# COUNTRICE

# Cassia County Planning & Zoning Commission

# EXHIBIT LIST

**Application Number: 2025-13-CU** 

**Applicant: Aaron Kloepfer / Kloepfer Inc.** 

Property Owners: HF&S LLC

Hearing: October 16, 2025

- 1. Conditional Use Permit Application
- 2. Site Plan
- 3. Legal Description
- 4. Narrative Statement & Generally Applicable Standards
- 5. Application for Reclamation Idaho Department of Lands
- 6. Weed Plan
- 7. Property Owners 1 Mile
- 8. Agency Impact Statements
  - a. BHD Letter David Shirley
  - b. Burley Irrigation District Don Terry
  - c. Burley Fire District Approval Shannon Tolman
- 9. Flood Plain Review
- Notice of Hearing, Affidavits: Certificate of Mailing, Affidavits of Publication & Posting
- 11. Cassia County Zoning & Building Department Staff Report
- 12. Aerial Maps

Cassia County Planning and Zoning

Kloepfer Inc-HolyOak Gravel Pit

09/05/2025 - 09/04/2026

Land Use

General

**EXHIBIT** 

Printed: 10/07/2025

2025-13-CU

e61936c0-67e1-11f0-8257-97234fece536

Active

Complete

# **Application Review Status**

Pre-Review Approved

Burley Highway Approved 07/23/2025

**District** 

Burley Fire District Approved 09/05/2025

Burley Irrigation Approved

**District** 

BID Impact statement

2025 Kloepfer Inc Impact statement submitted by Don Terry on August 6, 2025 at 11:59 a.m.

Flood Zone Review Approved
Flood Zone A and C - Panel 160041 0100
B - will have to meet Title 12 requirements
- TFQ

Cassia County Weed Approved Department

This weed plan was approved by Michael Ottley on 8-11-2025. Uploaded in Application.

South Central Public Not Reviewed

**Health District** 

Final-Review Approved

Fees

**Payments** 

Conditional Use Permit Fee	\$600.00	07/23/2025	Online	\$600.00
Subtotal	\$600.00	Total Paid		\$615.00
Processing Fee	\$15.00			
Total	\$615.00			
Amount Paid	\$615.00			
Total Due	\$0.00			

# **Application Form Data**

(Empty fields are not included)

Project Name

Kloepfer Inc-HolyOak Gravel Pit

Land Use Project Type

Conditional Use Permit

First Name

**Aaron** 

Last Name

Kloepfer

Email

aaron@kloepfer.com

Phone

(208) 731-8509

Mailing Address

PO Box 840

City

**PAUL** 

State

ID

Zip Code

83347

Property Owner Name	Email	Phone	Address	RP Number	Deed Number
Kloepfer Inc(HF&S LLC)	aaron@kloepfer.com	(208) 731- 8509	PO Box 840	RP10S22E264049	45717
Property Locat 50 South 300	ion/Address West, Burley, Idaho 83	318			
Existing Use of <b>Agriculture</b>	Property				
Current Zoning Industrial Cor					
Parcel Number RP10S22E26					
Flood Plain					
-	on of Proposed Conditional ravel located in Flood Zo		С		
Is CUP for a CA	FO Permit?				
•	Narrative Conditional Use Permit A al Use Permit Narrative S				
12.B Site I	m/Vicinity Sketch Map-2.pdf Map-2pdf				
-	Surrounding Property Own  Conditional Use Permit A	`		,	
HolyOak C	Statements from all applic Conditional Use Permit A _Kloepfer Inc Impact sta	application	_08-2024.pd	df	

Deed HolyOak 10-28-2008.pdf
Upload Any Additional Documents or Files  Appendix A Zoning Chart Manufacturing.pdf  S702952-Application-ReclamationPlan-2025-06-30.pdf  BHD_Kloepfer Inc statement.pdf
Hearing Date 10/16/2025
Hearing Time 3:00 pm
Project Description  Mine Sand/Gravel.
Select Fire District  Burley Fire District
Select Transportation District / Highway District  Burley Highway District
Select Irrigation or Canal District  Burley Irrigation District
If needed, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.
Upload Weed Plan  Noxious Weeds Plan HolyOak.doc  HolyOak Kloepher Inc Weed Plan 2025.pdf
Upload Map of Property (INCLUDE: property address, all existing buildings, and all proposed changes)  Holy Oak Property Map for Noxious Weeds.pdf
I acknowledge that I understand and agree with all terms above as they pertain to this subject property
Type Name Aaron Kloepfer
Date of Signature

07/23/2025

Upload Explanation & Evidence Conditional Use Permit Narrative Statement form HolyOak_2.pdf				
I acknowledge that I understand and agree with all terms above as they pertain to this subject property ✔				
Type Name <b>Aaron Kloepfer</b>				
Date of Signature 07/23/2025				

# Signature

I hereby certify that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration.

Aaron Kloepfer - 07/23/2025 10:27 am

## Messages

Application for your records.

© 2025-13-CU\_KloepferGP1\_.pdf

Sara,

Attached is the Affidavit of Posting, Certificate of Mailing, Confirmation of Posting Affidavit Magic Valley Times-News.

Also do I need to provide pictures of the sign that is posted on the property? And is there any other documents that I am lacking before the hearing?

Thank you,

Aaron Kloepfer

Notice of Hearing for2025-13-CU Signed.pdf Affidavit of Posting Signed.pdf Confirmation of Posting Affidavid Recipe.pdf Certificate of Mailing Signed.pdf

#### Comments:

Thank you ...could you send a photo of the posted notice of hearing and also the mailing list of whom you sent the Notice of Hearing to.

Here are photos of posted notice. 
§ IMG\_1650.jpeg § IMG\_1651.jpeg § IMG\_1652.jpeg

Your hearing date has been set for November 20, 2025 at 3:00 pending publication deadlines and notice of hearing to property owners 30 days at least prior to the hearing. Attached find the Notice of Hearing -- Please fill out entire form and submit online to http://column.us/place in word format, they do have established deadlines, so ensure that you publish in plenty of time. and send notice of hearing to the surrounding property owners at least 30 days prior to the hearing date (do not count the hearing date) Let me know if you need any assistance -- SARA

Aaron I made an error on the hearing date -- it is October 16, 2025

Sara,

I just saw your post. I already posted with October 16th as the hearing date. This is 2

months out. I am concerned if we push it further out that will cause issues. Thank you

Aaron Kloepfer

Notice of Hearing for 2025-13-CU Signed.pdf

Did you already publish? And on what date so I can show Kerry.

Your hearing date is October 16, 2025, per Kerry. there will be three that day and you will be the last one to be heard...may be a long night.

That should be fine. I appreciate you allowing me to schedule it for October 16th.

BHD Bob Worthington• 4:58 pm (17 hours ago)
Subject to letter from David Shirley to Planning and Zoning.

#### Sara,

Is there someone I need to reach out to Burley Irrigation District or did the County contact them through this app?

Comments:

they were contacted through this app

Signed Weed Plan attached from Michael Ottley

 ${\bf § Signed Weed Plan GP1.pdf}$ 

#### Sara,

I have added a summary statement explaining what we are planning on doing with the property. I also I gave a detailed description of traffic access and traffic circulation. And a site map is also attached detailed traffic access and traffic circulation. Let me know if I can help in any way.

© Conditonal Use Permit Narrative Statement form HolyOak.doc © 12.B Site Map-2.pdf Comments:

#### Subject to letter from David Shirley to Planning and Zoning.

I need a narrative statement explaining what you are going to do at this property exactly you addressed the standards, but you also need to give a description of the plan. Also on the site plan you need to show traffic access and traffic circulation - how they get in and how they get out.

Comments:

We will review this at our next board meeting on August 11th.

I received your application today and will review and let you know if we need anything further to proceed.

# **Internal Notes**

@{{user||684c604e4fdde470d7d402b9||Michael Ottley}}

@{{user||67e5bcddc2c0649e68681c54||BID Secretary}} @{{user||67e5bc7bf4900efd15f962c0||Don Terry}}

BID Impact statement

Subject to letter from David Shirley to Planning and Zoning.

Email: pzoning@cassia.gov

#### www.cassia.gov

#### **EXHIBIT**

1

## **Conditional Use Permit Application**

#### Applicant/Owner Information:

In the event there is more than one property owner for the subject property for which a conditional use permit is being sought, <u>all owners of the subject property shall sign as applicants</u>, in order for application to be complete.

If the applicant is a limited liability company, partnership, corporation, or other such entity, then the applicant shall file the appropriate paperwork form the entity-applicant, proving that the application signatory has authority to bind the entity to the terms of the application and any permit, arising therefrom. Any application that does not contain all appropriate signatures, shall be deemed incomplete and will not proceed to hearing before the Commission until appropriately signed and executed. *(Cassia County Code 9-13-2)* 

Applicant/Authorized Agent (Attach additional pages if Necessary)	Property Owner of Record (Attach additional pages if Necessary)
Name:	Name:
Address:	Address:
City:	
State: Zip:	State:Zip:
Contact Phone #	Contact Phone #
Email:	Email:
Parcel Number(s):	ry):
Existing Use of Property:	
Current Zoning District of the premises:	
Description of Proposed Conditional Use:	

#### Cassia County Zoning & Building Department | 1459 Overland Ave. Rm. 210 | P: 208.878.7302

Email: pzoning@cassia.gov www.cassia.gov

#### **Required Submittals:**

- ☑ 1. Conditional Use Permit Application and non-refundable application fee.
- 2. <u>Site Plan:</u> A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the commission may require to determine if the proposed special use meets the intent and requirements of this title;
- 3. Narrative Statement: Attach a narrative statement discussing the potential effects of the use on adjoining property; the potential for such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility of the proposal with adjacent and other properties in the district; the relationship of the proposed use to the comprehensive plan and a discussion that explains how this proposal will meet each of the following standards, as listed in 9-13-3 of County Code as follows: X A. Qualify: Will, in fact, constitute a conditional use as established by the official schedule of zoning regulations for the zone involved. X B. Meet General Obligations: Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or the zoning ordinance. X C. Maintain Character: Will be designed, constructed, operated and maintained to be reasonably harmonious and 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 general vicinity. X D. Hazards: Will not be unreasonably hazardous or disturbing to the existing or future neighboring uses.
  - X E. Facilities: Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for any such services.
  - X F. Economic Welfare: Will not create excessive additional requirements at public cost for public facilities and services and will not be unreasonably detrimental to the economic welfare of the community.
  - <u>X</u> G. Conditions of Operation: Will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, pollution or odors.
  - X H. Harmful Conditions: Will not be or create conditions that are unreasonably harmful or dangerous to the individual safety or welfare of persons on the premises of the use or living or working in the vicinity of the use; or will not be or create conditions that could be unreasonably harmful to the general safety, health or welfare of the community.

#### Cassia County Zoning & Building Department | 1459 Overland Ave. Rm. 210 | P: 208.878.7302

Email: pzoning@cassia.gov www.cassia.gov

- X I. Vehicular Approaches: Will have vehicular approaches to the property which are so designed as not to create safety hazards or interference with traffic on surrounding public thoroughfares.
- \_\_\_\_X **J. Scenic And Historic Features**: Will not result in the destruction or loss or damage to any natural, scenic or historic feature of importance to the public.
- ☑ 4. <u>List of Property Owners</u> within a one-mile radius of the exterior boundaries of the premises.
- 5. <u>County Weed Plan</u>: A plan developed in conjunction with the Cassia County Weed Department setting forth suitable methods, managements and practices for controlling weeds on and involved with the proposed development herein. Weeds shall be defined by state of Idaho noxious weed statutes, laws and regulations.
- ☐ 6. If CUP is for CAFO Permit, show compliance with *Title 9, Chapter 11*.
- 7. Applicant shall obtain an impact statement from the irrigation district, canal company, groundwater district, surface water district, public water system, or any other such like entity (such entities being referred to hereinafter as "Water System") within which Applicant's proposal will be located.
- 8. <u>Certificate of Mailing, Notice of Hearing, Affidavit of Publication & Affidavit of Posting</u> (to be submitted after hearing date has been scheduled, and in accordance with 9-13-3 of County Code).

Upon departmental review for completeness of the application and accompanying documentation, the application will be scheduled for hearing and placed on the next available Planning and Zoning agenda. Applicant will be notified of the scheduled hearing information, or if additional information is needed to process the application. The County Code for the Conditional Use requirements and application is found in Cassia County Code 9-13. Please review and follow <u>all</u> code requirements when submitting applications. A sample notice of hearing protocol for the applicant's review and reference and is also viewable or downloadable online at: Cassia County Code: <a href="https://www.cassia.gov/county-code">https://www.cassia.gov/county-code</a>, other forms as well can be found at: <a href="https://www.cassia.gov/county-forms-applications">https://www.cassia.gov/county-forms-applications</a>. (Most of the Applications are fillable)

Until all items listed herein are submitted to the satisfaction of the zoning administrator, any application made with the zoning department is deemed only to be lodged, but not to be filed. Applications shall be considered and determined based upon the regulations existing as of the date of filing of the application, unless otherwise provided for by action of the Board of County Commissioners.

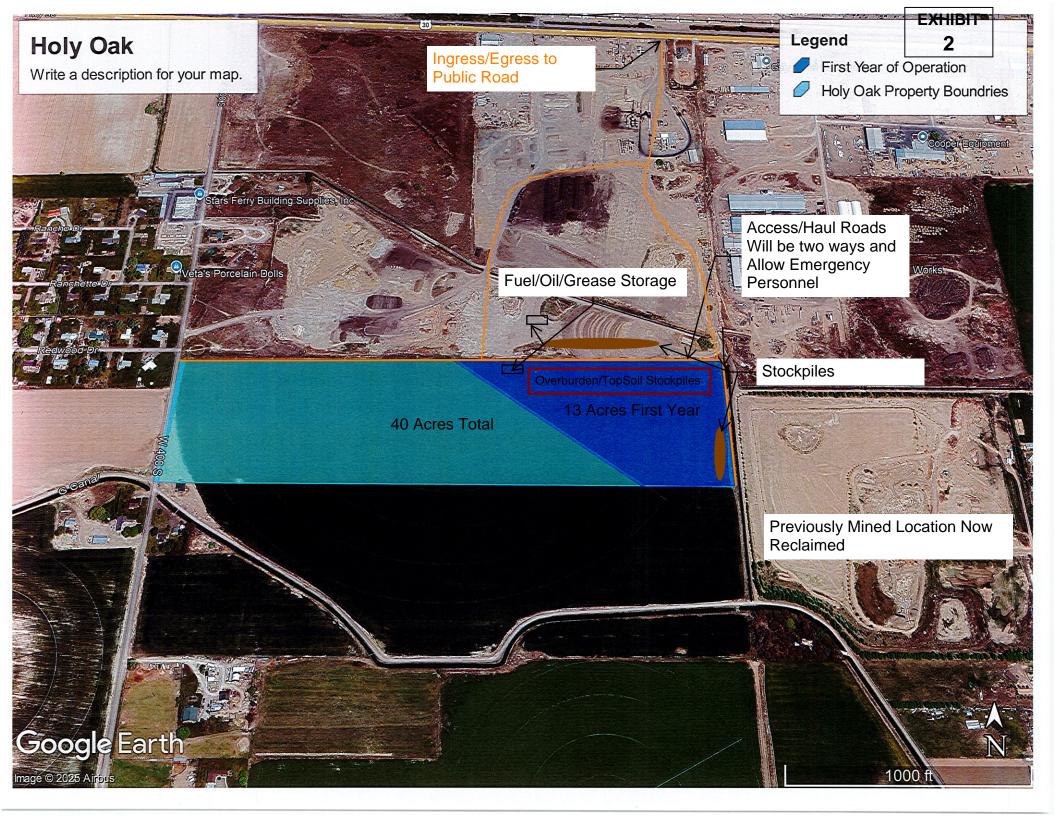
#### Cassia County Zoning & Building Department | 1459 Overland Ave. Rm. 210 | P: 208.878.7302

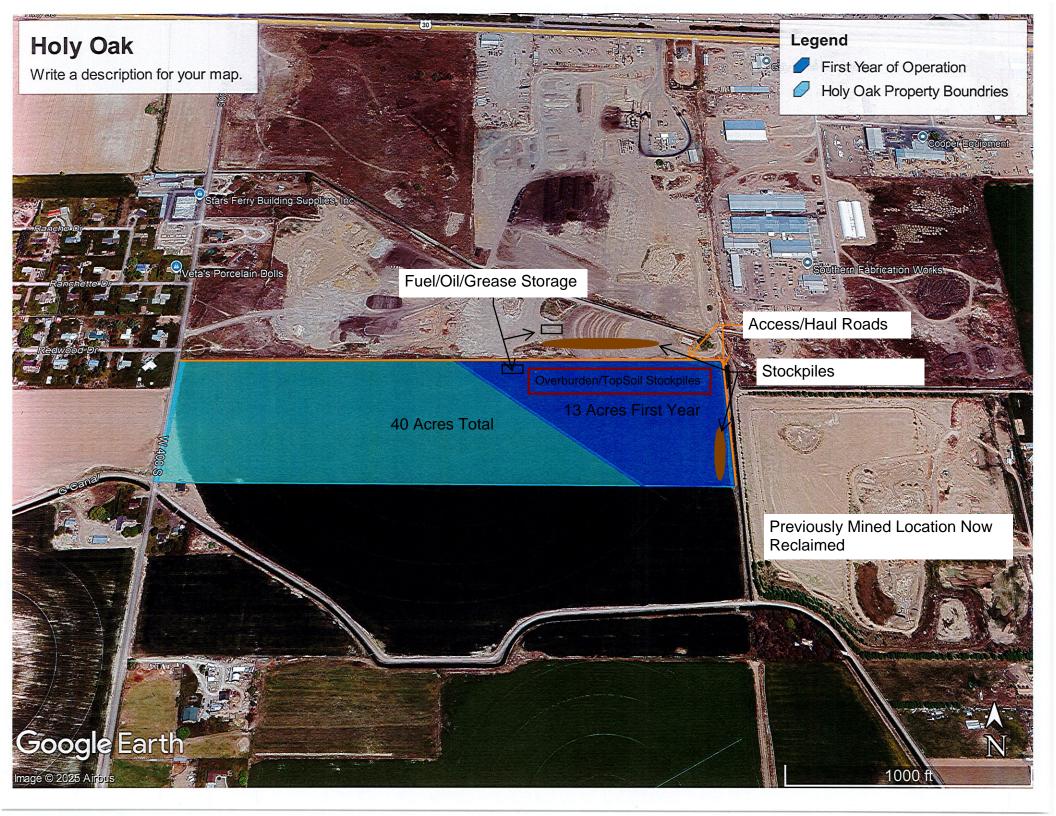
Email: pzoning@cassia.gov www.cassia.gov

#### **Applicant / Authorized Agent / Property Owner Certification:**

I hereby certify that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration as a conditional use permit. Additionally, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.

(Attach additional signature	•	Date
Printed Name:		
Signature of Property Owne	r	Date
Printed Name:		
Signature of Property Owne (Attach additional signature		Date
Printed Name:		
	For Office Use	e Only:
ate Application Lodged:		
ee <b>\$600.00</b> Paid: \$	Check #	Credit Card:
Application #		





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PARSONS, SMITH & STONE, LLP

LAWYERS BURLEY, IDAHO

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25 26 WARRANTY DEED

# 45717

THIS INDENTURE, made this \_\_ 28th day of \_ October\_,

2008,

between GORDON HOLYOAK, Personal Representative of the Estate of Clea J. Holyoak, of 12059 East Bella Vista Drive, Scottsdale, AZ 85259 ("GRANTOR") and HF&S, L.L.C., an Idaho Limited Liability Company, whose address is Box 840, Paul, ID 83347 ("GRANTEE").

#### WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described as follows:

> Township 10 South, Range 22 East of the Boise Meridian, CASSIA COUNTY Cassia County, Idaho. RECORDED FOR:

The South 10 rods of the S½NW¼ Section 26:

LAND TITLE AND ESCROW 2:12:48 pm 11-13-2008 2008-006243

**ALSO** 

FEE: \$6.00

That part of the N½SW¼, more particularly described as follows:

Beginning at the Northwest corner of the SW1/4 corner;

Thence running East 160 rods;

Thence South 30 rods;

Thence West 160 rods;

Thence North 30 rods to the Place of Beginning.

Accruing taxes, levies and assessments, assessments SUBJECT TO: of the Burley Irrigation District and the rights and powers of said District as by law provided, right-of-ways of record and visually obvious.

WARRANTY DEED - 1

**TOGETHER** with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

**IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and year first above written.

#### **GRANTOR**

ESTATE OF CLEA J. HOLYOAK

GORDON HOLYOAK
Personal Representative

County of Maricapa)

On this 28 day of October, in the year 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared GORDON HOLYOAK, known or identified to me to be the person whose name is subscribed to the within instrument as the Personal Representative of the Estate of Clea J. Holyoak, and acknowledged to me that he subscribed his name as Personal Representative.

OFFICIAL SEAL
EILEEN DEJNO
NOTARY PUBLIC - STATE OF ARIZONA
MARICOPA COUNTY
My Comm. Expires July 20, 2010

Notary Public for Arizona

Residing at: Maricopa Ca Comm. Exp.: Joly 20, 201

(HolyoakClea\HF&SwarrantyDeed.doc)

WARRANTY DEED - 2



Paul Voice: (208) 438-4525 Fax: (208) 438-5030

505 E. Ellis P.O. Box 840 Paul, ID 83347 Of Service to the Entire Magic Valley

"an Equal Opportunity Employer"

**Burley** Voice: (208) 678-9293

> Voice: (208) 734-3924 Fax: (208) 734-3928

751 Madrona St. S. Twin Falls, ID 83301

EXHIBIT 4

Cassia County Zoning & Building Department 1459 Overland Avenue Burley, ID 83318

RE: Conditional Use Application Narrative Statement for Parcel No. RP10S22E264049 located 50 South 300 West, Burley, Idaho 83318.

To whom it may concern:

Following is a narrative statement to satisfy the required submittal #3 on the Conditional Use Permit Application.

#### Summary

Kloepfer Inc. proposes to utilize forty (40) acres of property for the mining and extraction of gravel and rock. The property, currently owned by Kloepfer Inc., is presently used for agricultural purposes. Mining will be conducted in phases, allowing portions of the property to remain in agricultural production until gravel extraction begins in those areas.

Following completion of extraction activities, Kloepfer Inc. intends to return the land to agricultural use. A reclamation plan for the site has been approved by the Idaho Department of Lands.

Ingress to the property will be from U.S. Highway 30, traveling south through Kloepfer Inc.'s existing facilities to the north side of the site. Egress will follow the same route in reverse, heading north through Kloepfer property before exiting onto U.S. Highway 30.

The proposed mining operations are consistent with Kloepfer Inc.'s previous activities on adjacent property to the east and align with the existing character of the surrounding area. Dust and noise mitigation measures will be implemented to minimize potential impacts on nearby properties. The operation is not anticipated to present hazards to individuals or the community.

No historic features or significant scenic resources have been identified on the property.

- A. Qualify: Kloepfer Inc. would like to use this property for Mining or extraction of gravel/rock, and int this area will qualify or comply with the zoning regulations under an Industrial Commercial use zone. As stated in 9-7-7 Industrial Commercial (IC), "industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land." "According to the Zoning Chart under Manufacturing Will, in fact, constitute a conditional use as established by the official schedule of zoning regulations for the zone involved." See Exhibit A
- B. Meet General Obligations: To answer the questions in Cassia Counties Comprehensive Plan F.2-3 'Mineral Resources,' (a.) This area is not zoned as 'Agricultural Prime Zone' but is a 'Multiple Use Zone' (b.) the site of mining is located quite a distance from residential and/or commercial that not of similar nature and would therefore avoid unreasonable impacts due to noise, transportation, dust, and odors. (c.) Forty-acre section of the area have been selected for mining purposes. A haul road is in place for exporting the excavated material on North which is was previously being used for mining. There should be little need to disturb the surrounding riparian vegetation that would be considered outside the work area. (d.) In general, hauling operations will travel North of property in Kloepfer Inc existing property. (e.) Best management practices (BMP) will be performed to avoid degradation of air and water resources. (f.) BMP will be preformed to minimize visual impact during the mining of the

- gravel/rock, and upon completion of the mining, the areas disturbed will be reclaimed as per our accepted reclamation plan (S702952) with the Department of Lands. (g.) Currently, there is a crop that is planted and will be put back in place after removing sand and gravel. (i.) The roads to and from the site area are capable of handling the heavy vehicular loads generated by the site. All public roads will be maintained by the public. (j.) Specific locations have been selected for mining. These areas were selected because of the quality of the gravel/rock in that area.
- C. Maintain Character: Best management practices (BMP) will be put in place as per our reclamation plan (S702952) with the Department of Lands to operate, maintain, and reclaim the site as to be reasonably harmonious in appearance with the existing character of the general vicinity. Evidence of this is visible upon examination of other areas mined and/or reclaimed near this parcel of land.
- D. Hazards: No foreseen hazards will exist to existing or neighboring uses as a result of the extraction of the gravel/rock in the selected areas. BMP and MSHA regulations such as berming around excavated areas will be put in place to protect our employees as well as any others who may enter the mining area.
- E. Facilities: Access roads to/from the site will be sufficiently maintained to allow access by essential public facilities and services.
- F. Economic Welfare: No excessive additional requirements resulting in public cost is anticipated as a result of the use of this ground for the mining of gravel/rock.
- G. Conditions of Operation: Mining of the gravel/rock and/or haul of this material from the site will be performed under reasonable operation and practice that will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, pollution or odors.
- H. Harmful Conditions: Kloepfer Inc. upholds strict guidelines and practices for its employees with regards to safety that, if adhered to, will protect employees, equipment, equipment operators, persons on or around the premises of work, and the public in relation to work be performed by Kloepfer Inc. Furthermore, Kloepfer Inc. is regulated by MSHA.
- I. Vehicular Approaches: Will have vehicular approaches to the property which are so designed as not to create safety hazards or interference with traffic on surrounding public thoroughfares." Kloepfer Inc. will maintain all roads on the mining facility. All other public roads leading to the mine site will not be the responsibility of Kloepfer Inc.
- J. Scenic And Historic Features: No natural, scenic or historic features of importance have been identified within the limits of the mining operation.

Sincerely,

Aaron H. Kloepfer Materials Manager



Paul Voice: (208) 438-4525 Fax: (208) 438-5030

505 E. Ellis P.O. Box 840 Paul, ID 83347 geors

Entire Magic Valley

"an Equal Opportunity Employer"

**Burley** Voice: (208) 678-9293

Of Service to the

Voice: (208) 734-3924 Fax: (208) 734-3928

751 Madrona St. S. Twin Falls, ID 83301

Cassia County Zoning & Building Department 1459 Overland Avenue Burley, ID 83318

RE: Conditional Use Application Narrative Statement for Parcel No. RP10S22E264049 located 50 South 300 West, Burley, Idaho 83318.

To whom it may concern:

Following is a narrative statement to satisfy the required submittal #3 on the Conditional Use Permit Application.

- A. Qualify: Mining or extraction of gravel/rock in this area will qualify or comply with the zoning regulations under an Industrial Commercial use zone. As stated in 9-7-7 Industrial Commercial (IC), "industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land." "According to the Zoning Chart under Manufacturing Will, in fact, constitute a conditional use as established by the official schedule of zoning regulations for the zone involved." See Exhibit A
- B. Meet General Obligations: To answer the questions in Cassia Counties Comprehensive Plan F.2-3 'Mineral Resources,' (a.) This area is not zoned as 'Agricultural Prime Zone' but is a 'Multiple Use Zone' (b.) the site of mining is located quite a distance from residential and/or commercial that not of similar nature and would therefore avoid unreasonable impacts due to noise, transportation, dust, and odors. (c.) Forty-acre section of the area have been selected for mining purposes. A haul road is in place for exporting the excavated material on North and on East which is was previously being used for mining. There should be little need to disturb the surrounding riparian vegetation that would be considered outside the work area. (d.) In general, hauling operations will travel North of property in Kloepfer Inc existing property. (e.) Best management practices (BMP) will be performed to avoid degradation of air and water resources. (f.) BMP will be preformed to minimize visual impact during the mining of the gravel/rock, and upon completion of the mining, the areas disturbed will be reclaimed as per our accepted reclamation plan (S702952) with the Department of Lands. (g.) Currently, there is a crop that is planted and will be put back in place after removing sand and gravel. (i.) The roads to and from the site area are capable of handling the heavy vehicular loads generated by the site. All public roads will be maintained by the public. (j.) Specific locations have been selected for mining. These areas were selected because of the quality of the gravel/rock in that area.
- C. Maintain Character: Best management practices (BMP) will be put in place as per our reclamation plan (S702952) with the Department of Lands to operate, maintain, and reclaim the site as to be reasonably harmonious in appearance with the existing character of the general vicinity. Evidence of this is visible upon examination of other areas mined and/or reclaimed in close proximity to this parcel of land.
- D. Hazards: No foreseen hazards will exist to existing or neighboring uses as a result of the extraction of the gravel/rock in the selected areas. BMP and MSHA regulations such as berming around excavated areas will be put in place to protect our employees as well as any others who may enter the mining
- E. Facilities: Access roads to/from the site will be sufficiently maintained to allow access by essential public facilities and services.
- F. Economic Welfare: No excessive additional requirements resulting in public cost is anticipated as a result of the use of this ground for the mining of gravel/rock.

- G. Conditions of Operation: Mining of the gravel/rock and/or haul of this material from the site will be performed under reasonable operation and practice that will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, pollution or odors.
- H. Harmful Conditions: Kloepfer Inc. upholds strict guidelines and practices for its employees with regards to safety that, if adhered to, will protect employees, equipment, equipment operators, persons on or around the premises of work, and the public in relation to work be performed by Kloepfer Inc. Furthermore, Kloepfer Inc. is regulated by MSHA.
- I. Vehicular Approaches: Will have vehicular approaches to the property which are so designed as not to create safety hazards or interference with traffic on surrounding public thoroughfares." Kloepfer Inc. will maintain all roads on the mining facility. All other public roads leading to the mine site will not be the responsibility of Kloepfer Inc.
- J. Scenic And Historic Features: No natural, scenic or historic features of importance have been identified within the limits of the mining operation.

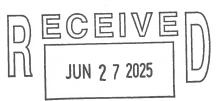
Sincerely,

Aaron H. Kloepfer Materials Manager



# EXHIBIT 5

#### **IDAHO DEPARTMENT OF LANDS**



**IDL-EAJ** 

# APPLICATION FOR RECLAMATION PLAN APPROVAL Reclamation Plan Number:

5702952

#### **GENERAL INFORMATION**

The Idaho Mined Land Reclamation Act, Title 47, Chapter 15, Idaho Code requires the operator of a surface mine, a new underground mine, or an existing underground mine that expands the July 1, 2019 surface disturbance by 50% or more to obtain an approved reclamation plan and financial assurance. Fees are charged as shown on the attachment.

When an applicant is mining on lands administered by the U.S. Forest Service or Bureau of Land Management, it is necessary to obtain the proper federal approvals in addition to the Department of Lands. Each agency's application requirements are similar, but not exactly the same. Please review both state and federal application requirements, and develop one plan which meets the requirements of all the agencies involved.

If ponds or lakes are created during the mining process and will remain after reclamation is completed, the Idaho Department of Water Resources (IDWR) requires the operator or landowner to obtain a water right. If a water right cannot be obtained prior to a plan being submitted, then the reclamation plan must include backfilling to an elevation above the local ground water table. Bond calculations must include those backfilling costs.

After the reclamation plan has been finalized, an electronic copy or five (5) hard copies of the application package must be submitted to the appropriate Area office of the Idaho Department of Lands. When the application is received, the appropriate federal or state agencies will be notified of the application. The department shall deliver to the operator, if weather permits and the plan is complete, the notice of rejection or notice of approval of the plan within sixty (60) days after the receipt of the reclamation plan or amended plan.

All reclamation plan applications will be processed in accordance with Section 080 of the Rules Governing Mined Land Reclamation (IDAPA 20.03.02) and applicable Memorandums of Understanding with state and federal agencies.

#### APPLICATION INFORMATION 1. NAME: Kloepfer Inc. d/b/a: 2. ADDRESS: P.O.Box 840 CITY, STATE, ZIP CODE: Paul, ID 83347 TELEPHONE and EMAIL: (208)-438-4525 aaron@kloepfer.com (000-000-0000) (e.g. john.doe@email.com) DESIGNATED IN-STATE AGENT AND ADDRESS: (if Company's main place of business is 'out of state') 5. PROOF OF BUSINESS REGISTRATION (if applicable): If applicant is a business, please attach proof of registration with the Idaho Secretary of State. 6. LEGAL DESCRIPTION (Section, Township, and Range) TO THE QUARTER-QUARTER SECTION: S ½NW¼, N½SW¼, Sec. 26, T10, R22E Boise Meridian 7. ACREAGE and COUNTY(ies): \_\_\_\_\_40 (e.g. Ada through Washington) OWNERSHIP: (check applicable) Private U.S. Forest Service Bureau of Land Management Idaho Department of Lands 9. COMMODITY TYPE, PROPOSED START-UP DATE: Sand/Gravel, 2026 10. SITE NAME OR MINE NAME (if any): Holy Oak 11. TYPE OF MINING: (check applicable) Surface Underground Both \$600.00 Application Fee paid online via credit card.

Fee: See Attached Schedule

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Page 1 of X 12



#### **IDAHO DEPARTMENT OF LANDS**

- 12. Please provide the following maps of your mining operation (Subsections 069.04 or 070.03 of IDAPA 20.03.02):
  - a. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent.
  - b. A site map which adequately shows the location of existing roads, access roads, and main haul roads which would be constructed or reconstructed for the operation. Also, list the approximate dates for construction, reconstruction, and abandonment.
  - c. On a site location map, show the following;
    - i. The approximate location and names, if known, of drainages, streams, creeks, or bodies of water within 1,000 feet of the surface mining operation.
    - ii. The approximate boundaries and acreage of the lands:
      - 1. That will become affected by the mining operation.
      - 2. That will be affected during the first year of operations.

This map must be of appropriate scale for boundary identification.

- iii. The planned configuration of all pits, mineral stockpiles, overburden piles, topsoil stockpiles, sediment ponds, and tailings facilities that will be developed by the mining operation.
- iv. Location of all underground mine openings at the ground surface, if any.
- v. The planned location of storage for fuel, equipment maintenance products, wastes, and chemicals utilized in the surface mining operation.
- d. A surface and mineral control or ownership map of appropriate scale for boundary identification.
- e. Scaled cross-sections of the mine showing surface profiles prior to mining, at maximum disturbance, and after reclamation.
- 13. A reclamation plan must be developed and submitted in map and narrative form (Subsections 069.05 or 070.04 of IDAPA 20.03.02). The reclamation plan must include the following information:
  - a. On a drainage control map show and list the best management practices which will be utilized to control erosion on or from the affected lands.
  - b. A description of foreseeable, site specific water quality impacts from mining operations and proposed water management activities or BMPs to comply with water quality requirements.
  - c. A description of post-closure activities, if any, such as water handling and treatment.
  - d. Which roads will be reclaimed and a description of the reclamation.
  - e. A revegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and replaced in order to properly revegetate the area. Identify soil types, the slope of the reclaimed areas, and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time and method of planting the soil, and fertilizer and mulch requirements.
  - f. Describe and show how tailings facilities and process or sediment ponds will be reclaimed.
  - g. Dimensions of underground mine openings at the surface and description of how each mine opening will be secured to eliminate hazards to human health and safety.
  - h. For operations over five (5) acres, estimate the actual cost of third party reclamation including direct and indirect costs for mobilization, re-grading, seed, fertilizer, mulch, labor, materials, profit, overhead, insurance, bonding, administration, and any other pertinent costs as described in IDAPA 20.03.02.120.

**APPLICANT SIGNATURE:** 

Fee: See Attached Schedule

5702952

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Page 2 of X / Z

# Kloepfer Inc. Reclamation Plan SOURCE OPERATION

1. Location:

Township 10 South, Range 22 East of the Boise Meridian, Cassia County, State of Idaho.

Section 26: The South 10 rods of the S 1/2 NW 1/4

**ALSO** 

That part of the N ½ SW ¼, more particularly described as follows:

Beginning at the Northwest corner of the SW ¼ corner; Thence running East 160 rods; Thence South 30 rods; Thence West 160 rods; Thence North 30 rods to the Place of Beginning.

- 2. Kloepfer Inc.(KI) owns two parcels 40 acres(Exhibit 1 in Light Blue) and will be working ground until the gravel is removed. During the first year of mining, it is anticipated that KI will disturb approximately 13 acres of ground(See Dark Blue) on outside perimeter of the ground to stockpile overburden. The Property is West to the previously mined Hanks pit that has been reclaimed and retired(RP2662).
- 3. The Mining will start in the North East corner for the actual extraction of the material and stock piling to the North of mining. See Black Boxes.
- 4. The current ground is being farmed. According to ASTM D 2487 the current soil would be 1-3 feet of low organic clays of low to medium plasticity, gravelly, sandy, silty, lean clays(CL). The remaining 27 feet is Well Graded gravels and gravel sand mixtures(GW). Topsoil and vegetation will be removed from the surface and stockpiled for the duration of the mining process. Upon completion of the mining of a given area, the topsoil and vegetation will be redistributed over the surface in a uniform manner. Reclaimed areas will be seeded with 8-10 pound of crested wheatgrass seed from September 1 to December 15. No Dumping will be allowed on the mine site. All debris from the mine operation will be removed.
- 5. The material source will be mined approximately the depth of Thirty (30) feet deep. Operational slopes will 3H:1V. No ground water will be encountered. All surface water will be diverted from flowing onto the mining operation.

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- 6. Accessing the material source will be from KI's property located off the North East corner of the pit. KI will use the existing road on the East side of the property and on North on KI property used for mining.
- 7. The total area of mining will be approx. 40 acres.
- 8. The approximate start date on mining will be 2026. The reconstruction will start upon the completion of the mining at the location and the material stockpiles are removed. The abandonment will not happen until all the property is depleted of materials that were being mined. There are no roads on the property that currently exist accept on the East side, and the reclamation will not have roads part of reclamation Process.
- 9. The approximate cost to reclaim the land will be \$3000 an acre.
- 10. Refuse, trash, bone yards, and other hazardous material will not be allowed on site.
- 11. Fugitive dust shall be controlled if production takes place during dusty conditions and Noxious weeds will be controlled on the site. Post closure and such water handling/treatment is Not Applicable to this location.
- 12. Final Reclamation will leave the pit with overburden at least 12 inches thick across the entire disturbed area and will be reclaimed as the material is being removed. The final slope will be 3H:1V. Pit walls and floor will be left reasonably smooth.

