

# **Blaine County Land, Water and Wildlife Program**

## **FULL APPLICATION FOR CONSERVATION FUNDING**

### Instructions

This form is used in the second phase of the Blaine County Land, Water and Wildlife Program's ("Program" or "LWWP") application process to request funding. **Only projects with approved Pre-Applications in the first phase should be presented using this form.**

Landowners are the Program's most important partners and are invited to submit proposals using the Pre-Application to initiate a possible project. **This Full Application for Conservation Funding may be prepared by the Landowner or by the entity or agency responsible for either owning/stewarding the land or property interests acquired with funding from the Program or for implementing the proposed activities for a non-acquisition project.** These entities (including Blaine County itself, in the instances where it is taking the lead on a project) are referred to in this document as the Applicants and will work closely with the Landowner to ensure that the Application is complete and accurate.

If the project proposes to acquire a conservation easement, the Applicant must be qualified as described in Idaho Code 55-2101, Idaho's conservation easement enabling legislation, or have a partner that is a qualified easement holder. For other types of projects, the Applicant must be qualified under the Program's guidelines. Refer to the Program Guide for additional information on the entities that qualify as Applicants.

Prior to beginning work on the Application, Applicants should carefully review the LWWP Program Guide and complete the Project Evaluation Checklist. These two documents explain how the Program operates and describe the characteristics of priority conservation projects. Keep those characteristics in mind as you complete the Application. Be sure to review the Six Minimum Requirements required for Levy funding, listed at the beginning of the Project Evaluation Checklist.

Please complete the Application in its entirety. Use additional pages as necessary to provide complete responses to each question. A fillable version, for optional use, is available on the website. Instructions for each section are provided in *italicized text*. In order for the Application to be processed and reviewed, every question must be answered and all required materials must accompany the form. Incomplete applications cannot be accepted for consideration.

If you have questions, call the LWWP Program Coordinator at (208) 788-5570 for assistance. When your application is ready, please submit it to: Blaine County Land, Water & Wildlife Program, 219 1<sup>st</sup> Avenue S., Ste. 208, Hailey, ID 83333. There are currently three application deadlines per year, posted on the website. **Applications, together with the required attachments (described in Section IV below), must be submitted on digital media, accompanied by twelve (12) complete paper versions.**

**Note:** When submitted to the County, this application will become a public document and all information contained in it may be viewed by any member of the public who may request to do so.

**SECTION I - PROJECT BASICS**

**1. PROJECT TITLE:** *Enter the title of the proposed project. This title will be used in all press releases, reports, and other public documents.*

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**2. APPLICANT(S):** *Provide the name of the primary Applicant.*

Applicant #1 (primary): \_\_\_\_\_

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

Applicant is: *(Check one)*

Unit of Government: \_\_\_\_\_

Private/Non-Profit Organization: \_\_\_\_\_

Landowner \_\_\_\_\_

Applicant #2 (secondary, easement holder): \_\_\_\_\_

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

Applicant is: *(Check one)*

Unit of Government: \_\_\_\_\_

Private/Non-Profit Organization: \_\_\_\_\_

Landowner (if applicable): \_\_\_\_\_

**3. CONTACT PERSON:** *The person the County's representative should call if there are questions or issues associated with the application.*

Name: \_\_\_\_\_ Title: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SECTION II – PROJECT/PROPERTY INFORMATION**

**1. PROPERTY LOCATION:** *Give a brief description of the property location including the address, or if there is no address, a succinct description that will identify the general area. Attach additional pages, if needed. The full, current legal description of the property proposed for conservation should be included as an attachment.*

Address/Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Blaine County Tax Parcel number(s):

\_\_\_\_\_

**2. PROPERTY OVERVIEW:** *Give a description of the property and primary terms of the proposed transaction or objectives of non-acquisition projects. There is a section later in the application to provide more complete and descriptive information about the project's strengths and property's characteristics.*

**a. Number of acres proposed for conservation action:** *How much land will the project protect or restore? If known, provide the acreages or approximate percentages of the land or habitat types present on the property.*

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**b. Existing Structures/Facilities:** *Describe the buildings and other improvements on the property proposed for conservation and the plans for their future care, if the project is an acquisition of a property interest.*

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**c. Current use:** *Describe how the property is being used. What conservation management techniques are presently employed? Are there management plans or agreements in effect?*

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**d. Zoning:** *What is the current zoning on the property proposed for conservation or restoration?*

