LAND USE:

10-7-27: RECEPTION CENTER, WEDDING (OUTSIDE COMMERCIAL ZONE):

With a Conditional Use Permit, these facilities may be located on land outside a commercial zone, containing no less than three (3) acres and shall meet the following:

- A. Located with full consideration of their proximity and effect to adjacent use of property and the surrounding area, and to the reduction of such nuisance factors as lights, traffic and noise.
- B. Be adequately maintained with housekeeping practices to prevent the creation of a nuisance.
- C. Subject to the health authority requirements for adequate lavatory and hand washing facilities based on the maximum number of guests.
- D. All food preparation and service on the premises will be subject to health authority requirements.
- E. Dust controlled parking facility will be required with adequate ingress and egress as approved by the Public Works Department. Parking area will be marked and have a minimum of one space for every five (5) guests, plus one for every delivery and service vehicle.
- F. Any other applicable restrictions deemed by the commission for safety.

DECISION: The Commission may approve, approve with conditions, or deny the request for a Conditional Use Permit. If more information is needed for a determination to grant the Application, the Commission may request information from the Planning and Development Staff. The Commission may attach conditions that include but are not limited to those listed in Bingham County Code Section 10-8-7(B). The Planning and Zoning Commission Decision may be appealed to the Board of County Commissioners in writing within 10 days from the date of the Reason and Decision.

Sample Motion for Approval: Based on the record, I move to approve the Conditional Use Permit Application requested by Edward Stolworthy to construct and operate a Reception Center, Wedding/Event venue located at 954 E Wolverine Road, Firth, Idaho in an “A/NR” Agriculture/Natural Resources Zoning District as proposed with compliance with Bingham County Code Section 10-7-27 as presented utilizing the existing approach location.

Sample Motion for Approval with Conditions: Based on the record, I move to approve the Conditional Use Permit Application requested by Edward Stolworthy to construct and operate a Reception Center, Wedding/Event venue located at 954 E Wolverine Road, Firth, Idaho in an “A/NR” Agriculture/Natural Resources Zoning District as proposed with compliance with Bingham County Code Section 10-7-27 and SUBJECT to the following conditions:

Potential Conditions could Include:

1. That the existing northwesterly approach be abandoned and asphalt removed and a new approach be established at the location identified on Sheet 2 in Appendix A of the Traffic Study perpendicular to Wolverine Road; and
2. That legal easement access be established and recorded for RP0542501 with an address of 948 E Wolverine Road, Firth, Idaho owned by Kevin and Denise Hardy as well as RP0542502 with an address of 954 E Wolverine Road, Firth, Idaho owned by Edward Stolworthy; and
3. That a stop sign be installed and maintained at the expense of Mr. Stolworthy at the intersection of the newly established access and Wolverine Road; and
4. Mr. Stolworthy apply for and receive a Commercial Building Permit for an Event/Venue Facility pursuant to the International Building Code. A Certificate of Occupancy shall be obtained prior to the operation of the Reception Center, Wedding/Event venue;
5. Apply for and receive a Fence Building Permit. A Certificate of Completion shall be obtained prior to occupancy/operation of the Reception Center, Wedding/Event venue;
6. Maximum occupancy shall be 75 event attendees, 5 employees, and includes a 2-bedroom living area within the structure. This occupancy complies with the number of persons/uses in the Idaho Public Health Department’s Septic Permit for the size of the septic system and is between 70 and 80 guests as suggested by Chief Randy Adams;
7. Place signage on the property directing event attendees where parking/overflow parking areas exist. The private road extending access from 600 N Wolverine Road shall be clear of obstructions at all times in the event Fire/EMS response is necessary and shall be identified as an area of *No Parking*;
8. Comply with the Shelley/Firth Fire Marshal’s requirements in Exhibit T-4;

9. Provide written verification from Idaho Department of Environmental Quality that the culinary well system is installed and compliant with all public water drinking regulations; and
10. If the kitchen is to be used as anything other than a warming kitchen, specifically used for commercial purposes, notification to Bingham County Planning and Development and to the Idaho Department of Public Health is required for further review and approval.
11. Any other condition if deemed appropriate by the Planning and Zoning Commission, if applicable.

Sample Motion for Denial: Based on the record, I move to deny the Conditional Use Permit Application requested by Edward Stolworthy to construct and operate a Reception Center, Wedding/Event venue located at 954 E Wolverine Road, Firth, Idaho in an “A/NR” Agriculture/Natural Resources Zoning District based on: Bingham County Code or Idaho Code (specifically state which section and basis for denial)

Additionally, the Applicant is hereby provided notice within this denial the structure cannot be used as an Event Venue/Reception Facility and has acknowledged the same in an *Acknowledgment of Structure Use and Agreement of Compliance* dated May 17, 2024, by Mr. Edward Stolworthy

ATTACHMENTS FROM THE MAY 22, 2024 PLANNING AND ZONING COMMISSION PUBLIC HEARING

EXHIBIT #

Application and documents provided by the Applicant	A-1 – A-4
Documents provided by Planning & Development Services	A-5 – A-8
Maps	S-2 – S-7
Verification of compliance with notice requirements for the May 22, 2024 hearing and photographs of the subject parcel	S-8 – S-12
Testimony Received Prior to the May 22, 2024 Hearing	T-1 – T-5
Oath or Affirmation Sheets & Testimony Submitted at the May 22, 2024 Hearing	T-6 – T-10
Sign In Sheet from the May 22, 2024 Hearing	PZ-1
May 22, 2024 Public Hearing Reason and Decision & Minutes	S-13 – S-14

**NEW ATTACHMENTS FOR THE SEPTEMBER 11, 2024
SECOND PLANNING AND ZONING COMMISSION
PUBLIC HEARING**

EXHIBIT #

<i>Acknowledgment of Structure Use and Agreement of Compliance</i> dated May 17, 2024, by Mr. Edward Stolworthy, in order to obtain a Building Permit for an Accessory Structure with Living Space	A-9
New Documents Provided by the Applicant	A-10 – A-12
Verification of compliance with notice requirements for the September 11, 2024 Second Public Hearing and photographs of the subject parcel	S-8A, S-9A, S-10A, S-11A and S-12A
Testimony received prior to the Planning and Zoning Commissions Second Public Hearing	T-1A – T-2A



BINGHAM COUNTY PLANNING & DEVELOPMENT SERVICES

Acknowledgement of Structure Use and Agreement of Compliance

Property Owner: Edward Stolworthy
Building Permit Number: BPAL 24-3
Site Address: 954 E Wolverine Road, Firth, ID

I, Edward Stolworthy, hereby acknowledge:

1. the use of the accessory structure, permitted by Bingham County Planning and Development Services represented above, is in accordance with the 2018 International Residential Code (IRC) Section R101.2 as it is located on the same parcel as my primary dwelling and is for my personal use.
2. the structure is permitted under the IRC based on the minimal requirements of health and life safety provisions because of the lower risk associated with private use of the structure.
3. if the Planning and Zoning Commission issues me a Conditional Use Permit to operate an Event/Reception Venue on my property, I will complete a *Change of Use* for this structure to the construction standards of the International Building Code (current edition) which regulates an A2 Occupancy.
4. if the Planning and Zoning Commission denies my Conditional Use Permit Application to operate an Event/Reception Venue on my property, I will continue to use the structure for my personal use.

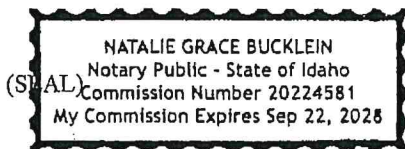
5-17-24
Date

Edward Stolworthy
Printed Name

[Signature]
Signature

STATE OF IDAHO)
) ss:
COUNTY OF BINGHAM)

On this 17 day of May, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward Stolworthy, known to me or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Natalie Grace Bucklein
Notary Public for the State of Idaho
Printed Name: Natalie Grace Bucklein
Residing At: Blackfoot ID
Commission expires: 9/22/2028



CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208)785-2977

Eddy Stolworthy Approach Study Scope of Work

Luke Jolley of HLE met with Dusty Whited (Public Works Director of Bingham County) on May 28th to discuss the Scope of Work for the Approach Study Memo that was a requirement of the Planning and Zoning Commission meeting on May 22nd, 2024. Below is the outline of the scope of work discussed.

- Look at the existing approach skew compared to Local and State Code
- Look at the existing Sight distance of the approach, including vertical and horizontal
- Approach location alternative
- Traffic Volumes, Vehicle Speed

If you have any questions please contact me at (208) 785-2977.

Sincerely,

A handwritten signature in blue ink that reads 'B. Luke Jolley'.

B. Luke Jolley, PE

HLE, Inc.

Exhibit
A-10



June 12, 2024

Re: Eddy Stolworthy Approach Study

To whom Concerned,

Per the P&Z recommendations on May 22, 2024, and from the scope of work discussed with Dusty Whited (Bingham County Public Works Director) on May 28, 2024, HLE has prepared the following Memorandum. The safety of the existing approach located at 954 E 600 N, Firth Idaho was reviewed. The approach in question is part of the original roadway that has since been turned into an approach after the roadway was relocated. The existing approach comes into Wolverine Road at a 24-degree angle. In years past the back slopes east of Wolverine Road were lowered to add additional site distance for vehicles leaving this approach. Wolverine Road is classified as Collector Street. HLE performed a Topographical Survey of Wolverine Road from Presto Road to the east side of the curve on top of Presto Bench. Wolverine Road has a posted speed limit of 50 MPH. The approach in question is located in the middle of these two locations. An aerial view and plan view of this area is included in Appendix A.

There is an existing 807' Radius curve (currently posted with a 35 MPH curve warning sign from both directions) to the NW of the approach in question and a 1427' existing curve to the SE of said approach. Neither of these two curves currently have any superelevation. Between these two curves lies a hill with an approximate grade of 10% to the NW of the approach and a 5.4% grade to the SE of the approach as shown on sheet 2 in Appendix A. AASHTO's *A policy on Geometric Design of Highways and Streets 7th Edition* was used in calculations of the Stopping Sight Distance. Table 3-2 Stopping Sight Distance on Grades (shown on Sheet 1 of Appendix A) was used to establish the distances required. The southerly bound lane has a 10% upgrade coming into the existing approach. For this Southerly bound lane Table 3-2 shows that the safe Stopping Sight Distance is 375 feet. The available sight distance is approximately 2000 feet. The Northerly bound lane has a 5.4% downgrade coming into the approach. From the same table the safe Stopping Sight Distance is 474 feet. The available sight distance is 540.50 feet horizontally and 607.5 following the roadway slope.

HLE set up traffic counters from May 31st to June 7th. A copy of all the data is available in Appendix B.

Table 1 Traffic Counter Data

LOCATION	DIRECTION	SPEED (MPH) 85 th PERCENTILE	ADT VEHICLES/DAY	PM PEAK V/HR
SOUTH PC OF N CURVE AT BOTTOM OF HILL	SOUTH BOUND	48		
SOUTH PC OF N CURVE AT BOTTOM OF HILL	NORTH BOUND	47		
AT APPROACH	SOUTH BOUND	46	160	15
AT APPROACH	NORTH BOUND	50	176	18

**Exhibit
A-11**

CONCLUSION

The Centerline profile view on Sheet 2 in Appendix A shows that the existing approach has more than the required visibility in both directions. Changing the approach angle to be more perpendicular to Wolverine Road and still allow maneuverable turning movements on the existing access would shift the approach up the hill approximately 250 feet and would decrease the sight distance to the south approximately 70 feet, but still meets the required sight distance in both directions. Per the Idaho Transportation Department Standard Drawing 405-1 Rural Approaches the recommended desired skew is no more than 70 degrees and the maximum allowable is 45 degrees rotated off of the centerline of the roadway. FHWA also prepared a study called Impact of Intersection of Angle on Highway Safety January 2021 that looks at the safety of approaches/intersections onto roadways. The conclusion of the FHWA report is similar to ITD's recommendations in the Standard Drawing.

The existing approach does not meet and would not be permitted under the ITD Standard Drawing or the FHWA report. The new proposed approach location shown in Appendix A is within the desirable 70 degree limit of ITD and FHWA. If the Planning and Zoning Commission and/or Public Works makes the decision to recommend the relocation of the approach, the existing approach would need to be completely abandoned and asphalt removed from the new approach tie in, to the edge of Wolverine Road. The traffic volume of Wolverine Road at this location (160-176 ADT) is at the low end of the volume of Collector Street (150 to 2600 ADT). It is recommended with this approach changing from residential to commercial that a stop sign be installed at the end of the approach. This sign would be located on Private property and would be maintained at the landowners expense.

