

# LEGAL NOTICES

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IDAHO MOUNTAIN EXPRESS  
AUG. 7, 2019

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83485  
ECCLES FLYING HAT RANCH LLC, PO BOX 3028, SALT LAKE CITY, UT 84110-3028, has filed Application No. 83485 for changes to the following water rights within BLAINE County(s): Right No(s), 37-57/BP, to see a full description of these rights and the proposed transfer, please see [www.dwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.dwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes changing nature of use from mitigation in the Hiawatha Canal to irrigation for a 1.4 cfs portion of a Big Wood River irrigation/mitigation water right and also eliminating the Hiawatha Canal as an authorized point of diversion. Point of diversion for the Hiawatha Canal is located approximately 4.2 miles north and 0.1 miles west of the intersection of Bullion St and Hwy 75 in Hailey. Two remaining points of diversion are located approximately 0.9 miles south and 0.2 miles east and 3.0 miles south and 1.2 miles east of the intersection of Bullion St and Hwy 75 in Hailey. Proposed irrigation place of use is located approximately 1.3 miles to 3.4 miles south and 0.9 to 2.8 miles east of the same intersection in Hailey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before August 26, 2019. The protest must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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AUG. 7 & 14, 2019

## LEGAL NOTICE BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS September 10, 2019

On Tuesday, September 10, 2019, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

**3:00 PM ACTION ITEM: 20' Right of Way Street Vacation of a portion of 3rd North Street, Gannett Townsite, Blaine County, ID.** A public hearing and consideration of an application by Richard Hoel and Judith Peterson to abandon and vacate 20' of 3rd North Street west of 4th Avenue. Specifically, the applicants seek to vacate 10' of 3rd North Street that is adjacent to the northern boundary of 756 N. 4th Ave, legally described as Block 3: Lots 1, 2, 3 and 10' of 3rd North Street that is adjacent to the southern boundary of 754 N. 4th Ave, legally described as Block 2: Lot 1A, Gannett Townsite, as amended, Blaine County, Idaho. These lots are zoned mid-density residential (R4).

The materials associated with this meeting are available for review at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at [www.blainecounty.org](http://www.blainecounty.org). To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to [accounter@co.blaine.id.us](mailto:accounter@co.blaine.id.us), or by fax to (208) 788-5576.

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## CITY OF BELLEVUE IDAHO ORDINANCE NO. 2019-04

AN ORDINANCE OF THE CITY OF BELLEVUE IDAHO AMENDING EXHIBIT 1 OF ORDINANCE NO. 2009-04,

IDENTIFIED AS THE STRAHORN ANNEXATION AGREEMENT BY LIMITING THE ANNEXATION FEES TO THOSE ALREADY PAID; CANCELLING IMPROVEMENTS IDENTIFIED IN SECTIONS 4.5.1.2, 4.5.1.3, 4.5.1.4, 4.5.1.5, 4.5.2.2, 4.5.3.5 AND 4.1.4; CANCELLING CASH PAYMENTS IDENTIFIED IN SECTIONS 4.5.1.1, 4.5.2.1, 4.5.3.2, 4.5.4.1, AND 4.8; CANCELLING THE CONVEYANCE OF THE TRIPLEX LOTS IDENTIFIED IN SECTIONS 4.5.1.8, 4.5.2.4, 4.5.3.6, AND 4.5.4.3; REVISING TIMING OF THE FEMA MAP AMENDMENTS; ALLOWING FOR THE TRIPLEX LOTS TO BE DEVELOPED AS SINGLE LOTS; INCORPORATING WAIVER OF CLAIMS SECTION; CONSTRUCTION CLAUSE; RATIFICATION CLAUSE; COUNTERPARTS CLAUSE AND A SEVERABILITY CLAUSE