\* Clarification regarding roads via Email from Aaronkbepfer:

From Aaron Kloepfer <aaron@kloepfer.com>

Date Thu 7/3/2025 8:06 AM

To Meribeth Lomkin < MLomkin@idl.idaho.gov>

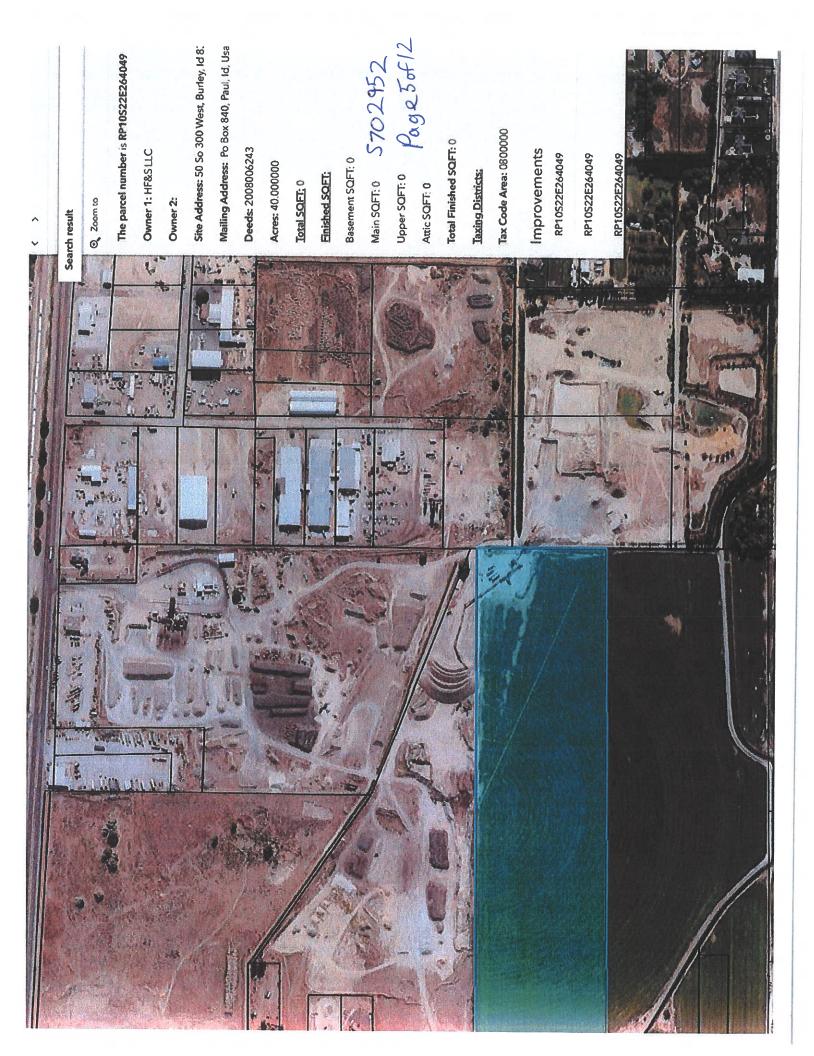
CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE vou click or open. even if vou recognize and/or trust the sender. Contact your agency service desk with any concerns.

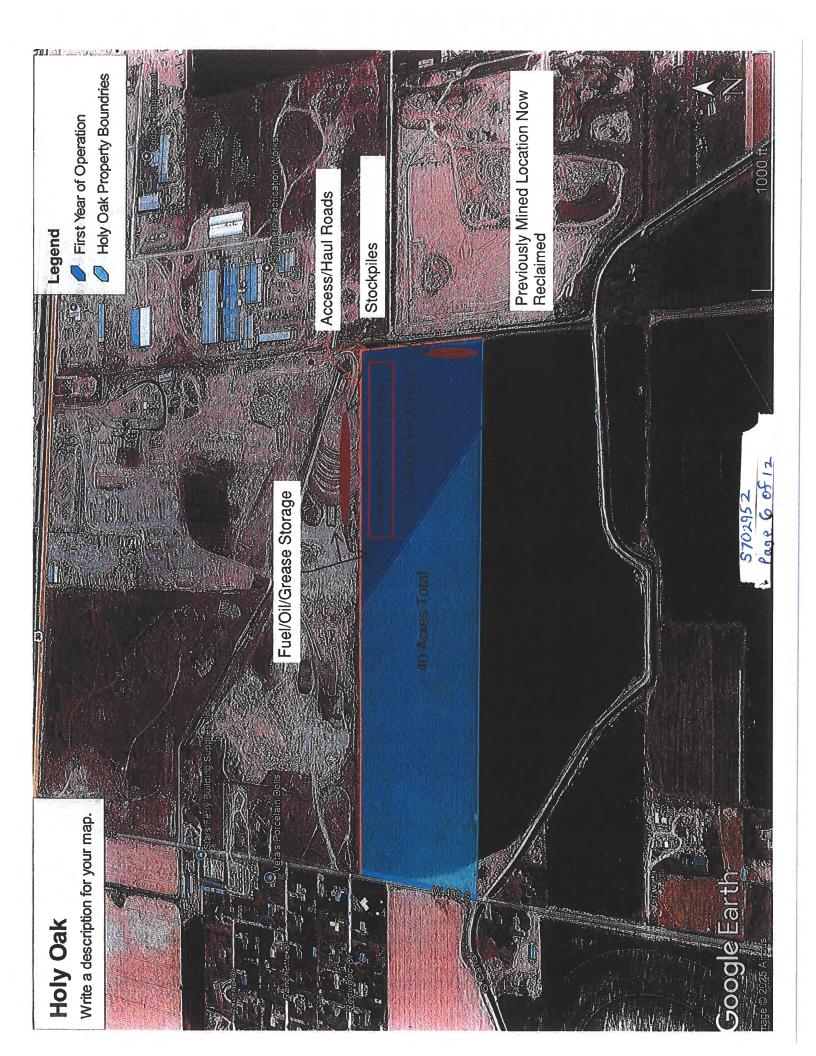
Meribeth,

Yes, that is correct no reclamation will occur on the roads - that they will remain in place upon completion of mining for future landowner use.

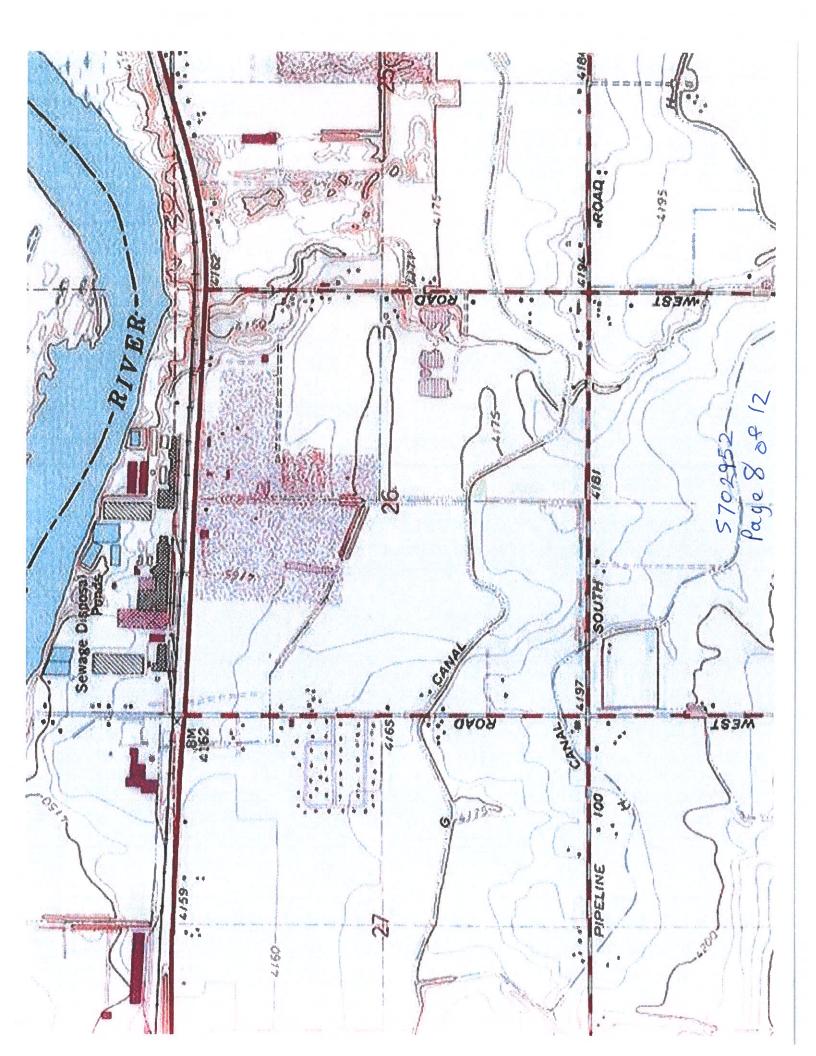
Thank you and have a Happy Independence Day Aaron Kloepfer

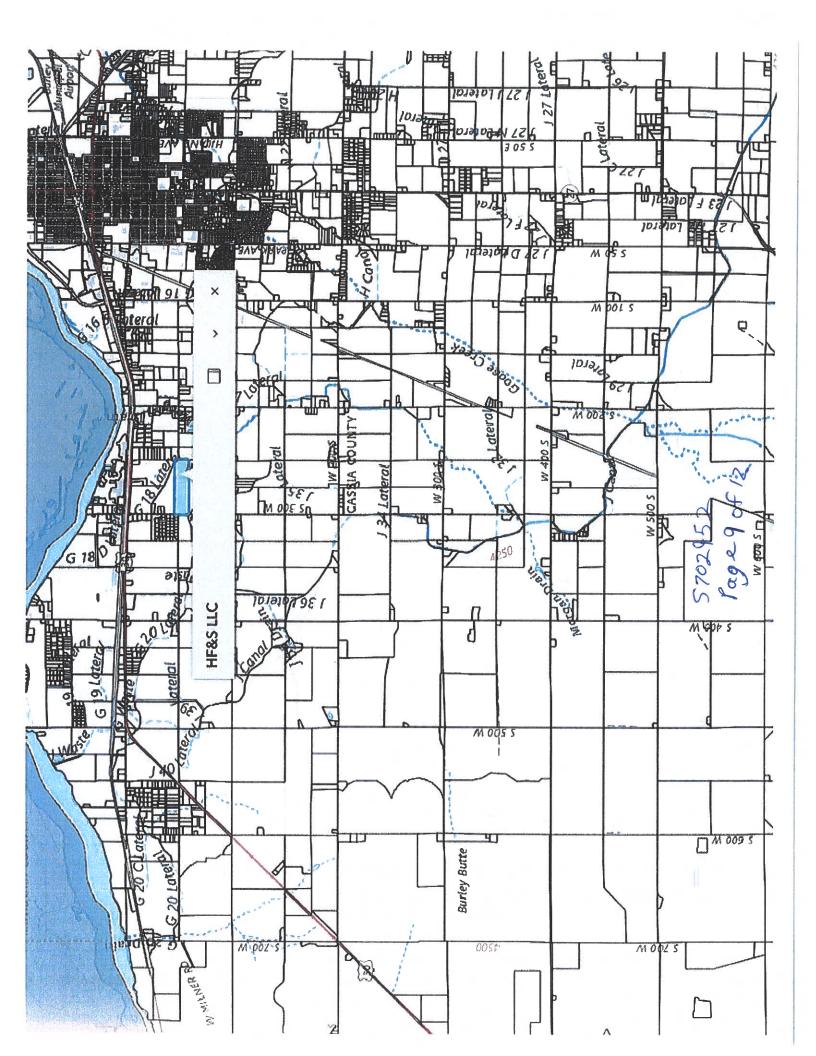
5702952 Page 4 of 12

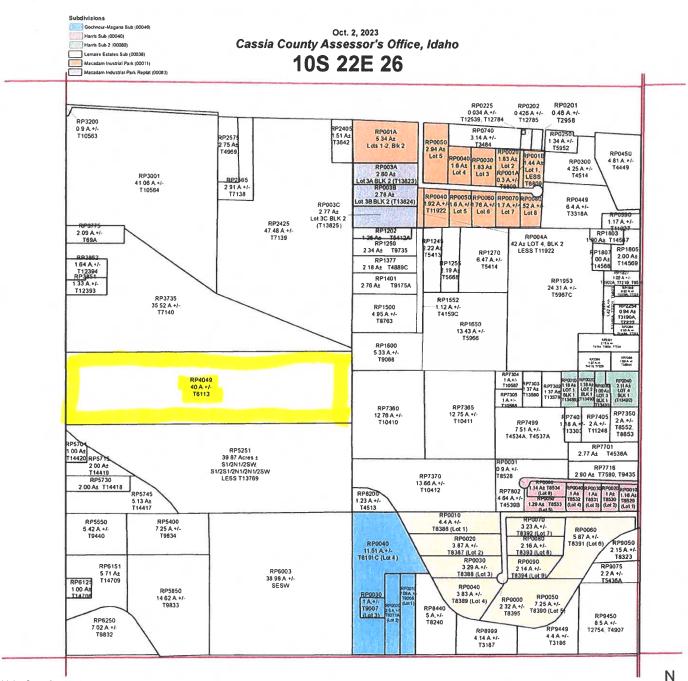




30, Existing Ground is Flat and used for Form Ground 5702952 Page 7 of 12 Horizontal: Vertical
3:1 1006 JUN 3 0 2025 IDL-EAJ







Idaho State Certified GIS Specialist: Karen Shaw County Assessor: Martin K. Adams

County Assessor: Martin K. Adams
This map is only a representation of the tax code area boundaries and should not be used for legal or surveying applications.

1 inch = 400 feet

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#### WARRANTY DEED

# 45717

THIS INDENTURE, made this \_\_\_\_ 38th day of \_\_\_ October . 2008. between GORDON HOLYOAK, Personal Representative of the Estate of Clea J. Holyoak, of 12059 East Bella Vista Drive, Scottsdale, AZ 85259 ("GRANTOR") and HF&S, L.L.C., an Idaho Limited Liability Company, whose address is Box 840, Paul, ID 83347 ("GRANTEE").

#### WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described as follows:

> Township 10 South, Range 22 East of the Boise Meridian, CASSIA COUNTY Cassia County, Idaho.

The South 10 rods of the S½NW¼ Section 26:

**ALSO** 

LAND TITLE AND ESCROW 11-13-2008 2:12:48 pm 2008-006243

FEE: \$6.00 NO. PAGES: COUNTY CLERK

DEPUTY: VIKI

That part of the N½SW¼, more particularly described as follows:

Beginning at the Northwest corner of the SW1/4 corner;

Thence running East 160 rods;

Thence South 30 rods;

Thence West 160 rods:

Thence North 30 rods to the Place of Beginning.

Accruing taxes, levies and assessments, assessments SUBJECT TO: of the Burley Irrigation District and the rights and powers of said District as by law provided, right-of-ways of record and visually obvious.

WARRANTY DEED - 1

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TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

#### **GRANTOR**

ESTATE OF CLEA J. HOLYOAK

Personal Representative

STATE OF ARIZONA

County of Maricopa)

On this 28th day of \_, in the year 2008\_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared GORDON HOLYOAK, known or identified to me to be the person whose name is subscribed to the within instrument as the Personal Representative of the Estate of Clea J. Holyoak, and acknowledged to me that he subscribed his name as Personal Representative.

**EILEEN DEJNO** DTARY PUBLIC - STATE OF ARIZONA MARICOPA COUNTY My Comm. Expires July 20, 2010

Notary Public for Arizona

Residing at: Marico Pa C Comm. Exp.: July 20, 20

(HolyoakClea\HF&SwarrantyDeed.doc)

**WARRANTY DEED - 2** 

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#### Cassia County Noxious Weed Control 1459 Overland Ave., Room 4 Burley, ID 83318 Phone: 208-878-4043

EXHIBIT 6

Phone: 208-878-404 Fax: 208-878-7862

Applicant: Kloepfer Inc.		
Name: HolyOak Kloepfer Inc.		
Address: 50 S 300 W Burley, ID 83318		
Phone: (208)-438-4525	2	

Map of property must be attached or drawn on back; include address of property, all existing buildings and ect. and all proposed changes. If all of the above items are not attached the Noxious Weed Superintendent will not sign off.

#### County Weed Plan:

This noxious weed control plan is developed IAW with Idaho State Law Title 22 Chapter 24, IDAPA 02.06.22, and the Cassia County Weed Plan requiring all land owners to control noxious weeds on their properties.

Goals: The goal for this facility is to prevent the establishment of noxious weeds on the property. A secondary goal is to eradicate weeds that do establish on the property.

Survey: During the late spring, early summer and/or fall of 2015 (year) a survey will be conducted to identify any noxious weeds listed below:

Black Henbane Puncture Vine Canada Thistle Perennial Pepperweed Curley Pondweed Poison Hemlock Dalmation Toadflax Rush Skeletonweed Diffuse Knapweed Russian Knapweed Field Bindweed Saltcedar Houndstongue Scotch Thistle Jointed Goatgrass Spotted Knapweed Leafy Spurge White Bryony Musk Thistle Whitetop

If there are any questions in the identification of weeds, the county weed agent will be contacted to assist in identification.

Eradication and Prevention (Applicant/Landowner responsibilities): Any noxious weeds identified during the survey will be physically removed or spot sprayed with herbicides. During the construction of the facilities, invasive weeds will be prevented from establishing by the use of the appropriate herbicides and mechanical tillage. Post construction, any disturbed soil that was not developed and is non-high traffic will be seeded to native grass species. During the operation of the facilities, any areas susceptible to invasive weeds such as barrow pits, drainage ditches, and fences lines will be regularly surveyed and sprayed with appropriate herbicides to prevent noxious weed invasions.

Weed Supervisor
Date: 8 - //

Applicant

Date: 7/2//25



Paul Voice: (208) 438-4525 Fax: (208) 438-5030

505 E. Ellis P.O. Box 840 Paul, ID 83347



**Burley** Voice: (208) 678-9293

"an Equal Opportunity Employer"

Twin Falls Voice: (208) 734-3924 Fax: (208) 734-3928

751 Madrona St. S. Twin Falls, ID 83301

**EXHIBIT** 

6

July 21, 2025

Cassia County Gravel Pit Weed Control Plan 1459 Overland Ave. Rm #4 Burley, ID 83318

RE: Noxious Weed Plan HolyOak Conditional Use Application located 50 South 300 West, Burley, Idaho 83318.

To whom it may concern:

Cassia County Gravel Pit Weed Control Plan

Prepared for: HolyOak Property

Project Location: 50 South 300 West Burley, Idaho 83318

Date: 7/21/25

#### 1. Purpose

This plan outlines the general approach for controlling noxious weeds associated with the operation and maintenance of the gravel pit. The intent is to manage and minimize the spread of weeds in compliance with Idaho State noxious weed laws and in cooperation with the Cassia County Weed Department.

#### 2. Weed Definition

For the purpose of this plan, weeds are defined as any plant listed as a noxious weed by the State of Idaho. The most current list published by the Idaho State Department of Agriculture and Cassia County will be referenced to guide control efforts.