**e. Original Parcel Determination:** *Has one been completed? If so, when and what were the results?*

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**f. Surrounding land uses:** *How are the adjoining properties currently used and managed? Are the current uses of adjacent lands compatible with the conservation objectives of the project?*

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**g. Public land or protected properties that adjoin or are within ¼ mile of the property:** *List any lands owned, leased, or managed by the federal, state, or local governments or conservation organizations. Include brief description of known conservation easements.*

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**h. Water features:** *Provide the name (if any) and brief description of any lake, pond, conveyance, river or stream that is on the property or borders it, and lineal feet of frontage. (In the narrative section there is a place to describe un-named but important water bodies, wetlands, or springs.)*

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### **3. PROJECT OVERVIEW**

**a. Ownership:** *Unless you are proposing a purchase of land in fee title, does the landowner/applicant own all the property proposed for this project? If not, what are the plans and timeline for securing ownership?*

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**b. Conservation mechanism:** *Summarize the conservation purposes of the project and the legal tool or land management technique that will be used to accomplish those objectives. If a conservation easement, will it be perpetual? \_\_\_\_\_ . There is a section later in the application to provide more complete and descriptive information about the project’s strengths and property’s characteristics.*

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**c. Development rights to be reserved and/or subdivision contemplated:** *If the project is not a fee title acquisition, are there specific development rights the applicant intends to reserve? If so, please describe them below.*

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*i. Does the project include a division of land? If so, please provide a map and explain the circumstances.*

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*ii. Have you contacted Blaine County Land Use Department to discuss the division of land? Has Blaine County considered any subdivision, site plans or permit requests related to the proposed project? If yes, please explain.*

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**d. For restoration projects:** *How will you determine whether the project has met the goals? How will you know if/when the project results are stable (within the context of changing natural systems)? How will you measure success in terms of broader conservation values (performance standards)? Please be specific.*

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*i. What are the risks associated with the project?*

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*ii. What factors beyond the scope of the project may threaten its long-term success (e.g., changes in adjacent land use, changes in management, reduction of stream flows)?*

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*iii. What evidence do you have that this project will succeed, either from your own experience or that of others? Please attach relevant reports or studies, or links.*

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**e. Agreements:** *Do the parties have in place any agreements, binding or not, such as letters of intent or contracts demonstrating commitment to do the project? If so, what are the general terms of each?*

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**f. Estimated closing date:** *If the County agrees to be one of the funders, when will all steps likely be completed and other funding secured for the proposed project?*

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**g. For restoration projects:** *When do you want to begin on-the-ground work? Recognizing some projects can only be done during certain times of the year, when must you have approval in order to begin work when you want to?*

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**4. OWNERSHIP STATUS** *(Refer to the list of Required Application Attachments and Due Diligence requirements in Sections IV and V for additional information needed to supplement the responses to these questions):*

**a. Current Owner(s):** *What are the names and addresses of the owners of the property? Please provide a copy of the deed or other record that shows the names of the owner(s) of the property proposed for conservation. Note: this form must be signed by the owner or someone with legal authority to sign on the owner's behalf.*

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**b. Encumbrances:** *Describe all mortgages, liens and other encumbrances affecting the property. If the project proposes to use a conservation easement, have you contacted the mortgagors/lien holders about this project? Do you have a commitment letter that they will subordinate to an easement? The commitment letter will be required prior to the LAB's considering your Full Application.*

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**c. Known title issues:** *To the best of the knowledge of the landowner and Applicant, are there any disputes, encroachments, or other issues affecting the property? Has a title search been performed recently? If so, please provide a summary of any available reports.*

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**d. Known environmental hazards issues:** *To the best of the landowner or Applicant's knowledge, are there any issues with the environmental condition of the property? Has a records search or other investigation been conducted? If yes, please provide a summary of any available reports.*

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**e. Mineral rights:** *Indicate whether or not the landowner owns the subsurface rights associated with the property. If the rights are owned by another person or entity explain, to the degree known, what that owner's plans are for exploiting the minerals. Describe the rights below.*

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**f. Water rights:** *Describe the type of water rights associated with the property, the ownership status of the associated rights, priority date and any available delivery history to the best of landowner and Applicant's knowledge. Be sure to include whether the right has been decreed. (See the list of information required regarding water rights in Section IV – Required Application Attachments).*

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**g. Do the property's conservation values depend on the continued delivery, application and beneficial use of the water rights?** *For example, are there irrigated hay meadows that are important for wildlife?*