If you have any questions, please contact me at (208) 785-2977.

Sincerely,



B. Luke Jolley, PE

HLE, Inc.

APPENDIX A

CIVIL & STRUCTURAL ENGINEERING
 MATERIALS TESTING & LAND SURVEYING
 101 S. Park Avenue, Idaho Falls, ID 83402 (208)524-0212
 800 W. Judicial Street, Blackfoot, ID 83221, (208)785-2977



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STATE OF IDAHO
 BOARD OF REGISTERED PROFESSIONAL ENGINEERS
 LICENSE NO. 20823297
 DATE: JULY 2024
 PROJECT NO. 2024-0001
 SHEET NO. 1

WOLVERINE ROAD
 STOLWORTHY EVENT BARN
 BINGHAM COUNTY, IDAHO

1
 2
 OF 2 SHEETS

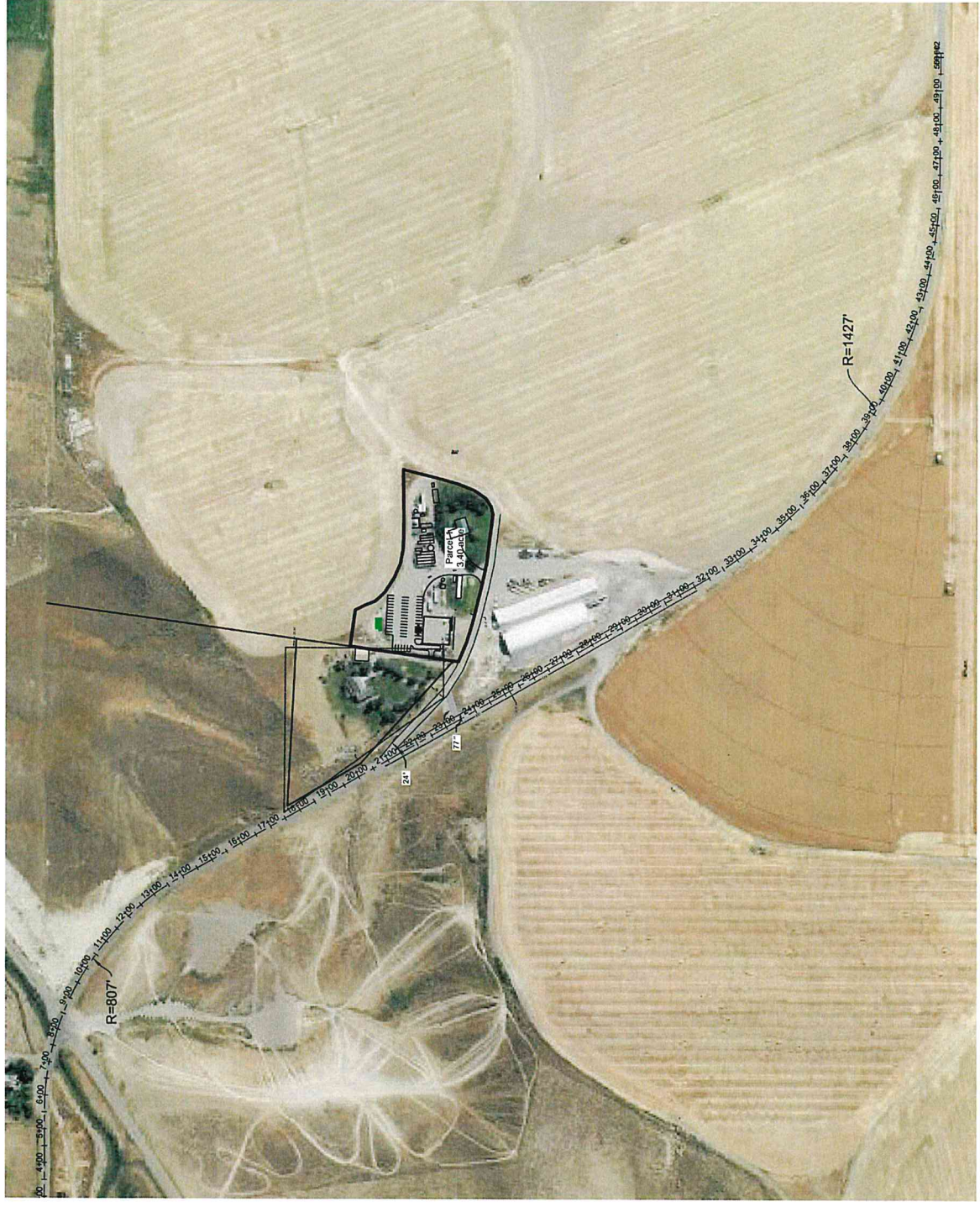


SCALE 1"=150' (22X34)
 SCALE 1"=300' (11X17)

Table 3-1. Stopping Sight Distance on Grades

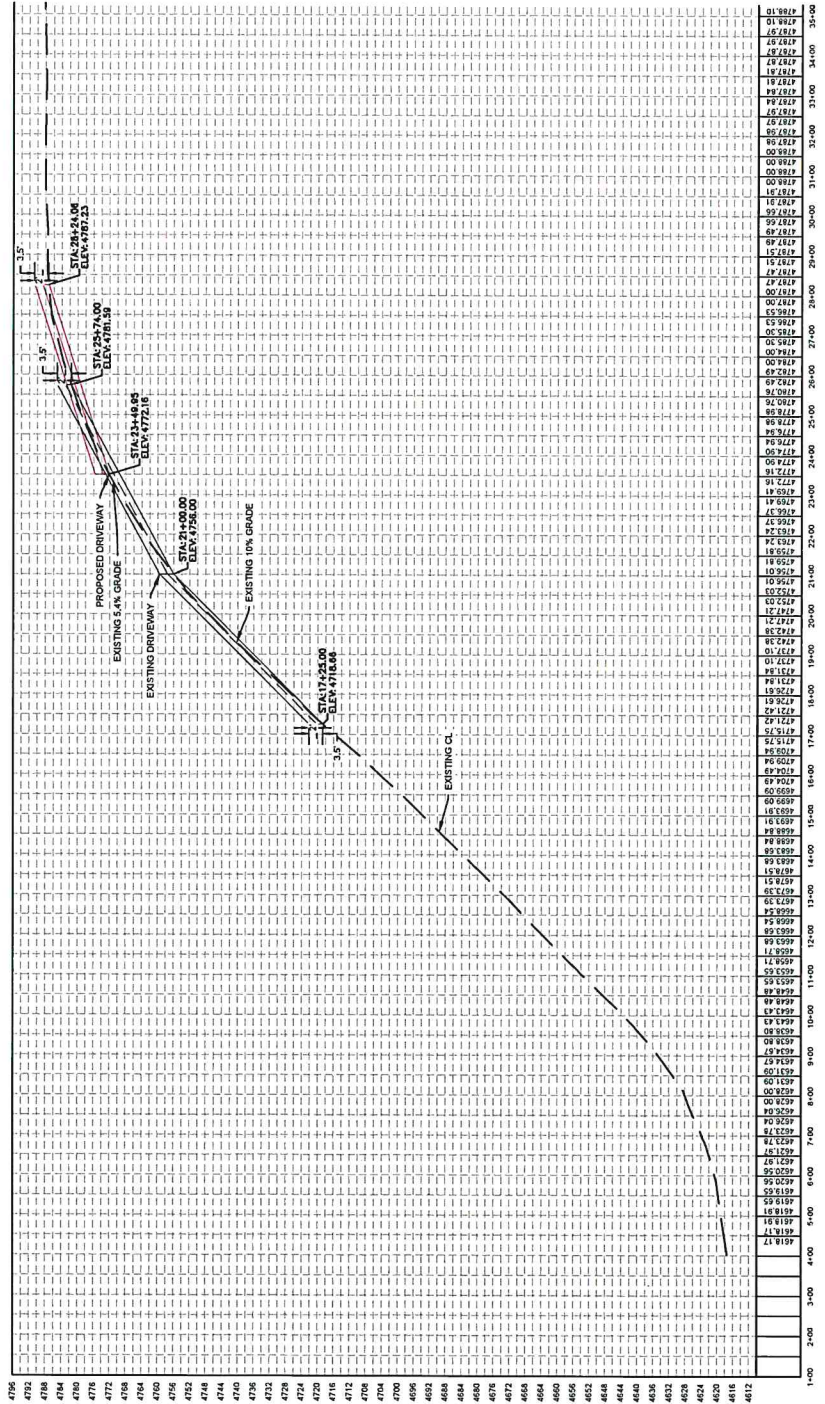
A. For use whenever Design of Highways and Streets

Design Speed (mph)	U.S. Customary		Metric	
	Stopping Sight Distance (ft)	Stopping Sight Distance (m)	Stopping Sight Distance (m)	Stopping Sight Distance (ft)
15	80	24	24	78
20	116	35	35	107
25	158	48	48	146
30	206	63	63	194
35	261	80	80	246
40	315	97	97	298
45	376	115	115	351
50	444	135	135	413
55	519	156	156	479
60	601	180	180	551
65	690	205	205	625
70	787	232	232	708
75	892	261	261	795
80	1005	292	292	887
85	1126	325	325	984
90	1255	360	360	1086
95	1392	397	397	1193
100	1537	437	437	1306





SCALE 1"=150' (22X34)
SCALE 1"=900' (11X17)



APPENDIX B

For Project: SOUTH PC

Project Notes:

Location/Name:

Report Generated: 6/10/2024

Speed Intervals: 1 MPH

Time Intervals: Instant

Traffic Report From: 5/31/2024

85th Percentile Speed: 48 MPH

85th Percentile Vehicles: 983

Max Speed: 68 MPH

Total Vehicles: 1156

AA DT: 164

10:14:49 AM

12:00:00 PM

on

through

6/1/2024

6/7/2024

12:59:59 PM

6:29:02 PM

Volumes -

weekly counts

Time	5 Day	7 Day
Average Daily	137	154
AM Peak	12	13
PM Peak	14	15

Speed

Speed Limit: 50

85th Percentile Speed: 48

50th Percentile Speed: 42

10 MPH Pace Interval: 38.0 MPH

Average Speed: 40.35

to 48.0 MPH

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
13	8	14	22	11	23	14
12.9	5.1	9.2	11.0	7.3	9.1	9.9
53.8	53.4	54.8	54.2	53.8	53.9	53.6
40.2	39.5	40.2	41.2	39.3	40.8	40.6

Class Counts

Class	Number	%
VEH_SM	52	4.5
VEH_MED	955	82.6
VEH_LG	149	12.9
[VEH_SM=motorcycle,		
VEH_MED = sedan,		
VEH_LG = truck]		

For Project:

SOUTH PC

Project Notes:

Outgoing

6/10/2024

10:14:49 AM

1 MPH

Instant

5/31/2024

12:00:00 PM

through

6/7/2024

12:59:59 PM

47 MPH

1089

75 MPH

on

6/1/2024

5:06:53 PM

1281

181

Volumes - weekly counts

Time	5 Day	7 Day
10:00 AM	148	170
4:00 PM	9	10
	18	18

Speed

Speed Limit: 50

85th Percentile Speed: 47

50th Percentile Speed: 39

10 MPH Pace Interval: 36.0 MPH

Average Speed: 37.76

to 46.0 MPH

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9	10	9	15	16	20	8
8.0	5.6	5.7	7.2	9.0	7.4	4.4
56.2	55.2	54.2	53.9	55.1	55.2	53.1
39.2	36.7	38.2	37.8	35.4	38.9	38.0

Class Counts

Number	%
39	3
VEH_SM	
1034	80.7
VEH_MED	
208	16.2
VEH_LG	
[VEH_SM=motorcycle,	
VEH_MED = sedan,	
VEH_LG = truck]	

For Project: Eddy Strollworthy @ Approach

Project Notes:

Location/Name: 10:26:54 AM
 Report Generated: 6/10/2024
 Speed Intervals: 1 MPH
 Time Intervals: Instant
 Traffic Report From: 5/31/2024 12:00:00 PM through 6/7/2024 12:59:59 PM
 85th Percentile Speed: 46 MPH
 85th Percentile Vehicles: 960
 Max Speed: 66 MPH on 6/7/2024 11:17:44 AM
 Total Vehicles: 1129
 AADT: 160

