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35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

000. LEGAL AUTHORITY (Rule 000).
In accordance with Section 63-105 and 63-105A, Idaho Code, the State Tax Commission shall promulgate rules implementing the provisions of the Idaho Statutes relating to the property tax laws and related statutes, Chapters 1 through 22 and Chapters 28 and 35, Title 63, Idaho Code. Rules relating to the market value of recreational vehicles are authorized by Section 49-445, Idaho Code. Rules relating to taxation of newly constructed improvements are authorized by Section 63-105A, Idaho Code. (7-1-98)

001. TITLE AND SCOPE (Rule 001).
These rules shall be cited as IDAPA 35.01.03, "Property Tax Administrative Rules". (7-1-93)

002. WRITTEN INTERPRETATIONS (Rule 002).
In accordance with Section 52-5201(16)(b)(iv), Idaho Code, the Tax Commission has written statements which pertain to the interpretation of the rules of this chapter or to the documentation of compliance with the rules of this chapter. To the extent that these documents are not confidential under Sections 63-3075 or 9-340, Idaho Code, they are available for public inspection and copying at the main office of the State Tax Commission. (7-1-93)

003. ADMINISTRATIVE APPEALS (Rule 003).
This chapter does allow administrative relief of certain provisions outlined herein. These rules relate to proceedings pursuant to Sections 63-112 and 63-710, Idaho Code. (7-1-93)

004. PUBLIC RECORDS (Rule 004).
The records associated with this chapter are subject to the provisions of the Idaho Public Records Act, Chapter 3, Title 9, Idaho Code, to the extent that these documents are not confidential under Sections 63-3076 or 9-340, Idaho Code. (7-1-98)

005. -- 019. (RESERVED).

020. VALUE OF RECREATIONAL VEHICLES FOR ANNUAL REGISTRATION AND TAXATION OF UNREGISTERED RECREATIONAL VEHICLES (Rule 020).

01. Value Of Recreational Vehicle For Registration Fees. The County assessors shall administer and collect the recreational vehicle registration fee based on the industry valuation guide approved by the Commission pursuant to Section 49-446, Idaho Code. The approved guide is the N.A.D.A., Recreational Vehicle Appraisal Guide, September through December Edition, for the year preceding the year in which the fee is levied applies. (7-1-97)

02. Value Of Motor Home For Registration Fees. The fee for motor homes shall be based on a schedule to be published annually by the Commission. This schedule shall exclude any chassis value. The Commission will maintain for a minimum of three (3) years the information on which the supplements are based. (7-1-97)

03. Assessment Notice Mailed Or Assessment Canceled. If after August 31, the required annual registration fee has not been paid, a taxpayer's valuation assessment notice shall be mailed to the owner of the recreational vehicle. If the registration is paid before the fourth (4th) Monday of November, the assessor shall cancel the assessment. (7-1-97)

021. -- 099. (RESERVED).

100. LIEN OF TAXES--PERSONAL PROPERTY FROM WITHOUT STATE (Rule 100).

01. Tax Lien. A tax lien is a claim or charge on the property which makes the property security for the discharge of the obligation. Tax liens transfer with the property. (7-1-93)

02. Lien Effective Date. Taxes become a lien on any personal or real property as of January 1 of the assessment year, except in the case of personal property from outside the state. The lien attaches to the property at the time of entrance. The property shall be assessed and placed on the assessment roll quarterly. (7-1-93)

03. Assessment Notice. The assessment notice for leased personal property shall be sent to the owner regardless of any contractual agreements between the lessor and lessee. (7-1-93)

101. -- 103. (RESERVED).

104. PROPERTY EXEMPT FROM TAXATION (Rule 104).
The burden of proof of exemption is on the person claiming exemption for the property. (7-1-93)

105. -- 113. (RESERVED).

114. COMPUTATION OF THE IDAHO IRRIGATION EXEMPTION (Rule 114).

01. Production And Delivery Ratio. This ratio is computed by comparing the Idaho investment in production and delivery property to the investment for all Idaho unitary property. The resulting ratio shall be known as the production and delivery ratio. (4-5-95)

02. Idaho Production And Delivery Value. This is computed by multiplying the allocated Idaho unitary value, before any exemptions, by the production and delivery ratio. (4-5-95)

03. Irrigation Use Ratio. This ratio is computed by comparing Idaho irrigation revenue to the total Idaho revenue from unitary operations. The resulting ratio shall be known as the irrigation use ratio. (4-5-95)

04. Idaho Irrigation Exemption. This is computed by multiplying the Idaho production and delivery value by the irrigation use ratio. (4-5-95)

115. PROPERTY EXEMPT FROM TAXATION--CERTAIN HOSPITALS AND REFUGE HOMES (Rule 115).

01. Annual Declaration Of Personal Property. The assessor shall require an annual declaration of personal property which will include the ownership of the property declared. (7-1-93)

02. Compliance With Idaho Code. Declarations shall comply with the provisions of Sections 63-203, 63-204, 63-1203, and 63-1210, Idaho Code. (7-1-93)

03. Medical Equipment. Medical equipment is equipment used exclusively in the practice of medicine. Chairs, tables, beds, lighting apparatus, cabinets, office equipment, office furniture, data processing equipment, and similar items of personal property are not medical equipment. (7-1-93)

04. Communication Equipment Not Medical Equipment. Communication equipment, including shortwave, high frequency, and microwave transmission equipment used to transmit signals outside the hospital or refuge home are not medical equipment. (7-1-93)

05. Other Medical Equipment. Leased, nonexempt medical equipment shall be assessed to the owner. (7-1-93)

116. -- 119. (RESERVED).

120. INVESTIGATION OF WRITTEN COMPLAINTS (Rule 120).

01. Definitions. To investigate written complaints, the following terms are defined. (7-1-99)

a. Complaint. Complaint means a written request for the State Tax Commission to investigate any actions by public officials relating to property tax assessment or administration. (7-1-99)

b. Complainant. Complainant means any individual making a complaint. (7-1-99)

c. Investigation. Investigation means observation and close examination of a public official's application of assessment law and State Tax Commission rules. The investigation may require field inspections of property, analysis of public records or the interviewing of witnesses. The formal investigation will be focused or limited to cover only those issues raised by the complainant. (7-1-99)

d. Public official. The term public official means the elected or appointed official whose actions are the subject of the complaint. (7-1-99)

02. Investigation Procedure. The following procedures apply to an investigation of a complaint. (7-1-99)

a. Filed in writing. All complaints must be submitted to the State Tax Commission in writing and signed by the complainant. (7-1-99)

b. Examination of complaint. The complaint will be examined by the State Tax Commission to decide if a formal investigation will be conducted. (7-1-99)

c. Notification of public official subject to investigation. The State Tax Commission will notify the public official to review the complaint, as soon as a formal investigation is contemplated. (7-1-99)

d. Delivery of investigation order. The State Tax Commission will deliver to the public official a copy of the investigation order naming the investigators and outlining what is to be investigated. (7-1-99)

e. Preliminary report. A preliminary report will be prepared by the investigator and legal council. The report will include findings and recommendations, and may include responses from the public official. (7-1-99)

f. Presentation of preliminary report. The preliminary report will be presented to the complainant and the public official. The State Tax Commission investigators will be present when the report is discussed with the public official, subject to investigation, and the complainant. (7-1-99)

g. Comment period. The complainant and the public official will be given a specified time to review and comment on the preliminary report, particularly to correct any errors of fact. (7-1-99)

h. Final report. At the end of the review by the complainant and the public official a final report will be prepared by the investigator and legal council and submitted with any changes from the preliminary report highlighted. (7-1-99)

03. Public Official's Response To Final Report. After the final report is completed, the public official shall outline how the investigator's recommendations will be implemented and provide a written explanation of why any recommendation has been rejected. (7-1-99)

04. Conclusion Of Investigation. The investigator's final report and the public official's written response to the report shall conclude the investigation. The conclusion of the investigation does not preclude the State Tax Commission from enforcing additional powers and duties as prescribed by law or the complainant and public official from exercising his or her right to appeal property valuations before a County Board of Equalization, the State Board of Tax Appeals or in District Court. (7-1-99)

121. -- 124. (RESERVED).

125. PROPERTY EXEMPT FROM TAXATION--FACILITIES FOR WATER OR AIR POLLUTION CONTROL.

01. Exempt Property. Only those portions of installations, facilities, machinery, or equipment which are devoted exclusively to elimination, control, or prevention of water or air pollution are exempt. The owner of the

property shall annually petition the assessor for exemption. (7-1-97)

02. Calculation Of Partial Exemption. The exemption shall not include the percentage of the value for any portion of the facility which is used for the production of marketable by-products. The exempted value is the difference between the market value of the pollution control facilities and the present value of the net income from the sale of by-products. Net income shall be determined by subtracting the expenses of sale, raw materials required to produce by-products, and transportation to F.O.B. point from gross sales of recovered by-product.

EXAMPLE:

(For purposes of this example, assume the industry capitalization rate is 10%)
Purchase Price of Scrubber $1 million/20 year life
1st Year Calculation of Exemption

Gross sales of precipitate	$11,000/yr
Transport to F.O.B. point	$100/yr
Lime to precipitate products	$900/yr
NET INCOME	$10,000/yr

Present worth of 1 per period (20 years/10%) 8.513

Present value of net income $ 85,130

Therefore, exempt value is ($1,000,000 - $85,130) $914,870
or 91.5% exempt

Indirect costs associated with operating the scrubber such as power, maintenance, etc., are not proper deductions from gross sales to reach net income. (7-1-97)

03. Ineligibility. Landfills, toxic waste dumps, or storage facilities deriving revenue from processing or storing pollution or pollution by-products generated by other persons or businesses are ineligible for this exemption. (7-1-97)

04. Filing Procedure. Petition for exemption shall be filed in the following manner: (7-1-97)

a. The property owner may obtain the declaration forms issued by the Tax Commission from the county assessor or the Tax Commission. (7-1-97)

b. The property owner completes the declaration to report an itemized listing of all installations, facilities, machines or equipment qualifying for exemption. Each component part of the system must be identified by a brief description (e.g., Dust Collector), the date of original acquisition, dollar amount of the original cost, and the percentage of the component devoted exclusively to pollution control. The petition must be signed by the owner or duly authorized agent. Lack of required information shall be grounds for denial. (7-1-97)

c. The completed declaration must be filed with the county assessor for locally assessed property or the Tax Commission for centrally assessed property by March 15th of each year. (7-1-97)

05. Inspection. The county or Tax Commission representative may inspect the property or audit the owner's records to identify components petitioned for exemption. Those components listed on the declaration must be identifiable as capital assets of the property. (7-1-97)

06. Exemption Reported On Abstracts. For locally assessed property, exempt value shall be reported on the real and personal property abstracts. (7-1-97)

07. Water Corporation Property. A portion of water corporation property exempt from taxation. (7-1-97)

a. On or before April 30, each year, the Tax Commission shall receive a notice from the Idaho Public Utilities Commission listing the value of the investment percentage of the total plant of each water company that is devoted exclusively to the elimination, control, or prevention of water pollution or air pollution. (7-1-97)

b. In estimating the market value of the company for assessment purposes, the Tax Commission will take into consideration the investment as certified by the Public Utilities Commission that such equipment bears to the total invested plant of the company. (7-1-97)

c. The Tax Commission will notify the water company of the estimated market value, gross assessed value, and the amount of exemption allowed under Section 63-602P, Idaho Code, on or before July 15 of each current year. (7-1-97)

d. Any person or party wishing to contest the percentage of exemption reported to the Tax Commission by the Public Utilities Commission may submit a written request for public hearing to the Tax Commission by August 1 of the current tax year. The request for hearing shall state the petitioner's grounds for contesting the percentage reported by the Public Utilities Commission. The Tax Commission shall notify the petitioner's hearing time and place on or before the second Monday of August. (7-1-97)