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**h. Will any or all appurtenant water rights be tied to the project in perpetuity?** *What legal instrument will be used? Please specify, as necessary.*

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**i. Use of water rights:** *How will water rights be used in the project? Are any changes to existing water rights necessary for the proposed project?*

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**j. Need for additional water rights:** *Will any new water rights be required for the project? If yes, what type and amount? Have you initiated the process to try to acquire them?*

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**k. TDR Certificate:** *If this is a TDR project, please attach the TDR Certification. Who do you propose shall be the buyer of the TDRs?*

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**l. Permits/Approvals:** *List any permits or approvals required in order to complete the project, and the status and estimated completion date of each application if not already received.*

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**5. SITE DESCRIPTION AND CONSERVATION VALUES:** *Explain in a narrative form why the project should be a priority for funding and how the project will conserve important resources targeted by the Program. Describe how each of the property's conservation characteristics will be protected or*

improved through the project and how the project will provide lasting conservation for the property's existing or anticipated resource values. For non-acquisition projects, proponents will generally be required to actively maintain and monitor the project for three years. **Please limit the description to two pages.** Review the Project Evaluation Checklist and the Program Guide to the Blaine County Land, Water and Wildlife Program prior to preparing this site description.

**6. CONSERVATION OPPORTUNITY:**

*Would the opportunity presented in this application be forfeited if the project is not funded at this time? Please describe the nature and immediacy of the opportunity.*

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**7. FUTURE PROPERTY USE AND MANAGEMENT:**

*Describe how the property will be used and managed if the project is funded as requested. Be as specific as possible so that the County can evaluate whether the conservation values of the property will, in fact, achieve lasting protection if the project is completed. If development rights will be retained explain how they may affect the conserved areas.*

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**8. EASEMENT STEWARDSHIP CAPACITIES**

*Please complete the Partner Evaluation Form referenced in Section IV and attach it to this Application. It covers basic legal, organizational and financial information. For the project you are proposing, please answer:*

**a. Easement Stewardship Capacities (Answer if project will create a conservation easement or other less-than-fee property interest):**

*What entity will hold the proposed easement, if different than the Applicant? Will the proposed transaction provide funds to ensure perpetual stewardship? Detail plans for monitoring and enforcement.*

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**b. Fee Title Ownership and Land Management Capacities (Answer if the project will transfer fee title):**

*What entity is proposed to own the property, if different than the Applicant? What is the proposed holder's experience and track record for owning and managing conservation lands? Provide information about the entity's financial and personnel capacities. How will the entity ensure lasting protection of the property?*

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**c. Restoration and Rehabilitation Capacities (Answer if the project is primarily a restoration or other non-acquisition project).**

*What entity will be responsible for initial work proposed, if different than the Applicant? Will the same entity be responsible for ongoing monitoring and land management to ensure that the improvements are maintained? Provide information about that entity's capabilities and experience with comparable projects. Give specifics about long-term plans and the ability to fund monitoring and maintenance.*

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**9. PROGRAMMATIC VALUE:** *Is the property associated with a larger conservation program or initiative? Provide the name of the program or initiative (if one exists) and describe its objectives. How does the proposed project fit into the program and contribute to the larger program's success? How does being part of the program maximize the public benefit for Blaine County residents?*

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**10. AGREEMENT WITH COUNTY-REQUIRED PREDATOR CONTROL LANGUAGE.** *For conservation easements, Blaine County requires the following: "Hunting, Trapping and Fishing: As landowner, \_\_\_\_\_ reserves the right to hunt, fish and trap on the Property in compliance with state law, provided that trapping is consistent with the Conservation Values and preservation of habitat conditions. In addition, in controlling predatory and problem animals, \_\_\_\_\_ shall comply with all applicable laws and use selective and humane control techniques, including, where practicable, non-lethal deterrents and management practices."*

a. *Will all signatories to the conservation easement agree to this language?* \_\_\_\_\_

**SECTION III – PROJECT FINANCES**

The following information will allow the Program to assess the financial value presented by the proposed project. Securing maximum public benefit from the Levy funds is a high priority for the County. Accordingly, the Program is seeking as much leverage as possible from the transactions it supports.

Funding from the Program may be used only to pay for conservation of natural resources. Acquisition costs will be the responsibility of the landowner and Applicant, including, but not limited to appraisal, hazards assessment and title insurance. For non-acquisition projects such as restoration and habitat improvement projects, the Program will fund costs described in Attachment #4 of the Program Guide.