Volumes - weekly counts

Time	5 Day	7 Day
Average Daily	133	151
AM Peak	12	13
PM Peak	13	15

Speed

Speed Limit: 50
 85th Percentile Speed: 46
 50th Percentile Speed: 38
 10 MPH Pace Interval: 34.0 MPH to 44.0 MPH
 Average Speed: 37.76

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Count over limit	6	5	11	11	9	16	12
% over limit	6.0	3.3	7.1	5.8	6.3	6.6	8.1
Avg Speeder	54.0	54.8	55.5	54.6	55.7	53.5	53.6
Avg Speed	37.2	36.3	37.0	38.2	37.0	38.3	39.6

Class Counts

	Number	%
VEH_SM	10	0.9
VEH_MED	988	87.5
VEH_LG	131	11.6
[VEH_SM=motorcycle, VEH_MED = sedan, VEH_LG = truck]		

For Project: Eddy Stollworthy @ Approach

Project Notes:

Location/Name: 10:26:54 AM
 Report Generated: 6/10/2024
 Speed Intervals: 1 MPH
 Time Intervals: Instant
 Traffic Report From: 5/31/2024 12:00:00 PM through 6/7/2024 12:59:59 PM
 85th Percentile Speed: 50 MPH
 85th Percentile Vehicles: 1059
 Max Speed: 70 MPH on 6/4/2024 10:54:05 AM
 Total Vehicles: 1246
 AADT: 176

Volumes - weekly counts

Time	5 Day	7 Day
Average Daily	143	166
AM Peak	9	10
PM Peak	18	18

Speed

Speed Limit: 50
 85th Percentile Speed: 50
 50th Percentile Speed: 42
 10 MPH Pace Interval: 39.0 MPH to 49.0 MPH
 Average Speed: 40.82

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Count over limit	19	20	23	24	18	31	22
% over limit	18.4	11.6	14.9	11.7	11.2	11.6	12.1
Avg Speeder	54.8	54.7	55.0	54.9	55.9	54.6	53.4
Avg Speed	42.0	39.1	41.1	40.3	40.3	40.9	42.3

Class Counts

	Number	%
VEH_SM	42	3.4
VEH_MED	1031	82.7
VEH_LG	173	13.9
[VEH_SM=motorcycle, VEH_MED = sedan, VEH_LG = truck]		

From: [Tiffany Olsen](#)
To: [PlanningTestimony](#)
Subject: FW: Ed Stolworthy CUP Conditions
Date: Tuesday, August 20, 2024 11:41:27 AM
Attachments: [image003.png](#)
[image002.png](#)



Tiffany G. Olsen
Director

Bingham County Planning & Development
490 North Maple Street, Suite A
Blackfoot, ID 83221
Office: 208-782-3177

This email is intended exclusively for the addressee(s) named above and may contain privileged and confidential information. If you are not among the intended recipients, you may not copy, utilize or distribute any of the information contained herein. If you have received this email in error, please notify me immediately via return email and delete the original from your mailbox. Thank you.

**Note: My email address has changed – it is now tolsen@binghamid.gov*

From: Chief Adams <shelleyfirechief@gmail.com>
Sent: Tuesday, July 23, 2024 12:50 PM
To: Tiffany Olsen <T Olsen@binghamid.gov>
Subject: Re: Ed Stolworthy CUP Conditions

CAUTION: This email originated from outside the organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Tiffany when Mr stallworthy's Builder brought these plans to me to try and get occupancy load he was informed that I cannot give an occupancy load until we measure open space after all the furnishings and decorations are in place. the way the plans sit now without any Furnishings or decorations you would be at about 125 people Max. with just a guesstimate of furnishings and chairs the Builder said he was going to put in there the realistic number was going to be closer to 75 to 80 I reached out to Amanda with this information and told her I could not give an occupancy until the building was finished and was told that they were just trying to get a number for the septic system I cannot give you an exact number until that building is finished.

On Tue, Jul 23, 2024 at 12:37 PM Tiffany Olsen <T Olsen@binghamid.gov> wrote:

Chief,

The Planning and Zoning Commission tabled Mr. Stolworthy's CUP Application for two items to be submitted. The one that pertains to your position as the Fire Marshal is to **"include the Fire Marshal's approval with updated occupancy"**

In the Public Hearing, Mr. Stolworthy's Application indicated 3 different occupancy numbers for attendance. The Applicant's Narrative stated 125 guests; the Septic Permit Application to SIPH stated 150 guests; and the approval from SIPH stated 75 guests, with the living area of the structure defined as 2 bedrooms with an Event staff of 5 employees. With the combination of

Exhibit
A-12

information, the Planning and Zoning Commission requested the Fire Marshal submit the occupancy allowed per Fire Code for the Event Center structure.

The Event Center Construction Plans are attached hereto for your reference. I have also included the Planning and Zoning Commission's Decision as well.

Thank you,
Tiffany



Tiffany G. Olsen
Director

Bingham County Planning & Development
490 North Maple Street, Suite A
Blackfoot, ID 83221
Office: 208-782-3177

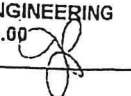
This email is intended exclusively for the addressee(s) named above and may contain privileged and confidential information. If you are not among the intended recipients, you may not copy, utilize or distribute any of the information contained herein. If you have received this email in error, please notify me immediately via return email and delete the original from your mailbox. Thank you.

**Note: My email address has changed – it is now tolsen@binghamid.gov*

--

Randy Adams
Fire Chief
Shelley Firth Fire Department
208-521-5501

GRANT OF EASEMENT

Instrument # 764945
BINGHAM COUNTY
9-9-2024 02:41:08 PM No. of Pages: 1
Recorded for : 1724 HARPER LEAVITT ENGINEERING
PAMELA W. ECKHARDT Fee: 10.00
Ex-Officio Recorder Deputy 

THIS INDENTURE, made this 10th day of September, 2024, between the Gerald E. Stolworthy Limited Partnership - A, hereinafter referred to as "GRANTOR", and Edward Brent Stolworthy, whose address is 954 E 600 N Firth, Idaho 83236, hereinafter referred to as "GRANTEE".

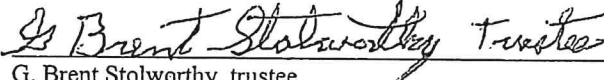
WITNESSETH

For and in consideration of the sum of One and No/100 Dollars(\$1.00) and other good and valuable consideration paid by GRANTEE, the receipt of which is hereby acknowledged, GRANTORS hereby convey, release, remise non-exclusive ingress/egress easement, situated in the County of Bingham, State of Idaho, to-wit:

Commencing at the NE corner of said Section 3, Thence along the North line of said Section, N 89° 47' 03" W 1877.35 feet; Thence S 07° 54' 26" W 1216.50 feet to a point being on the North line of an easement described in Inst. No. 760129, said point also being the Point of Beginning; Thence along the West and South line of Deed Inst. No. 760512 the following five (5) courses; (1) Thence, S 07° 54' 26" W 15.21 feet; (2) Thence, S 67° 32' 19" E 62.26 feet; (3) Thence, S 72° 39' 59" E 62.19 feet; (4) Thence, S 76° 06' 41" E 110.61 feet; (5) Thence, S 77° 47' 33" E 72.51 feet; Thence, S 12° 12' 27" W 50.00 feet; Thence, N 77° 47' 33" W 73.25 feet; Thence, N 76° 06' 41" W 112.84 feet; Thence, N 72° 39' 59" W 65.93 feet; Thence, N 67° 32' 19" W 103.18 feet; Thence, N 07° 54' 26" E 27.43 feet to the South line of said Easement described in Inst. No. 760129; Thence along said South line, N 47° 52' 37" W 32.53 feet to the South edge of the asphalt of the old abandoned Wolverine Road; Thence along said South edge the following two (2) courses; (1) Thence, N 58° 03' 45" W 29.41 feet; (2) Thence, N 46° 33' 22" W 225.60 feet to the intersection of the South line of said Easement described in Inst. No. 760129 and the Northerly edge of the asphalt of the existing Wolverine road; Thence along the exterior of said Easement described in Inst. No. 760129 the following three (3) courses; (1) Thence, N 47° 52' 37" W 98.52 feet; Thence, N 42° 07' 23" E 50.00 feet; (3) Thence, S 47° 52' 37" E 412.00 feet to the Point of Beginning.

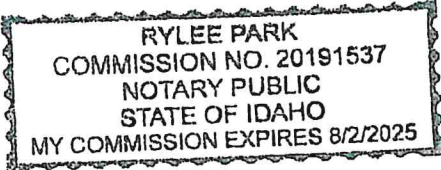
A portion of this Easement, that crosses land described in Deed Inst. No. 734613, was previously recorded and deeded to Edward Brent Stolworthy, in Quit Claim Deed Inst. No. 760005, and re-recorded again as Inst. No. 760129.


IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their hands and seals on this day and year first above written.


G. Brent Stolworthy, trustee

State of Idaho)
ss.
County of Bingham)

On this 10th day of September 2024, before me, a Notary Public in and for said State, personally appeared G. Brent Stolworthy, 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.




Notary Public for Idaho
Residing at: Shelley ID 83274
Commission Expires: 8/2/2025

**Exhibit
A-13**

764945

764721

PART OF THE NE 1/4 OF SECTION 3, T. 2 S., R. 37 E.B.M. BINGHAM COUNTY, IDAHO

RECORDER'S CERTIFICATE
 Instrument # 764721
 I hereby certify that the foregoing is a true and correct copy of the original as recorded in the Public Records Office of Bingham County, Idaho on 02/12/24.
 I, _____, County Recorder

N1/4 COR SEC 3
 PLACED 1/2" IRON ROD
 MARKED PLS 1224
 CAP INST. NO. 760001

T. 19 S. R. 37
 T. 25 S. R. 37
 BASIS OF BEARINGS (ISPCS EAST ZONE)
 S89°47'03"E 2643.55'

NE COR SEC 3
 PLACED 1/2" IRON ROD
 MARKED PLS 1224
 CAP INST. NO. 760000

SURVEYORS NARRATIVE

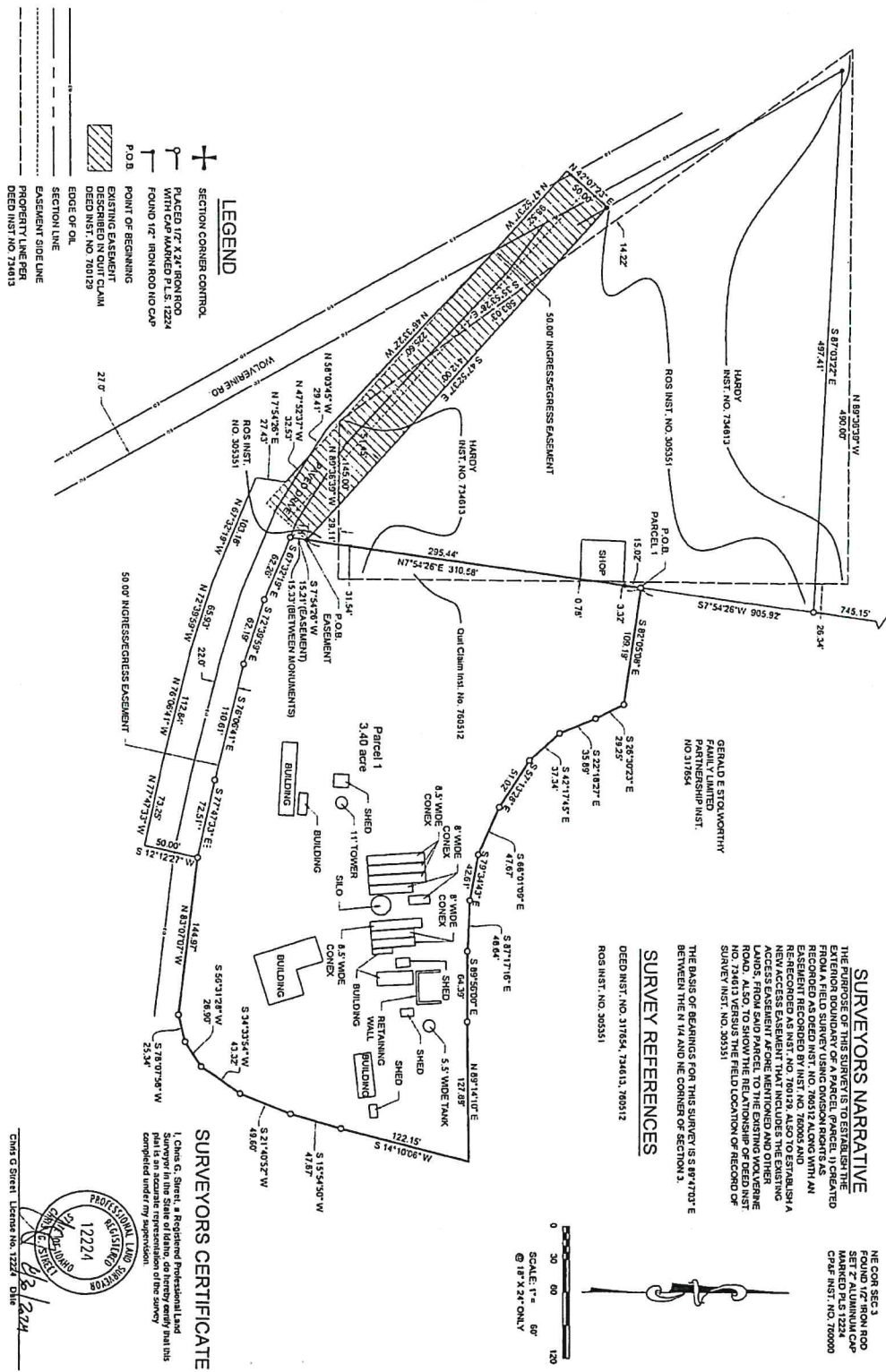
THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE EXTERIOR BOUNDARY OF A PARCEL, PARCEL 1, CREATED AND RECORDED AS DEED INST. NO. 760312 ALONG WITH AN EASEMENT RECORDED BY INST. NO. 760005 AND RECORDED AS INST. NO. 760129. ALSO TO ESTABLISH ACCESS EASEMENTS FROM MENTIONED AND OTHER LANDS FROM SAID PARCEL TO THE EXISTING WOLVERINE ROAD, ALSO TO SHOW THE RELATIONSHIP OF DEED INST. NO. 760129 VERSUS THE FIELD LOCATION OF RECORD OF SURVEY INST. NO. 59351.