126. PROPERTY EXEMPT FROM TAXATION -- QUALIFIED EQUIPMENT UTILIZING POST CONSUMER OR POST INDUSTRIAL WASTE (Rule 126).

01. Qualified Personal Property. Only that qualified personal property, located in Idaho, which utilizes postconsumer waste or post industrial waste in the production of a "product", shall be exempt from taxation as personal property. The owner of the equipment shall, annually, petition the assessor for exemption. (7-1-97)

02. Application. The exemption shall be allowed only if the owner files the form prescribed by the State Tax Commission, which reports for the previous calendar year, the actual time each piece of qualified equipment is in use in the production of qualified "product" and non-qualified "product". (7-1-97)

03. Exempt Petition's Definitions. Petition for exemption shall be filed in the following manner: (7-1-97)

a. Forms. Declaration forms for the reporting of personal property qualifying for exemption may be obtained from the county assessor or State Tax Commission. (7-1-97)

b. Declaration - qualified equipment. The declaration shall contain an itemized listing of all machines or equipment qualifying for exemption. Each component part of the system must be identified by a brief description, the date of purchase and original cost, and the percentage of production time the component is devoted exclusively to the production of "product". The petition must be signed by the owner or duly authorized agent. Lack of required information shall be grounds for denial. (7-1-97)

c. Declaration - non-qualifying equipment. The declaration shall contain an itemized listing of all non-qualifying machines or equipment used in the production of "product". This declaration shall list all non-qualifying taxable personal property as described in Section 63-302, Idaho Code. Lack of required information shall be grounds for denial. (7-1-97)

d. Timing. The completed declarations must be filed with the county assessor by March 15th of each year. (7-1-97)

e. Inspection. The county or Commission representative may inspect the property or the owner's records to identify components petitioned for exemption. Those components listed on the declaration must be identifiable as qualifying personal property assets of the claimant. (7-1-97)

127. PARTIAL EXEMPTION FOR REMEDIATED LAND (Rule 127).

01. Definitions. For the purpose of implementing the partial exemption for remediated land the following terms are defined. (7-1-98)

a. Application for Partial Exemption. The "application for partial exemption" is the form, provided by the State Tax Commission, available from the State Tax Commission or the county assessor and used to apply for the exemption provided by Section 63-602BB, Idaho Code. (7-1-98)

b. Certificate of Completion. The "certificate of completion" is the document issued by the Department of Health and Welfare after the successful completion of a voluntary remediation work plan pursuant to Section 39-7207(1), Idaho Code. The person receiving the "certificate of completion" shall record a copy of the "certificate of completion" with the deed for the "site" on which the remediation took place pursuant to Section 39-7207(2), Idaho Code. (7-1-98)

c. Covenant Not to Sue. The "covenant not to sue" is the document issued by the Department of Health and Welfare pursuant to Section 39-7207(4), Idaho Code, upon request from a person receiving the "certificate of completion." (7-1-98)

d. Qualifying Owner. The "qualifying owner" is the entity identified as the owner on the deed to the property at the time the "certificate of completion" is issued by the Department of Health and Welfare. (7-1-98)

e. Remediated Land. The "remediated land" is the "site" on which the remediation, as defined in Section 39-7203(7), Idaho Code, has been completed. (7-1-98)

f. Remediated Land Value. The "remediated land value" is the market value for assessment purposes of the land on January 1 of the year following the issuance of the "certification of completion" (after remediation) less the market value for assessment purposes of the land on January 1 prior to the issuance of the "certification of completion" (before remediation). (7-1-98)

g. Site. As defined in Section 39-7203(8), Idaho Code, a "site" is a parcel of real estate for which an application has been submitted under Section 39-7204, Idaho Code. The "site" shall be that parcel identified on the application as described in IDAPA 16.01.18, Subsection 020.02.c., "Idaho Land Remediation Rules," including the assessor's parcel numbers(s) and on the voluntary remediation work plan as described in IDAPA 16.01.18, Section 022. (7-1-98)

02. Procedures To Qualify For The Exemption. The "qualifying owner", or agent thereof, must complete the following procedures for the "site" to qualify for the exemption. (7-1-98)

a. Obtain and complete the "application for partial exemption". (7-1-98)

b. Submit the "application for partial exemption" and copies of the "certificate of completion" and the "covenant not to sue" to the county assessor of the county in which the "site" is located. If the legal description of the "site" and a map identifying the location and size of facilities and relevant features is included in the information supporting the voluntary remediation work plan, pursuant to IDAPA 16.01.18, Subsection 022.03.a.i., "Idaho Land Remediation Rules," a copy of this information shall be included with the "application for partial exemption". (7-1-98)

c. File the "application for partial exemption" with the county assessor on or before March 15 of the year for which the exemption is claimed. The "application for partial exemption" must be filed only once, during the first year of seven (7) year exemption period. (7-1-98)

03. Calculation Of The Exemption. The exemption is fifty percent (50%) of the "remediated land value". This exempt value is constant throughout the term of the exemption. The amount of the exemption shall never

exceed the current market value of the land. For example:

Land Value on January 1 (after remediation)	=	$200,000
Land Value on January 1 (before remediation)	=	-$125,000
Remediated Land Value	=	$ 75,000
Exemption Ratio	=	x 50%
Exempt Value	=	$ 37,500

For the example cited, the value of thirty-seven thousand five hundred dollars ($37,500) would be the exempted value for all seven (7) years. (7-1-98)

04. Exempt Value Subject To Taxation. For any property eligible for the exemption provided by Section 63-602BB, Idaho Code, the exempt value will immediately be subject to taxation when any of the following events occur. (7-1-98)

a. If during any year the exemption is in effect and the "covenant not to sue" is rescinded, the exempt value will immediately be subject to taxation for the entire year. Pursuant to IDAPA 16.01.18, Subsection 025.02, the Department of Health and Welfare shall notify the assessor of the county in which the "site" is located that the "covenant not to sue" is rescinded. (7-1-98)

b. If the "site" is transferred to a new owner during any year in which the exemption is in effect, the exempt value will immediately be subject to taxation for the entire year. (7-1-98)

c. The exempt value will immediately be subject to taxation after the seven (7) year exemption period. (7-1-98)

d. No "site" shall be granted the exemption provided in this section if said "site" had been previously granted this exemption regardless of whether the entire seven (7) years of the exemption had been used. (7-1-98)

128. -- 130. (RESERVED).

131. USE OF RATIO STUDY IN EQUALIZATION (Rule 131).

01. Annual Ratio Study. Each year, beginning in 1996, the State Tax Commission shall conduct a ratio study to assist in the equalization of assessments of property within and among the categories of property established in Rule 327 of these rules. The ratio study shall be conducted in accordance with the "Standard on Ratio Studies" published in 1990 by the International Association of Assessing Officers. The annual ratio study shall test assessments as of January 1 of each year. Except when sales or appraisals must be added or deleted to improve representativeness, sales used will be those occurring within each county between October 1 of the year preceding the year for which assessments are to be tested and September 30 of the year for which assessments are to be tested. Each sale price is to be adjusted for time and compared to market value for assessment purposes for the year for which assessments are to be tested, to compute ratios to be analyzed. The State Tax Commission may use sales from extended time periods and may add appraisals when data is lacking. The State Tax Commission may delete sales when necessary to improve representativeness. The study shall be completed in February following the end of the period studied. The appropriate ratio study statistical measure of level shall be determined as follows: (7-1-99)

a. Given a normal distribution, the probability that the true mean level of assessment is between ninety percent (90%) and one hundred ten percent (110%) must be at least five percent (5%) or the mean based ninety five percent (95%) (one tailed) confidence interval must include some part of the range between ninety percent (90%) and one hundred ten percent (110%); or (7-1-99)

b. Given a nonnormal distribution, the median based ninety percent (90%) (two tailed) confidence interval must include some part of the range between ninety percent (90%) and one hundred ten percent (110%).

(4-5-95)

02. Tested For Equalization. Categories which will be tested for equalization purposes will include the following, provided that adequate samples can be obtained: (4-5-95)

a. Improved urban residential: Abstract Items 20 and 41; (4-5-95)

b. Unimproved urban residential: Abstract Item 20; (4-5-95)

c. Improved rural residential: Subcategory 1 (tracts): Abstract Items 12, 18, 34, and 40; Subcategory 2 (subdivisions): Abstract Items 15 and 37; (4-5-95)

d. Unimproved rural residential: Subcategory 1 (tracts): Abstract Items 12 and 18; Subcategory 2 (subdivisions): Abstract Item 15; (4-5-95)

e. Commercial: Abstract Items 11, 13, 16, 21, 27, 33, 35, 38, and 42. (Urban and rural categories and land and improved categories will be analyzed separately, if adequate samples are available.) (4-5-95)

f. Condominiums: Abstract Items 26 and 27, which may be analyzed separately, if adequate samples are available. (7-1-98)

g. Manufactured Housing: Abstract Items 46, 47, 48 and 65. (4-5-95)

03. Separate Analyzations. Categories 18 and 40 may be analyzed separately from Categories 12 and 34 if adequate samples are available. If these categories (18 and 40) are not used for residential property, they should not be included in the 12/34 study. (7-1-98)

04. Follow Up Ratio Study. When the annual ratio study provided in Subsections 131.01 and 131.02, discloses that assessments in any category of property in a county are out of compliance with the equalization standards of Subsection 131.03, the State Tax Commission shall conduct a follow up ratio study. The follow up ratio study shall test the assessments for January 1 of the year following the year tested by the annual ratio study and shall be based on property sales occurring during the calendar year immediately preceding that date. The State Tax Commission shall notify the county assessor of the results of the follow up ratio study. The notice shall indicate whether any adjustments will be considered by the State Tax Commission at its next equalization meeting in August based on either the annual or any follow-up ratio study and the reason for the proposed adjustments. (7-1-99)

05. Use Of Ratio Study Results. The results of the annual ratio study or any follow-up ratio study shall be one source of information upon which the State Tax Commission may rely when equalizing assessments of property by category under Section 63-109, Idaho Code. When the results of any ratio study show, with reasonable statistical certainty, that the appropriate measure of level of a category studied is less than ninety percent (90%) or greater than one hundred ten percent (110%), the assessment of property within that category may be considered not equalized. When this occurs, the State Tax Commission may, at its annual meeting commencing on the second Monday in August, order the county auditor to adjust the value of all property in the category in an amount the State Tax Commission finds necessary to accomplish equalization of assessments of property in that category. (7-1-99)

06. Use Of Alternate Ratio Study. When the follow-up ratio study required by Subsection 131.04 does not measure the true assessment level, the State Tax Commission may consider adjustment based on the most recent annually conducted ratio study or other information relevant to equalization. If the State Tax Commission has reason to question the representativeness of the sample used in an annual or follow up ratio study conducted on any category of property, the State Tax Commission may delay implementation of any order to adjust property values until two successive years' ratio studies fail to produce an appropriate ratio study measure of level between ninety percent (90%) and one hundred ten percent (110%). (7-1-99)

07. Submission Of Additional Information. Any party may petition the State Tax Commission to consider any information or studies relevant to equalization. The petition shall include a description of the information to be presented and the petitioner's conclusions drawn from the information. (4-5-95)

132. -- 133. (RESERVED).