WHEREAS, the City and Owner are parties to that certain STRAHORN ANNEXATION AGREEMENT, dated January 22, 2009, and incorporated as Exhibit 1 into City of Bellevue Ordinance No. 2009-04, recorded in the Records of Blaine County, Idaho as instrument No. 564524 (the "Annexation Agreement"); and

WHEREAS, the Annexation Agreement sets forth various rights and obligations with regard to the annexation property and the development thereof, including, but not limited to, the payment of Annexation Fees as defined in section 1.1 of the Annexation Agreement;

WHEREAS, on August 18, 2014, the City and Strahorn Partners, LLC agreed to and entered into a FIRST AMENDMENT TO STRAHORN ANNEXATION AGREEMENT, a true and correct copy of which is attached hereto and incorporated herein ("First Amendment") as Exhibit 2;

WHEREAS, the First Amendment was not adopted as an Ordinance of the City of Bellevue when it was agreed to;

WHEREAS, the City now wishes to ratify the First Amendment and adopt an Ordinance Amending Ordinance 2009-04 to incorporate the First Amendment;

## BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, IDAHO

**SECTION 1.** The First Amendment is fully ratified and affirmed by the City of Bellevue;

**SECTION 2.** City of Bellevue Ordinance 2009-04 is amended to incorporate the First Amendment such that the Annexation Agreement incorporate the terms of the First Amendment;

**SECTION 3.** If any section or portion of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance;

**SECTION 4.** This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BELLEVUE, IDAHO THIS 30TH DAY OF JULY, 2019.

/s/ Ned Burns, Mayor  
ATTEST /s/ Marian Edwards, City Clerk

## FIRST AMENDMENT TO STRAHORN ANNEXATION AGREEMENT

THIS FIRST AMENDMENT TO STRAHORN ANNEXATION AGREEMENT, entered into this 18th day of August, 2014, by and between the CITY OF BELLEVUE, IDAHO, a chartered city, (herein referred to as "Bellevue" or "City") and Strahorn Partners, LLC, an Oregon limited liability company authorized to do business in the State of Idaho, (herein referred to as "Owner").

## RECITALS

This FIRST AMENDMENT TO STRAHORN ANNEXATION AGREEMENT (this "Amendment") is predicated upon the following facts: WHEREAS, the City and Owner are parties to that certain STRAHORN ANNEXATION AGREEMENT, dated January 22, 2009, and incorporated as

Exhibit A into City of Bellevue Ordinance No. 2009-04, recorded in the Records of Blaine County, Idaho as instrument No. 564524 (the "Annexation Agreement"); and

WHEREAS, the Annexation Agreement sets forth various rights and obligations with regard to the annexation property and the development thereof, including, but not limited to, the payment of Annexation Fees as defined in section 1.1 of the Annexation Agreement;

WHEREAS, in accordance with the Annexation Agreement, Owner has conveyed to the City assets valued at approximately Two Million Dollars (\$2,000,000.00) consisting of the 61 Acre Parcel and the Cedar Street Lot as defined in the Annexation Agreement (the "Annexation Fees Paid");

WHEREAS, the City has determined, based on a report prepared by Caplan and Associates, that the basis for the calculations utilized to determine the Annexation Fees were overstated and has adopted new calculations that more accurately and equitably allocate the costs of the annexation;

WHEREAS, the parties understand that any figure derived from the aforementioned calculations can be subject to interpretation and disagreement. Rather than dispute the appropriate amount of the Annexation Fees, City and Owner desire to agree that the Annexation Fees Paid fully compensate the City for the costs related to the Annexation and that said fees are fair and equitable allocation of the costs incurred by the City as a result of the annexation and that no additional Annexation Fees shall be due to the City as a result of the Annexation. Moreover, Owner agrees to waive any claims of reimbursement for annexation fees already paid;

WHEREAS, City and Owner now desire to amend and supplement the Annexation Agreement to memorialize the full payment of Annexation Fees and such other terms and conditions as hereinafter provided;