SURVEY REFERENCES

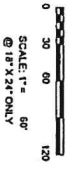
DEED INST. NO. 317854, 734613, 760312
 ROS INST. NO. 305351

LEGEND

- SECTION CORNER CONTROL
- PLACED 1/2" IRON ROD WITH CAP MARKED PLS. 1224
- FOUND 1/2" IRON ROD NO CAP
- POINT OF BEGINNING DESCRIBED IN QUIT CLAIM DEED INST. NO. 760129
- EXISTING EASEMENT
- EDGE OF OIL
- SECTION LINE
- EASEMENT SIDE LINE
- PROPERTY LINE PER DEED INST. NO. 734613



SURVEYORS CERTIFICATE
 I, Chas. G. Shurt, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.
 Chas. G. Shurt, License No. 12224, Date 02/12/24



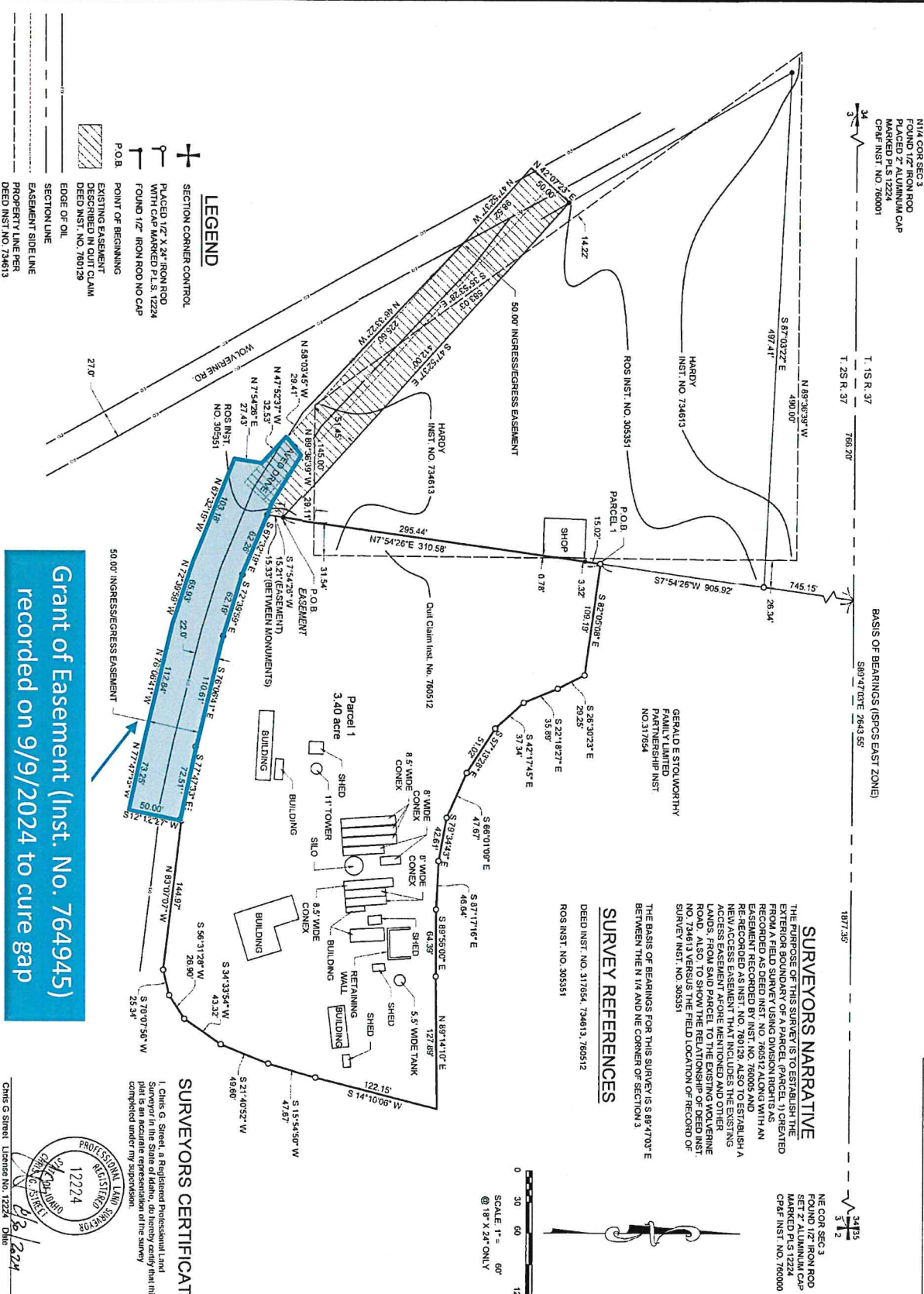
RECORD OF SURVEY
EDDY STOLWORTHY
 SEC. 3, T. 2 S., R. 37 E.B.M.
 BINGHAM COUNTY, IDAHO

OWNER	ACQUISITION	DATE	COM

CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
 101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
 800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2977
 Helco.com
 COPYRIGHT (C) 2021 HLE ALL RIGHTS RESERVED.

764721

PART OF THE NE 1/4 OF SECTION 3, T. 2 S., R. 37 E.B.M. BINGHAM COUNTY, IDAHO



- LEGEND**
- SECTION CORNER CONTROL
 - PLACED 1/2" X 24" IRON ROD WITH CAP MARKED P.L.S. 12224
 - FOUND 1/2" IRON ROD NO CAP
 - POINT OF BEGINNING
 - EXISTING EASEMENT DESCRIBED IN QUIT CLAIM DEED INST. NO. 780128
 - EDGE OF OIL
 - SECTION LINE
 - EASEMENT SIDE LINE
 - PROPERTY LINE PER DEED INST. NO. 734613

Grant of Easement (Inst. No. 764945) recorded on 9/9/2024 to cure gap

SURVEYORS CERTIFICATE

I, Chris G. Simer, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Chris G. Simer License No. 12224 Date 9/9/24



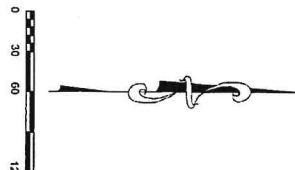
SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE EXTERIOR BOUNDARY OF A PARCEL (PARCEL 1) CREATED FROM A FIELD SURVEY USING DIVISION RIGHTS AS EASEMENT AS DEED INST. NO. 760512 ALONG WITH AN EASEMENT RECORDED BY INST. NO. 760005 AND RECORDED AS INST. NO. 780128 ALSO TO ESTABLISH A PARCEL 1 BOUNDARY AND ACCESS RIGHTS TO THE LANDS. FROM SAID PARCEL TO THE EXISTING WOLVEVINE ROAD. ALSO TO SHOW THE RELATIONSHIP OF DEED INST. NO. 734613 VERSUS THE FIELD LOCATION OF RECORD OF SURVEY INST. NO. 305351

THE BASIS OF BEARINGS FOR THIS SURVEY IS S 89° 47' 03" E BETWEEN THE N 1/4 AND NE CORNER OF SECTION 3

SURVEY REFERENCES

DEED INST. NO. 317154, 734613, 760512
 ROS INST. NO. 305351



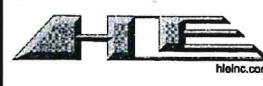
RECORDER'S CERTIFICATE

Instrument # 764721
 12/22/24 10:33:14 AM No. of Pages: 1
 12/22/24 10:33:14 AM No. of Sheets: 1
 Recorder: Chris G. Simer
 E-Office Recorder: Simer
 Date: 12/22/24

RECORD OF SURVEY EDDY STOLWORTHY

SEC. 3, T. 2 S., R. 37 E.B.M.
 BINGHAM COUNTY, IDAHO

NO.	DATE	DESCRIPTION	BY
1	12/22/24	RECORD OF SURVEY	EDDY STOLWORTHY



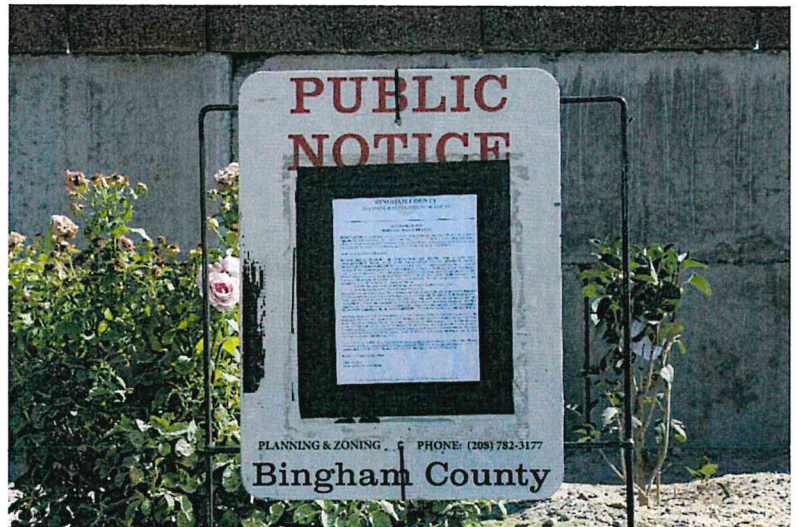
CIVIL & STRUCTURAL ENGINEERING MATERIALS TESTING & LAND SURVEYING
 101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
 800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2977


BINGHAM COUNTY
PLANNING & DEVELOPMENT SERVICES

NOTICE OF POSTING

I hereby certify that on August 27, 2024, I personally posted the Bingham County, Planning & Development Department Notice for File No. 3229 at the following location(s):

Approx. Location: 3 S 250 E, Blackfoot, ID. Four-Seasons Ranch Subdivision Division 2, Block 1, Lot 1. Parcel No. RP8076600, T3S, R36E, Sec 04, consisting of approx. 0.89 acres.