134. PROPERTY EXEMPT FROM TAXATION--SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND (Rule 134).

01. Taxable Value Of Agricultural Land. The taxable value of agricultural land shall be the landlord's share of net income capitalized by the annual rate established by the Commission, plus the local tax rate. (7-1-93)

02. Gross Income. Gross income shall be based on crop rotation and crop share programs typical to the area, five (5) year average yield, and prices at harvest. (7-1-93)

03. Net Income. Net income shall be determined by deducting the landlord's share of current expenses from gross income. Typical, not individual, income shall be used. (7-1-93)

04. Use Of Assessor's Manual. Refer to ASSESSOR'S MANUAL for agricultural land valuation procedures. (7-1-93)

05. Assessment Notice. The assessment notice shall not include the speculative market value. This value shall be included on the abstract certified to the Commission. (7-1-93)

135. PROPERTY EXEMPT FROM TAXATION RESIDENTIAL IMPROVEMENTS (Rule 135).

01. Homeowner's Exemption. This exemption shall also be known as the homeowners exemption. (3-23-94)

02. Residential Improvements. Primary dwelling place means the claimant's dwelling place on January 1 of the year for which the claim is made. The primary dwelling place is the single place where a claimant has his true, fixed, and permanent home and principal establishment, and to which whenever the individual is absent he has the intention of returning. A claimant must establish the dwelling to which the claim relates as his primary dwelling place by clear and convincing evidence or by establishing that the dwelling is where the claimant resided on January 1 and: (3-23-94)

a. At least six (6) months during the prior year; or (3-23-94)

b. The majority of the time the claimant owned the dwelling if owned by the claimant less than one (1) year; or (3-23-94)

c. The majority of the time after the claimant first occupied the dwelling if occupied by the claimant less than one (1) year. (3-23-94)

03. Requirements. If these requirements are not met, the property upon which the claimant makes application shall be deemed to be the claimant's primary dwelling place if the claimant is otherwise qualified and resides in a care facility and does not allow the property upon which the claimant has made application to be occupied by persons paying a consideration to occupy the dwelling. A care facility is a hospital, skilled nursing facility, intermediate care facility or intermediate care facility for the mentally retarded as defined in Section 39-1301, Idaho Code, or a facility as defined in Section 39-3302(15), Idaho Code, or a dwelling other than the one (1) upon which the applicant makes application where a claimant who is unable to reside in the dwelling upon which the application is made lives and receives help in daily living, protection, and security. (3-23-94)

04. Owner. "Owner" means a person holding title in fee simple or holding a certificate of motor vehicle title (either of which may be subject to mortgage, deed of trust or other lien) or who has retained or been granted a life estate. "Owner" shall also include any person who as grantor created a revocable trust and named himself as beneficiary of that trust. "Owner" shall not include any person that otherwise occupies property as beneficiary of a trust. "Owner" includes a vendee in possession under a land sale contract. (3-23-94)

05. Partial Ownership. Any partial ownership shall be considered ownership for determining qualification for the homeowner's exemption, however, the amount of the exemption shall be reduced to a proportion

commensurate with the proportion of partial ownership. Partial ownership, for purposes of this section, means any one (1) person's ownership when property is owned by more than one (1) person. The combined community property interests of both spouses shall not be considered partial ownership. The proportional reduction required under this subsection shall not apply to community property interests. (3-23-94)

06. Determination Of Residency. The State Tax Commission may release pertinent information from any Idaho income tax return to the county assessor and the county board of equalization for the sole purpose of providing one indicator of eligibility for the homeowner's exemption. According to Section 63-3077(d), Idaho Code, this information is confidential and is not subject to public disclosure. (7-1-98)

136. -- 150. (RESERVED).

151. EXEMPT PROPERTY NOT TO BE ASSESSED--CLAIM PROCEDURE FOR HARDSHIP EXEMPTIONS (Rule 151).

01. Denial Of Property Tax Reduction Claim. The procedure in Section 63-122(6)(a), Idaho Code, is to be used when property tax reduction claims have been denied by the Commission. (7-1-93)

02. Exemptions. Exemptions granted for the current assessment year shall be reported under the proper category on abstracts submitted to the Commission. (7-1-93)

152. -- 154. (RESERVED).

155. REAL PROPERTY DEFINED (Rule 155).

01. Land. Land includes dirt fill, grading, leveling, and drainage. (7-1-93)

02. Improvements. Improvements not listed in Section 63-1223, Idaho Code, are real property. (7-1-93)

03. Physically Attached Or Affixed Property And Other Improvements. Property which is physically attached to the land or other improvements or affixed to the land in such a manner that it may not be removed without materially damaging the real property or is of such a nature that it would normally be expected to be sold together with the land. (7-1-93)

a. Equipment attached only by plug in electrical connection is not considered affixed. (7-1-93)

b. Equipment permanently situated and adapted to use in one place is real property. (7-1-93)

c. Vault doors, drive-in windows, automatic tellers, and night depositories are real property when owned by the owner of the building to which they are affixed. (7-1-93)

04. Affixed Items. An affixed item owned by a tenant is personal property and is assessable to its owner, unless the lease agreement provides that the item becomes part of the real property. (7-1-93)

156. -- 158. (RESERVED).

159. PERSONAL PROPERTY--DEFINED (Rule 159).
Personal property can be moved without marring or defacing real property to which it may be attached.. (7-1-93)

01. Equities In State Land. Land purchased from the state under contract is personal property. Tax can be paid in two (2) installments. (7-1-93)

02. Reservations And Easements. Reservations, including mineral rights reserved, divided ownership of property rights. Easements convey use but not ownership. (7-1-93)

03 Machinery, Tools, And Equipment. Mechanical apparatuses, instruments, or implements not

permanently integrated with real property, held as tenant improvements, or held for rent or lease are personal property. (7-1-93)

04. Furniture, Fixtures, Libraries, Art, And Coin Collections. Trade articles used commercially for convenience, decoration, service, or storage, including store counters, display racks, typewriters, office machines, surgical and scientific instruments, paintings, books, coin collections, and all such items held for rent or lease are personal property. (7-1-93)

05. Recreational Vehicles. Unlicensed recreational vehicles are personal property. (7-1-93)

06. Boats. Unlicensed watercraft are personal property. (7-1-93)

07. Net Profit Of Mines. That amount of money or its equivalent received from the sale or trade of minerals or metals extracted from the Earth after deduction of allowable expenses as defined in Section 63-2802, Idaho Code, or by Commission rule is personal property. (7-1-93)

08. Signs And Signboards. Signs and signboards, their bases and supports are personal property. (7-1-93)

160. -- 164. (RESERVED).

165. LAND ACTIVELY DEVOTED TO AGRICULTURE DEFINED (Rule 165).

01. Definitions. The following definitions apply for the implementation of the exemption for the speculative value portion of agricultural land. (7-1-99)

a. Homesite. The "homesite" is that portion of land, contiguous with but not qualifying as land actively devoted to agriculture, and the associated site improvements used for residential and farm homesite purposes. (7-1-99)

b. Associated site improvements. The "associated site improvements" include developed access, grading, sanitary facilities, water systems and utilities. (7-1-99)

c. Speculative value exemption. The "speculative value exemption" is the exemption allowed on land actively devoted to agriculture. (7-1-99)

02. Homesite Assessment. Effective January 1, 1999, each homesite and residential and other improvements, located on the homesite, shall be assessed at market value each year. (7-1-99)

a. Accepted assessment procedures. Market value shall be determined through procedures, methods, and techniques recommended by nationally recognized appraisal and valuation associations, institutes, and societies and according to guidelines and publications approved by the State Tax Commission. Acceptable techniques include those that are either time tested in Idaho, mathematically correlated to market sales, endorsed by assessment organizations, or widely accepted by assessors in Idaho and other states. (7-1-99)

b. Appropriate market and comparable selection. The appropriate market is the market most similar to the homesite and improvements, located on the homesite. In applying the sales comparison approach, the appraiser should select comparables having actual or potential residential use. (7-1-99)

c. Assigning category. The value of the homesite will be listed in Category 10. (7-1-99)

d. Homesite independent of remaining land. The value and classification of the homesite will be independent of the classification and valuation of the remaining land. (7-1-99)

03. Valuing Land, Excluding The Homesite. The assessor shall value the land, excluding the homesite, on the following basis: (7-1-99)

a. Land used for personal use or pleasure. Any land, regardless of size, utilized for the grazing of animals kept primarily for personal use or pleasure and not a portion of a profit making agricultural enterprise, shall be valued at market value using appraisal procedures identified in Subsection 165.02 and shall not qualify for the speculative value exemption. (7-1-99)

b. Land in a subdivision with restrictions prohibiting agriculture use. Land in a subdivision with restrictions prohibiting agricultural use shall be valued at market value using appraisal procedures identified in Subsection 635.02 and shall not qualify for the speculative value exemption. (7-1-99)

c. Land, five (5) acres or less. Land parcels of five (5) acres or less shall be presumed nonagricultural, shall be valued at market value using appraisal procedures identified in Subsection 165.02, and shall not qualify for the speculative value exemption. If the owner produces evidence that the land has been devoted to agricultural use for the last three (3) growing seasons and it agriculturally produced for sale or home consumption fifteen percent (15%) or more of the owner's or lessee's annual gross income or it produced gross revenue in the immediate preceding year of one thousand dollars ($1,000) or more, the land actively devoted to agriculture, shall qualify for the speculative value exemption. For parcels of five (5) acres or less income is measured by production of crops, grazing, or net income from sale of livestock. Income shall be estimated from crop prices at harvest. The use of the land and the income received in the prior year must be certified with the assessor by March 15, each year. (7-1-99)

d. Lease income considered. Lease income may be considered in determining income qualifications only if the lease terms are defined, the carrying capacity is shown, and the rent is consistent with market rent. (7-1-99)

e. Land, more than five (5) acres. Land parcels of more than five (5) contiguous acres under one (1) ownership, producing agricultural field crops, timber, or grazing, or in a cropland retirement or rotation program, as part of a profit making agricultural enterprise, shall qualify for the speculative portion of value of agricultural land exemption. Land not annually meeting any of these requirements shall be valued at market value using appraisal procedures identified in Subsection 165.02 and shall not qualify. Application for agricultural classification must be filed with the assessor by March 15. A successful application need only be filed once where the ownership and qualifying conditions remain unchanged in subsequent years. (7-1-99)

166. -- 170. (RESERVED).