#### 3. General Approach

Weed control at the gravel pit will be addressed through a combination of the following practices as needed:

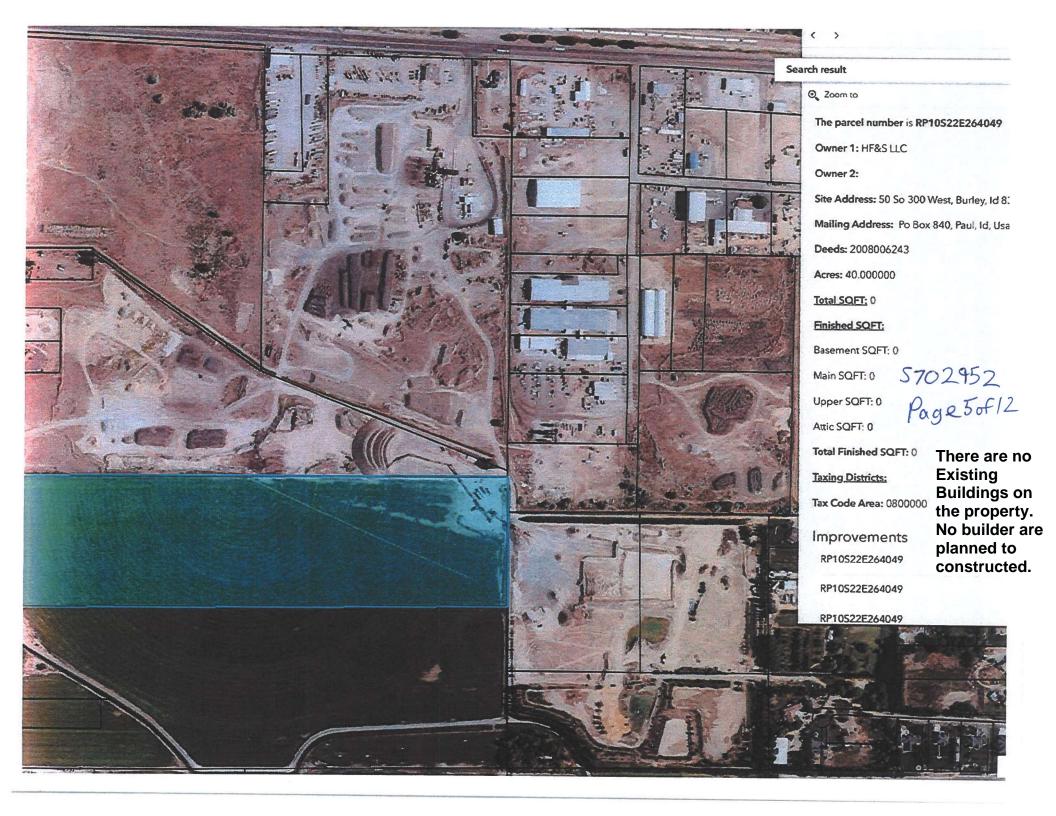
- Regular monitoring and inspection of the site during the growing season.
- Use of appropriate mechanical or chemical control methods based on site conditions and weed species present.

#### 4. Coordination with Cassia County

We will work with the Cassia County Weed Department to ensure weed management practices are effective and appropriate for the site. Adjustments to the plan may be made based on site observations.

Currently the property owned by Kloepfer Inc. is being farmed. The property has no buildings. There is no plan to construct any buildings on the property. See Map for location of the property.

Aaron H. Kloepfer Materials Manager



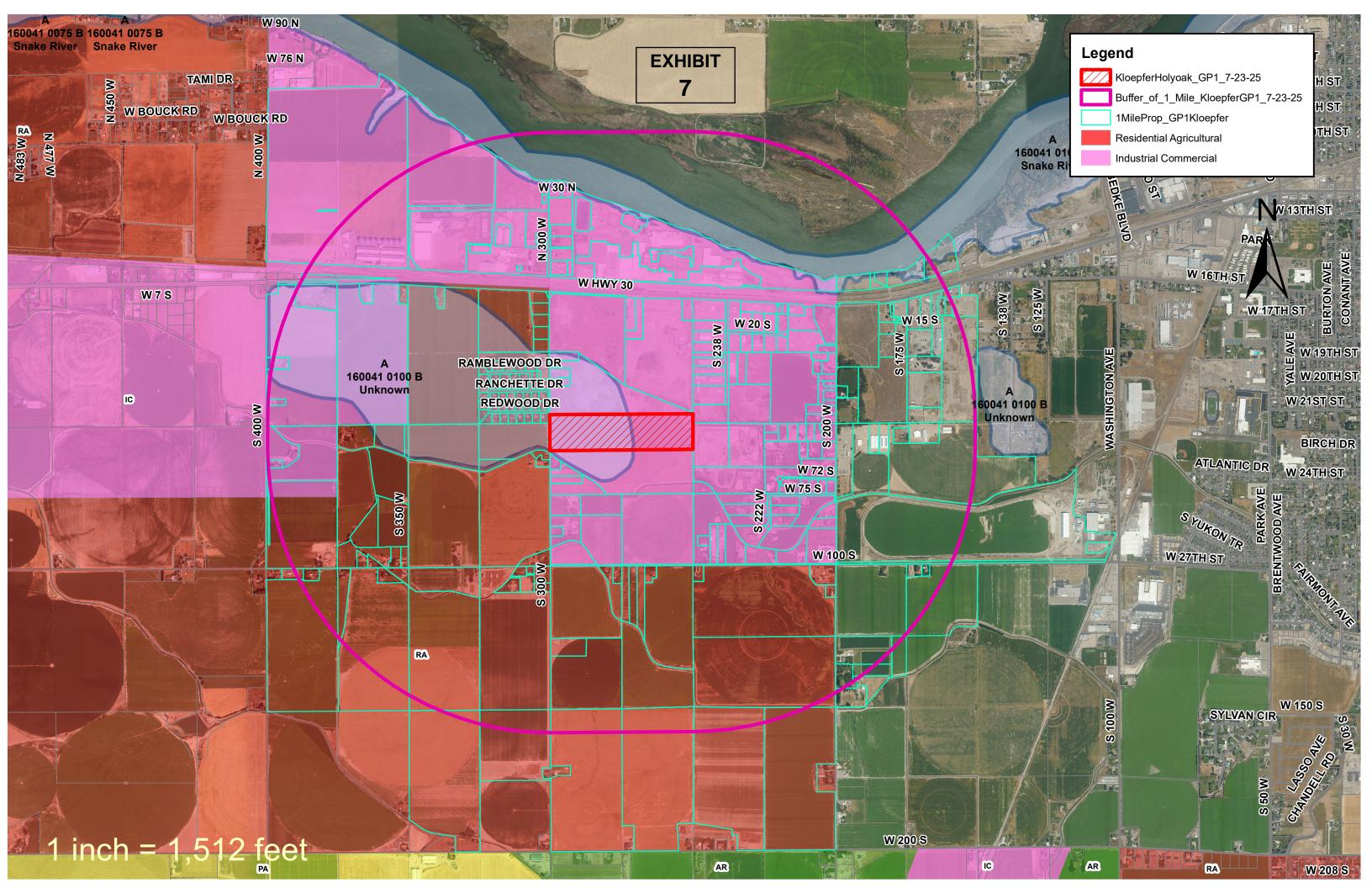


					EXHIBIT
Parcel_Num	MailToName	MailToAddr	MailToAd_1	MailToCity	Mai MailToPost
RP000110020050		227 WEST 20TH SOUTH KNOX DR		BURLEY	ID 83318 <b>7</b>
RP00083002003B	AG STORAGE BUILDING I LLC	247 W HWY 30		BURLEY	ID 83318
RP10S22E263862	ALLSHOUSE, BERNARD L	31 S 300 W		BURLEY	ID 83318
RP10S22E246598	ALT ADVENTURES LLC	197 W HWY 30		BURLEY	83318
RP10S22E253470	ALVARADO, JIM	41864 NW BROADSHIRE LN		BANKS	OR 97106
RP10S22E342402	ALVAREZ, ANTONIO	359 W 100 S		BURLEY	ID 83318
RP000030030020	ALVAREZ, JOSE	317 RANCHETTE DR		BURLEY	ID 83318
RP10S22E262565	ANDERSON FARMS INC	PO BOX 398		BURLEY	ID 83318
RP10S22E363901	ANDERSON, ALAN C	145 S 200 W		BURLEY	ID 83318
RP10S22E277030	ANDERSON, BURTON L	366 W 100 S		BURLEY	ID 83318
RP10S22E273775	ANDERSON, LAMONT	27 S 400 W		BURLEY	ID 83318
RP10S22E277150	ANDERSON, NEIL L, ETUX L/E	352 W 100 S		BURLEY	ID 83318
RP10S22E261805	ASH, STEVEN W	30 S 200 W		BURLEY	ID 83318
RP00083002003A	ASPIRE15 LLC	289 CENTENNIAL DR		HEYBURN	ID 83336
RP10S22E252443	BARAJAS, MARIO D/B/A QUALITY CONSTRUCTION	1461 AUTUMN WAY		JEROME	ID 83338
	BARENDREGT, COLIN ANDREW	365 W 50 S		BURLEY	ID 83318
	BARNES, JANETTE	68 S 200 W		BURLEY	ID 83318
RP000110010050		96 W 200 S		BURLEY	ID 83318
RP10S22E353150	BECK. BRUCE	241 S 200 W		BURLEY	ID 83318
RP10S22E340052	•	255 S 300 W		BURLEY	ID 83318
	BECK, LEONARD M	272 W 200 S		BURLEY	ID 83318
	BECK, LEONARD M & DEBRA J	272 W 200 S		BURLEY	ID 83318
RP10S22E347201	•	234 W 200 S		BURLEY	ID 83318
	BENEFICIAL HOMES AZ LLC	1210 E SANDCASTLE CT		GILBERT	AZ 85234
	BLAUER, HAROLD W, FAMILY FARMS LLC	163 ASPEN CRST		BURLEY	ID 83318
RP10S22E276598		380 W 100 S		BURLEY	ID 83318
RP10S22E265251	•	296 S 200 W		BURLEY	ID 83318
	BOWERS, KYLE IAN	296 S 200 W		BURLEY	ID 83318
RP10S22E252553	•	2514 E 3707 N		TWIN FALLS	ID 83301
	BRADSHAW, JESSE	81 S 222 W		BURLEY	ID 83318
RP10S22E252851	•	26 E 220 S		BURLEY	ID 83318
RP000030030070	•	303 RANCHETTE DR		BURLEY	ID 83318
	BURGESS, DONALD M	304 REDWOOD DR		BURLEY	ID 83318
	BURLEY DEVELOPMENT AUTHORITY	PO BOX 1090		BURLEY	ID 83318
RP000030030050		307 RANCHETTE DR		BURLEY	ID 83318
	BUTLER, MICHAEL	275 W 100 S		BURLEY	ID 83318
RP10S22E254499	,	PO BOX 513		RUPERT	ID 83350
	CARPENTER, DEVIN JOSHUA	29 N 300 W		BURLEY	ID 83318
	CARRILLO, CRISTIAN IVAN	271 W 100 S		BURLEY	ID 83318
	CHAVEZ, YULISSA A	1943 E 3300 S		WENDELL	ID 83355
	CHRISTENSEN-GESTRIN, P GAYLE	205 W 75 S		BURLEY	ID 83318
RP000360000060		P O BOX 1090		BURLEY	ID 83318
	COV PANDELL	227 WEST 20 SOUTH KNOX DR		BURLEY	ID 83318
RP10S22E267350		64 SOUTH 200 WEST		BURLEY	ID 83318
KPUUU36UUUU050	CRITCHFIELD, JEFFREY G	89 S 222 W		BURLEY	ID 83318

RP000030020040	CUEVAS, FERNANDO	309 RAMBLEWOOD DR	BURLEY	ID	83318
RP000030020030	•				83318
RP000030030010	CUEVAS, RAMON CARDENAS	319 RANCHETTE DR	BURLEY	ID	83318
RP00003001004A	DAYLEY, STACEY	320 RAMBLEWOOD DR	BURLEY	ID	83318
RP10S22E252526	DEL TORO, HIGINIO	1728 MONROE AVE	BURLEY	ID	83318
RP10S22E269075	DENAUGHEL, KENNETH JAY	86 S 200 W	BURLEY	ID	83318
RP000030040110	DOCKSTADER, BRYAN J	303 REDWOOD DR	BURLEY	ID	83318
RP10S22E236350	DORSEY, EVERETT DELMER L/E	300 W 13 N	BURLEY	ID	83318
RP10S22E255580	DOS AGGIES LLC	65 S 200 W	BURLEY	ID	83318
RP10S22E277195	DYE, FRANK L	350 W 100 S	BURLEY	ID	83318
RP10S22E253599	EGAN, RON	PO BOX 323	BURLEY	ID	83318
RP10S22E262254	ELIZONDO, MARIA MARTA	42 S 200 W	BURLEY	ID	83318
RP000360000010	ELLSWORTH, DARLEEN	76 S 222 W	BURLEY	ID	83318
RP000110010030	ESB HOLDINGS LLC	230 WEST 20 SOUTH	BURLEY	ID	83318
RP10S22E261245	G5 LAND COMPANY LLC 60%	1310 S 600 W	OAKLEY	ID	83346
RP10S22E353025	GARNER, IVAN L & JULIE A TRUST	279 W 100 S	BURLEY	ID	83318
RP10S22E350003	GOCHNOUR, DAN E	249 W 100 S	BURLEY	ID	83318
RP10S22E350010	GOCHNOUR, DAVID	183 W 100 S	BURLEY	ID	83318
RP10S22E363000	GOCHNOUR, JACK STEVEN	25 S 150 E	BURLEY	ID	83318
RP10S22E347800		326 WEST 200 SOUTH	BURLEY	ID	83318
RP000460010030	GOCHNOUR, ROSS E	246 W 100 S	BURLEY	ID	83318
	GOCHNOUR, ROSS E, ETAL	246 WEST 100 SOUTH	BURLEY	ID	83318
	GOLD TOOTH INC	115 D ST	JACKSON	ID	83350
RP000030030030	GONZALES, SAUL JR	313 RANCHETTE DR	BURLEY	ID	83318
	GONZALEZ RODRIGUEZ, LUIS ERNESTO	349 W 100 S	BURLEY	ID	83318
	GONZALEZ, BALDEMAR				83318
	GONZALEZ, JASMIN	21 S 550 W			83318
	GORDON PAVING CO				83301
					84323-3247
	GOWEN, CLIFFORD LEE				83318
	GREELY, STEPHEN				83318
RP000030040030					83318
	GREENWELL, GARY				83318
	GUTIERREZ, KAMDIN				94303
	HAMMOND, DEBRA L				83318
	HANKS, A BRYCE, TRUSTEE				83318
RP10S22E340252	,				83318
RP10S22E276600	HANKS, CORY		BURLEY		83318
RP10S22E340200	HANKS, KELLY L		BURLEY		83318
RP10S22E267304	HARRIS, ADAM BENSON				83318
	•				83318
RP10S22E340100	HARRIS, JARED SPENCER				83318
RP10S22E267499	HARRIS, JEFFERY L				83318
RP000400000050	HARRIS, K SCOTT				83318
RP10S22E267302	HARRIS, MATTHEW				83318
	HARRIS, MATTHEW KIMBALL				83318
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RP10S22E267802	HARRIS, RANDALL S	72 S 200 W	BURLEY	ID	83318
RP000030040080	HEARIN, ROGER A	311 REDWOOD DR	BURLEY	ID	83318
RP10S22E253850	HEINER, ANGELA JANE	41 SOUTH 200 WEST	BURLEY	ID	83318
RP10S22E268200	HEINER, ANTHONY G	41 SOUTH 200 WEST	BURLEY	ID	83318
RP10S22E253901	HEINER, TONY	41 SOUTH 200 WEST	BURLEY	ID	83318
RP000360000070	HERRERA, MELQUIADES	216 W 75 S	BURLEY	ID	83318
RP10S22E254802	HEWARD BROTHERS FAMILY PARTNERSHIP	282 EAST 300 SOUTH	BURLEY	ID	83318
RP10S22E264049	HF&S LLC	PO BOX 840	PAUL	ID	83347
RP000030030080	HIGENS, JAMES F, ETUX	302 REDWOOD DR	BURLEY	ID	83318
RP000030040070	HOLLINS, RUSSELL R SR	313 REDWOOD DR	BURLEY	ID	83318
RP00011001001B	HOLMES, ROBERT LAWRENCE	601 PINENUT ROAD	COLEVILLE	CA	96107-9743
RP000030040050	HOLT, TONY L	319 REDWOOD DR	BURLEY	ID	83318
RP10S22E357201	HOLYOAK, LOREN	137 S 200 W	BURLEY	ID	83318
RP10S22E268999	HORNE, HAYDEN GRANT	220 WEST 100 SOUTH	BURLEY	ID	83318
RP10S22E270150	HORTON, DAVID	120 W 13TH ST	BURLEY	ID	
		312 RANCHETTE DR	BURLEY	ID	
	IDAHO POWER CO	Address Not Provided			
	INTERMOUNTAIN GAS CO	ATTN: UG FIXED ASSEST ACCOUNTY 400 N 4TH ST	BISMARCK	NE	58501
	JAMISON, BEVERLY	19 N 300 W	BURLEY		83318
RP10S22E262251		38 S 200 W	BURLEY		83318
RP000030020010	,	319 RAMBLEWOOD DR	BURLEY		83318
	JONES, GARY D, CONSTRUCTION CO INC	247 W HWY 30	BURLEY		83318
RP000360000030		84 S 222 W	BURLEY		83318
	KIDD, LELAND RAY	307 RAMBLEWOOD DR	BURLEY		83318
RP10S22E261650	•	PO BOX 840	PAUL		83347
RP000030020020		315 RAMBLEWOOD DR	BURLEY		83318
		48 S 200 W	BURLEY		83318
	LAHMAN, DARRELL RICHARD	211 W 58 S	BURLEY		83318
	LAKE FAMILY REVOCABLE TRUST, THE	389 W 300 S	BURLEY		83318
RP10S22E255402	•	389 W 300 S	BURLEY		83318
	LANKFORD, JERRY E, L/E	70 S 200 W	BURLEY		83318
	LARIOS, FABIAN A	34 RANCHO DR	BURLEY		83318
	LARSON LAND LLC	28 W 208 S	BURLEY		83318
	LARSON, AARON T	211 W 72 S	BURLEY		83318
RP000400000000	•	205 W 72 S	BURLEY		83318
	LARSON, MATTHEW J	205 W 72 S	BURLEY	ID	
	LARSON, MATTHEW JAMES	205 W 72 S	BURLEY		83318
RP10S22E247049	LARSON, RICK D	154 W HWY 30	BURLEY	ID	
RP10S22E352560	LEON, ALEJANDRO	396 W 1600 S	OAKLEY	ID	
RP10S22E257275	LIBERTY BASIN HOLDINGS LLC	134 E HWY 81	BURLEY	ID	
	LINAFELTER, DALE	213 W 72 S	BURLEY	ID	
RP10S22E269050	LLANOS, ERICK	84 S 200 W	BURLEY	ID	
RP000030030120	•	312 REDWOOD DR	BURLEY		
	,	312 REDWOOD DR 310 RAMBLEWOOD DR		ID	
	LOPEZ, SAMANTHA LOTT, CARSON LEGRAND	1758 GRANDVIEW LN	BURLEY BURLEY	ID	83318 83318
	LOZANO, IGNACIO A	80 S 222 W			
NF 000300000020	LOZANO, IGNACIO A	OU 3 222 VV	BURLEY	טו	83318