NOW, THEREFORE, in consideration of the mutual promises, covenants and which are an integral part of this Agreement and are fully incorporated herein by this reference, Owner and City hereby mutually covenant and agree as follows:

**1. Payment of Annexation Fees.** The Parties agree that the Annexation Fees Paid shall constitute the entire Annexation Fee with respect to the Annexation and that all Annexation Fees referenced in the Annexation Agreement shall be cancelled and be null and void and of no further effect. Without limiting the foregoing, Annexation Fees that Bellevue hereby agrees to cancel include:

**1.1. Improvements** valued at \$1,000,000 as more specifically identified in sections 4.5.1.2, 4.5.1.3, 4.5.1.4, 4.5.1.5, 4.5.2.2, 4.5.3.5 and 4.1.4 of the Annexation Agreement;

**1.2. Cash Payments** of \$1,250,000 as more specifically identified in sections 4.5.1.1, 4.5.2.1, 4.5.3.2, 4.5.4.1, and 4.8 of the annexation Agreement; and

**1.3. Conveyance of Triplex Lots** as more specifically identified in sections 4.5.1.8, 4.5.2.4, 4.5.3.6 and 4.5.4.3.

**2. Timing of FEMA Map Amendments.** The timing for the Owner to provide FEMA floodplain map amendments as identified in section 4.4.3 shall be changed from "within one hundred twenty (120) days of the recording of the Large Block Plat" to "Prior to the recording of the Phase One Plat."

**3. Triplex Lots.** The Triplex Lots referred to in sections 4.5.1.8, 4.5.2.4, 4.5.3.6, and 4.5.4.3 may be developed as single lots at Owner's discretion.

**4. Waiver of Claims.** In exchange for the reduction of the Annexation Fees as set forth above, Owner

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## NOTICE OF PUBLIC HEARING BEFORE THE BELLEVUE COMMON COUNCIL FOR PROPOSED BUDGET FOR FISCAL YEAR 2019-2020

NOTICE IS HEREBY GIVEN that a Public Hearing, pursuant to Idaho Code 50-1002 for consideration of the proposed budget for fiscal year beginning October 1, 2019 and ending September 30, 2020 will be held at the Bellevue City Hall located at 115 Pine Street, Bellevue, Idaho, on Monday, August 12, 2019 beginning at 8:00 p.m. All interested persons may appear and shall be given an opportunity to comment on the proposed budget. Copies of the proposed budget in detail are available at City Hall during regular office hours, 8am to 5pm weekdays, and are available on the City website, [bellevueidaho.us](http://bellevueidaho.us). Written comment may be submitted to City of Bellevue, PO Box 825, Bellevue, Idaho 83313 prior to 5:00 p.m. Wednesday, August 7, 2019.