171. DEFINITIONS OF INCOME, FATHERLESS CHILD, MOTHERLESS CHILD, AND PARTIAL OWNERSHIP (Rule 171).

01. Community Income When Spouse Resides In Medical Care Facility. Where community property is held by spouses either of whom reside in a medical care facility household income includes all income received by both spouses. Both spouses non-reimbursed medical expenses as defined in Section 213(d) of the Internal Revenue Code are deductible from household income. (7-1-98)

02. Community Income When Spouse Does Not Reside In Medical Care Facility. In all cases where community property is held by a household member except Subsection 171.01, one-half (1/2) of both community income and medical care expenses shall be credited to each spouse. Each spouse's separate income, if any, and share of community income shall be included in household income if the spouse is a household member.(7-1-98)

03. Primary Dwelling Place Terms. For purposes of Section 63-701(9), Idaho Code, the following definitions apply: (7-1-98)

a. The terms "his home" and "claimant's home" mean primary dwelling place; (7-1-98)

b. The terms "a home" and "the home" mean dwelling. (7-1-98)

04. Fatherless Child. Fatherless child for purposes of Section 63-701(1), Idaho Code, means a child judicially determined to be abandoned as defined by Sections 16-1602 or 16-2005, Idaho Code, by the child's male parent or a child whose male parent has had his parental rights terminated pursuant to court order or is deceased. (7-1-98)

05. Motherless Child. Motherless child for purposes of Section 63-701(1), Idaho Code, means a child judicially determined to be abandoned as defined by Sections 16-1602 or 16-2005, Idaho Code, or a child whose female parent has had her parental rights terminated pursuant to a court order or is deceased. (7-1-98)

06. Burden Of Proof. The claimant has the burden of proof to establish claimant's eligibility for tax reduction benefits. (7-1-98)

07. Ownership Interest. Partial ownership interest for purposes of Section 63-701(8), Idaho Code, means property owned by more than one person. A community property interest shall be a single property interest. (7-1-98)

172. -- 174. (RESERVED).

175. PHYSICIAN DEFINED FOR PROPERTY TAX REDUCTION CLAIMS (Rule 175).
Physician shall mean a licensed physician, as defined in Section 54-1803(3), Idaho Code. (7-1-98)

176. -- 183. (RESERVED).

184. NOTICES OF MODIFICATION OR DISAPPROVAL (Rule 184).
The Board of County Commissioners shall not disapprove claims previously approved by the assessor nor modify the assessor's decision if no appeal has been filed. (7-1-93)

185. -- 187. (RESERVED).

188. PROCEDURE AFTER CLAIM APPROVAL (Rule 188).

01. Property Tax Reduction Roll. The property tax reduction roll shall be formatted as required by the Tax Commission. Specific formatting requirements are found in the "Circuit Breaker Procedure Manual". (7-1-93)

02. The Roll. The roll, certified by the assessor to the county auditor and the Tax Commission by the fourth (4th) Monday in June, shall be termed the preliminary property tax reduction roll. The preliminary property tax reduction roll shall list property tax reduction claimants in alphabetical order unless the Tax Commission grants permission for claimants to be listed in an alternate order. Each original claim form shall be submitted to the Tax Commission in the same order as shown on the preliminary property tax reduction roll. (7-1-93)

03. Completed Property Tax Reduction Roll. The completed property tax reduction roll, certified by each county clerk to the Tax Commission by the fourth (4th) Monday in October, shall be termed the final property tax reduction roll. The final property tax reduction roll shall list property tax reduction claimants in the same order as shown on the preliminary property tax reduction roll, except that all fully disapproved claimants shall be deleted and not shown on the final property tax reduction roll. Erroneous claims which are partially disapproved by the Tax Commission shall be shown on the final property tax reduction roll after the county clerk has made all adjustments or corrections listed on the notice sent to the county auditor pursuant to Section 63-122(6), Idaho Code, termed county change letter. (7-1-93)

189. -- 199. (RESERVED).

200. PROPERTY ASSESSABLE IN COUNTY (Rule 200).
The burden of claiming exemption and the burden of proof of entitlement to the exemption shall be on the property owner. (7-1-93)

201. -- 203. (RESERVED).

204. RULES AND REGULATIONS PERTAINING TO MARKET VALUE DUTY OF ASSESSORS (Rule 204).

01. Market Value Definition. Market value is the most probable amount of United States dollars or

equivalent for which a property would exchange hands between a knowledgeable and willing seller, under no compulsion to sell, and an informed, capable buyer, under no compulsion to buy, with a reasonable time allowed to consummate the sale, substantiated by a reasonable down or full cash payment. (7-1-97)

a. The assessor shall value the full market value of the entire fee simple interest of property for taxation. Statutory exemptions shall be subtracted. (7-1-97)

b. Personal property shall be valued at retail level. (7-1-93)

02. Appraisal Approaches. Three (3) approaches to value will be considered on all property. The three (3) approaches to value are the market approach, which includes the comparative sales approach and the stock and debt technique - (operating property), the cost approach, and the income approach. (7-1-97)

03. Appraisal Procedures. Market value shall be determined through procedures, methods, and techniques recommended by nationally recognized appraisal and valuation associations, institutes, and societies and according to guidelines and publications approved by the Commission. This includes the use of market rent, not contract rent. (7-1-97)

205. -- 207. (RESERVED).

208. TAXPAYER'S PROPERTY DECLARATION (Rule 208).

01. Listing Personal Property. Personal property must be listed on the Taxpayer's Property Declaration. This declaration is mandatory and shall include: (7-1-93)

a. A complete itemized list of all taxable personal property including: The name of the manufacturer; the date of acquisition and the installed cost; model, style, type, etc., where applicable; and serial numbers, if available. Once a basic list has been established, only the annual additions to or deletions from this tabulation may be required. In those cases where specific data is not available, the report shall show estimated dates and costs with appropriate notations. (7-1-93)

b. The listing of leased personal property shall also include the name and address of the other party to the lease and terms of the lease. (7-1-93)

02. Remittance Of Property Declarations. Property declarations shall be mailed or delivered to taxpayer's last known address. (7-1-93)

03. Estimated Value. When the assessor has complied with the statutory requirement and fails to receive proper response, value shall be estimated based on the best available information. (7-1-93)

209. -- 213. (RESERVED).

214. SUBSEQUENT ASSESSMENT OF PROPERTY CONCEALED (Rule 214).
The burden of proof of willfulness is on the assessor. (7-1-93)

215. CANCELLATION OF TAXES BY BOARD OF COUNTY COMMISSIONERS (Rule 215).
Section 63-1302, Idaho Code authorizes boards of county commissioners to cancel property taxes that for any lawful reason should not be collected. The board may cancel taxes for double payment of taxes or the double or erroneous assessment of any property for the same year or other errors. Additionally, when the canceled taxes have been paid, the board may refund the taxes. The authority to cancel taxes under Section 63-1302, Idaho Code, extends neither to hardship situations nor to cancellation of tax resulting from unequal or excessive valuation by the assessor. Mere unequal or excessive valuation by the assessor does not make the assessment illegal, nor constitute any lawful reason that the taxes should not be collected. A taxpayer who believes the value placed on his property is excessive must file his appeal with the county board of equalization within the time prescribed by law. A taxpayer seeking relief due to hardship must apply pursuant to Section 63-602AA, Idaho Code. (7-1-98)

216. -- 217. (RESERVED).

218. NONRESIDENT PROPERTY OWNER'S DECLARATION (Rule 218).

01. Taxpayer's Property Declaration. The Taxpayer's Property Declaration as prescribed in ISTC 31 shall be required and shall list all taxable real and personal property. (7-1-93)

02. Prescribed Penalty. The prescribed penalty shall apply to each intentional omission of property and shall apply whether or not the declaration has been filed. (7-1-93)

219. -- 228. (RESERVED).

229. CORRECTED TAXPAYER'S VALUATION ASSESSMENT NOTICE TO BE MAILED TO TAXPAYER (Rule 229).
The taxpayer must be notified by a corrected notice from the assessor if ANY increase or decrease in value is made prior to the Board of Equalization convening. (7-1-93)

230. -- 239. (RESERVED).

240. DESCRIPTION OF PROPERTY (Rule 240).

01. Description Of Property. For assessment purposes property shall be described in the tax number book by parcel number, tax number, initial letters, or abbreviation. The description must be indexed to the metes and bounds or other recorded legal description. These records must be provided to the county auditor and treasurer. (7-1-93)

02. Notices. Parcel numbers, tax numbers, initial letters, and abbreviations are not acceptable for notice of tax sale, delinquency certificates, or foreclosure proceedings. Such notices must carry a full and accurate legal description, and either: (7-1-93)

a. A street address or other information useful in locating the property; or (7-1-93)

b. The name and telephone number of a person, firm, or business office from whom information concerning the location of the property may be obtained. Section 63-302, Idaho Code. (7-1-93)

03. Parcel Number. A parcel number is the tax number when a legal description is entered in the tax number book opposite the parcel number and this book is filed with the county clerk. (7-1-93)

241. -- 249. (RESERVED).

250. RATIO STUDIES - SCHOOL DISTRICTS (Rule 250).

01. Procedures For School District Ratio Studies. The ratio study conducted by the State Tax Commission to comply with the requirements of Section 63-315, Idaho Code, shall be conducted in accordance with the "Standard on Ratio Studies" published in 1990 by the International Association of Assessing Officers. For school district ratio studies completed after January 1, 1998, the following specific procedures will be used. (7-1-98)

a. Information on property sales, which meet the requirements of arm's length and market value sales, will be obtained and assembled into samples representing various categories of property and designations defined in Subsection 250.02 in each school district. Except when sales or appraisals must be added or deleted to improve representativeness, sales used will be those occurring within each school district between October 1 of the year preceding the year for which adjusted market value is to be computed and September 30 of the year for which adjusted market value is to be computed. Each sale price is to be adjusted for time and compared to market value for assessment purposes for the year for which adjusted market value is to be computed, to compute ratios to be analyzed. The State Tax Commission may use sales from extended time periods and may add appraisals when data is lacking. The State Tax Commission may delete sales when necessary to improve representativeness. (7-1-99)

b. A ratio will be determined for each sale by dividing the market value for assessment purposes of the property by the adjusted sale price or appraised value. (7-1-98)

c. A statistical analysis is to be conducted for the sales and any appraisals in each property designation defined in Subsection 250.02 in each school district and appropriate measures of central tendency, uniformity, reliability, and normality computed. (7-1-99)

d. With the exception of any property designations with extended time frames or added appraisals, if fewer than five (5) sales and appraisals are available, no adjustment to the taxable value of the designation will be made. (7-1-98)

e. If there are five (5) or more sales and appraisals and it is determined with reasonable statistical certainty that the property designation is not already at market value for assessment purposes, an adjusted market value will be computed for the school district by dividing the taxable value for the year for which adjusted market value is to be determined by the appropriate ratio derived from the ratio study. The appropriate ratio to be used is one of the following: (7-1-98)

i. The weighted mean ratio, provided that the distribution of ratios is normal and the Price Related Differential (PRD) is between 0.98 and 1.03; (7-1-98)

ii. The unweighted mean ratio, provided that the distribution of ratios is normal and the PRD is less than 0.98 or greater than 1.03; or (7-1-98)

iii. The median ratio, if the distribution of ratios is not normal. (7-1-98)

f. Within each school district, adjusted market value or taxable value for each category of real, personal and operating property will be summed to produce the total adjusted market value for the school district. The school district taxable value will then be divided by this adjusted market value to produce the overall ratio of assessment in each school district. Statewide totals are to be calculated by compiling county totals. (7-1-98)

g. Urban renewal increment values will not be included in the taxable value or the adjusted market value for any school district. (7-1-98)

h. "Reasonable statistical certainty," that the property designation in question is not at market value for assessment purposes, is required. Such certainty is tested using ninety percent (90%) confidence intervals about the weighted mean, mean or median ratios. If the appropriate confidence interval includes one hundred percent (100%), there is not "reasonable statistical certainty" that the property designation is not at market value for assessment purposes. (7-1-98)

i. Categories of property subject to adjustment following the procedure outlined in this rule and ratio study designations from which measures of central tendency used for adjustments will be derived are:

Category	Property Category	Ratio Study Designation
41	Urban Residential Improvements	Residential
20	Urban Residential Land	Residential
37	Rural Residential Subdivision Improvements	Residential
15	Rural Residential Subdivision Land	Residential
34 & 40	Rural Residential Tract and Other Rural Improvements	Residential
12 & 18	Rural Residential Tracts and Other Lands	Residential
42	Urban Commercial Improvements	Commercial
21	Urban Commercial Land	Commercial

Category	Property Category	Ratio Study Designation
35 & 38	Rural Commercial Tract and Subdivision Improvements	Commercial
13 & 16	Rural Commercial Tracts and Subdivision Land	Commercial
46, 47 & 65	Manufactured Homes and Attachments	Manufactured Homes and Attachments
48	Manufactured Homes Declared to be Real Property	Residential
26	Residential Condominiums	Residential
27	Commercial Condominiums	Commercial

(7-1-99)

j. For all other property categories not contained in the list in Subsection 250.01.i., adjusted market value will equal taxable value. (7-1-99)

k. "Appraisal" or "appraised value" refers to any State Tax Commission provided independently conducted property appraisal. (7-1-98)

02. Use Of Property Designations. In computing the ratio for each school district, the State Tax Commission will designate property as residential, commercial, or manufactured housing and shall assign appropriate property categories defined in Rule 327 of these rules to these designations. For each school district, adjusted market value shall be computed by dividing the appropriate ratio ascertained for each of these designations into the sum of the taxable values for each category of property assigned to a designation. For the taxable value in any category to be included in said sum, at least one observation (sale or appraisal) from that category must be present in the ratio study. If the ratio for any given designation in a school district indicates that the market value for assessment purposes cannot be determined with reasonable statistical certainty to differ from statutorily required market value, the taxable value shown on the school district abstract(s) required pursuant to Subsection 250.04 for each of the categories included in that designation shall be the adjusted market value for said designation for said school district. (7-1-99)

03. Assessor To Identify School Districts. Each county assessor will provide to the State Tax Commission the school district in which each sale submitted for the ratio study is located. (7-1-98)

04. Abstracts Of Value By School District. Each county auditor shall provide to the State Tax Commission abstracts of the taxable value of all property within the portion of each school district in each county. These abstracts shall be submitted in the same manner and at the same time as provided for county abstracts of value. (7-1-98)

05. Urban Renewal Increment And Exemption To Be Subtracted. The taxable value of each category of property within each school district shall not include the value that exceeds the value on the base assessment roll in any urban renewal district pursuant to Chapter 29, Title 50, and shall not include the value of any exemption pursuant to Sections 63-602P, 63-602AA, 63-602K, 63-602G, 63-602X, 63-602CC, and 63-602BB, Idaho Code. (7-1-97)

251. -- 259. (RESERVED).

260. ASSESSOR'S PLAT BOOK.

01. Plat Maps. Plat maps for all privately owned land shall be prepared. (7-1-97)

a. Permanent plats shall be drafted on thirty (30) inch by thirty-six (36) inch, 0.003 inch drafting film (minimum thickness). (See Sections 50-1304 and 63-209, Idaho Code.) (7-1-97)

b. Section, aliquot part, subdivision, and parcel boundaries shall be drafted with ink on drafting film

and in accordance with the most current, Bureau of Land Management (BLM) "Manual of Instructions for the Survey of the Public Lands of the United States" published by the Government Printing Office. (See Section 50-1304, Idaho Code.) (7-1-97)

c. Parcel numbers, and all other desired information, shall be drafted with ink. Annotative information shall be added as necessary and, if plotted by computer be of appropriate font style and size to be easily readable. The minimum letter height shall be 1.25 millimeters. (See Section 50-1304, Idaho Code.) (7-1-97)

d. Section outlines shall be platted according to: technical descriptions of Bureau of Land Management, formerly the General Land Office (GLO), surveys, (Section 31-2709, Idaho Code); descriptions on recorded surveys (Sections 55-1901 through 55-1911, Idaho Code); recorded corner perpetuation records (Sections 55-1603 through 55-1612, Idaho Code); recorded subdivision plats and assessor's plats (Sections 50-1301 through 50-1330, 63-209, and 63-210(2) Idaho Code); deeds or contracts with metes and bounds descriptions (Section 31-2709, Idaho Code); highway, railroad, and other engineering quality route surveys; relevant court decisions; and unrecorded data from registered land surveyors (Section 31-2709, Idaho Code). (7-1-97)

e. Subdivision of sections shall be platted. (See Sections 31-2709 and 63-209, Idaho Code.) (7-1-97)

02. Map Scales. Non-Computer and computer generated maps shall be scaled. (7-1-97)

a. Non computer generated plats shall be: One (1) township at one (1) inch = fourteen thousand four hundred (14,400) inches (1,200 feet), 1:14,400; four (4) sections at one (1) inch = four thousand eight hundred (4,800) inches (400 feet), 1:4,800; one (1) section at one (1) inch = twenty four hundred (2400) inches (200 feet), 1:2,400; one (1) quarter section at one (1) inch = twelve hundred (1,200) inches (100 feet), 1:1,200. (7-1-97)

b. Mapping done from aerial photographs will have the scale recalculated and shown on the map. (7-1-97)

c. Subdivision, townsite, and metes and bounds parcels shall be platted to include the basis of bearing with monuments and their coordinates relative to the "Idaho Coordinate System". (See Section 31-2709, Idaho Code, Sections 50-1301, 50-1303, and 50-1304, Idaho Code.) (7-1-97)

d. Plat titles, subdivision names, and parcel dimensions shall be drafted with ink, or generated by computer at an appropriate scale. The minimum letter height shall be 1.25 millimeters. (7-1-97)

03. Property Ownership Records. Ownership shall be shown on the property ownership records. (7-1-97)

a. Ownership notations include the reputed owner of the property or note that the owner is unknown, or list other persons with interests of record. Ownership may be ascertained from numerous recorded sources. (See Sections 63-212, and 63-307, Idaho Code.) (7-1-97)

b. Purchasers, agents, guardians, executors, administrators, heirs, and claimants may have their names inserted with the recorded owner's name. (See Sections 63-212 and 63-307, Idaho Code.) (7-1-97)

04. Uniform Parcel Numbering System. Each parcel shall be assigned a parcel number. (7-1-97)

a. The uniform parcel numbering system shall be used for mapping and record keeping. Each parcel's uniform parcel number shall appear on the plat map and on a companion sheet. The assigned parcel number may also be the tax number. (See Sections 63-209 and Section 63-210(1), Idaho Code.) (7-1-97)

b. As long as the property boundary does not change, the new owner's name shall be assigned to the same parcel number on the companion sheet. A parcel number that exists at the time a property is divided or added to shall be canceled and a new number(s) assigned. (7-1-97)

c. Properties contiguous under common ownership but split by county line, section line, or tax code area boundary shall require separate parcel numbers. (7-1-97)

d. Rural land not subdivided shall have the township descriptor minus the "T" in positions 1, 2, and 3 of the parcel number. (7-1-97)

i. Positions 4, 5, and 6 shall be the range descriptor minus the "R". (7-1-97)

ii. Positions 7 and 8 shall be the section number. If the section number is less than 10, the section number is in position "8", preceded by a zero in position "7". (7-1-97)

iii. Positions 9, 10, 11, and 12 shall be the quarter section numbers. To assign the quarter section number, begin numbering in the northeast quarter (NE1/4) of the northeast quarter (NE1/4and proceed counterclockwise. Starting in the NE1/4 of the section the numbers used range from zero to two thousand three hundred ninety nine (1 to 2399). Continuing counterclockwise, beginning in the NE1/4 of the northwest quarter (NW1/4), the numbers continue from two thousand four hundred to four thousand seven hundred ninety nine (2400 to 4799), thence, starting in the NnnE1/4 of the southwest quarter (SW1/4), assign numbers from four thousand eight hundred to seven thousand one hundred ninety nine (4800 to 7199), and beginning in the NnnE1/4 of the southeast quarter (SE1/4), assign quarter section numbers from seven thousand two hundred to nine thousand nine hundred ninety nine (7200 to 9999).

iv. The following parcel number example denotes Township 10 North, Range 5 East, Section 4 with the parcel being in the NE (7-1-97)

e. Land not subdivided inside the city limits shall have a letter in position 1 of the parcel number. Each city letter designator shall be unique. (7-1-97)

i. Positions 2, 3, 4, 5, and 6 shall be zeros. (7-1-97)

ii. Positions 7 and 8 shall be the section number. Number these positions as required in Subsection 4d of this rule. (7-1-97)

iii. Positions 9, 10, 11, and 12 shall be the quarter section number. Number these positions as required in Subsection 4d of this rule. (7-1-97)

iv. When a metes and bounds parcel inside city limits is being numbered, positions 9, 10, 11, and 12 locate the parcel to the nearest quarter section. (7-1-97)

v. If a government lot is within a section, or an extended government lot is an extension of a section, the quarter section numbering shall be assigned as rural land not subdivided. For a government lot within a quarter section, the assigned number shall be a number within the sequence of numbers for the quarter section. For an extended section, the assigned number shall be within the sequence from the extended quarter section. (7-1-97)

vi. The following parcel number example denotes a parcel in the NE the city identified by the letter "A": A 0 0 0 0 0 2 9 2 1 6 3. (7-1-97)

f. Subdivided land within the county, but not in a city, shall have the number zero, in position 1 of the parcel number. (7-1-97)

i. Positions 2, 3, 4, and 5 shall be the subdivision number. The subdivision number shall not contain alphabetic characters. Each subdivision, whether the original townsite or new subdivision, shall be assigned a four (4) digit number. (7-1-97)

ii. Positions 6, 7, and 8 shall be the block number. (7-1-97)

iii. Positions 9, 10, and 11 shall be the lot number designated on the subdivision plat or an assigned number if characters on the subdivision plat are not acceptable as a parcel number. (7-1-97)

iv. Position 12 shall be a zero (0) if the lot is as originally platted. If a lot has been split once or

combined once, then this becomes the letter, "A". If split a second time, the letter becomes a "B", etceteras. These splits or combinations shall be listed on the companion sheet. (7-1-97)

v. The following parcel number example denotes a subdivided parcel not in any city, identified by the number "0", subdivision number 62, block number 200, and lot number 29: 0 0 0 6 2 2 0 0 0 2 9 0. (7-1-97)

g. Subdivided land within the cities shall have the city letter in position 1 of the parcel number. Each city letter designator shall be unique. (7-1-97)

i. Positions 2, 3, 4, and 5 shall be the subdivision number. The subdivision number shall not contain alphabetic characters. Each subdivision, whether the original townsite or a new subdivision, shall be assigned a four (4) digit number. (7-1-97)

ii. Positions 6, 7, and 8 shall be the block number. (7-1-97)

iii Positions 9, 10, and 11 shall be the lot number designated on the subdivision plat. An assigned subdivision plat number may be used if numbers comply with the parcel numbering system. (7-1-97)

iv. Position 12 shall be a zero (0) if the lot is as originally platted. If a lot has been split once or combined once, then this becomes the letter "A". If split a second time, the letter becomes a "B", etceteras. These splits or combinations shall be listed on the companion sheet. (7-1-97)