RP000460010020	MAGANA, ELIAS	242 W 100 S		BURLEY	ID	83318
RP000460010010	MAGANA, JOSE LUIS	240 W 100 S		BURLEY	ID	83318
RP10S22E272551	MAI, JAMES LEE	363 WEST HWY 30		BURLEY	ID	83318
RP10S22E275550	MALDONADO, FERMIN SANCHEZ	PO BOX 773		BURLEY	ID	83318
RP000360000040	MANNING, NELSON	88 SOUTH 222 WEST		BURLEY	ID	83318
RP10S22E263851	MARCONI, RANDALL VINCENT	33 S 300 W		BURLEY	ID	83318
RP000030020050	MARTINDALE, JEROLYN	308 RANCHETTE DR		BURLEY	ID	83318
RP10S22E262399	MARTINEZ, JOSE LUIS VEGA	50 S 200 W		BURLEY	ID	83318
RP000030040040	MCARTHUR, BERLIN	321 REDWOOD DRIVE		BURLEY	ID	83318
RP10S22E235925	MCCAIN FOODS USA INC	ATTN: ACCOUNTING	1 TOWER LN, 11TH FLOOR	OAKBROOK TER	IL	60181
RP10S22E235902	MCCAIN FOODS USA INC, ATTN: ACCOUNTING	1 TOWER LN, 11TH FLOOR		OAKBROOK TER	IL	60181
RP10S22E273900	MECHAM, LINNET	43 S 400 W		BURLEY	ID	83318
RP10S22E273052	MECHAM, SALINA	707 OCEAN BEACH BLVD N	BOX 722	LONG BEACH	WA	98631
RP000030010060	MENDOZA, RICARDO JR	314 RAMBLEWOOD DRIVE		BURLEY	ID	83318
RP10S22E224803	MILLERCOORS USA LLC	3939 W HIGHLAND BLVD	PO BOX 482	MILWAUKEE	WI	53201
RP000030040060	MIRANDA, FORTUNATO J	315 REDWOOD DRIVE		BURLEY	ID	83318
RP10S22E343015	MOSELEY, BOBBY	385 W 100 S		BURLEY	ID	83318
RP10S22E262264	MUNOZ, ALEJANDRA	44 SOUTH 200 WEST		BURLEY	ID	83318
RP10S22E340025	MUNOZ, RUDOLFO	307 W 100 S		BURLEY	ID	83318
RP10S22E340045	MUNOZ, RUDOLFO EMILIO	307 W 100 S		BURLEY	ID	83318
RP10S22E236400	MURILLO, LUIS A	PO BOX 770		JEROME	ID	83338
RP10S22E236200	NAGAI, RICHARD	1210 E SANDCASTLE CT		GILBERT	ΑZ	85234
RP000030030140	NEDDO, GRIFFIN M	PO BOX 191		ALMO	ID	83312
RP10S22E228600	NEWCOLD BURLEY LLC	22 N STARRHS FERRY PL		BURLEY	ID	83318
RP10S22E252590	NOVOA, VIDAL	259 DIANA DR		BURLEY	ID	83318
RP10S22E270470	ODEKIRK, DAVID T, LIV TRUST	423 N MILAN ST		HENDERSON	NV	89015
	ODEKIRK, DAVID, LIV TRUST	423 NORTH MILAN STREET		HENDERSON	NV	89015-4802
RP10S22E270135	ODEKIRK, DAVID, LIVING TRUST	423 NORTH MILAN STREET		HENDERSON	NV	89015-4802
RP10S22E229510	O'MALLEY PROPERTIES LLC	PO BOX 1901		TWIN FALLS	ID	83303
RP10S22E267405	OSTERHOUT, BILLIJEAN	209 W 58 S		BURLEY	ID	83318
RP10S22E275725	OSTERHOUT, JENNIFER	63 S 400 W		BURLEY	ID	83318
RP10S22E255401	PACE, DOUGLAS	874 N WYANDOTTE RD		WILLIAMS	ΑZ	86046
RP10S22E272575	PAUL, JOHN	351 W HWY 30		BURLEY	ID	83318
RP10S22E362561	PAVLOCK, ROBERT L	167 WEST 100 SOUTH		BURLEY	ID	83318
RP10S22E277350	PEARSON, DUANE RYAN	60 SOUTH 300 WEST		BURLEY	ID	83318
	PEARSON, RYAN H, FAMILY TRUST	245 SOUTH 50 EAST		BURLEY	ID	83318
	PEARSON, RYAN H, TRUSTEE	245 S 50 E		BURLEY	ID	83318
	PENA-CARRILLO, ROBERTO	305 RANCHETTE DR		BURLEY	ID	83318
	PEREZ, ALFREDO C	171 WEST 100 SOUTH		BURLEY		83318
RP000030040010	PICKETT, ANTHONY H	40 RANCHO DRIVE		BURLEY	ID	83318
RP10S22E275401	•	680 EAST 400 SOUTH		BURLEY		83318
RP10S22E269449	•	210 W 100 S		BURLEY		83318
	RAMOS, JOSE LUIS TORRES, 1/3	PO BOX 162		BURLEY		83318
	RANSTROM MINING & CONSTRUCTION INC	205 W HWY 30		BURLEY		83318
	RK WOODLAND PROPERTIES LLC	PO BOX 788		BURLEY		83318
	ROCKY MOUNTAIN AGRONOMICS INC	1912 W MAIN ST		BURLEY		83318
		-		-	-	

RP000030030110	RODRIGUEZ, BARBARA L	310 REDWOOD DR		BURLEY	ID	83318
RP10S22E260590	RODRIGUEZ, MATILDE MILO	24 S 200 W		BURLEY	ID	83318
RP10S22E260740	RYKEN PROPERTIES LLC	PO BOX 141		BURLEY	ID	83318
RP000030010100	SALAZAR, JUAN V	304 RANCHETTE DRIVE		BURLEY	ID	83318
RP000360000090	SANCHEZ, HUGO E	85 SOUTH 222 WEST		BURLEY	ID	83318
RP10S22E252570	SANCHEZ, ROBERTO	85 S 222 W		BURLEY	ID	83318
RP10S22E261600	SFW HOLDINGS LLC	238 W 35 S		BURLEY	ID	83318
RP000030010110	SHARP, LARRY G, ETUX	302 RANCHETTE DR		BURLEY	ID	83318
RP10S22E342591	SIMMONS, BROGAN	373 W 100 S		BURLEY	ID	83318
RP000780010010	SIMMONS, ROBERT	362 W 100 S		BURLEY	ID	83318
RP10S22E352590	SMITH, DAVID E	1656 WEST 2100 SOUTH		WEST HAVEN	UT	84401
RP000030020080	SMITHEE, KENNY L	318 RANCHETTE DR		BURLEY	ID	83318
RP10S22E267303	SPEAR, RHETT	218 W 58 S		BURLEY	ID	83318
RP000030030100	STACY, ROBERT W	306 REDWOOD DR		BURLEY	ID	83318
RP10S22E269450	STAR WARD CORP OF LDS CHURCH	TAX DIVISION 22ND FLOOR	50 EAST NORTH TEMPLE STREET	SALT LAKE CITY	UT	84150-3620
RP10S22E253350	STATE OF IDAHO	3311 WEST STATE STREET		BOISE	ID	83703
RP000030010080	STRADLING, BRIAN A.	306 RAMBLEWOOD DR		BURLEY	ID	83318
RP10S22E253460	TELLEZ HERNANDEZ, JESSE	26 S 175 W		BURLEY	ID	83318
RP000110020070	THREE SEAS PARTNERSHIP	227 WEST 20TH SOUTH KNOX DRIVE		BURLEY	ID	83318
RP000030030040	TIBBITTS, SCYLER K	311 RANCHETTE DR		BURLEY	ID	83318
RP10S22E235766	TILLEY, MICHAEL B	35 NORTH 300 WEST		BURLEY	ID	83318
RP10S22E261927	TOLENTINO, BLANCA ESTHER SALVADOR	32 SOUTH 200 WEST		BURLEY	ID	83318
RP000030040100	VIGH, JUDY J	305 REDWOOD DR		BURLEY	ID	83318
RP10S22E271801	WARREN, EARL U	20 S 300 W		BURLEY	ID	83318
RP10S22E263775	WARREN, MERLE	23 S 300 W		BURLEY	ID	83318
RP10S22E266151	WATERS, JASON V	85 S 300 W		BURLEY	ID	83318
RP10S22E265550	WATERS, SHANE	73 S 200 W		BURLEY	ID	83318
RP10S22E265400	WATERS, SHANE J	73 S 200 W		BURLEY	ID	83318
RP00003001009A	WAVRA, LAURI	ATTN: UG FIXED ASSEST ACCOUNTING	400 N 4TH ST	BISMARCK	ND	58501
RP000030030130	WELCH, RONALD	316 REDWOOD DR		BURLEY	ID	83318
RP000030010010	WEST, TY J	36 RANCHO DRIVE		BURLEY	ID	83318
RP10S22E352550	WHITING, DICK R	174 W 200 S		BURLEY	ID	83318
RP10S22E354600	WHITING, RAY GLADE	174 W 200 S		BURLEY	ID	83318
RP10S22E260450	WHITTLE, KENNNETH LEE	12 S 200 W		BURLEY	ID	83318
RP000030020070	WILSON, KERMA	314 RANCHETTE DRIVE		BURLEY	ID	83318
RP10S22E363650	WRIGHT, WAYNE J	133 SOUTH 200 WEST		BURLEY	ID	
RP10S22E279599	YADA, PAUL A	94 SOUTH 300 WEST		BURLEY	ID	83318
RP10S22E252750	YATES, SCOTT	102 E 500 S		BURLEY	ID	83318

This information is provided in regards to a public records request.

THIS INFORMATION IS LISTED BY THE COUNTY TAX ASSESSOR AS OWNING REAL PROPERTY

LOCATED WITHIN ONE MILE (OR AS REQUIRED) OF ANY EXTERNAL BOUNDARY OF SITE LISTED IN APPLICATION.

CASSIA COUNTY ASSUMES NO LIABILITY OR RESPONSIBILITY FOR ERRORS OR OMISSIONS WHEN THE

INFORMATION IS USED FOR ANY OTHER PURPOSE.

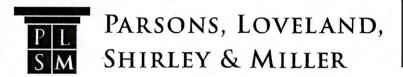


EXHIBIT 8a

WILLIAM A. PARSONS LANCE A. LOVELAND DAVID F. SHIRLEY ATTORNEYS AT LAW
137 WEST 13<sup>TH</sup> STREET
P.O. BOX 910
BURLEY, IDAHO 83318
TELEPHONE (208) 878-8382
www.magicvalley.law

RHETT M. MILLER GRAEME T. GIBLETTE

Sent via Mail

August 15, 2025

Cassia County Planning and Zoning Attn: Kerry McMurray 459 Overland Ave., Room 210 Burley, Idaho 83318

RE: Conditional Use Permit for Kloepfer INC. Gravel Pit Extension

Dear: Cassia County Planning and Zoning

This law firm represents the Burley Highway District. At a board meeting of the Commissioners of the Burley Highway District on August 11, 2025, the Board of Commissioners reviewed the conditional use permit application for Klopfer, Inc., To expand their gravel pit to the south. Following discussion, the Burley Highway District Board of Commissioners have requested that I inform you that they have no objection to the conditional use permit provided that the owner and developer comply with all policies and procedures of the Burley Highway District.

If you have a questions or comments concerning these issues, please contact me.

1.1 7

Sincerely,

David F. Shirley

Attorney for Burley Highway District





## Burley Irrigation District – Impact Statement for Conditional Use Permit: Kloepfer Inc. Gravel Pit

**Subject:** Proposed Conditional Use Permit – Gravel Pit Development by Kloepfer Inc.

**Location:** Approximately 40-acre parcel adjacent to BID's lateral on the eastern boundary

#### To Whom It May Concern,

The Burley Irrigation District (BID) has reviewed the proposal submitted by Kloepfer Inc. for a conditional use permit to develop a 40-acre gravel pit operation. This parcel is located adjacent to a BID lateral, which runs along the eastern edge of the proposed site.

BID has the following considerations and requirements related to this proposal:

#### 1. Lateral Bank Integrity:

The proximity of the proposed gravel pit to the BID G18 lateral raises concerns regarding the stability and integrity of the lateral bank. BID requires assurance that mining operations will not lead to erosion, sloughing, or destabilization of the bank. Adequate setbacks must be established and maintained to ensure the structural integrity of the lateral throughout the life of the operation.

#### 2. Flow Access and Restrictions:

BID does not permit any interference with the flow of water in its delivery systems. No culverts, crossings, gates, or any other infrastructure that could obstruct or restrict water flow shall be installed or operated without express written approval from BID.

#### 3. Access for Maintenance:

BID requires year-round access to its lateral for inspection, maintenance, and emergency operations. The gravel pit operations must not limit or hinder BID's ability to perform necessary work. An access easement must remain clear and accessible at all times along the lateral.

#### 4. Dust and Debris Control:

Dust, airborne debris, and gravel-related materials must not be allowed to enter BID's

lateral or right-of-way. Measures must be in place to prevent contamination of water sources and delivery infrastructure.

#### 5. Drainage and Runoff:

Surface water drainage and runoff from the gravel pit site must not be directed toward BID facilities. Any change in drainage patterns caused by excavation or operations must be engineered and contained on-site to avoid damage to or flooding of BID infrastructure.

#### 6. Water Usage Change:

The use of water on the property will be converted from agricultural irrigation to reclamation purposes as the gravel pit is developed. BID requires documentation outlining how water deliveries will be managed moving forward, and confirmation that this change will not impact existing water rights or interfere with BID's delivery schedule or infrastructure.

#### 7. Future Coordination:

BID requests that Kloepfer Inc. provide prior notice of any future activities or expansions that may encroach upon BID facilities or affect irrigation operations.

#### Conclusion:

Provided that all of the above concerns are fully addressed, and with clear documentation of mitigation measures and adherence to the outlined conditions, Burley Irrigation District does not object to the development of the gravel pit and will support approval of the conditional use permit.

Sincerely, Don Terry Manager

**Burley Irrigation District** 



APPROVED

### Shannon Tolman

Review History

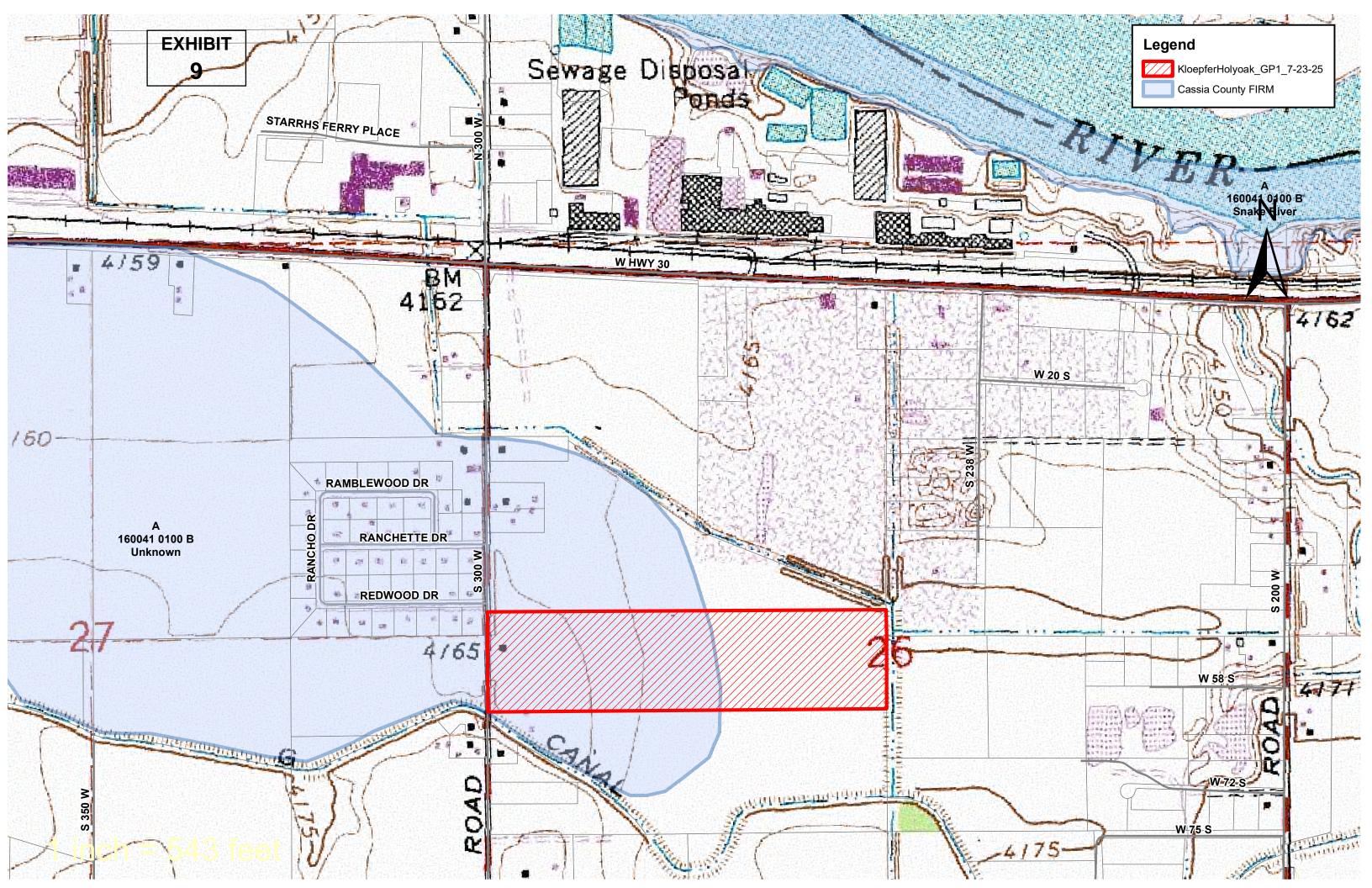
② 07/29/2025 2:15 pm Approved by Shannon Tolman

EXHIBIT 9

Kloepfer Inc-HolyOak Gravel Pit

The west half of this parcel RP10S22E264049 is located in a Flood Zone A, FIRM Panel 160041 0100 B and will have to meet requirements of Title 12.

**Todd Quast** 





#### NOTICE OF HEARING BEFORE CASSIA COUNTY PLANNING AND ZONING COMMISSION

#### #2025-13-CU

NOTICE IS HEREBY GIVEN: that a hearing will be held on Thursday, the 16th day of October, 2025, beginning at the hour of three (3) o'clock P.M., in the Cassia County Courthouse, 1459 Overland Avenue, Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application of:

(Names and Addresses of ALL Applicants) Kloepfer Inc. PO Box 840 Paul. ID 83347 regarding an Application for a Conditional Use Permit, which application was received by the County on the <u>23<sup>rd</sup></u> day of <u>July</u>, 20<u>25</u>. The Nature of the Proposed Conditional Use is: Sand and Gravel The property is located on lands at approximately: 50 South 300 West, Burley, Idaho 83318 Such lands are located within the Industrial Commercial **Zone.** Pursuant to the Cassia County

Zoning Ordinance a Conditional Use Permit is required for development in said zone.

The applicant will appear at this hearing to provide to the Cassia County Planning & Zoning Commission all the information required for issuance of a conditional use permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued.

A copy of the Application for Conditional Use Permit, including relevant maps and drawings, and information concerning the hearing process is available for review by the public at the office of the Zoning Administrator, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing.