**1. Estimated total value of the project.**

*i. For fee title or conservation easement acquisitions, please provide the fair market value of the rights to be acquired or extinguished through this project. Prior to disbursement of Program funds this value will have to be substantiated with an appraisal. The figure provided in this section should represent the anticipated appraised value of the conservation easement or other rights that would be conveyed if the proposed transaction is completed.*

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*ii. For TDR projects, please provide the same information as above, as well as how the estimated value will be calculated if not through an appraisal.*

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*iii. For non-acquisition projects, provide a budget that identifies the actual cost of the proposed work to be performed and what part(s) you are requesting Levy funds for. Provide a figure or a range, based on the best possible information. A detailed scope of work and other information will be required prior to closing; please see Sections IV and V below.*

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**2. Basis for Estimate:** *Explain how the Applicant determined the total value provided above. Explain how the project may be impacted if the final appraisal, required as part of the Due Diligence phase, does not substantiate the estimate provided. (Be sure to attach documentation as required in Section IV):*

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**Note:** *For acquisition projects, the County prefers that application packages include an opinion letter or initial appraisal from a qualified appraiser familiar with the market and the type of interests being acquired. However, it will accept and evaluate applications with data from similar transactions, together with an analysis from the Applicant. A full appraisal is required in the Due Diligence phase of the Land, Water and Wildlife Program’s project selection process.*

**3. Total dollar amount, and percentage of total project cost requested from Blaine County:**

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**4. Funding strategy:** Describe how the remainder of the funding for the project will be secured.

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- i. *What sources are anticipated?*
  - ii. *Do you have the funds secured or in hand? \_\_\_\_\_ If not, when do you expect to know if you will receive them? \_\_\_\_\_ If there is a date by which you must use the funds, what is it? \_\_\_\_\_*
  - iii. *Is the landowner providing matching funds through a partial donation or in-kind support?*
  - iv. *Please list any other non-cash match below, including volunteers, if applicable.*
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*Note: Matching funds and/or bargain sales are strongly encouraged because Blaine County has very limited funds and multiple objectives for every dollar. Accordingly, projects that offer high leverage will be higher priorities and more likely to receive funding.*

**5. Purchase and Sale Agreement (PSA).** What is the status of the PSA?

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## SECTION IV- REQUIRED APPLICATION ATTACHMENTS

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*Items a-l MUST accompany the application. An application missing any of these items will be considered incomplete and returned. The date for delivery of Due Diligence items will be negotiated among the parties.*

**a. Site Location Map:** On a Blaine County base map, clearly identify the location of the proposed acquisition. In the digital version of the application, provide a jpeg or pdf of the same map and location information.

**b. Project Boundary Map:** On a map of sufficiently large scale to see the property, identify the boundaries of the proposed project. Provide a digital version of this map. If reserved building sites are proposed, identify their locations and approximate size. Similarly, if the proposal contemplates excluding or subdividing land, please indicate. *Note: The County may require that reserved building sites be surveyed as part of Due Diligence.*

### **c. Legal description**

**d. Color Photos:** Provide at least six (6) digital color photos (jpeg format) of the property proposed for acquisition. The photos should show important terrain, waterfront, man-made features, access roads, wetlands, unique characteristics, or other elements that make the property a good candidate for funding. Also include the most recent aerial photo available.

**e. Project Evaluation Criteria Checklist:** Complete the form by identifying the property's conservation characteristics on the Checklist. Sources of data or links to the data are provided in the Checklist.

**f. Documentation related to value estimate:** If an opinion letter or initial appraisal is part of the package, provide information about the appraiser's qualifications. If an estimate from the Applicant is being used, explain how the value estimate or range was developed. Provide as much information as possible about the data and analysis used. For non-acquisition projects, provide a draft scope of work and draft budget to substantiate the cost estimate.

**g. Water Information:** *If there are appurtenant water rights, provide a report from the Idaho Department of Water resources with the following information:*

- Water right number or permit number or license number (if not yet decreed)
- Owner
- Priority Date
- Source
- Diversion Rate (cfs)
- Point of Diversion (legal description)
- Place of Use "POU" (legal description and acreage)
- Purpose of Use
- Season of Use
- Any and all combined use limitations (acreage and volume)
- Conditions of approval, including any and all combined use limitations (acreage and volume)
- Ten years of delivery records as available (water master delivery records, pump records, water assessments, etc.)
- What is that actual place of use?