Addie Jo Jackman

Addie Jo Jackman
Assistant Director/Lead Planner

**Exhibit
S-8A**

FACING NORTHWEST FROM STOLWORTHY PROPERTY

KEVIN & DENISE HARDY PROPERTY

600 N WOLVERINE RD.

Private Road/Access

Access to
Proposed Event Center Location
(Private Road providing access
to 2 residential parcels and
Applicants cellars)

Exhibit
S-9A

08.27.2024

FACING SOUTHEAST FROM STOLWORTHY PROPERTY

Access to Applicant's Cellars

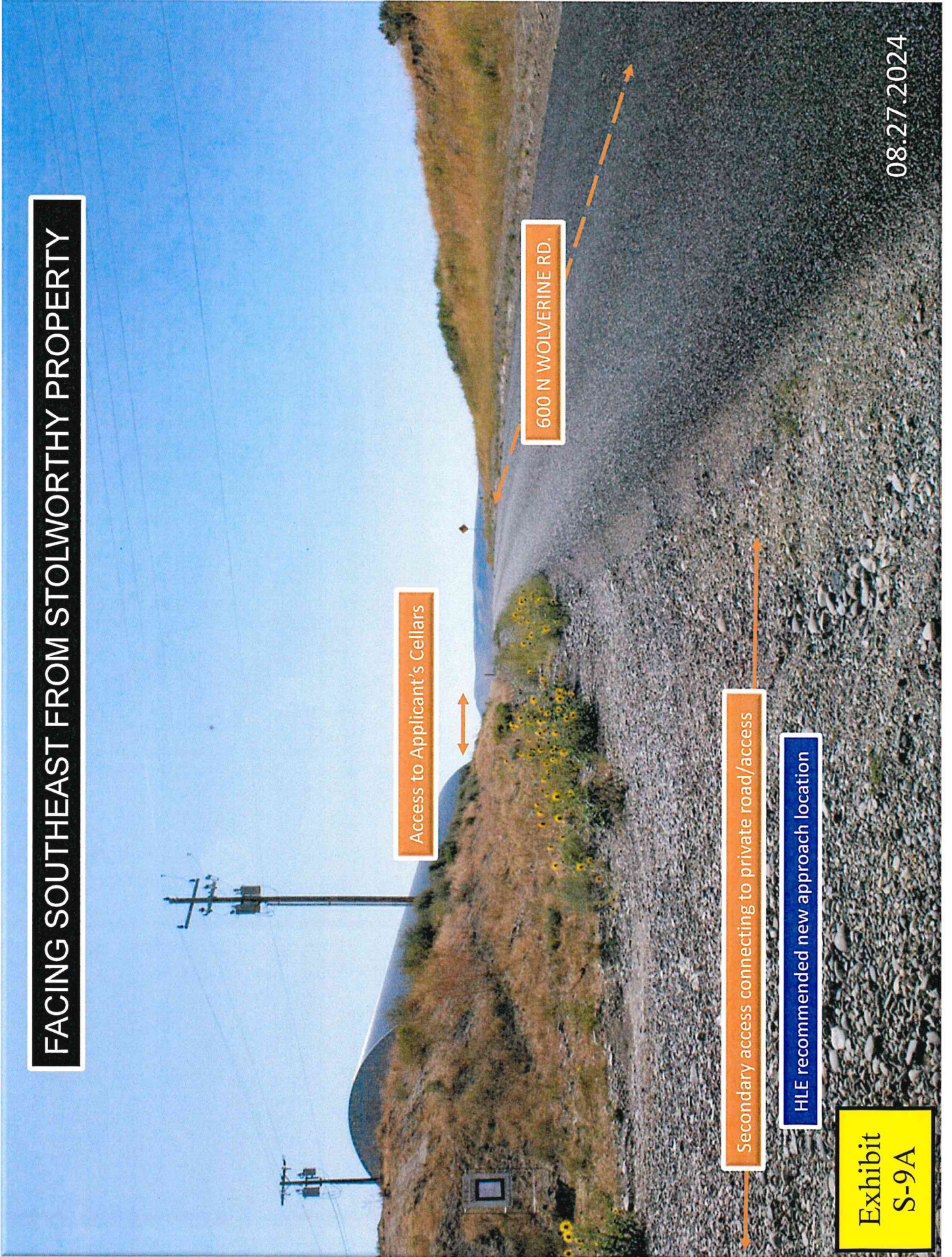
600 N WOLVERINE RD.