All other interested persons are invited to attend the hearing on the question of issuance of the requested conditional use permit. Such other interested persons are advised that in order to participate in the hearing, the following regulations apply:

A. Written Statements of Support Or Objection: All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave. Rm. 210, Burley, ID 83318, no later than ten (10) days prior to the hearing setting forth in that writing that person's support or objection to the issuance of the new conditional use permit.

- 1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the conditional use permit would violate.
- 2. Written statements shall also set forth either that the party making the statement owns property within:
  - one (1) mile of any external boundaries of the conditional use permit site described in the application, or
  - in the designated Areas of City Impact only, within three hundred feet (300') of any external boundaries of the conditional use permit site described in the application and/or otherwise setting forth the substantial rights that would be affected by the approval or denial of the permit.
- 3. Additionally, any party desiring to file any document(s) exceeding one (1) one- sided, 8 ½" x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regulation.
- **B.** Providing Testimony at the Public Hearing: Any person who files a statement in support or objection to the issuance of a new conditional use permit shall indicate in such statement whether or not such person desires to testify at the hearing.
  - 1. Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.
  - 2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit.

DATED th	is <u>14th</u>	day of	August	, 20 <u>25</u>	·	
	Signature:	Am A	Marga			
	Applicant I	Printed Name	e: Aaron Kloep	fer		

#### CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document (Notice of Hearing - Please Attach signed copy) was on this date 9/5/2025 served upon the persons listed, at the addresses set out below their names, (list of mailing addresses attached) by mailing to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid. Dated 5th day of September 20 25 Aaron Kloepfer Printed Name State of MANO ) ss County of MANO(A) Subscribed and sworn to be before me this 5th day of September 2025 , personally appeared before me and proved to me on the basis of satisfactory evidence to be the person (s) whose name(s) are subscribed to this instrument, and acknowledged that they executed the same. Notary Signature JENNA DUNN COMMISSION #20241080 Residing at MINIOKA COUNTY, VAINO

Commission expires 3/26/2620 NOTARY PUBLIC STATE OF IDAHO MY COMM. EXPIRES 03/26/2030

NOTE: This form is general in nature. Users are responsible for any form that is used, and must ensure that it is accurate in content and should also ascertain that it meets the requirements of state statues and county ordinances applicable thereto.

Parcel Num	MailToName	MailToAddr	MailToAd_1	MailToCity	Mai MailToPost
RP000110020050	3 SEAS LLC	227 WEST 20TH SOUTH KNOX DR	_	BURLEY	ID 83318
RP00083002003B	AG STORAGE BUILDING I LLC	247 W HWY 30		BURLEY	ID 83318
RP10S22E263862	ALLSHOUSE, BERNARD L	31 S 300 W		BURLEY	ID 83318
RP10S22E246598	ALT ADVENTURES LLC	197 W HWY 30		BURLEY	83318
RP10S22E253470	ALVARADO, JIM	41864 NW BROADSHIRE LN		BANKS	OR 97106
RP10S22E342402	ALVAREZ, ANTONIO	359 W 100 S		BURLEY	ID 83318
RP000030030020	ALVAREZ, JOSE	317 RANCHETTE DR		BURLEY	ID 83318
	ANDERSON FARMS INC	PO BOX 398		BURLEY	ID 83318
RP10S22E363901	ANDERSON, ALAN C	145 S 200 W		BURLEY	ID 83318
RP10S22E277030	ANDERSON, BURTON L	366 W 100 S		BURLEY	ID 83318
RP10S22E273775	ANDERSON, LAMONT	27 S 400 W		BURLEY	ID 83318
RP10S22E277150	ANDERSON, NEIL L, ETUX L/E	352 W 100 S		BURLEY	ID 83318
RP10S22E261805		30 S 200 W		BURLEY	ID 83318
RP00083002003A	ASPIRE15 LLC	289 CENTENNIAL DR		HEYBURN	ID 83336
RP10S22E252443	BARAJAS, MARIO D/B/A QUALITY CONSTRUCTION	1461 AUTUMN WAY		JEROME	ID 83338
RP10S22E275000	BARENDREGT, COLIN ANDREW	365 W 50 S		BURLEY	ID 83318
RP10S22E267701	BARNES, JANETTE	68 S 200 W		BURLEY	ID 83318
RP000110010050	BECK, BEN	96 W 200 S		BURLEY	ID 83318
RP10S22E353150	BECK, BRUCE	241 S 200 W		BURLEY	ID 83318
RP10S22E340052	BECK, DAVID	255 S 300 W		BURLEY	ID 83318
RP10S22E357000	BECK, LEONARD M	272 W 200 S		BURLEY	ID 83318
RP10S22E354801	BECK, LEONARD M & DEBRA J	272 W 200 S		BURLEY	ID 83318
RP10S22E347201	BECK, MICHAEL	234 W 200 S		BURLEY	ID 83318
RP10S22E229100	BENEFICIAL HOMES AZ LLC	1210 E SANDCASTLE CT		GILBERT	AZ 85234
RP10S22E277800	BLAUER, HAROLD W, FAMILY FARMS LLC	163 ASPEN CRST		BURLEY	ID 83318
RP10S22E276598	BODILY, CINDY	380 W 100 S		BURLEY	ID 83318
RP10S22E265251	BOWERS, KYLE	296 S 200 W		BURLEY	ID 83318
RP10S22E274806	BOWERS, KYLE IAN	296 S 200 W		BURLEY	ID 83318
RP10S22E252553	BR BURLEY LLC	2514 E 3707 N		TWIN FALLS	ID 83301
RP000360000080	BRADSHAW, JESSE	81 S 222 W		BURLEY	ID 83318
RP10S22E252851	BROWN, JACOB	26 E 220 S		BURLEY	ID 83318
RP000030030070	BUNN, DENNIS A	303 RANCHETTE DR		BURLEY	ID 83318
RP000030030090	BURGESS, DONALD M	304 REDWOOD DR		BURLEY	ID 83318
RP10S22E362401	BURLEY DEVELOPMENT AUTHORITY	PO BOX 1090		BURLEY	ID 83318
RP000030030050	BUTLER, ALLEN	307 RANCHETTE DR		BURLEY	ID 83318
	BUTLER, MICHAEL	275 W 100 S		BURLEY	ID 83318
RP10S22E254499	BX3 LLC	PO BOX 513		RUPERT	ID 83350
RP10S22E235745	CARPENTER, DEVIN JOSHUA	29 N 300 W		BURLEY	ID 83318
	CARRILLO, CRISTIAN IVAN	271 W 100 S		BURLEY	ID 83318
	CHAVEZ, YULISSA A	1943 E 3300 S		WENDELL	ID 83355
	CHRISTENSEN-GESTRIN, P GAYLE	205 W 75 S		BURLEY	ID 83318
RP000110020040		P O BOX 1090		BURLEY	ID 83318
	COOPER, JAMES A	227 WEST 20 SOUTH KNOX DR		BURLEY	ID 83318
RP10S22E267350	,	64 SOUTH 200 WEST		BURLEY	ID 83318
RP000360000050	CRITCHFIELD, JEFFREY G	89 S 222 W		BURLEY	ID 83318

RP000030020040	CUEVAS, FERNANDO	309 RAMBLEWOOD DR	BURLEY	ID	83318
RP000030020030	•				83318
RP000030030010	CUEVAS, RAMON CARDENAS	319 RANCHETTE DR	BURLEY	ID	83318
RP00003001004A	DAYLEY, STACEY	320 RAMBLEWOOD DR	BURLEY	ID	83318
RP10S22E252526	DEL TORO, HIGINIO	1728 MONROE AVE	BURLEY	ID	83318
RP10S22E269075	DENAUGHEL, KENNETH JAY	86 S 200 W	BURLEY	ID	83318
RP000030040110	DOCKSTADER, BRYAN J	303 REDWOOD DR	BURLEY	ID	83318
RP10S22E236350	DORSEY, EVERETT DELMER L/E	300 W 13 N	BURLEY	ID	83318
RP10S22E255580	DOS AGGIES LLC	65 S 200 W	BURLEY	ID	83318
RP10S22E277195	DYE, FRANK L	350 W 100 S	BURLEY	ID	83318
RP10S22E253599	EGAN, RON	PO BOX 323	BURLEY	ID	83318
RP10S22E262254	ELIZONDO, MARIA MARTA	42 S 200 W	BURLEY	ID	83318
RP000360000010	ELLSWORTH, DARLEEN	76 S 222 W	BURLEY	ID	83318
RP000110010030	ESB HOLDINGS LLC	230 WEST 20 SOUTH	BURLEY	ID	83318
RP10S22E261245	G5 LAND COMPANY LLC 60%	1310 S 600 W	OAKLEY	ID	83346
RP10S22E353025	GARNER, IVAN L & JULIE A TRUST	279 W 100 S	BURLEY	ID	83318
RP10S22E350003	GOCHNOUR, DAN E	249 W 100 S	BURLEY	ID	83318
RP10S22E350010	GOCHNOUR, DAVID	183 W 100 S	BURLEY	ID	83318
RP10S22E363000	GOCHNOUR, JACK STEVEN	25 S 150 E	BURLEY	ID	83318
RP10S22E347800		326 WEST 200 SOUTH	BURLEY	ID	83318
RP000460010030	GOCHNOUR, ROSS E	246 W 100 S	BURLEY	ID	83318
	GOCHNOUR, ROSS E, ETAL	246 WEST 100 SOUTH	BURLEY	ID	83318
	GOLD TOOTH INC	115 D ST	JACKSON	ID	83350
RP000030030030	GONZALES, SAUL JR	313 RANCHETTE DR	BURLEY	ID	83318
	GONZALEZ RODRIGUEZ, LUIS ERNESTO	349 W 100 S	BURLEY	ID	83318
	GONZALEZ, BALDEMAR				83318
	GONZALEZ, JASMIN	21 S 550 W			83318
	GORDON PAVING CO				83301
					84323-3247
	GOWEN, CLIFFORD LEE				83318
	GREELY, STEPHEN				83318
RP000030040030					83318
	GREENWELL, GARY				83318
	GUTIERREZ, KAMDIN				94303
	HAMMOND, DEBRA L				83318
	HANKS, A BRYCE, TRUSTEE				83318
RP10S22E340252	,				83318
RP10S22E276600	HANKS, CORY		BURLEY		83318
RP10S22E340200	HANKS, KELLY L		BURLEY		83318
RP10S22E267304	HARRIS, ADAM BENSON				83318
	•				83318
RP10S22E340100	HARRIS, JARED SPENCER				83318
RP10S22E267499	HARRIS, JEFFERY L				83318
RP000400000050	HARRIS, K SCOTT				83318
RP10S22E267302	HARRIS, MATTHEW				83318
	HARRIS, MATTHEW KIMBALL				83318
555555515516					23310

RP10S22E267802	HARRIS, RANDALL S	72 S 200 W	BURLEY	ID	83318
RP000030040080	HEARIN, ROGER A	311 REDWOOD DR	BURLEY	ID	83318
RP10S22E253850	HEINER, ANGELA JANE	41 SOUTH 200 WEST	BURLEY	ID	83318
RP10S22E268200	HEINER, ANTHONY G	41 SOUTH 200 WEST	BURLEY	ID	83318
RP10S22E253901	HEINER, TONY	41 SOUTH 200 WEST	BURLEY	ID	83318
RP000360000070	HERRERA, MELQUIADES	216 W 75 S	BURLEY	ID	83318
RP10S22E254802	HEWARD BROTHERS FAMILY PARTNERSHIP	282 EAST 300 SOUTH	BURLEY	ID	83318
RP10S22E264049	HF&S LLC	PO BOX 840	PAUL	ID	83347
RP000030030080	HIGENS, JAMES F, ETUX	302 REDWOOD DR	BURLEY	ID	83318
RP000030040070	HOLLINS, RUSSELL R SR	313 REDWOOD DR	BURLEY	ID	83318
RP00011001001B	HOLMES, ROBERT LAWRENCE	601 PINENUT ROAD	COLEVILLE	CA	96107-9743
RP000030040050	HOLT, TONY L	319 REDWOOD DR	BURLEY	ID	83318
RP10S22E357201	HOLYOAK, LOREN	137 S 200 W	BURLEY	ID	83318
RP10S22E268999	HORNE, HAYDEN GRANT	220 WEST 100 SOUTH	BURLEY	ID	83318
RP10S22E270150	HORTON, DAVID	120 W 13TH ST	BURLEY	ID	
		312 RANCHETTE DR	BURLEY	ID	
	IDAHO POWER CO	Address Not Provided			
	INTERMOUNTAIN GAS CO	ATTN: UG FIXED ASSEST ACCOUNTY 400 N 4TH ST	BISMARCK	NE	58501
	JAMISON, BEVERLY	19 N 300 W	BURLEY		83318
RP10S22E262251		38 S 200 W	BURLEY		83318
RP000030020010	,	319 RAMBLEWOOD DR	BURLEY		83318
	JONES, GARY D, CONSTRUCTION CO INC	247 W HWY 30	BURLEY		83318
RP000360000030		84 S 222 W	BURLEY		83318
	KIDD, LELAND RAY	307 RAMBLEWOOD DR	BURLEY		83318
RP10S22E261650	•	PO BOX 840	PAUL		83347
RP000030020020		315 RAMBLEWOOD DR	BURLEY		83318
		48 S 200 W	BURLEY		83318
	LAHMAN, DARRELL RICHARD	211 W 58 S	BURLEY		83318
	LAKE FAMILY REVOCABLE TRUST, THE	389 W 300 S	BURLEY		83318
RP10S22E255402	•	389 W 300 S	BURLEY		83318
	LANKFORD, JERRY E, L/E	70 S 200 W	BURLEY		83318
	LARIOS, FABIAN A	34 RANCHO DR	BURLEY		83318
	LARSON LAND LLC	28 W 208 S	BURLEY		83318
	LARSON, AARON T	211 W 72 S	BURLEY		83318
RP000400000000	•	205 W 72 S	BURLEY		83318
	LARSON, MATTHEW J	205 W 72 S	BURLEY	ID	
	LARSON, MATTHEW JAMES	205 W 72 S	BURLEY		83318
RP10S22E247049	LARSON, RICK D	154 W HWY 30	BURLEY	ID	
RP10S22E352560	LEON, ALEJANDRO	396 W 1600 S	OAKLEY	ID	
RP10S22E257275	LIBERTY BASIN HOLDINGS LLC	134 E HWY 81	BURLEY	ID	
	LINAFELTER, DALE	213 W 72 S	BURLEY	ID	
RP10S22E269050	LLANOS, ERICK	84 S 200 W	BURLEY	ID	
RP000030030120	•	312 REDWOOD DR	BURLEY		
	,	312 REDWOOD DR 310 RAMBLEWOOD DR		ID	
	LOPEZ, SAMANTHA LOTT, CARSON LEGRAND	1758 GRANDVIEW LN	BURLEY BURLEY	ID	83318 83318
	LOZANO, IGNACIO A	80 S 222 W			
NF 000300000020	LOZANO, IGNACIO A	OU 3 222 VV	BURLEY	טו	83318

RP000460010020	MAGANA, ELIAS	242 W 100 S		BURLEY	ID	83318
RP000460010010	MAGANA, JOSE LUIS	240 W 100 S		BURLEY	ID	83318
RP10S22E272551	MAI, JAMES LEE	363 WEST HWY 30		BURLEY	ID	83318
RP10S22E275550	MALDONADO, FERMIN SANCHEZ	PO BOX 773		BURLEY	ID	83318
RP000360000040	MANNING, NELSON	88 SOUTH 222 WEST		BURLEY	ID	83318
RP10S22E263851	MARCONI, RANDALL VINCENT	33 S 300 W		BURLEY	ID	83318
RP000030020050	MARTINDALE, JEROLYN	308 RANCHETTE DR		BURLEY	ID	83318
RP10S22E262399	MARTINEZ, JOSE LUIS VEGA	50 S 200 W		BURLEY	ID	83318
RP000030040040	MCARTHUR, BERLIN	321 REDWOOD DRIVE		BURLEY	ID	83318
RP10S22E235925	MCCAIN FOODS USA INC	ATTN: ACCOUNTING	1 TOWER LN, 11TH FLOOR	OAKBROOK TER	IL	60181
RP10S22E235902	MCCAIN FOODS USA INC, ATTN: ACCOUNTING	1 TOWER LN, 11TH FLOOR		OAKBROOK TER	IL	60181
RP10S22E273900	MECHAM, LINNET	43 S 400 W		BURLEY	ID	83318
RP10S22E273052	MECHAM, SALINA	707 OCEAN BEACH BLVD N	BOX 722	LONG BEACH	WA	98631
RP000030010060	MENDOZA, RICARDO JR	314 RAMBLEWOOD DRIVE		BURLEY	ID	83318
RP10S22E224803	MILLERCOORS USA LLC	3939 W HIGHLAND BLVD	PO BOX 482	MILWAUKEE	WI	53201
RP000030040060	MIRANDA, FORTUNATO J	315 REDWOOD DRIVE		BURLEY	ID	83318
RP10S22E343015	MOSELEY, BOBBY	385 W 100 S		BURLEY	ID	83318
RP10S22E262264	MUNOZ, ALEJANDRA	44 SOUTH 200 WEST		BURLEY	ID	83318
RP10S22E340025	MUNOZ, RUDOLFO	307 W 100 S		BURLEY	ID	83318
RP10S22E340045	MUNOZ, RUDOLFO EMILIO	307 W 100 S		BURLEY	ID	83318
RP10S22E236400	MURILLO, LUIS A	PO BOX 770		JEROME	ID	83338
RP10S22E236200	NAGAI, RICHARD	1210 E SANDCASTLE CT		GILBERT	ΑZ	85234
RP000030030140	NEDDO, GRIFFIN M	PO BOX 191		ALMO	ID	83312
RP10S22E228600	NEWCOLD BURLEY LLC	22 N STARRHS FERRY PL		BURLEY	ID	83318
RP10S22E252590	NOVOA, VIDAL	259 DIANA DR		BURLEY	ID	83318
RP10S22E270470	ODEKIRK, DAVID T, LIV TRUST	423 N MILAN ST		HENDERSON	NV	89015
	ODEKIRK, DAVID, LIV TRUST	423 NORTH MILAN STREET		HENDERSON	NV	89015-4802
RP10S22E270135	ODEKIRK, DAVID, LIVING TRUST	423 NORTH MILAN STREET		HENDERSON	NV	89015-4802
RP10S22E229510	O'MALLEY PROPERTIES LLC	PO BOX 1901		TWIN FALLS	ID	83303
RP10S22E267405	OSTERHOUT, BILLIJEAN	209 W 58 S		BURLEY	ID	83318
RP10S22E275725	OSTERHOUT, JENNIFER	63 S 400 W		BURLEY	ID	83318
RP10S22E255401	PACE, DOUGLAS	874 N WYANDOTTE RD		WILLIAMS	ΑZ	86046
RP10S22E272575	PAUL, JOHN	351 W HWY 30		BURLEY	ID	83318
RP10S22E362561	PAVLOCK, ROBERT L	167 WEST 100 SOUTH		BURLEY	ID	83318
RP10S22E277350	PEARSON, DUANE RYAN	60 SOUTH 300 WEST		BURLEY	ID	83318
	PEARSON, RYAN H, FAMILY TRUST	245 SOUTH 50 EAST		BURLEY	ID	83318
	PEARSON, RYAN H, TRUSTEE	245 S 50 E		BURLEY	ID	83318
	PENA-CARRILLO, ROBERTO	305 RANCHETTE DR		BURLEY	ID	83318
	PEREZ, ALFREDO C	171 WEST 100 SOUTH		BURLEY		83318
RP000030040010	PICKETT, ANTHONY H	40 RANCHO DRIVE		BURLEY	ID	83318
RP10S22E275401	•	680 EAST 400 SOUTH		BURLEY		83318
RP10S22E269449	•	210 W 100 S		BURLEY		83318
	RAMOS, JOSE LUIS TORRES, 1/3	PO BOX 162		BURLEY		83318
	RANSTROM MINING & CONSTRUCTION INC	205 W HWY 30		BURLEY		83318
	RK WOODLAND PROPERTIES LLC	PO BOX 788		BURLEY		83318
	ROCKY MOUNTAIN AGRONOMICS INC	1912 W MAIN ST		BURLEY		83318
		-		-	-	