v. When one whole lot and part of another adjoining lot are under common ownership, one parcel number may be assigned. That parcel number shall be written using the whole lot's number and position 12 shall be a letter. (7-1-97)

vi. The following parcel number example denotes a parcel in the city identified by the letter "A", in subdivision with number 0062, block number 200, lot number 029, and has been modified once: A 0 0 6 2 2 0 0 0 2 9 A. (7-1-97)

h. Patented mines and patented mining claims shall have the number "9" in positions 1 and 2 of the parcel number. (7-1-97)

i. Positions 3 through 8 shall denote the township and range, as in the land not subdivided format. (7-1-97)

ii. Positions 9 through 12 shall be a county assigned sequential account number for individual mines. (7-1-97)

iii. The following parcel number example denotes a parcel that is a patented mine in township 10 North, Range 36 East, with county assigned number 58: 9 9 1 0 N 3 6 E 0 0 5 8. (7-1-97)

i. Condominiums in a city shall have a letter in position 1 of the parcel number. The city designator shall be a unique letter. For condominiums not in any city, position 1 is a zero. (7-1-97)

i. Positions 2, 3, 4, and 5 shall be the condominium number and shall be four numbers. To differentiate between condominiums and subdivisions, numbers 0001 through 8999 are to be used for subdivisions, and numbers 9000 through 9999 for condominiums. Fill positions preceding the number with zeros to occupy all four positions. (7-1-97)

ii. Positions 6, 7, and 8 shall be the block or building number. Position 6 may be a "C" to differentiate between a typical block or building number and a condominium common area. (7-1-97)

iii. Positions 9, 10, and 11 shall be the lot or unit number designated on the condominium plat or an assigned number. An assigned condominium plat number may be used if numbers comply with the parcel numbering system. (7-1-97)

iv. Position 12 shall be a zero (0) if the parcel has not been modified since originally platted. If it has been split once or combined once, then this character becomes an “A”. If split a second time, the character becomes a “B”, etceteras. These splits or combinations shall be listed on the companion sheet. (7-1-97)

v. The following parcel number example denotes a parcel that is in the city identified by the letter “A”, with condominium number 9062, block or building number 007, lot or unit number 029, and has not been modified since originally platted: A 9 0 6 2 0 0 7 0 2 9 0. (7-1-97)

261. -- 268. (RESERVED).

269. ENTRY OF PROPERTY UPON ROLL (Rule 269).
The assessor shall list property using categories as defined in ISTC 044. (7-1-93)

270. -- 273. (RESERVED).

274. MANUFACTURED HOME DESIGNATED AS REAL PROPERTY (Rule 274).

01. Statement Of Intent To Declare (SID). To declare a manufactured home real property, the homeowner shall complete a "Statement of Intent to Declare", SID, form as prescribed by the Commission. (3-23-94)

a. All information and signatures requested on the form shall be provided prior to recordation. (3-23-94)

b. The homeowner shall record the completed form. (3-23-94)

c. The homeowner shall provide the assessor a copy of the recorded SID form and the title or Manufacturer's Statement of Origin, MSO. If proof of ownership is being provided through the MSO, the buyer's purchase agreement shall be accepted by the assessor pending receipt of the MSO. For the purpose of this rule, the Manufacturer's Statement of Origin and Manufacturer's Certificate of Origin are synonymous. (3-23-94)

d. For new manufactured homes, the assessor shall verify that sales or use tax has been collected or shall collect such tax. Any sales or use tax collected by the assessor shall be remitted to the Commission. (3-23-94)

e. The assessor shall forward a copy of the SID form and the title or MSO to the Idaho Transportation Department. The Idaho Transportation Department will cancel the title. (3-23-94)

02. Reversal Of Declaration Of Manufactured Home As Real Property. To provide for the reversal of the declaration of the manufactured home as real property, the homeowner shall complete the "Reversal of Declaration of Manufactured Home as Real Property" form as prescribed by the Commission. The homeowner shall submit this completed form to the assessor within the required time period. (3-23-94)

a. The homeowner shall also submit to the assessor a title report with the appropriate signatures of consent attached. (3-23-94)

b. The assessor shall transmit to the Idaho Transportation Department a copy of the completed reversal form, title report with appropriate signatures of consent, and the application for title to the manufactured home. (3-23-94)

03. Definition of Permanently Affixed. (3-23-94)

a. For manufactured home installations prior to 1989, permanently affixed means physically attached or connected to a foundation in a manner which will maintain and continue said manufactured home in the same location. (3-23-94)

b. For manufactured home installations from 1989 to present, permanently affixed means complying with Section 44-2205, Idaho Code. (3-23-94)

275. -- 299. (RESERVED).

300. PROGRAM OF EDUCATION (Rule 300).

01. Administration. The education program shall be the responsibility of the State Tax Commission (Commission) through its education director. The assessors' education committee and the Commission's education director shall set the curriculum of classes for the annual education program. This curriculum shall include classes important to providing training to appraise property for assessment purposes. (1-1-98)

02. Education And Certification Requirements. An applicant for certification must have passed Commission Course No. 1, IAAO Course No. 2, or equivalent courses, and must have a minimum of twelve (12) months experience appraising for tax assessment purposes in Idaho or equivalent property tax appraisal experience approved by the examination committee. These requirements must be completed in the five (5) year period immediately preceding application. (1-1-98)

a. Equivalency for Course No. 1 and No. 2 shall be established by the Commission and approved by the examination committee. (7-1-93)

b. Beginning January 1, 1998 and on or before each January 1 thereafter, to maintain certification, each "certified property tax appraiser", who became certified on or before December 31, 1995, shall have completed thirty-two (32) hours of appraisal education during the previous two (2) years as described in Subsection 300.02.d. of this rule. Beginning January 1, 1998, to maintain certification, each "certified property tax appraiser", who became certified during the two (2) year period prior to each January, shall have completed sixteen (16) hours of appraisal education during the calendar year following the year of certification. By January 1 of each year thereafter, said "certified property tax appraiser" shall have completed thirty-two (32) hours of appraisal education during the previous two (2) years as described in Subsection 300.02.d. (1-1-98)

c. The examination committee shall decide which classes meet the requirements for maintaining certification and the hours of appraisal education awarded for each. For Commission administered classes, the Commission's staff will monitor attendance and hours of appraisal education to be awarded to each "certified property tax appraiser" in attendance. For these classes, the education director shall provide certificates of attendance showing the number of hours of appraisal education to be awarded. For those not administered by the Commission, the "certified property tax appraiser" has the responsibility to report education hours completed. The report shall be on a form provided by the Commission and shall be submitted to the education director. To receive education hours for any classes not administered by the Commission, a copy of a record verifying attendance must be submitted with the report of education hours completed. (1-1-98)

d. The Commission shall maintain records to show the number of hours completed during the current year and the previous two (2) years. By June and November each year, the education director shall send an appraisal certification status report to each county assessor. This report will list each "certified property tax appraiser," who is known to be employed by or under contract with said assessor, and show the number of hours of appraisal education completed during the previous and current years. (1-1-98)

e. For Commission developed classes in which a test is given, the education director will notify the appropriate county assessor of the grades achieved on the test. (1-1-98)

f. Any "certified property tax appraiser" failing to meet the continuing education requirements shall be placed on six (6) month probation by the examination committee. Any "certified property tax appraiser" failing to meet the continuing education requirements within the probationary period shall forfeit certification or may, on a one (1) time only basis, submit a written petition to the examination committee for a six (6) month extension of probation. This petition must be made at least thirty (30) days prior to the expiration date of the first probationary period. (1-1-98)

g. For recertification, an applicant must apply to the examination committee within five (5) years of the date certification was canceled. An applicant for recertification must satisfactorily complete a written examination approved by the committee. The time and place of the examination are to be decided by the committee. If more than five (5) years have lapsed since certification was canceled, recertification shall not be granted. After the five (5) year

period, an applicant must apply for certification under the same conditions as required for initial certification. (1-1-98)

h. The county shall reimburse its employees' expenses for registration, tuition, fees, texts, travel, food, and lodging required to comply with these rules. (1-1-98)

i. Any independent appraiser working under contract with state or county governments to appraise for tax assessment purposes must be a "certified property tax appraiser". (1-1-98)

j. Each person, except the county assessor, members of the county board of equalization and State Tax Commissioners, making decisions regarding final values for assessment purposes shall be a "certified property tax appraiser." (1-1-98)

03. Examination Committee -- Establishment And Procedures. The examination committee shall be composed of three (3) assessors, one (1) member of the Idaho Association of Assessment Personnel, and the Commission's education director. Committee appointments shall be made by the Commission. The committee will operate by majority rule. (1-1-98)

a. Terms. The term of the Commission's education director shall be continuous. The other members shall serve four (4) year terms. The education director shall maintain records of dates of appointments. (7-1-93)

b. If any member fails to serve the full appointed term, the Commission shall appoint another person for the remainder of the unexpired term. The appointee shall be from the same category as the one who failed to serve. (7-1-93)

c. The committee shall elect a chairman each year. (7-1-93)

d. Any applicant may appeal to a review board any complaints concerning matters involving examination structure, grading, or grievances concerning the committee. The review board shall consist of four (4) persons: the president of the Idaho Assessors' Association; a person appointed by the president of the Idaho Assessors' Association; a person appointed by the examination committee; and a person appointed by the Commission. No board member may be an assessor of the applicant's county or a member of the examination committee. (1-1-98)

e. The applicant may request, in writing to the Commission's education director, permission to take the examination for Commission Course No. 1. The director shall set the time and place for the examination.(7-1-93)

04. Incentives For Certification. The legislature and Commission recommend that counties offer pay incentives to encourage employees to obtain prompt certification. These pay incentives should include at least three (3) parts: state certification; successful completion of additional professional appraisal courses or seminars; and designation from a recognized professional appraisal organization. (1-1-98)

301. MAKE, ADOPT, AND PUBLISH RULES (Rule 301).
Any person, group, or other association may petition the Commission for promulgation, amendment, or repeal of a rule pursuant to the Administrative Procedures Act, Section 67-5255, Idaho Code. Such petitions may be submitted to the Commission in any written form but must contain an express statement that the writing is intended to be such a petition. In the case of a petition to promulgate or amend a rule, the petition must include suggested language to effect the desired regulatory action. The petition shall also include a statement of the reasons the petitioner believes the proposals should be adopted, and shall also include a statement of anticipated economic impact of the proposed change. Within thirty (30) days of receipt of a petition, the Commission shall notify the petitioner whether or not the Commission will institute rule making procedures in accordance with the Administrative Procedures Act for the purpose of considering the petitioner's proposal. The petitioner shall receive written notice of time and place of all public hearings which the Commission may hold in regard to such a proposed rule. (7-1-93)

302. -- 313. (RESERVED).