Secondary access connecting to private road/access

HLE recommended new approach location

Exhibit
S-9A

08.27.2024



FACING NORTHWEST FROM STOLWORTHY PROPERTY

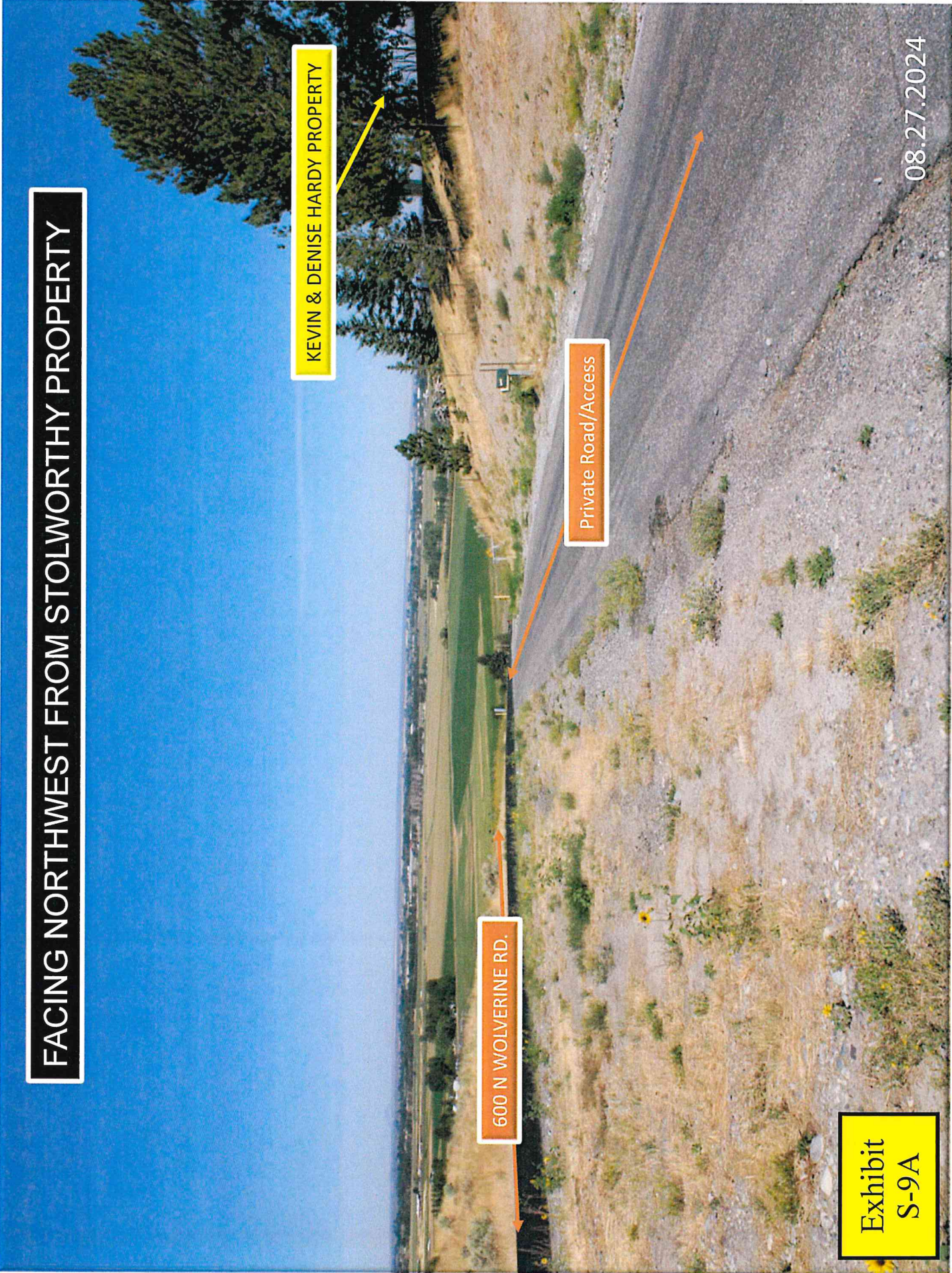
KEVIN & DENISE HARDY PROPERTY

Private Road/Access

600 N WOLVERINE RD.

Exhibit S-9A

08.27.2024



FACING EAST FROM EXISTING APPROACH

Hardy Circular Driveway/Access

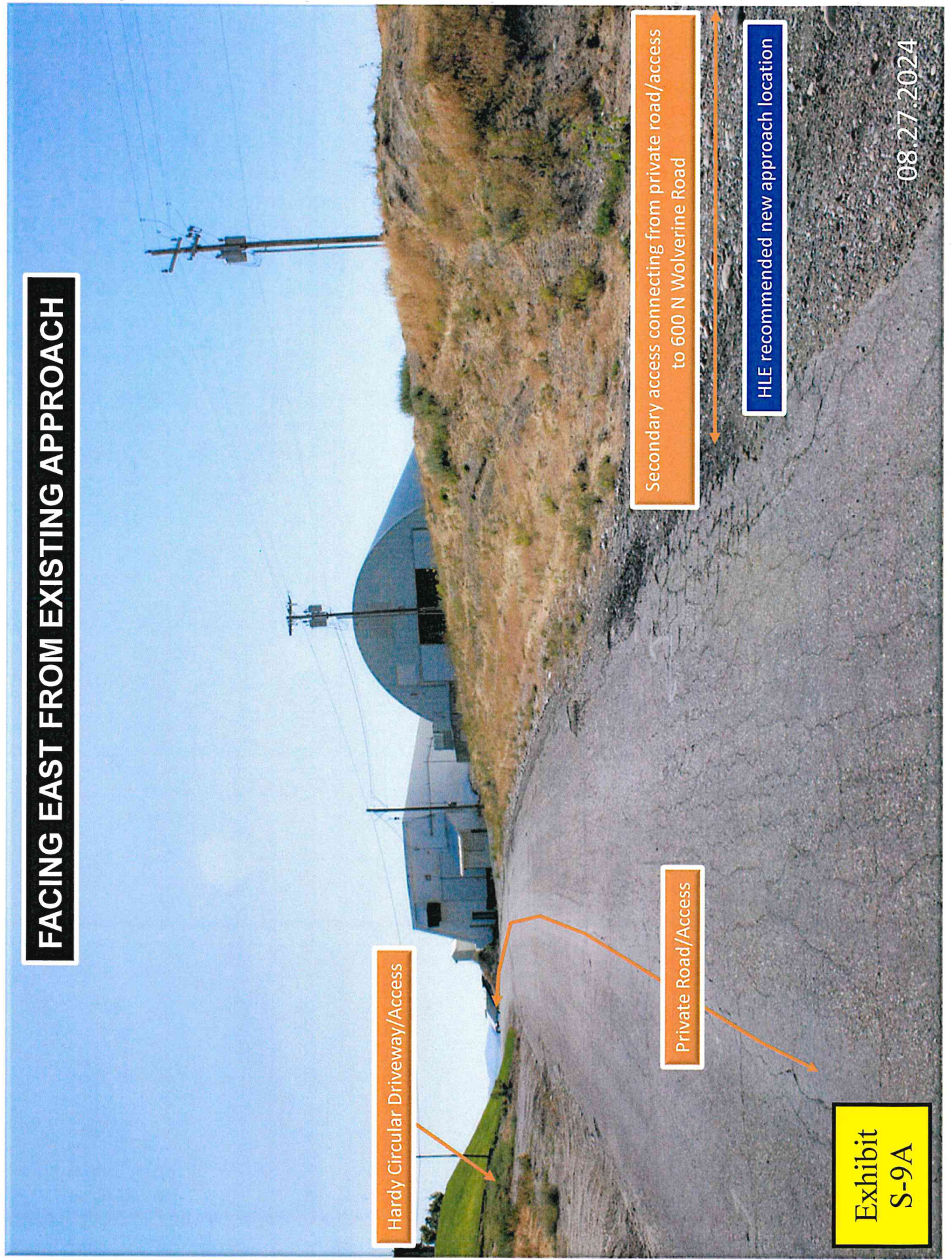
Private Road/Access

Secondary access connecting from private road/access to 600 N Wolverine Road

HLE recommended new approach location

Exhibit S-9A

08.27.2024



FACING NORTHEAST FROM SOUTHWEST CORNER OF PROPERTY

Proposed Event Center
80' x 80' Building

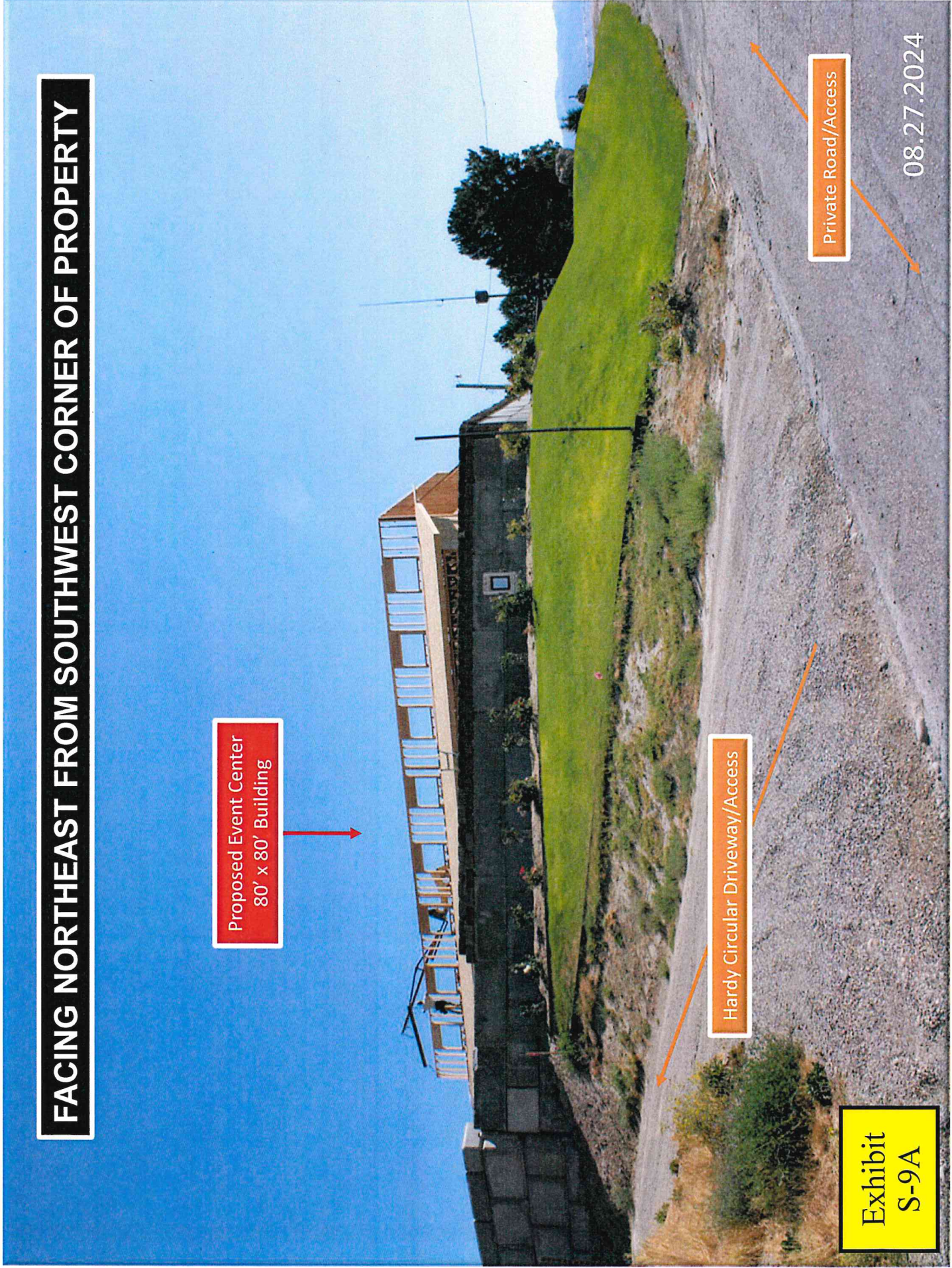


Hardy Circular Driveway/Access

Private Road/Access

Exhibit
S-9A

08.27.2024



FACING NORTHWEST FROM PRIVATE ROAD ACCESS

KEVIN & DENISE HARDY PROPERTY

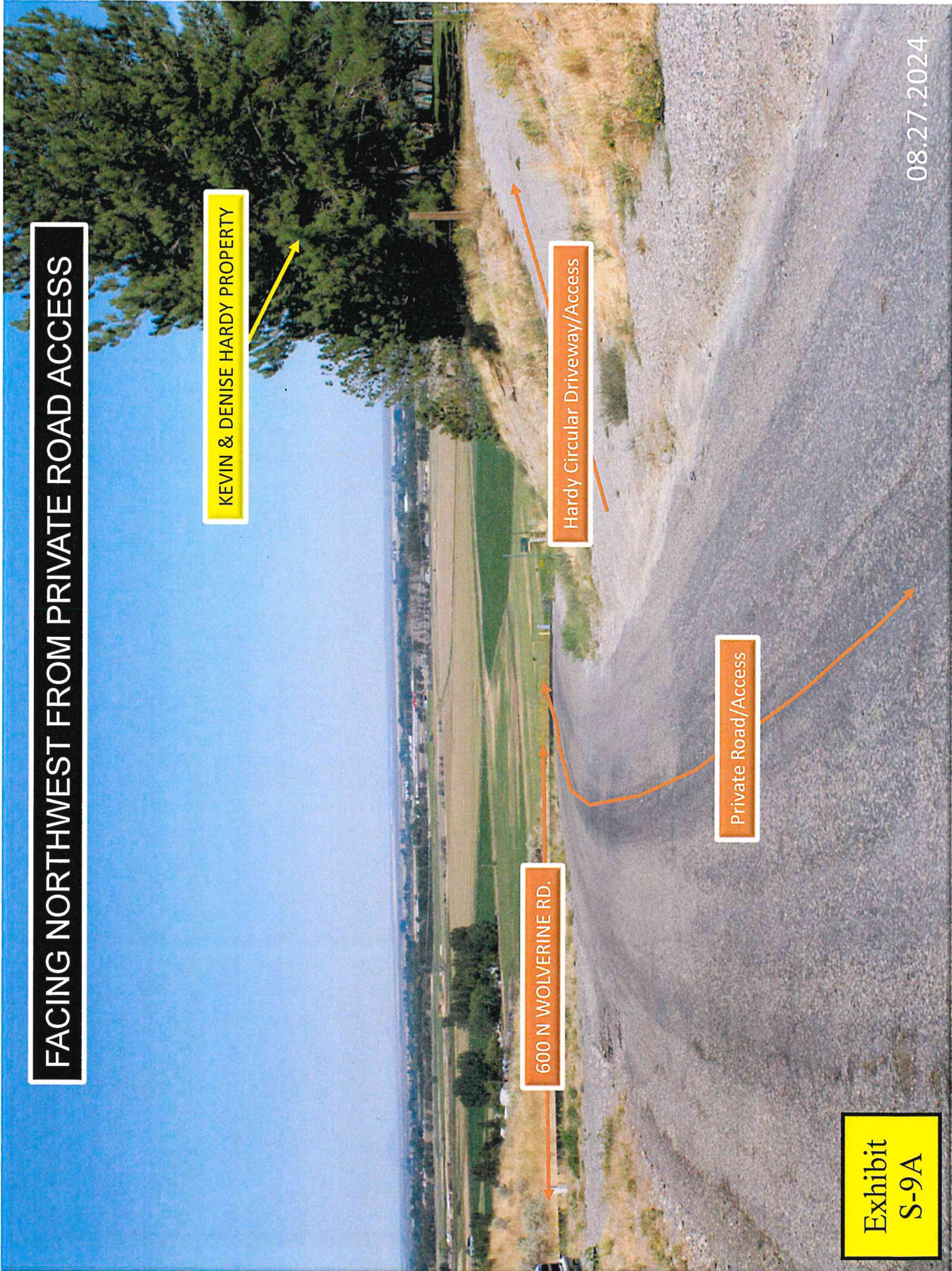
Hardy Circular Driveway/Access

Private Road/Access

600 N WOLVERINE RD.

Exhibit S-9A

08.27.2024



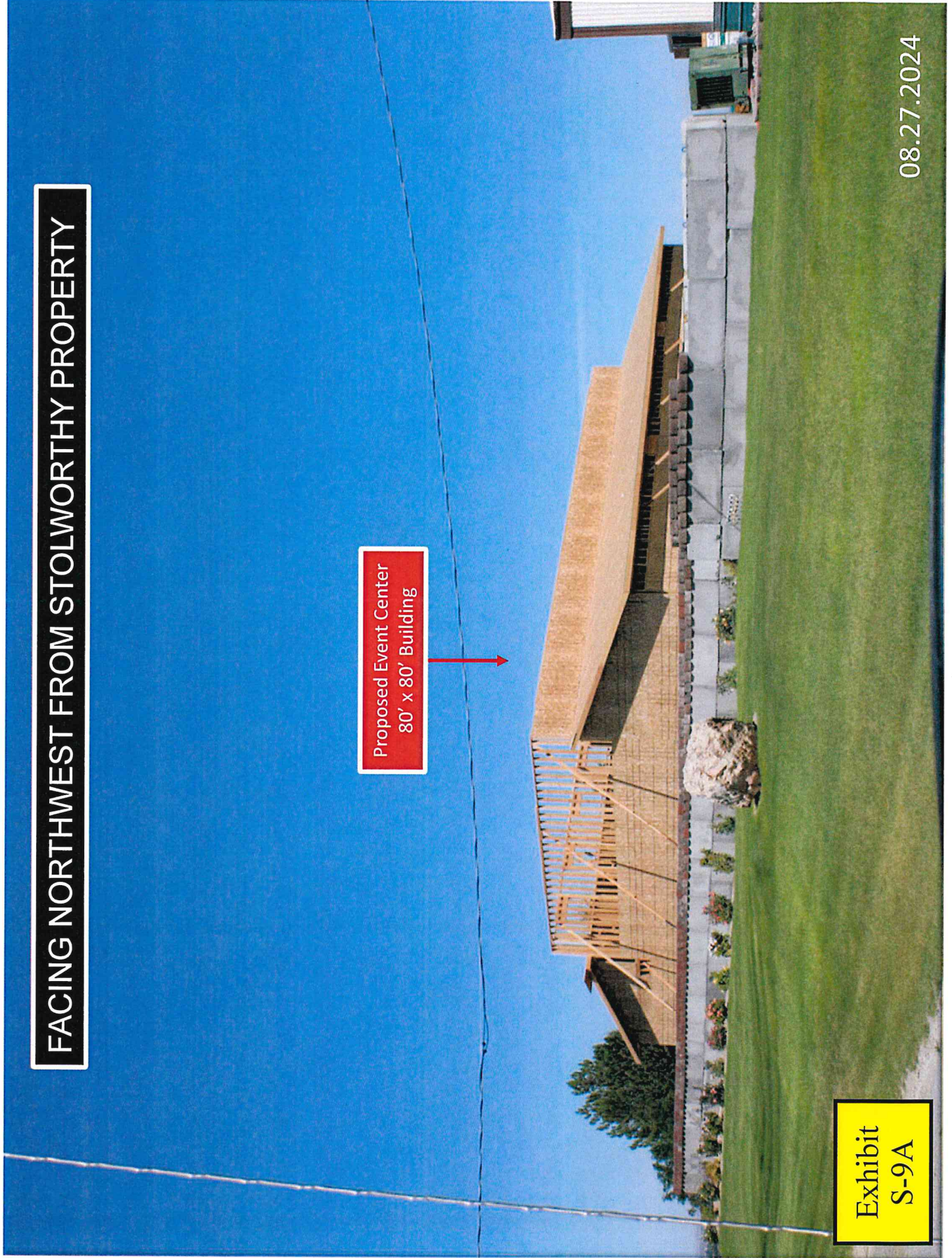
FACING NORTHWEST FROM STOLWORTHY PROPERTY

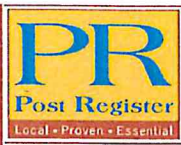
Proposed Event Center
80' x 80' Building



Exhibit
S-9A

08.27.2024





PROOF OF PUBLICATION

Idaho State Journal and Post Register

State of Idaho
County of Bingham

I, Collins Crapo first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Idaho State Journal and Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Pocatello and Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal and Post Register and on IdahoPublicNotices.com for 1 day(s), first publication having been made on 08/17/2024 last publication having been made on 08/17/2024, and that the said notice was published in the regular and entire issue of said papers on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Collins Crapo

Subscribed and sworn to before me, on this 19th day of August, 2024

Beth Crasley

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BINGHAM

On this 19th day of August, 2024 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Beth Crasley
Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/28

**BINGHAM COUNTY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold Public Hearings on **September 11, 2024** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 6:00 pm or as soon as it may be heard. For more information on the Applications please refer to <https://www.binghamid.gov/departments/planninganddevelopment/PublicHearings>