RP000030030110	RODRIGUEZ, BARBARA L	310 REDWOOD DR		BURLEY	ID	83318
RP10S22E260590	RODRIGUEZ, MATILDE MILO	24 S 200 W		BURLEY	ID	83318
RP10S22E260740	RYKEN PROPERTIES LLC	PO BOX 141		BURLEY	ID	83318
RP000030010100	SALAZAR, JUAN V	304 RANCHETTE DRIVE		BURLEY	ID	83318
RP000360000090	SANCHEZ, HUGO E	85 SOUTH 222 WEST		BURLEY	ID	83318
RP10S22E252570	SANCHEZ, ROBERTO	85 S 222 W		BURLEY	ID	83318
RP10S22E261600	SFW HOLDINGS LLC	238 W 35 S		BURLEY	ID	83318
RP000030010110	SHARP, LARRY G, ETUX	302 RANCHETTE DR		BURLEY	ID	83318
RP10S22E342591	SIMMONS, BROGAN	373 W 100 S		BURLEY	ID	83318
RP000780010010	SIMMONS, ROBERT	362 W 100 S		BURLEY	ID	83318
RP10S22E352590	SMITH, DAVID E	1656 WEST 2100 SOUTH		WEST HAVEN	UT	84401
RP000030020080	SMITHEE, KENNY L	318 RANCHETTE DR		BURLEY	ID	83318
RP10S22E267303	SPEAR, RHETT	218 W 58 S		BURLEY	ID	83318
RP000030030100	STACY, ROBERT W	306 REDWOOD DR		BURLEY	ID	83318
RP10S22E269450	STAR WARD CORP OF LDS CHURCH	TAX DIVISION 22ND FLOOR	50 EAST NORTH TEMPLE STREET	SALT LAKE CITY	UT	84150-3620
RP10S22E253350	STATE OF IDAHO	3311 WEST STATE STREET		BOISE	ID	83703
RP000030010080	STRADLING, BRIAN A.	306 RAMBLEWOOD DR		BURLEY	ID	83318
RP10S22E253460	TELLEZ HERNANDEZ, JESSE	26 S 175 W		BURLEY	ID	83318
RP000110020070	THREE SEAS PARTNERSHIP	227 WEST 20TH SOUTH KNOX DRIVE		BURLEY	ID	83318
RP000030030040	TIBBITTS, SCYLER K	311 RANCHETTE DR		BURLEY	ID	83318
RP10S22E235766	TILLEY, MICHAEL B	35 NORTH 300 WEST		BURLEY	ID	83318
RP10S22E261927	TOLENTINO, BLANCA ESTHER SALVADOR	32 SOUTH 200 WEST		BURLEY	ID	83318
RP000030040100	VIGH, JUDY J	305 REDWOOD DR		BURLEY	ID	83318
RP10S22E271801	WARREN, EARL U	20 S 300 W		BURLEY	ID	83318
RP10S22E263775	WARREN, MERLE	23 S 300 W		BURLEY	ID	83318
RP10S22E266151	WATERS, JASON V	85 S 300 W		BURLEY	ID	83318
RP10S22E265550	WATERS, SHANE	73 S 200 W		BURLEY	ID	83318
RP10S22E265400	WATERS, SHANE J	73 S 200 W		BURLEY	ID	83318
RP00003001009A	WAVRA, LAURI	ATTN: UG FIXED ASSEST ACCOUNTING	400 N 4TH ST	BISMARCK	ND	58501
RP000030030130	WELCH, RONALD	316 REDWOOD DR		BURLEY	ID	83318
RP000030010010	WEST, TY J	36 RANCHO DRIVE		BURLEY	ID	83318
RP10S22E352550	WHITING, DICK R	174 W 200 S		BURLEY	ID	83318
RP10S22E354600	WHITING, RAY GLADE	174 W 200 S		BURLEY	ID	83318
RP10S22E260450	WHITTLE, KENNNETH LEE	12 S 200 W		BURLEY	ID	83318
RP000030020070	WILSON, KERMA	314 RANCHETTE DRIVE		BURLEY	ID	83318
RP10S22E363650	WRIGHT, WAYNE J	133 SOUTH 200 WEST		BURLEY	ID	83318
RP10S22E279599	YADA, PAUL A	94 SOUTH 300 WEST		BURLEY	ID	83318
RP10S22E252750	YATES, SCOTT	102 E 500 S		BURLEY	ID	83318

This information is provided in regards to a public records request.

AFFIDAVIT OF POST	TINC.	

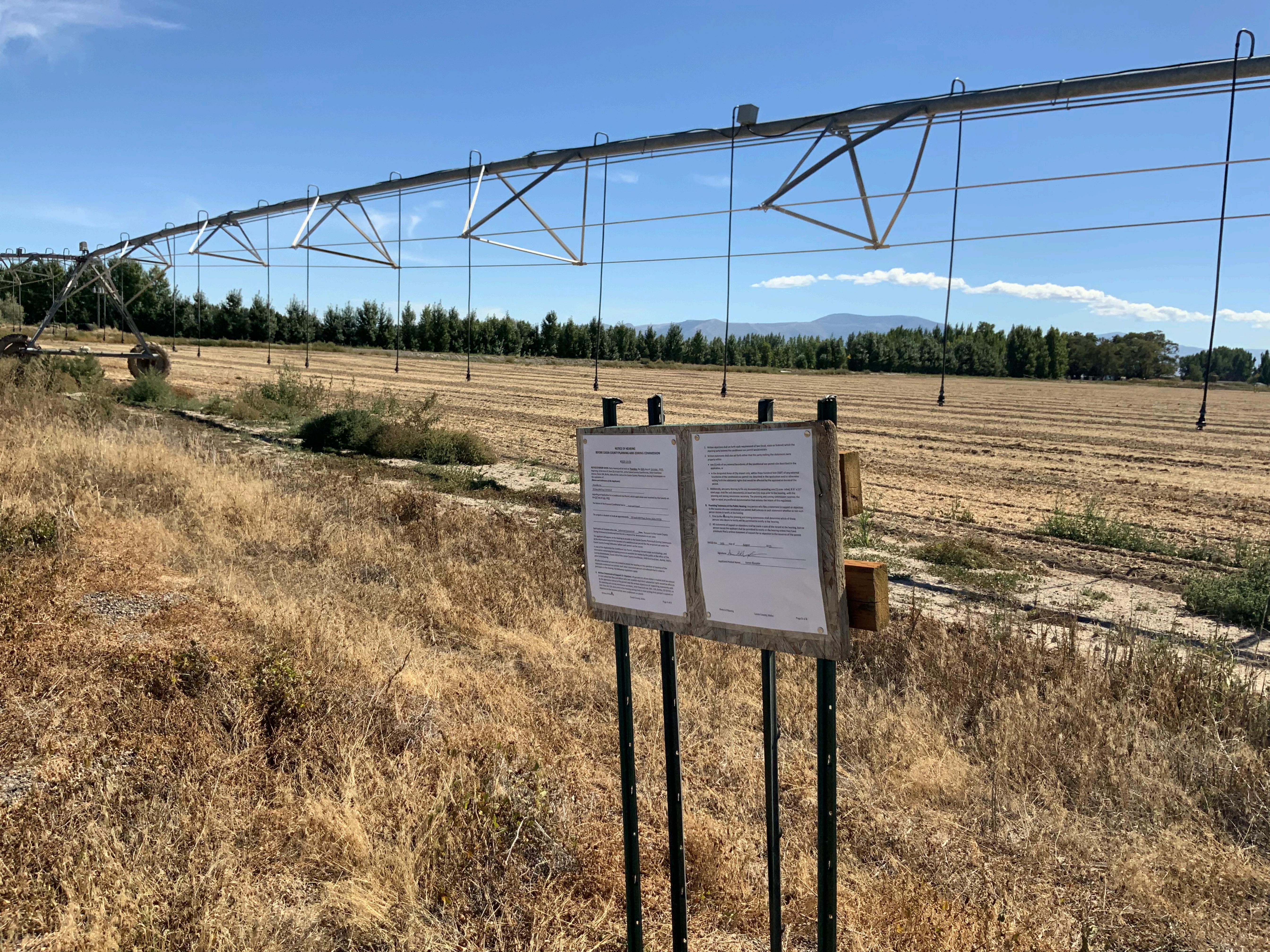
Amuliantian Na	2025-13-CU
Application No.	2023 10 00

Name of Applicant	Kloepfer	Inc.
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	<u>AFFIDAVIT OF POSTING</u>
	Aron Kloepfer , hereby state that I personally posted on the
	0 South 300 West, Burley, Idaho 83318
Cassia County, Idaho	o, a Notice of Hearing as required by Cassia County Zoning Ordinance:
Indicate the appropr	riate hearing type below:
☐ Chapter	9-13-5 Hearing Process for Conditional Use.
	oon the property listed at the address set out below, the date being not less to the date of hearing.
Dated 14th	day of August20 25
	Kloepfer Inc. Applicant
Property location:	50 South 300 West, Burley, Idaho 83318
State of Idaho County of Cassia	) ss
	vorn to or affirmed before me at Burley, Cassia County, Idaho on the
	$_{\mathrm{f}}$ August , 2 025 .
Jenna Dunn Notary	JENNA DUNN COMMISSION #20241080 NOTARY PUBLIC STATE OF IDAHO MY COMMAEKPIRES 03/26/2030
Commission expires Residing at PAAA	3 24 2030

NOTE: This form is general in nature. Users are responsible for any form that is used, and must ensure that it is accurate in content and should also ascertain that it meets the requirements of state statues and county ordinances applicable thereto.







LEGAL NOTICES LEGAL NOTICES

LEGAL NOTICES LEGAL NOTICES

LEGAL NOTICES LEGAL NOTICES

#### **Conditional Use Permit**

NOTICE OF HEARING BEFORE CASSIA COUNTY PLANNING AND ZONING COM-

# 2025-13-CU

NOTICE IS HEREBY GIVEN: that a hearing will be held on Thursday, the 16th day of October, 20 25., beginning at the hour of three (3) o'clock P.M., in the Cassia County Courthouse, 1459 Overland Avenue, Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application of

Names and Addresses of ALL Applicants Kloepfer Inc. PO Box 840, Paul, Idaho 83347

regarding an Application for a Conditional Use Permit. which application was received by the County on the 23 rd day of

The Nature of the Proposed Conditional Use is: Extract Sand and Gravel.

The property is located on lands at approximately: 50 South 300 West, Burley, Idaho 83318.

Such lands are located within the <u>Industrial Commercial</u> **Zone.** Pursuant to the Cassia County Z oning Ordinance a Conditional Use Permit is required for development in said zone. The applicant will appear at this hearing to provide to the Cas-

sia County Planning & Zoning Commission all the information required for issuance of a conditional use permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued. A copy of the Application for Conditional Use Permit, including

relevant maps and drawings, and information concerning the hearing process is available for review by the public at the office of the Zoning Administrator, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing. All other interested persons are invited to attend the hearing on the question of issuance of the requested conditional use permit. Such other interested persons are advised that in order

to participate in the hearing, the following regulations apply:

**A. Written Statements of Support Or Objection**: All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave. Rm. 210, Burley, ID 83318, no later than ten (10) days prior to the hearing setting forth in that writing that person's support or objection to the issuance of the new conditional use permit.

1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the

conditional use permit would violate.

2. Written statements shall also set forth either that the party

making the statement owns property within: one (1) mile of any external boundaries of the conditional use permit site described in the application, or

in the designated Areas of City Impact only, within three hundred feet (300') of any external boundaries of the conditional use permit site described in the application and/or otherwise setting forth the substantial rights that would be affected by the

approval or denial of the permit.

3. Additionally, any party desiring to file any document(s) exceeding one (1) one- sided, 8 ½" x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the allegation of the property of the paging completion scoretary. The rings with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regu-

B. Providing Testimony at the Public Hearing: Any person who files a statement in support or objection to the issuance of a new conditional use permit shall indicate in such statement whether or not such person desires to testify at the hearing.

Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.

2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit.

DATED this 14th day of August, 2025.

Applicant Printed Name

Aaron Kloepfer Publish: August 26, 2025

COL-NV-2724

NOTICE OF ELECTION

Notice is hereby given that on Tuesday, November 4, 2025, an election will be held in the A&B Irrigation District for the purpose of electing a director from Director Division No. 1 presently held by Harold Mohlman and Director Division No. 3 presently held by Rett Cameron.

Said election will be held from 1:00 P.M. until 7:00 P.M. on said date at the following places:

Director Division No. 2 - East Watermaster Office - 700 N Meridian, Rupert ID

Director Division No. 5 - West Watermaster Office - 1100 W 100

All qualified electors of said District are entitled to vote at said election. Qualified electors are those qualified to vote under the general statutes of the State of Idaho; landowners entitled to receive water within the boundaries of the A&B Irrigation District, and a resident of either Minidoka or Jerome County.

Nominating petitions and Nominee's Oaths are available in the A&B Irrigation District main office in Rupert from the Secretary. Petitions must be filed with the Secretary of the District no late than Forty (40) days prior to the election date (by Friday, September 26, 2025 - 4:00 P.M.). Anyone having questions may contact the Secretary at 436-3152.

**A&B IRRIGATION DISTRICT** /s/ Megan South Secretary-Treasurer

Megan South Secretary-Treasurer
A&B Irrigation District
Publish: August 26, September 2, 2025
COL-NV-2705

**Notice to Creditors** 

Gabriel M. Haws, ISB #6999 Hilty, Bower, Haws & Seable, PLLC 1303 12th Avenue Road Nampa, Idaho 83686 Telephone: (208) 345-3333 Facsimile: (208) 345-4461 ghaws@hbhslaw.com

Attorneys for Personal Representative Darin T. Buttars

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE **COUNTY OF CASSIA** 

IN THE MATTER OF THE ESTATE OF HELEN VIRGINIA BUT-

Case No. CV16-25-00682

### **NOTICE TO CREDITORS**

NOTICE IS HÉREBY GIVEN that Darin T. Buttars has been appointed personal representative of the above-named Decedent. All persons having claims against Decedent or the Estate are required to present their claims within four (4) months after the date of the first publication of this Notice, or said claims will be

Claims must be presented to Darin T. Buttars at the address indicated below and filed with the Clerk of the Court pursuant to Idaho Code Section 15-3-804.

DATED this 30th day of July, 2025.

Darin T. Buttars 9964 Dundee Court Nampa, ID 83686 Publish: August 26, September 2, 9, 2025 COL-NV-2721

NOTICE OF TRUSTEE'S SALE

On Thursday, the 18th day of December, 2025, at the hour of 10:00 o'clock a.m. of said day on the steps of the Jerome County Courthouse, 300 N. Lincoln, Jerome, in the County of Jerome , State of Idaho, Ryan M. Fawcett, as Successor Trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property situated in the County of Jerome, State of Idaho, and described as follows, to-wit:

Lot 1 and the East 8 feet of Lot 2 in Block 24. Jerome Townsite, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

The Successor Trustee has no knowledge of a more particular description of the above-referenced real property, but for purposes of compliance with Section 60-113, <u>Idaho Code</u>, the Successor Trustee has been informed that the street address of 129 6 th Ave. E., Jerome, Idaho, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by ADAM TYREL JOHNSON AND KALLIE KAY JOHNSON, Husband and Wife, Grantor, to Ryan M. Fawcett, Successor Trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC recorded March 6, 2020, as Instrument No. 2201099, Mortgage records of Jerome County, Idaho; and assigned to IDA-HO HOUSING AND FINANCE ASSOCIATION by Assignment of Deed of Trust recorded on July 2, 2025, as Instrument No. 2502527, Mortgage records of Jerome County, Idaho. THE ABOVE GRANTOR IS NAMED TO COMPLY WITH SECTION 45-1506 (4)(a), <u>IDAHO\_CODE</u>. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

Said sale is a public auction for which the bid price must be paid immediately upon close of bidding by certified funds in the form of cashier's checks, certified checks, or valid money orders only. If the Trustee is unable to convey title for any reason whatsoever, the successful bidder's exclusive and sole remedy shall be the return of actual monies paid to the Successor Trustee and the successful bidder shall have no further recourse.

The default for which this sale is to be made is the failure to pay when due, monthly installment payments under the Deed of Trust Note dated March 6, 2025, in the amount of \$886.00 each, for the months of February through July, 2025, inclusive. All delinquent payments are now due, plus accumulated late charges, plus all escrow advances, plus any costs or expenses associated with this foreclosure. The accrued interest is at the rate of 3.25% per annum from January 1, 2025, and the Beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation. The principal balance owing as of this date on the obligation secured by said Deed of Trust is \$130,553.24, plus accrued interest at the rate of 3.25% per annum from Jan-

DATED This 19th day of August, 2025.

RYAN M. FAWCETT, a Member of the Idaho State Bar, SUC-CESSOR TRUSTEE

Publish: August 26, September 2, 9, 16, 2025 COL-NV-2719

#### 2024-2025 Amended Budget NOTICE OF ADMENDED BUDGET HEARING Filer Highway District

Amended Budget October 1, 2024, to September 30, 2025

Revenue:	Adopted	Amended
Balance on Hand Property tax Recovered HE 63-602G	FY2025 \$200,000 \$630,272 \$0	FY2025 \$200,000 \$630,272 \$0
Personal Property Replacement Farm Equipment Replacement Motor User Revenue HUR HB312 H772	\$4,157 \$7,973 \$550,000 \$165,000	\$0 \$7,679 \$1,280 \$600,542 \$181,841 \$377,339
Secure Rural Schools	\$273,547	\$0
Sale of Materials HB362 Sales Tax Misc. Income Credit Judgment I.C. 63-1305 Property Acquisition LHRIP Sign Grant Inventory Phaseout	\$7,000 \$2,500 \$92,000 \$1,500 \$1,836 \$0 \$100,000 \$33,000	\$2,500 \$129,005 \$1,500 \$1836 \$150,000 \$100,000 \$33,000
Total Estimated Revenue	\$2,068,785	\$2,416,794
Estimated Expenditures: Labor Administration Utilities Equipment Repair/Supplies Commissioners' Salaries Weed Spray Gas & Diesel Pipe and Culvert Road Maintenance HB312 Auditor Fee	\$350,000 \$200,000 \$10,000 \$70,000 \$8,000 \$25,000 \$50,000 \$810,810 \$165,000	\$350,000 \$200,000 \$10,000 \$80,000 \$8,000 \$27,000 \$50,000 \$125,000 \$880,394 \$165,000
New Equipment/ Rental	\$4,975 \$220,000	\$6,400
LHRIP Federal Aid Match Property Acquisition Capital Improvement	\$100,000 \$0 \$5,000	\$238,000 \$100,000 \$150,000 \$27,000

NOTICE IS HEREBY GIVEN that in accordance with Idaho code 40-1325; 40-1326; 40-1327; and 40-1328, the Board of Commissioners of Filer Highway District will hold a Public Hearing on September 9, 2025, at 4:30 p.m. at the Filer Highway District Office located 220 Midway in Filer, Idaho; at which time any interested person may appear and examine the budget and show cause why said budget should not be adopted. The above amended budget in detail will be on Filer Highway books and available for public inspection prior to the Budget Hearing.