314. COUNTY VALUATION PROGRAM TO BE CARRIED ON BY ASSESSOR (Rule 314).

01. Definitions. (7-1-99)

a. Continuing program of valuation. "Continuing program of valuation" means the program by which each assessor completes the assessment of all taxable properties each year. (7-1-99)

b. Field inspection. The "field inspection" shall include an observation of the physical attributes of all structures which significantly contribute to the property value, the visible land amenities, and a notation of any other factors which may influence the market value of any improvements. (7-1-99)

c. Index. "Index" refers to any annual adjustment or trending factor applied to existing assessed values to reflect current market value. Ratio studies or other market analyses can be used to develop indexes based on property type, location, size, age or other characteristics. (7-1-99)

d. Prediction of market value. As used in Section 63-314, Idaho Code, "prediction of market value" means an estimate of market value. (7-1-99)

02. Plan For Continuing Program Of Valuation. The plan for continuing program of valuation shall include: (7-1-99)

a. General contents. A parcel count by category, the number of parcels to be appraised each year, maps that show each of the market areas, an analysis of staff requirements, a budget analysis (that includes labor costs, capital and supply costs, travel and education costs), and the method of program evaluation. (7-1-99)

b. Market data bank. A market data bank including collection, verification and analysis of sales, income and expense data, building cost information, and application of this information to estimate market value. (7-1-99)

c. Maps. Maps prepared in accordance with Section 63-209, Idaho Code, which identify characteristics of each geographic area. (7-1-99)

d. Property record. A property record for each parcel, complete with the property characteristics necessary for an estimate of the current market value. (7-1-99)

03. Date Plan Is Submitted. The plan must be submitted to the State Tax Commission on or before the first Monday of February in 1997, and every fifth year thereafter. (7-1-99)

04. Testing For Current Market Value. Assessed values shall be tested annually by the State Tax Commission as described in Section 63-109, Idaho Code, and Rule 131 of these rules to determine whether they reflect "current market value". (7-1-99)

315. -- 316. (RESERVED).

317. OCCUPANCY TAX ON NEWLY CONSTRUCTED IMPROVEMENTS ON REAL PROPERTY (Rule 317).

01. Manufactured Housing. Occupancy tax shall apply to industrial structures and new manufactured housing. Used manufactured housing is not subject to the occupancy tax. (3-23-94)

02. Value Prorated Monthly. The value for occupancy tax purposes shall be prorated at least monthly. (3-23-94)

03. Market Value. The market value for occupancy tax purposes shall be entered on an occupancy tax valuation roll. Occupancy tax shall not be included in the assessed value of any taxing district, but must be declared in the certified budget. (3-23-94)

318. -- 326. (RESERVED).

327. EQUALIZATION BY CATEGORY--IDENTIFICATION AND REAPPRAISAL (Rule 327).

01. Identification Of Property. Property shall be identified for assessment purposes in the categories outlined below. These categories are to be used on the assessment notice and on the abstract of assessment. Categories segregate properties into groups of like status and function. (7-1-93)

a. CATEGORY 1. Irrigated Agricultural Land. Irrigated land capable of and normally producing machine harvestable crops. (3-23-94)

b. CATEGORY 2. Irrigated Pasture Land. Irrigated land used for pasture and not normally capable of producing machine harvestable crops. (3-23-94)

c. CATEGORY 3. Non-irrigated Agricultural Land. Land capable of and normally producing machine harvestable crops without man-made irrigation. (3-23-94)

d. CATEGORY 4. Meadow Land. Land capable of lush production of grass. (3-23-94)

e. CATEGORY 5. Dry Grazing Land. Land capable of supporting grasses and browse, but incapable of supporting crops on regular rotation. (3-23-94)

f. CATEGORY 6. Productivity Forestland. Forestland assessed under the productivity option. (3-23-94)

g. CATEGORY 7. Bare Forestland. Forestland assessed as bare land with the yield tax option. (3-23-94)

h. CATEGORY 8. Reforestation Land. Land for which the owner agrees to carry on specified reforestation practices. (3-23-94)

i. CATEGORY 9. Patented Mineral Land. (3-23-94)

j. CATEGORY 10. Homesite Land. Land being utilized for homesites on categories 1 through 9. (3-23-94)

k. CATEGORY 11. Recreational Land. Land used in conjunction with recreation but not individual homesites. (3-23-94)

l. CATEGORY 12. Rural Residential Tracts. Rural residential land not in a properly recorded subdivision. (3-23-94)

m. CATEGORY 13. Rural Commercial Tracts. Rural commercial land not in a properly recorded subdivision. (3-23-94)

n. CATEGORY 14. Rural Industrial Tracts. Rural industrial land not in a properly recorded subdivision. (3-23-94)

o. CATEGORY 15. Rural Residential Subdivisions. Rural residential land in a properly recorded subdivision. (3-23-94)

p. CATEGORY 16. Rural Commercial Subdivisions. Rural commercial land in a properly recorded subdivision. (3-23-94)

q. CATEGORY 17. Rural Industrial Subdivisions. Rural industrial land in a properly recorded subdivision. (3-23-94)

r. CATEGORY 18. Other Land. Land not compatible with other categories. (4-5-95)

s. CATEGORY 19. Waste. Public Rights-of-Way includes roads, ditches, and canals. Use this category to account for total acres of land ownership. Acres in this category shall be listed on the abstract. (4-5-95)

t. CATEGORY 20. Residential Lots or Acreages. Land INSIDE city limits zoned residential. (3-23-94)

u. CATEGORY 21. Commercial Lots or Acreages. Land INSIDE city limits zoned commercial. (3-23-94)

v. CATEGORY 22. Industrial Lots or Acreages. Land INSIDE city limits zoned industrial. (3-23-94)

w. CATEGORY 25. Common Areas. Land and improvements not included in individual property assessments. (4-5-95)

x. CATEGORY 26. Residential Condominiums. Land and improvements included in individual assessments of condominiums in areas zoned residential or in areas zoned commercial or industrial but maintained as residences. (7-1-97)

y. CATEGORY 27. Commercial or Industrial Condominiums. Land and improvements included in individual assessments of condominiums in areas zoned commercial or industrial. (3-23-94)

z. CATEGORY 30. Improvements. Other than residential, located on category 20. (3-23-94)

aa. CATEGORY 31. Improvements. Residential improvements located on category 10 that qualify for circuit breaker programs. (3-23-94)

bb. CATEGORY 32. Improvements. Other than residential, located on categories 1 through 12 and 15. (3-23-94)

cc. CATEGORY 33. Improvements. Located on category 11. (3-23-94)

dd. CATEGORY 34. Improvements. Residential in nature, located on category 12. (3-23-94)

ee. CATEGORY 35. Improvements. Commercial in nature, located on category 13. (3-23-94)

ff. CATEGORY 36. Improvements. Industrial in nature, located on category 14. (3-23-94)

gg. CATEGORY 37. Improvements. Residential in nature, located on category 15. (3-23-94)

hh. CATEGORY 38. Improvements. Commercial in nature, located on category 16. (3-23-94)

ii. CATEGORY 39. Improvements. Industrial in nature, located on category 17. (3-23-94)

jj. CATEGORY 40. Improvements. Located on category 18. (3-23-94)

kk. CATEGORY 41. Improvements. Residential in nature, located on category 20. (3-23-94)

ll. CATEGORY 42. Improvements. Commercial in nature, located on category 21. (3-23-94)

mm. CATEGORY 43. Improvements. Industrial in nature, located on category 22. (3-23-94)

nn. CATEGORY 44. Improvements. Taxable improvements located on otherwise exempt property under the same ownership. (3-23-94)

oo. CATEGORY 45. Utility Systems. Locally assessed utility systems not under the jurisdiction of the

Commission. (3-23-94)

pp. CATEGORY 46. Manufactured Housing. Structures transportable in one or more sections, built on a permanent chassis, for use with or without permanent foundation. (3-23-94)

qq. CATEGORY 47. Improvements to Manufactured Housing. Additions not typically moved with manufactured housing. (3-23-94)

rr. CATEGORY 48. Manufactured Housing. Manufactured housing on which a statement of intent to declare as real property has been filed. (3-23-94)

ss. CATEGORY 55. Boats or Aircraft. Unlicensed watercraft or unregistered aircraft. (3-23-94)

tt. CATEGORY 56. Construction Machinery, Tools, and Equipment. Unlicensed equipment such as cranes, tractors, scrapers, and rock crushers, used in the building trade or road construction. (3-23-94)

uu. CATEGORY 57. Equities in State Property. Property purchased from the state under contract. (4-5-95)

vv. CATEGORY 58. Farm Machinery, Tools, and Equipment. Unlicensed farm or ranch machinery, shop tools, or equipment not assessed as real property. (3-23-94)

ww. CATEGORY 59. Furniture, Fixtures, Libraries, Art, and Coin Collections. Trade articles used commercially for convenience, decoration, service, storage, including store counters, display racks, typewriters, office machines, surgical and scientific instruments, paintings, books, coin collections, and all such items held for rent or lease. (3-23-94)

xx. CATEGORY 60. Improvements on Railroad Rights-of-Way. Improvements located on railroad rights-of-way under separate ownership. (3-23-94)

yy. CATEGORY 61. Improvements by Lessee Other Than Category 62. Improvements made by the tenant or lessee to landlord's property. (3-23-94)

zz. CATEGORY 62. Improvements on Exempt or Public Land. Taxable improvements which are owned separately from exempt or public land on which they are located. (3-23-94)

aaa. CATEGORY 63. Logging Machinery, Tools, and Equipment. Unlicensed logging machinery, shop tools, and equipment not assessed as real property. (3-23-94)

bbb. CATEGORY 64. Mining Machinery, Tools, and Equipment. Unlicensed mining machinery, shop tools, and equipment not assessed as real property. (3-23-94)

ccc. CATEGORY 65. Manufactured Housing. Manufactured housing not considered real property located on exempt land. (3-23-94)

ddd. CATEGORY 66. Net Profits of Mines. That amount of money or its equivalent received from the sale or trade of minerals or metals extracted from the Earth after deduction of allowable expenses as defined in Section 63-2802, Idaho Code, or by Commission rule. (3-23-94)

eee. CATEGORY 67. Operating Property. Property assessed by the Commission. (3-23-94)

fff. CATEGORY 68. Other Miscellaneous Machinery, Tools, and Equipment. Unlicensed machinery, tools, and equipment not used in agriculture, construction, logging, or mining. (3-23-94)

ggg. CATEGORY 69. Recreational Vehicles. Unlicensed recreational vehicles. (3-23-94)

hhh. CATEGORY 70. Reservations and Easements. Reservations, including mineral rights reserved

divide ownership of property rights. Easements convey use but not ownership. (3-23-94)

iii. CATEGORY 71. Signs and Signboards. Signs and signboards, their bases and supports. (3-23-94)

jjj. CATEGORY 72. Tanks, Cylinders, Vessels. Containers. (3-23-94)

kkk. CATEGORY 81. Exempt Property. For county use in keeping an inventory, including acreage, of exempt real and personal property. (3-23-94)

328. (RESERVED).

329. IDENTIFICATION OF URBAN RENEWAL INCREMENT AND PARTIAL EXEMPTION VALUES ON COUNTY AND SCHOOL DISTRICT ABSTRACTS OF VALUE (Rule 329).

01. County And School District Abstracts To Balance. The taxable value of property in each category as shown on the abstracts prepared and submitted pursuant to section 63-509, Idaho Code, shall equal the sum of the taxable value of property in each category as shown on the school district abstracts, required pursuant to rule 250, for the portion of each school district located within each given county. (7-1-97)

02. Identification Of Increment. The value that exceeds the value on the base assessment roll in any urban renewal district, pursuant to Chapter 29, Title 50, Idaho Code, and Rule 350 shall be identified as the "increment". (7-1-97)

03. Increment And Exemption Values To Be Indicated. Beginning in 1997, in addition to the value of exemptions required pursuant to section 63-509, Idaho Code, any increment value and the value of any exemption provided under Sections 63-602X and 63-602BB, Idaho Code, shall be indicated and subtracted from the taxable value shown for each category of property on each county and school district abstract. (7-1-97)

330. -- 349. (RESERVED).