A. The following Public Hearing Applications will be heard:

1. **CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE WITH LIVING SPACE AND CARETAKER'S RESIDENCE IN A "R/A" RESIDENTIAL/AGRICULTURE ZONING DISTRICT ON LESS THAN 2 ACRES OF LAND AND WITH GREATER THAN 50% OF LIVING SPACE (ACTION ITEM: DECISION)** Property Owners: Robert P. and Ashley M. Willard co-owners with the Robert S. and Colleen Willard Living Trust. Approx. Location: 3 S 250 E, Blackfoot, ID, Four-Seasons Ranch Subdivision Division 2, Block 1, Lot 1, Parcel No. RP8076600, T3S, R36E, Sec 04, approx. 0.89 acres
2. **BISHOP ESTATES SUBDIVISION (ACTION ITEM: RECOMMENDATION)** Property Owners: Ned & Barbara Gneiting Living Trust, c/o Randy Gneiting. Approx. Location: North and West of 206 N 40 W, Blackfoot, ID. Parcel Nos. RP0308501, RP0308509 & RP0308508, T2S, R35E, Sec 20, approx. 45 acres
3. **SECOND PUBLIC HEARING RE: CONDITIONAL USE PERMIT FOR A RECEPTION CENTER/WEDDING VENUE IN AN "A/NR" AGRICULTURE/NATURAL RESOURCE ZONING DISTRICT (ACTION ITEM: DECISION)** Property Owner: Edward Stolworthy. Approx. Location: 954 E 600 N Wolverine Rd., Firth, ID, Parcel No. RP0542502, T2S, R37E, Sec 3, approx. 3.40 acres
4. **UNDERWOOD SUBDIVISION, A REPLAT OF LOT 4 BLOCK C IN THE CHRISTIANSEN ADDITION IN THE MORELAND TOWNSITE (ACTION ITEM: RECOMMENDATION)** Property Owners: Michael & Holly Underwood. Approx. Location: 166 N 710 W, Blackfoot, ID, Parcel No. RP8000015, T2S R34E Sec 26, approx. 2.16 acres

All persons interested or persons who are affected are invited to attend said Public Hearings to show cause, if any, if the requested Applications meet Bingham County Code and may give testimony in favor, neutral, or in opposition of said requests. According to Bingham County Code Section 10-3-6(7) no more than two pages of written testimony will be accepted less than eight calendar days before a hearing. Written testimony can be provided via mail at 490 N. Maple, Suite A, Blackfoot, ID 83221 or by email at planningtestimony@binghamid.gov Individuals who need accessible communications or other accommodations in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance. ADA/504 Compliance.

Dated this 15th day of August, 2024.

Is/Tiffany G. Olsen
Tiffany G. Olsen

Planning & Development Director
Bingham County, Idaho

Published: August 17th, 2024 (PR/ISJ26092-548033)

Shelley Government Agency Notice

Company Name	Attention	Address	City	St	Zip
Bingham County Appraisal		Service By Email			
Bingham County Assessor		Service By Email			
Bingham County Building Official		Service By Email			
Bingham County Parks & Recreation		Service by Email			
Bingham County Public Works		Service By Email			
Bingham County Sheriff		Service By Email			
Bingham County Surveyor		Service By Email			
Bingham County Treasurer		Service By Email			
Aberdeen/Springfield Canal Co.		P.O. Box 857	Aberdeen	ID	83210
Bureau of Land Management	Land & Realty	4350 S. Cliffs Dr.	Pocatello	ID	83204
Bureau of Land Management	Land & Realty	1405 Hollipark Dr.	Idaho Falls	ID	83401
Bureau of Reclamation	Laura Crandall	470 22nd Street	Heyburn	ID	83336
City of Firth	Mayor/City Council	P.O. Box 37	Firth	ID	83236
City of Shelley	Mayor/City Council	101 E. Emerson	Shelley	ID	83274
Department of Environmental Quality	Allan Johnson	444 Hospital Way #300	Pocatello	ID	83201
Department of Water Resources		900 N. Skyline Dr. #A	Idaho Falls	ID	83401
Eastern Idaho Regional Waste Water Authority	Scott Barry	618 E 1250 N	Shelley	ID	83274
Eastern Idaho Water Company		279 N 400 E	Blackfoot	ID	83221
Firth Post Office	Postmaster	323 N Main	Firth	ID	83274
Firth School District	Superintendent	319 Lincoln	Firth	ID	83236
Firth/Shelley Fire District	Randy Adams	924 E 1400 N	Shelley	ID	83274
Fort Hall Business Council		PO Box 306	Fort Hall	ID	83203
Idaho Department of Lands	Pat Brown	3563 Ririe Highway	Idaho Falls	ID	83401
Idaho Department of Transportation		5151 S. 5th Ave	Pocatello	ID	83204
Idaho Fish & Game	Becky Johnson	1345 Barton Rd	Pocatello	ID	83201
Idaho Irrigation District		496 E. 14th Street	Idaho Falls	ID	83404
Idaho Public Health Department	Ken Keller	1901 Alvin Ricken Dr.	Pocatello	ID	83201
Intermountain Gas Co	Pocatello Marketing	12584 N Tyhee Rd.	Pocatello	ID	83202
Lavaside Canal	Von Cornelison	66 E. River Rd.	Blackfoot	ID	83221
New Sweden Irrigation		2350 W 17th S	Idaho Falls	ID	83402
People's Canal		1050 W. Hwy 39	Blackfoot	ID	83221
Qwest Engineering	Jon Davidson	930 W. Cedar St	Pocatello	ID	83201
Riverside Canal Co		379 W 150 N	Blackfoot	ID	83221
Rocky Mountain Power	Bill Brabec	852 E. 1400 N.	Shelley	ID	83274
Shelley Post Office	Postmaster	244 W Pine	Shelley	ID	83274
Shelley School District	Superintendent	545 Seminary Ave	Shelley	ID	83274

**Exhibit
S-11A**

Shelley Government Agency Notice

Shoshone Bannock Tribal Land Use Commission		PO Box 306	Fort Hall	ID	83203
Snake River Valley Irrigation		P.O. Box 70	Basalt	ID	83218
United Canal Co.		762 W Hwy 39	Blackfoot	ID	83221
United Canal Company	Spencer Larsen	864 W 650 N	Blackfoot	ID	83221
U.S. Army Corps of Engineers Walla Walla District Idaho Falls Regulatory Office		900 N Skyline Road, Suite A	Idaho Falls	ID	83402
Woodville Canal Co		7475 S 35 W	Idaho Falls	ID	83402
Woodville Water & Sewer District	Maureen Anderson	704 E 1550 N	Shelley	ID	83274

43 Government Agencies

NOTICE OF MAILING

I hereby certify on August 20, 2024, I, Addie Jo Jackman, personally mailed notice of the proposed request to the above named Government Agencies.

Addie Jo Jackman

Addie Jo Jackman
Lead Planner/Assistant Director

**PROPERTY OWNERS LIST
EDDY STOLWORTHY RECEPTION CENTER CUP**

OWNER	ADDRESS	CITY STATE ZIP
EDWARD BRENT STOLWORTHY	954 E 600 N	FIRTH ID 83236-0000
GERALD STOLWORTHY FAMILY	453 E 1000 N	FIRTH ID 83236-0000
KEVIN & DENISE HARDY	PO BOX 178	FIRTH ID 83236-9801

3 PROPERTY OWNERS

NOTICE OF MAILING

I hereby certify on August 20, 2024 I, Addie Jo Jackman, personally mailed notice of the proposed request to the above named property owners who are within 300 feet of the property in question.

Addie Jo Jackman

Addie Jo Jackman
Assistant Director/Lead Planner

**INDIVIDUALS WHO TESTIFIED AT THE MAY 22, 2024 PLANNING &
ZONING COMMISSION PUBLIC HEARING**

OWNER	ADDRESS	CITY STATE ZIP
KEVIN HARDY	PO BOX 178	FIRTH ID 83236
DENISE HARDY	PO BOX 178	FIRTH ID 83236
JOYCE MONSON	817 E PRESTO RODA	FIRTH ID 83236
CHARLOTTE REID	213 LITTLE INDIAN ROAD	FIRTH ID 83236

4 PROPERTY OWNERS

NOTICE OF MAILING

I hereby certify on August 20, 2024 I, Addie Jo Jackman, personally mailed notice of the proposed request to the above named individuals. (Notice was only provided once to those that are duplicated)

Addie Jo Jackman

Addie Jo Jackman
Assistant Director/Lead Planner

**Exhibit
S-12A**

From: [Gwen Inskeep](#)
To: [PlanningTestimony](#)
Subject: September Hearing_Surveyor Comments
Date: Wednesday, August 28, 2024 3:46:30 PM

Underwood Acres:

1. Please label lots 1 and 2 and correct the distance of east line of proposed lot 2.
2. Plat reviewed is dated 8-27-24, renamed to Underwood Acres and has an average lot size of approximately 1.08 acres

Willard CUP: No comments or concerns.

Stolworthy:

1. Please obtain and record ingress/egress easement to Wolverine Road as necessary, provided pertinent and/or required standards and/or recommendations. There appears to be a gap between the existing recorded easement (Inst. No. 760129 & 759522) and Parcel No. RP054502. Can you please rerecord to correct this issue?

Bishop:

1. Please indicate type and width of easement proposed along frontages.
2. Please label proposed pump location
3. Please indicate that the proposed ditch relocation will be buried per Bingham County Ordinance
4. Lots 1-3 of Block 1 will need to be slightly adjusted to meet the minimum 1 acre requirement as they are currently 0.98 acres.
5. Lots 9-11 of Block 3 do not close.
6. Per Bingham County Road Standards Manual, "All subdivisions shall be designed to contain the runoff water from the subdivision without using the drainage areas or system from the roads." Please verify runoff will be contained on each lot.
7. There appears to be an existing access along the westerly subdivision boundary possibly providing access to the irrigation structure to the north. Will this access be terminated? If it is to remain, the spacing requirement between intersections and approaches may not be met.
8. Can you please acknowledge the Agreement between the Gneitings and the Groveland Cemetery Maintenance District (Inst. No. 712812). I would recommend this Agreement be noted on the plat as well.
9. Subdivision Guarantee does not include RP0308508 and RP0308509.
10. Please address status of current irrigation pump use agreement. Will this agreement be terminated? Se Inst. No. 133272.

Gwen Inskeep, PLS
Bingham County Surveyor
501 N. Maple St.
Blackfoot ID 83221
208-782-3172

My email address has recently changed to [-ginskeep@binghamid.gov](mailto:ginskeep@binghamid.gov)

Exhibit
T-1A

Addie Jo Jackman

From: PlanningTestimony
To: Rebecca Fangsrud
Subject: RE: September Hearing Items

From: Rebecca Fangsrud <RFangsrud@binghamid.gov>
Sent: Wednesday, August 28, 2024 12:47 PM
To: PlanningTestimony <planningtestimony@binghamid.gov>
Cc: Boyd Jensen <BJensen@binghamid.gov>
Subject: RE: September Hearing Items

Here are the comments from Boyd and Dusty.

Thanks,

Rebecca Fangsrud, Administrative Assistant
Bingham County Public Works
245 N 690 W
Blackfoot, ID 83221

208 782-3173
rfangsrud@binghamid.gov

September 11, 2024 Hearing

Bishop Estates

Porterville Road is a major collector and it is posted at 40 mph. The required spacing from driveway approaches to intersection is 280 ft. Groveland Road is a minor arterial and it is posted at 50 mph. The required spacing from driveway approaches to intersection is 425 ft. It appears that Knight Ave intersection with Porterville does not meet the 280 ft requirement. A public utility easement will have to be created adjacent to the road right of way for all utilities including private irrigation lines. All irrigation road crossings must be built to ISPWC standards. Mailbox turnout and all signs to county standards must be included in construction drawing.

The preliminary storm water drainage plan exceeds our requirements therefore Public Works approves the drainage plan.

Underwood Subdivision

Moreland Townsite is posted at 35 mph. The required approach spacing for driveway approaches is 20 ft.

Willard CUP

The speed limit on 250 E Spring Drive is 35 mph. The required spacing for driveway approaches is 20 ft.

Ed Stolworthy CUP

After reviewing the HLE Approach study:

It can be seen that the extreme skew of the existing approach does not meet the ITD or FHWA standards for skew and sight distance, though, the new proposed approach does.

However, after meeting with legal counsel over the multiple easement issues pertaining to both approaches, I cannot make a recommendation until the easement issues are sorted out. Due to this, currently my only recommendation can be to deny the CUP application and have the applicant reapply after all easement issues are corrected and contain an approach location that meets all current standards.

OATH OR AFFIRMATION

The undersigned does hereby swear or affirm, under penalty of perjury that the testimony that I give before the Planning and Zoning Commission on this date will be true and correct. I also understand my testimony is limited to 5 minutes pursuant to Planning & Zoning Resolution No. 2022-01.