|                                           | Actual<br>FY 2018 | Budget<br>FY 2019 | Proposed<br>Budget<br>FY 2020 |
|-------------------------------------------|-------------------|-------------------|-------------------------------|
| <b>EXPENDITURES</b>                       |                   |                   |                               |
| <b>General Fund</b>                       |                   |                   |                               |
| Administrative                            | 332,511           | 284,576           | 355,360                       |
| Community Development/P&Z                 | 131,017           | 168,651           | 183,505                       |
| Parks                                     | 28,043            | 52,578            | 35,330                        |
| Fire                                      | 176,567           | 209,578           | 204,744                       |
| Library                                   | 87,430            | 92,786            | 62,068                        |
| Marshal                                   | 395,359           | 517,244           | 473,083                       |
| Buildings and Grounds                     | 34,314            | 45,803            | 31,162                        |
| Streets                                   | 219,313           | 191,589           | 239,206                       |
| Shop                                      | 8,202             | 10,549            | 0                             |
| <b>Total General Fund</b>                 | <b>1,412,756</b>  | <b>1,573,354</b>  | <b>1,584,458</b>              |
| <b>Enterprise Funds</b>                   |                   |                   |                               |
| Water Fund                                | 416,204           | 700,795           | 582,045                       |
| Sewer Fund                                | 901,435           | 1,406,274         | 1,848,549                     |
| <b>Grand Total All Funds-EXPENDITURES</b> | <b>2,730,398</b>  | <b>3,680,423</b>  | <b>4,015,052</b>              |
| <b>REVENUES</b>                           |                   |                   |                               |
| <b>General Fund</b>                       |                   |                   |                               |
| Property Taxes                            | 689,624           | 680,140           | 700,544                       |
| Franchises, Licenses, Permits             | 117,628           | 107,900           | 132,032                       |
| Intergovernmental                         | 351,779           | 351,122           | 365,974                       |
| Fees, Charges for Services                | 20,320            | 7,000             | 31,250                        |
| Other General Fund Revenues/Carryover     | 313,038           | 427,192           | 354,658                       |
| <b>Total General Fund</b>                 | <b>1,492,389</b>  | <b>1,573,354</b>  | <b>1,584,458</b>              |
| <b>Enterprise Funds</b>                   |                   |                   |                               |
| Water Fund                                | 422,864           | 700,795           | 725,610                       |
| Sewer Fund                                | 1,452,799         | 1,406,274         | 1,848,548                     |
| <b>Grand Total All Funds-REVENUES</b>     | <b>3,368,052</b>  | <b>3,680,424</b>  | <b>4,158,616</b>              |

The proposed expenditures and revenues for fiscal year 2019-2020 were tentatively approved by the Bellevue Common Council on July 22, 2019. Any person needing special accommodations to participate in the above noticed meeting should contact Bellevue City Hall, 115 Pine St., Bellevue, ID 83313 or telephone 208-788-2128 at least twenty-four (24) hours prior to the meeting. Marian Edwards, Bellevue Clerk/Treasurer

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JULY 31 & AUG. 7, 2019

## Notice of Public Hearing Ketchum Urban Renewal Agency Proposed Budget for Fiscal Year 2019-20

A public hearing for consideration of the Ketchum Urban Renewal Agency budget for the fiscal year that begins October 1, 2019, and ends September 30, 2020, will be held at the Ketchum City Council chambers, located at 480 East Avenue North, on August 19 at 2:00 p.m. pursuant to Idaho Code 50-1002. Written or oral comments about the proposed budget are welcome. Written comments may be submitted prior to the meeting to: Ketchum Urban Renewal Agency, PO Box 2315 Ketchum, Idaho 83340.

The Agency budget funds the program, services and capital projects that the Agency Board has determined to be important to meet the Agency's strategic goals and meet the needs of the residents and businesses within the Agency's boundaries.

The public hearing on the proposed budget is required for formal adoption of the FY 2019-20 budget. The City Council chambers are accessible to persons with disabilities.

|                               | Actual<br>FY 17-18 | Budgeted<br>FY 18-19 | Proposed<br>FY 19-20 |
|-------------------------------|--------------------|----------------------|----------------------|
| <b>EXPENDITURES:</b>          |                    |                      |                      |
| URA Expenditures              | 3,420,677          | 1,028,835            | 1,049,422            |
| URA Debt Service Expenditures | 443,224            | 460,055              | 472,605              |
| <b>TOTAL URA EXPENDITURES</b> | <b>3,863,901</b>   | <b>1,488,890</b>     | <b>1,522,027</b>     |
| <b>REVENUE:</b>               |                    |                      |                      |
| Tax Incremental Revenue       | 1,414,371          | 1,438,890            | 1,483,527            |
| Other Revenue                 | 73,370             | 50,000               | 38,500               |
| Fund Balance                  | 2,376,160          | 0                    | 0                    |
| <b>TOTAL URA REVENUE</b>      | <b>3,863,901</b>   | <b>1,488,890</b>     | <b>1,522,027</b>     |

Grant Gager  
Treasurer

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