**h. Partner Evaluation Form:** *Please complete each time you request funding from the Program, if you have a Partner.*

**i. Letter(s) from committed Partners** *(if any).*

**j. TDR projects:** *Please provide copies of all TDR Certificates.*

**k. Plans for restoration and other non-acquisition projects:** *To the extent they currently exist, please provide engineering or other drawings, project budget, scope of work, timeline, maintenance plan, monitoring plan, and other information such as a re-vegetation plan required for the project. Also include a list of permits/approvals required and the status of each. Finals of all these materials, as well as Performance Guarantees with the County, will be required during the Due Diligence Phase, prior to the LAB's Final Review.*

**l. Purchase and Sale Agreement (PSA):** *For fee acquisitions, the PSA is required prior to LAB's consideration of the Full Application. For TDRs, the PSA is required prior to LAB's Final Review.*

**Application Attachments cont'd:**

*The items listed below are considered to be Due Diligence investigations. However if they are available at the time the Application is submitted, please include them. Otherwise, provide a proposed schedule for their completion. See Section V, below, for a full list of Due Diligence investigations. Closing procedures can be found in the Program Guide.*

**m. Template Conservation Easement:** If a conservation easement is the proposed legal tool for this project, provide any standard easement language that the Applicant intends to use as the basis for the document created in association with the proposed transaction. Be sure to include any language that may be used to tie the water rights to the property. Any draft document already negotiated between the landowner, Applicant and/or easement holder (if that is a different entity) should also be included with the Application.

**n. A summary of the most recent title report.**

**o. A survey of the property.**

**p. A summary of any hazardous material evaluations.**

## **SECTION V – DUE DILIGENCE INVESTIGATIONS NOTE**

*The actual list of Due Diligence requirements may vary from project to project. Landowners and Applicants should anticipate that most, if not all, of these items will be required for all projects involving an easement, TDR, transfer of fee title or other property interest. If the Full Application is given conceptual approval by the BCC, the County will work with the landowner and Applicant to decide on a schedule for delivery of these items.*

- Title commitment for the subject property and resolution of any title issues.
- Final appraisal validating the anticipated value or range of values stated in the Application.
- Phase I Environmental hazard survey, or some equivalent and previously approved type of investigation, and resolution of any significant problems revealed.
- A Mineral Rights Statement.
- Evaluation of information on water rights and their ownership and status provided with the Application for Conservation Funding.
- The actual conservation easement (or other previously-approved legal instrument) with all of the terms as proposed in the Application. Needs to include language about the easement-holder and County responsibilities.
- A baseline documentation report, as customary for conservation easements, or a description of current property condition for other types of projects.
- A plan for managing the conserved or restored property
- Purchase agreement between the County and the Landowner and/or Partner.
- Grant agreement, if responsibilities have not been adequately covered in other documents.

For non-acquisition projects:

- Copies of all approved permits not previously submitted.
- A “build to” set of plans.
- Evidence of Performance Guarantees with Blaine County.
- Copies of Construction Agreements between applicant and contractors.
- Final budget and justification for the figures.
- A plan for monitoring and reporting to the County (length to be agreed upon), including who will do the monitoring and reporting, when you will submit reports to the County, and whether there is any government agency involvement.

## Signatures and Certifications

I/we have prepared this application to the best of our ability and knowledge and request that Blaine County evaluate this request for funding based on the information contained herein. I/we understand the project selection process described in the Blaine County Land, Water and Wildlife Program Guide. I/we understand that a recommendation that this project move to the Due Diligence Phase is not a guarantee of funding. If any information or circumstance changes substantially the project may be subject to reconsideration or reapplication, as described in the Program Guide. Furthermore, I/we:

- Support this project as proposed
- Intend to complete the project if Blaine County authorizes funding
- Understand that the Levy Advisory Board (LAB) is a recommending body only
- Acknowledge that a recommendation from the LAB or the BCC that this project move to the Due Diligence Phase is not a guarantee of funding; nor is a LAB recommendation to the BCC for Final Review and Funding a guarantee of funding, and
- Have discussed the project and this application with our legal advisor, accountant and/or decision-maker(s) within our organization, as applicable and appropriate.

I am legally authorized to sign this application as a representative of the Applicant.

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Date

I am the landowner, or legally authorized to sign on his/her behalf.

\_\_\_\_\_  
Landowner or representative signature

\_\_\_\_\_  
Date