NAME (printed): Chris STREET

ADDRESS: 800 W Judicial St

SIGNATURE: [Handwritten Signature]

DATE: 9/11/2024

724721

RECORDER'S CERTIFICATE

INSTRUMENT NO. 764721
 BINGHAM COUNTY, IDAHO
 8:38:29A No. of Pages: 1
 10:11:14 AM No. of Parcels: 1
 10:11:14 AM No. of Owners: 1
 PAULA M. SCHMIDT No. of Owners: 1
 10:11:14 AM No. of Owners: 1
 10:11:14 AM No. of Owners: 1
 10:11:14 AM No. of Owners: 1

PART OF THE NE 1/4 OF SECTION 3, T. 2 S., R. 37 E.B.M. BINGHAM COUNTY, IDAHO

N 1/4 COR. SEC. 3
 PLACED 1/2" X 24" IRON ROD
 WITH CAP MARKED P.L.S. 1222A
 CP&F INST. NO. 760001

T. 1 S. R. 37
 T. 2 S. R. 37

NE COR. SEC. 3
 PLACED 1/2" X 24" IRON ROD
 WITH CAP MARKED P.L.S. 1222A
 CP&F INST. NO. 760000

SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARIES OF A PARCEL (PARCEL 1) CREATED BY DEED INST. NO. 734613, 734614, 734615, 734616, 734617, 734618, 734619, 734620, 734621, 734622, 734623, 734624, 734625, 734626, 734627, 734628, 734629, 734630, 734631, 734632, 734633, 734634, 734635, 734636, 734637, 734638, 734639, 734640, 734641, 734642, 734643, 734644, 734645, 734646, 734647, 734648, 734649, 734650, 734651, 734652, 734653, 734654, 734655, 734656, 734657, 734658, 734659, 734660, 734661, 734662, 734663, 734664, 734665, 734666, 734667, 734668, 734669, 734670, 734671, 734672, 734673, 734674, 734675, 734676, 734677, 734678, 734679, 734680, 734681, 734682, 734683, 734684, 734685, 734686, 734687, 734688, 734689, 734690, 734691, 734692, 734693, 734694, 734695, 734696, 734697, 734698, 734699, 734700, 734701, 734702, 734703, 734704, 734705, 734706, 734707, 734708, 734709, 734710, 734711, 734712, 734713, 734714, 734715, 734716, 734717, 734718, 734719, 734720, 734721, 734722, 734723, 734724, 734725, 734726, 734727, 734728, 734729, 734730, 734731, 734732, 734733, 734734, 734735, 734736, 734737, 734738, 734739, 734740, 734741, 734742, 734743, 734744, 734745, 734746, 734747, 734748, 734749, 734750, 734751, 734752, 734753, 734754, 734755, 734756, 734757, 734758, 734759, 734760, 734761, 734762, 734763, 734764, 734765, 734766, 734767, 734768, 734769, 734770, 734771, 734772, 734773, 734774, 734775, 734776, 734777, 734778, 734779, 734780, 734781, 734782, 734783, 734784, 734785, 734786, 734787, 734788, 734789, 734790, 734791, 734792, 734793, 734794, 734795, 734796, 734797, 734798, 734799, 734800, 734801, 734802, 734803, 734804, 734805, 734806, 734807, 734808, 734809, 734810, 734811, 734812, 734813, 734814, 734815, 734816, 734817, 734818, 734819, 734820, 734821, 734822, 734823, 734824, 734825, 734826, 734827, 734828, 734829, 734830, 734831, 734832, 734833, 734834, 734835, 734836, 734837, 734838, 734839, 734840, 734841, 734842, 734843, 734844, 734845, 734846, 734847, 734848, 734849, 734850, 734851, 734852, 734853, 734854, 734855, 734856, 734857, 734858, 734859, 734860, 734861, 734862, 734863, 734864, 734865, 734866, 734867, 734868, 734869, 734870, 734871, 734872, 734873, 734874, 734875, 734876, 734877, 734878, 734879, 734880, 734881, 734882, 734883, 734884, 734885, 734886, 734887, 734888, 734889, 734890, 734891, 734892, 734893, 734894, 734895, 734896, 734897, 734898, 734899, 734900, 734901, 734902, 734903, 734904, 734905, 734906, 734907, 734908, 734909, 734910, 734911, 734912, 734913, 734914, 734915, 734916, 734917, 734918, 734919, 734920, 734921, 734922, 734923, 734924, 734925, 734926, 734927, 734928, 734929, 734930, 734931, 734932, 734933, 734934, 734935, 734936, 734937, 734938, 734939, 734940, 734941, 734942, 734943, 734944, 734945, 734946, 734947, 734948, 734949, 734950, 734951, 734952, 734953, 734954, 734955, 734956, 734957, 734958, 734959, 734960, 734961, 734962, 734963, 734964, 734965, 734966, 734967, 734968, 734969, 734970, 734971, 734972, 734973, 734974, 734975, 734976, 734977, 734978, 734979, 734980, 734981, 734982, 734983, 734984, 734985, 734986, 734987, 734988, 734989, 734990, 734991, 734992, 734993, 734994, 734995, 734996, 734997, 734998, 734999, 735000.

SURVEY REFERENCES

DEED INST. NO. 317654, 734613, 760512
 ROS INST. NO. 305351

GERALD E. STOLWORTHY
 FAMILY LIMITED
 PARTNERSHIP INST.
 NO. 317654

NE COR. SEC. 3
 PLACED 1/2" X 24" IRON ROD
 WITH CAP MARKED P.L.S. 1222A
 CP&F INST. NO. 760000

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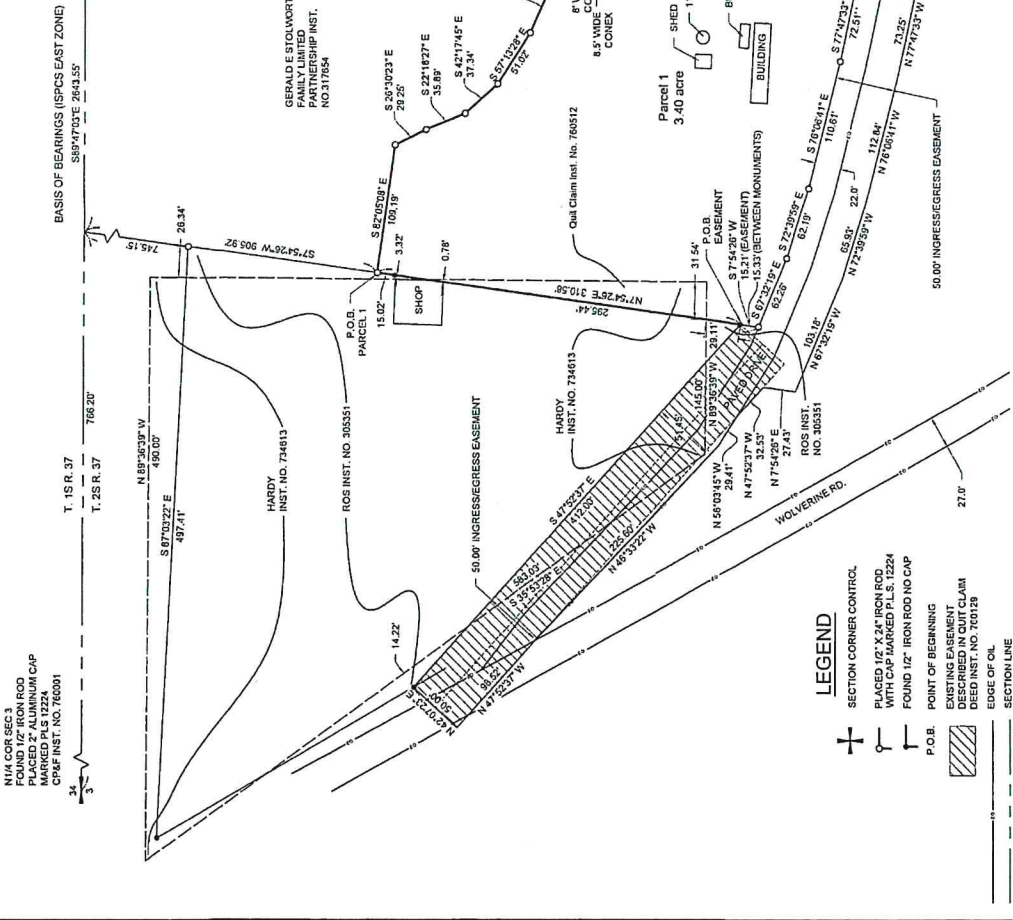
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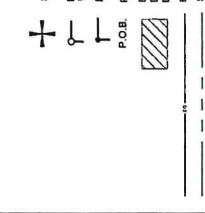
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 WITH CAP MARKED P.L.S. 1222A
 CP&F INST. NO. 760000



LEGEND

- SECTION CORNER CONTROL
- PLACED 1/2" X 24" IRON ROD WITH CAP MARKED P.L.S. 1222A
- FOUND 1/2" IRON ROD NO CAP
- P.O.B.
- EXISTING EASEMENT
- NEW EASEMENT
- EDGE OF OIL
- EASEMENT SIDELINE
- PROPERTY LINE USE
- DEED INST. NO. 734613



NE COR. SEC. 3
 PLACED 1/2" X 24" IRON ROD
 WITH CAP MARKED P.L.S. 1222A
 CP&F INST. NO. 760000

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RECORD OF SURVEY

EDDY STOLWORTHY

SEC. 3, T. 2 S., R. 37 E.B.M.

BINGHAM COUNTY, IDAHO

NO.	LINE	DATE
1	1222A	2024



CIVIL & STRUCTURAL ENGINEERING
 MATERIALS TESTING & LAND SURVEYING

800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2777

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SURVEYORS CERTIFICATE

I, Chris G. Street, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Chris G Street License No. 12224

724721

724721

Exhibit T-11A

OATH OR AFFIRMATION

The undersigned does hereby swear or affirm, under penalty of perjury that the testimony that I give before the Planning and Zoning Commission on this date will be true and correct. I also understand my testimony is limited to 5 minutes pursuant to Planning & Zoning Resolution No. 2022-01.

NAME (printed): Brent Stolworthy

ADDRESS: 453 E. 1000 N. Firth, ID 83236

SIGNATURE: Brent Stolworthy

DATE: 9/11/24

OATH OR AFFIRMATION

The undersigned does hereby swear or affirm, under penalty of perjury that the testimony that I give before the Planning and Zoning Commission on this date will be true and correct. I also understand my testimony is limited to 5 minutes pursuant to Planning & Zoning Resolution No. 2022-01.

NAME (printed): Kevin Hardy

ADDRESS: 448 E Wolvesonic Rd

SIGNATURE: Kevin Hardy

DATE: 9/11/24

OATH OR AFFIRMATION

The undersigned does hereby swear or affirm, under penalty of perjury that the testimony that I give before the Planning and Zoning Commission on this date will be true and correct. I also understand my testimony is limited to 5 minutes pursuant to Planning & Zoning Resolution No. 2022-01.

NAME (printed): Denise Hardy
ADDRESS: 948 E. WOLVERINE Firth
SIGNATURE: Denise Hardy
DATE: 9/11/24

Bingham County
 Planning & Zoning Commission Meeting
 Sign in sheet

September 11, 2024

1.	Jason Lindland	Sunrise Eng -
2.	Joshua Balls	Sunrise Eng.
3.	Denise Hardy	948 E. Wolverine Firth
4.	Ken Hardy	" " "
5.	Nathaniel Underwood	1166 N. 700 W. Blackfoot, ID
6.	Holly Underwood	1166 N. 710 W. Blackfoot, ID
7.	Don Callister	1496 W 3700 N Howe
8.	Kim Callister	" " "
9.	Randy Smith	301 W. 200 N, Blackfoot
10.	Richard Brent Stetwelly	
11.	Jason Lilya	450 W 200 N Blackfoot
12.	Chris Truel	HLE INC 800 W Ind. and ST
13.	Jason Bird	476 W 200 N Blackfoot
14.	Robert Willard	3 s 250 e Blackfoot
15.	Chet Nicholas	
16.	Blaine Robbins	431 W 100 N
17.	Fancy Robbins	118 N 400 W
18.	Janet Adamsen	1446 Shadowline 83201
19.	MARC PANKE	4W50 457 W Hwy 39
20.		
21.		
22.		
23.		