\$2,068,785 \$2,416,794

Filer Highway District Will Meeks, Chairman Julie Holesinsky, Clerk

Total Estimated Expenditures

Publish: August 23, 26, 2025 COL-NV-2703

Budget Hearing
NOTICE IS HEREBY GIVEN that at 7:00pm on the 2nd day of
September 2025, at the Fire Station, 150 Salmon Street, in the
City of Hagerman, the Board of the Hagerman Fire Protection District will grant and hold a public hearing on the proposed budget of the district for the fiscal year beginning October 1, 2025. The total anticipated revenue for the year is the sum of \$1,077,632.00 and is as follows: ANTICIPATIED REVENUE:

**\$230,454.00** 8,178.00 477,000.00 **PROPERTY TAX** CAPITAL OUTLAY CONTRACT FIRE INCOME TEMPORARY OVERRIDE 160,000.00 126,000.00 CARRY OVER FUNDS
TOTAL ANTICIPATED REVENUE: \$1,077,632.00

The following is set forth as an estimate of the probably amount of money necessary for all purposes to be raised in said Fire Protection District during the fiscal year beginning October 1, 2025, and ending September 30, 2026, for which appropriation

**ANTICIPATED EXPENSES:** 

Office/Advertising/Dues	\$7,900.00
Employee Benefits	5,000.00
Fuel	6,000.00
Tort	8,000.00
New Equipment	165,335.80
Professional Fees	4,000.00
Repairs	15.000.00
Supplies	10,000.00
Utilities	20,500.00
Training Classes	6,000.00
Wages	280.856.20
Payroll Taxes/PERSI/State Insurance Fund	62.040.00
Capital Outlay	477.000.00
Contract Fire Expense	10.000.00
TOTAL ANTICIPATED EXPENSES:	\$1,077,632.00

Done by the order of the Board of the Hagerman Fire Protection District this 11th Day of August 2025.
Jennifer Mavencamp Stasz, Clerk PUBLISH: Tuesday, August 26, 2025 Publish: August 26, 2025 COL-NV-2655

Notice of Candidate Filling Deadline-Corrected Term NOTICE OF CANDIDATE FILING DEADLINE CITY OF HAGERMAN, IDAHO

NOTICE IS HEREBY GIVEN: That the general election to be held in and for the City of Hagerman, Idaho, will be held on Tuesday, November 4, 2025. The election will be held for the purpose of electing the following offices for the specified terms:

City Councilperson – 4 year term City Councilperson – 4 year term

Candidates for the city elected office are required to file a Declaration of Candidacy specifying the office sought and affirming that the individual is a qualified city elector, meaning: at least 18 years of age, a U.S. citizen, the candidate's primary residence must be within the city, the address of the candidate's voter registration must match the residence address provided on the candidate's declaration, and the candidate must have resided in the city for at least 30 days prior to submitting their

The Declaration of Candidacy must be accompanied by: (1) a non-refundable filing fee of \$40 or (2) a Petition of Candidacy signed by at least five (5) qualified city electors with the signatures verified by the county clerk's office.

The deadline for filing Declarations of Candidacy is Friday, September 5, 2025, at 5:00pm. (City Hall will be open that Friday from 8:00-12:00 and 1:00-5:00).

Declarations of Candidacy are available at City Hall in the office of the clerk at 191 State St. N from the hours of 8:00 – 12:00 and 1:00 - 5:00, Monday through Thursday.

Ashley Cook City Clerk/Treasurer Publish: August 26, 2025 COL-NV-2725

The Estate of Miguel Aguayo David M. Taylor (ISB #10508) T. Matthew Wolfe II (ISB #10088)

TWIN FALLS ESTATE PLANNING, PLLC 1505 Madrona St. N. Bldg. 1000 Ste 100 Twin Falls, Idaho 83301 208-733-7200 david@tfestateplanning.com matthew@tfestateplanning.com Attorney for Personal Representative IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DIS-TRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY TWIN FALLS MAGISTRATE DIVISION IN THE MATTER OF THE ESTATES OF MIGUEL AGUAYO, Case No.CV42-25-3394 NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that MARIA D. OHRAZDA has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated and filed with the Clerk of the Court.

MARIA D. OHRAZDA /s/ David M. Taylor, esq. Electronically Filed 8/20/2025 4:59 PM Fifth Judicial District, Twin Falls County Kristina Glascock, Clerk

of the Court By: Angela Hubbard, Deputy Clerk

Publish: August 26, September 2, 9, 2025 COL-NV-2726

Notice of Hearing on Name Change
IN THE DISTRICT COURT FOR THE FIFTH JUDICIAL
DISTRICT FOR THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF TWIN FALLS
Case No. CV42-25-3731

IN RE: Nolan Hunter Stroup Legal Name

NOTICE OF HEARING ON NAME CHANGE (Adult or Emancipated Minor)

(Adult or Emancipated willfor)

A Petition to change the name of Nolan Hunter Stroup now residing in the City of Hansen, State of Idaho, has been filed in the District Court in Twin Falls County, Idaho. The name will change to Nolan Hunter DeWolfe. The reason for the change in name is: Taking mother's maiden name.

A hosting on the potition is scheduled for 8:30 o'clock a m. on

A hearing on the petition is scheduled for 8:30 o'clock a.m. on 9/17/25 at the TWIN FALLS County Courthouse. Objections may be filed by any person who can show the court a good reason against the name change. Date: 8/12/25

/s/ Kristina Glascock CLERK OF THE DISTRICT COURT By: /s/ Morgan Burke Deputy Clerk Publish: August 19, 26, September 2, 9, 2025 COL-NV-2662

Name Change Hearing
IN THE DISTRICT COURT FOR THE FIFTH JUDICIAL
DISTRICT FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA Case No. CV34-25-00758

IN RE: MCKENZIE ELIZABETH CRANDALL Legal Name

NOTICE OF HEARING ON NAME CHANGE

(Adult or Emancipated Minor) A Petition to change the name of McKenzie Elizabeth Crandall now residing in the City of Rupert, State of Idaho, has been filed in the District Court in Minidoka County, Idaho. The name will change to Kenzie Elizabeth Martinez. The reason for the

change in name is: Biological Last Name. A hearing on the petition is scheduled for 11:00 o'clock am. on October 15, 2025 at the MINIDOKA County Courthouse. Objections may be filed by any person who can show the court a good reason against the name change. Date: 8.6.2025

/s/ D. EGAN CLERK OF THE DISTRICT COURT By: /s/ J. RAMIREZ Deputy Clerk Publish: August 12, 19, 26, September 2, 2025 COL-NV-2601

**Notice to Creditors** 

John C. Peterson, ISB# 6796 john@petersontwinfalls.com PETERSON LAW OFFICE, PLLC 161 5th Ave. South, Ste 310 P.O. Box 5827 Twin Falls, Idaho 83303-5827 Telephone: (208) 733-5500 Fax: (208) 733-5553

Attorney for Personal Representative

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS MAGISTRATE IN THE MATTER OF THE ESTATE OF:

LARRY GORE aka LARRY D. GORE, aka LARRY DON GORE, Deceased.

Case No: CV42-25-3713

NOTICE IS HEREBY GIVEN that PAM GORE has been appointed Personal Representative of the above-named estates. All persons having claims against the said deceased are re-quired to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be presented to the undersigned attorney of the estate c/o Peterson Law Office, PLLC, P.O. Box 5827, Twin Falls, Idaho 83303-5827, and filed with the Clerk of the Court, in the form prescribed by rule.

DATED this 11th of August, 2025.

PETERSON LAW OFFICE, PLLC By: /s/\_John C. Peterson John C. Peterson Publish: August 19, 26, September 2, 2025 COL-NV-2657



#### **INTERIM AD DRAFT**

This is the proof of your ad scheduled to run in Magic Valley Times-News on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: qPh2DdsC4NZfYz0uC0h2 | **Proof Updated: Aug. 20, 2025 at 05:05pm MDT**Notice Name: Conditional Use permit Hearing Holyoak

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher. **FILER** FILING FOR Aaron Kloepfer Magic Valley Times-News aaron@kloepfer.com (208) 731-8509 Ad Class: Legals Columns Wide: 2 08/26/2025: General Legal 150.54 Affidavit Fee 9.00 Total \$159.54

See Proof on Next Page

#### **Conditional Use Permit**

NOTICE OF HEARING BEFORE CASSIA COUNTY PLANNING AND ZONING COM-MISSION

# 2025-13-CU

NOTICE IS HEREBY GIVEN: that a hearing will be held on Thursday, the 16th day of October, 20 25, beginning at the hour of three (3) o'clock P.M., in the Cassia County Courthouse, 1459 Overland Avenue, Room 206, Burley, Idaho 83318, before the Cassia County Planning & Zoning Commission on the application of:

(Names and Addresses of ALL Applicants Kloepfer Inc. PO Box 840, Paul, Idaho 83347

regarding an Application for a Conditional Use Permit, which application was received by the County on the 23 rd day of July , 20 25.

The Nature of the Proposed Conditional Use is: <u>Extract Sand</u> and Gravel.

The property is located on lands at approximately: 50 South 300 West, Burley, Idaho 83318.

Such lands are located within the \_\_\_Industrial Commercial\_Zone. Pursuant to the Cassia County Z oning Ordinance a Conditional Use Permit is required for development in said zone. The applicant will appear at this hearing to provide to the Cassia County Planning & Zoning Commission all the information required for issuance of a conditional use permit for the proposed use under the Cassia County Zoning Ordinance, before such permit can be issued.

A copy of the Application for Conditional Use Permit, including relevant maps and drawings, and information concerning the hearing process is available for review by the public at the office of the Zoning Administrator, Room 210 of the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing.

All other interested persons are invited to attend the hearing on the question of issuance of the requested conditional use permit. Such other interested persons are advised that in order to participate in the hearing, the following regulations apply:

- A. Written Statements of Support Or Objection: All persons to whom notice is mailed shall be advised in that notice that they and others who can establish that their substantial rights would be affected by the approval or denial of the permit may file written objections or supporting statements with the planning and zoning commission secretary, 1459 Overland Ave. Rm. 210, Burley, ID 83318, no later than ten (10) days prior to the hearing setting forth in that writing that person's support or objection to the issuance of the new conditional use permit. 1. Written objections shall set forth each requirement of law (local, state or federal) which the objecting party believes the
- conditional use permit would violate.

  2. Written statements shall also set forth either that the party
- Written statements shall also set forth either that the party making the statement owns property within:
- one (1) mile of any external boundaries of the conditional use permit site described in the application, or
- in the designated Areas of City Impact only, within three hundred feet (300') of any external boundaries of the conditional use permit site described in the application and/or otherwise setting forth the substantial rights that would be affected by the approval or denial of the permit.
- approval of defial of the permit.

  3. Additionally, any party desiring to file any document(s) exceeding one (1) one- sided, 8 ½ x 11" sized page, shall file such document(s) at least ten (10) days prior to the hearing, with the planning and zoning commission secretary. The planning and zoning commission reserves the right to reject any proffered documentation that violates the intent of this regulation.
- B. Providing Testimony at the Public Hearing: Any person who files a statement in support or objection to the issuance of a new conditional use permit shall indicate in such statement

whether or not such person desires to testify at the hearing.

 Prior to the hearing the planning and zoning commission shall determine which of those persons who desire to testify will be permitted to testify at the hearing.

2. All statements of support or objections shall be made a part of the record at the hearing, but no person except the applicant shall be permitted to testify at the hearing unless they have previously filed a written statement of support for or objection to the issuance of the permit.

DATED this 14th day of August, 2025.	
Applicant Printed Name	
Aaron Kloepfer	:
Publish: August 26, 2025	

## Cassia County Zoning and Building Department Staff Report

#### In Consideration of the Matter of:

# Application of Kloepfer Inc. for a Conditional Use Permit for a Gravel Pit (Holyoak Site),

**Hearing Date: October 16, 2025** 

#### I. Background/Proposal:

Kloepfer Inc. is applying for a Conditional Use Permit to develop a gravel pit on a parcel of ground identified Parcel No. RP10S22E264049 located at 50 South 300 West, Burley, Oakley, Cassia County, Idaho, in an area that is zoned Industrial Commercial.

**II. Zoning**. The ground at issue herein is zoned Industrial Commercial. Cassia County Code, Title 9, Chapter 7 defines the purpose and regulations that apply to the MU zone, as follows:

#### 9-7-7: INDUSTRIAL COMMERCIAL ZONE (IC):

A. Purpose: The purpose of the industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land around them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

B. Permitted Uses: The industrial uses permitted in this zone are manufacturing and wholesale business establishments and other industrial uses which are duly controlled operations that do not generate excessive smoke, noise, vibration, dust, odor, glare, gas, or light, such as warehouses, wholesale storage areas, packaging, processing and assembling plants.

#### **III. CUP PERMIT:**

At Section 9-8-2 of the Cassia County Code, Gravel Pit uses in the Industrial Commercial Zone requires a conditional use permit. Therefore, this is an appropriate matter for the Planning and Zoning Commission to consider as a conditional use permit application.

The Commission's duty and obligation is to review the facts and evidence presented in the application and in the hearing of this matter as applied to the standards set forth in Cassia County code Title 9, Chapter 13. The Commission should make findings as to each standard, and in such finding determine if the standard is met, or if it is not met, that it could be satisfied by imposing a reasonable condition.

The generally applicable standards of Title 9, Chapter 13 are found at 9-11-3, which are as follows:

- **GENERALLY APPLICABLE STANDARDS**: The commission shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall determine if adequate evidence has been presented showing that such use at the proposed location:
- **A. Qualify:** Will, in fact, constitute a conditional use as established by the official schedule of zoning regulations for the zone involved.
- **B. Meet General Obligations:** Will be harmonious with and in accordance with the general objectives or with any specific objective of the zoning ordinance.
- **C. Maintain Character:** Will be designed, constructed, operated and maintained to be reasonably harmonious and 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 general vicinity.
- **D. Hazards:** Will not be unreasonably hazardous or disturbing to existing or future neighboring uses.
- **E. Facilities:** Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for any such services.
- **F. Economic Welfare:** Will not create excessive additional requirements at public cost for public facilities and services and will not be unreasonably detrimental to the economic welfare of the community.
- **G. Conditions Of Operation:** Will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, pollution or odors.
- **H. Harmful Conditions:** Will not be or create conditions that are unreasonably harmful or dangerous to the individual safety or welfare of persons on the premises of the use or living or working in the vicinity of the use; or will not be or create conditions that could be unreasonably harmful to the general safety, health or welfare of the community.
- **I. Vehicular Approaches:** Will have vehicular approaches to the property which are so designed as not to create safety hazards or interference with traffic on surrounding public thoroughfares.
- **J. Scenic And Historic Features:** Will not result in the destruction of loss or damage to any natural, scenic or historic feature of importance to the public.

If all of the standards are met, or through imposition of reasonable conditions can be met, then the matter should be approved, if conditions are imposed, then such reasonable conditions should be clearly stated.

If the standards have not been, or cannot be, met even with the imposition of reasonable conditions, then the matter should be denied. The Commission is then obligated under state law and county regulation to provide the applicant with guidance, if any there be, so that the applicant could obtain approval of the sought-after permit.

#### **IV. COUNTY PERFORMANCE STANDARDS FOR GRAVEL PITS:**

Cassia County Code at Section 9-9-4 J. sets the following performance standards for all Gravel Pits, Rock Quarries, Sand and Clay Pits and Other Natural Resources of Commercial Value:

- Permits: A conditional use permit from the county as well as a valid permit and license to develop shall be obtained from the Idaho department of lands, or other appropriate regulating agency, prior to developing such on either public or private lands, and a copy of an approved reclamation plan shall be filed with the zoning administrator.
- 2. Rehabilitation: The extent and method of rehabilitation shall be determined in advance of issuing a conditional use permit with due consideration given to what is suitable and compatible with the surrounding area.
- 3. Removal Of Structures: Upon depletion of the area, all temporary buildings and structures, except property line fences and structures for the loading, measuring or weighing of saleable material in storage, shall be entirely removed from the property.
- 4. Fencing: Safety fencing shall be erected around all pits that create a safety hazard.

#### V. CONSIDERATIONS:

In addition to any conditions arising from the need to comply with generally applicable standards or performance criteria, conditions similar to those listed hereinafter have been applied in recent Gravel Pit Permits, and are offered for Commission's consideration in this matter, should the Commission determine to grant the application:

- 1. Operation of the gravel pit will be in strict conformance with the application and the evidence presented to the Commission by the Applicant in the October 16, 2025 hearing, including self-imposed conditions in the application and presentation, though such may not be indicated otherwise herein.
- 2. Operation of the gravel pit will be in strict conformance with existing MSHA, OSHA, and the State of Idaho Department of Environmental Quality and Idaho Department of Lands regulations and requirements.
- 3. That the Permittee will take reasonable measures to control dust within the pit during operations, and on the roads to and from the gravel extraction site.
- 4. That all on-site fuel storage, if any, must have appropriate catch basins and meet State and Federal regulations.

- 5. The Permittee shall take all necessary precautions to protect the aquifer, as well as any other water sources in the area, from any contamination by the gravel pit operations, or operations ancillary thereto.
- 6. Restroom facilities will be provided, if required by State or Federal agencies, on the premises by installation of portable facilities which comply with all State and Federal standards.
- 7. Solid waste, debris, or dead animals or waste of any type will not be brought onto, generated, dumped, buried or stored on the site.
- 8. The pit must be operated in a safe and workmanlike manner, and without any operational or reclamation violations of the Reclamation Plan.
- 9. Permittee must obtain an approved reclamation plan from the Idaho Department of Lands, and provide proof of State approval to the Cassia County Zoning and Building Department. The pit will be reclaimed according to the state of Idaho approved reclamation plan and reclamation should take place in spent areas as soon as is practicably possible, following completion of mining even though other areas of the premises are still in active operation.
- 10. Gravel screening and crushing operations must be localized at the extraction site.
- 11. No livestock confinement or confined animal feeding operation permit will be granted for the mined and/or reclaimed portion of the premises.
- 12. No commercial activities that have the potential for causing ground water contamination shall be allowed on the premises after reclamation.
- 13. No water originating from areas outside the pit shall be allowed to pool or stand in the pit for a period of more than four (4) days without being pumped off the site.
- 14. That Permittee will obtain an appropriate approach permit from the Idaho Transportation Department, for entry onto the public roadway, or provide a writing for the appropriate road entity that the existing approach is permissible for this use.
- 15. That Permittee will comply with all applicable policies and procedures of the Burley Highway District.
- 16. That Permittee comply with all reasonable and appropriate requirements and conditions of Burley Irrigation District as set forth in its Impact Statement, which is Exhibit 8b of the County's file in this Application.
- 17. That Permittee, in consideration of this permit to develop and operate a gravel pit, shall allow any authorized County officer or employee to enter upon private property identified with this permit to enforce the provisions of this permit, ensure issues of compliance are suitably met, and to review or seek to remedy any other applicable provisions of state or local law.