350. TAX LEVY -- CERTIFICATION -- URBAN RENEWAL DISTRICTS (Rule 350).

01. Budget Certification. The certification required shall be made to each board of county commissioners representing each county in which the district is located. The certification shall be on a form prescribed by the Tax Commission. (7-1-97)

02. Cross Reference. Additional certification of full market value by taxing district is required as specified in PTR 635. (3-23-94)

03. Levy Computation For Taxing Districts Encompassing Revenue Allocation Areas Within Urban Renewal Districts. Beginning in 1997, the property tax levy for any taxing district or unit which includes all or part of a revenue allocation area (RAA) in an urban renewal district, as defined in Chapter 29, Title 50, Idaho Code, shall be computed as described in the following subsections. (7-1-97)

a. The current base value of each parcel in a taxing district or unit shall be the value of that parcel on the current base assessment roll as defined under section 50-2903, Idaho Code. The taxable value of each category of property in a parcel for the year immediately preceding the year the RAA is established is to be summed to establish initial base year value for each parcel. If a parcel's legal description has changed prior to computing initial base year value, the value that best reflects the prior year's taxable value of the parcel's current legal description must be determined and will constitute the initial base year value for such parcel. (7-1-97)

b. The dollar amount certified for the property tax portion of the budget of the taxing district or unit shall be divided by the market value for assessment purposes of all taxable property within the taxing district or unit, including the value of each parcel on the current base assessment roll (base value), but excluding the increment value. The "increment value" is the difference between the current equalized value of each parcel of taxable property in the taxing district or unit and that parcel's current base value. Each parcel's current base value shall be adjusted by category. Adjustments to base values for any real, personal, or operating property shall establish new base values from

which future adjustments may be made. (7-1-97)

c. Before other adjustments can be made, the most recent base value must be adjusted to reflect changes in each parcel's legal description. This adjustment shall be calculated as described in the following subsections. (7-1-97)

i. When a parcel has been split, the most recent base year value is transferred to the new parcels, making sure that the new total equals the most recent base year value. (7-1-97)

ii. When a parcel has been combined with another parcel, the most recent base year values are added together. (7-1-97)

iii. When a parcel has been split and combined with another parcel in the same year, the value of the split shall be calculated as set forth in Subsection 350.03.i. and then the value of the combination will be calculated as set forth in Subsection 350.03.ii. (7-1-97)

d. For operating property, the original base value shall be allocated to the RAA on the same basis as is used to allocate operating property to taxing districts and units. The operating property base value shall be adjusted as required under Section 50-2903, Idaho Code. (7-1-97)

e. Base values are to be adjusted downward when the current taxable value of any parcel in the RAA is less than the most recent base value for such parcel. Base values are to be adjusted downward for properties becoming exempt and upwards for exempt properties becoming taxable. Adjustments to base values will be calculated on a parcel by parcel basis, each parcel being a unit and the total value of the unit being used in the calculation of any adjustment. (7-1-97)

f. Base values are to be adjusted downward for real, personal, and operating property removed from the RAA. Property shall be considered removed only under the conditions described in the following subsections. (7-1-97)

i. For real property, all of the improvement is physically removed from the RAA, provided that there is no replacement of said improvement during the year the original improvement was removed. If said improvement is replaced during the year of removal, the reduction in base value will be calculated by subtracting the value of the new improvement from the current base value of the original improvement, provided that such reduction is not less than zero (0). (7-1-97)

ii. For personal property, all of the personal property associated with one parcel is physically removed from the RAA. (7-1-97)

iii. For operating property, any of the property under a given ownership is removed from the RAA. (7-1-97)

g. The increment value shall not be included in the calculation of the levy of any taxing district or unit. (7-1-97)

351. EXTENSIONS OF STATUTORY DEADLINES FOR DISASTER RELIEF (Rule 351).

01. Application By County Officials. A county official who, because of any extension of time authorized by Section 63-220, Idaho Code, is unable to comply with a statutory deadline imposed in Title 63, Idaho Code, may apply to the State Tax Commission for a reasonable delay, not to exceed sixty (60) days, of any such act. (3-23-98)

02. Contents Of Application. The application shall be submitted prior to the statutory deadline in regard to which the approval of delay is sought and shall include: (3-23-98)

a. A description of the nature of the relief granted, or expected to be granted, to taxpayers pursuant to Section 63-220(a), Idaho Code, by the Board of County Commissions; and (3-23-98)

b. Identification of any statutory deadline in regard to which the delay is sought; and (3-23-98)

c. The date by which the official making the application expects to accomplish the action in regard to which the delay is sought; and (3-23-98)

d. A request that the State Tax Commission approve the delay sought. (3-23-98)

03. Procedure. Within five (5) working days of receipt of the request the State Tax Commission shall respond in writing to the official requesting the delay. The Commission shall approve any request for extension that complies with Subsections 351.01 and 351.02 of this rule. (3-23-98)

352. -- 399. (RESERVED).

400. ACCESS TO INFORMATION ON VALUATION (Rule 400).

01. Public Records And Qualifying Disclosure Exemption. Public records are presumed to be open to the public. Records containing certain information pertaining to private businesses may be exempt from disclosure. See Sections 9-337 and 9-340(4), Idaho Code. (7-1-99)

02. Designation Of Information As Confidential. The taxpayer, whose operating property is assessed by the State Tax Commission, or the operator of this property may designate all or part of the information in the operator's statement as confidential. Information submitted as a supplement or schedule to the operator's statement may also be designated in whole or in part as confidential. The request must be made in writing and attached to the operator's statement required by Rule 404 of these rules. (7-1-99)

03. Treatment Of Designated Information. The State Tax Commission shall treat the designated confidential information and the portions of the appraisal reports, incorporating such information, as exempt from disclosure under Section 9-340(4), Idaho Code. (7-1-99)

04. Assessor's Access To Designated Information. The assessor of a county in which the value of an operating property is apportioned may, in the offices of the State Tax Commission, examine the information designated as confidential for the operating property in question. An assessor cannot disclose this information. The assessor cannot obtain or make copies of this information. (7-1-99)

401. -- 403. (RESERVED).

404. OPERATOR'S STATEMENT--CONTENTS (Rule 404).

01. Operator's Statement. In the operator's statement, the number of miles of railroad track, electrical and telephone wire, pipeline, etc., must be reported to the hundredth mile in decimal form (0.00) in each taxing district or taxing authority and must be reported by the uniform tax code area method. (7-1-99)

02. Tax Code Area Maps. By February 15 of each year, the State Tax Commission shall send to all companies having operating property within the state of Idaho, except private railcar fleets, a list of all changes in tax code area boundary lines. The reporting company shall review the list of changes to identify any tax code areas, within which any of the company's operating property is located. The reporting company shall report, under Subsection 404.01, based on these identified tax code areas. The State Tax Commission shall provide the tax code areas maps to the reporting company at cost. (7-1-99)

03. Reporting Of Mileage. The following procedures apply for reporting mileage. (7-1-99)

a. Railroads. The railroad track mileage shall be reported by the name of the main line and branch lines with the track mileage for the main line and branch lines reported as Main Track Miles. Track miles consisting of passing track, yard switching, spurs, sidings, etc., shall be reported as Secondary Track Miles. (7-1-99)

b. Electric Power Companies. Transmission and distribution lines shall be defined based on the

"Uniform System of Accounts" published by the Federal Energy Regulatory Commission. Cooperative electrical associations may include lines designed to accommodate thirty-four thousand five hundred (34,500) volts or more as transmission or distribution lines. Transmission or distribution lines shall be reported by single linear wire mile. (7-1-99)

c. Telephone Companies. All telephone wire mileage shall be reported on a single linear wire mile basis, and include any ground wires. (7-1-99)

d. Natural Gas and Water Distribution Companies. All natural gas and water distribution companies shall report pipeline miles on a three (3) inch comparison basis. For example, a company with five (5) miles of six (6) inch pipe will report ten (10) pipeline miles: five (5) times six (6) divided by three (3) equals ten (10) miles. (7-1-99)

e. Transmission Pipelines. Transmission pipelines are reported in actual pipe sizes, without adjustment, because the pipe is normally uniform in size over long distances. (7-1-99)

04. Situs Property. Situs property includes microwave stations and radio relay towers. This property is not apportioned on the basis of mileage. The investment in this property shall be reported in the tax code area, within which it is located. (7-1-99)

05. Record Of Property Ownership. The following procedures apply for maintaining records of operating property ownership. (7-1-99)

a. STC Form R. A record of each property owned, leased, or otherwise operated by each railroad, private railcar fleet or public utility shall be maintained by the State Tax Commission, the appropriate railroad, private railcar fleet or public utility, and the appropriate county assessor's office. Each record shall be maintained on a form identified as STC Form R. The State Tax Commission shall send a copy of each STC Form R to the appropriate company and the appropriate county assessor's office. (7-1-99)

b. Identification of Operating Property and Nonoperating Property. The State Tax Commission shall identify which property is operating property and which property is nonoperating property. (7-1-99)

c. Filing of Property Ownership by Railroad Companies. Each railroad company shall file the original railroad right-of-way maps with the State Tax Commission. Each railroad shall file an STC Form R, only, for property that is acquired, leased, or transferred between operating and nonoperating status, or sold during the prior year. (7-1-99)

06. Filing Date For Operator's Statement. By April 30 each year, each railroad, private railcar fleet, and or public utility company operating in Idaho shall file information pertinent to the company's ownership and operation with the State Tax Commission. This information must be reliable for preparing an estimate of market value. For each company submitting a written request for an extension on or before April 30, the State Tax Commission may grant an extension of the filing date until May 31. (7-1-99)

405. ASSESSMENT OF OPERATING PROPERTY (RULE 405).

01. The Unit Method. The unit method of valuation is preferred for valuing a railroad or public utility when the individual assets function collectively, are operated under one ownership and one management, are interdependent, and the property would be expected to trade in the marketplace as a unit. Under the unit method, the value of the tangible and intangible property is equal to the value of the going concern. The market value of the unit shall be referred to as the system value. For interstate property, allocation factors shall be used to determine what part of the system value is in Idaho. (7-1-99)

02. Identifying The Unit To Be Appraised. The unit includes all property used or useful to the operation of the system, property owned, used or leased by the business and the leased fee and leasehold interests. All title and interest in unit property shall be assessed to the owner, lessee or operating company. See Rule 615 of these rules for treatment of intangibles. (7-1-99)

03. Appraisal Approaches. The three (3) approaches to value may be considered for all property.

(7-1-99)

04. Appraisal Procedures. Market value shall be determined through procedures, methods, and techniques accepted by nationally recognized appraisal and valuation organizations. For operating property, the direct capitalization techniques or derivatives thereof shall not be used in estimating value. (7-1-99)

05. The Cost Approach. For operating property, the appraiser may consider replacement, reproduction, original or historical cost. (7-1-99)

a. Contributions in aid of construction. Contributions in aid of construction are valued at zero in the cost approach. (7-1-99)

b. Construction work in progress. Construction work in progress may be considered in the cost approach. (7-1-99)

c. Obsolescence. The appraiser shall attempt to measure obsolescence, if any exists. If obsolescence is found to exist, it may be considered in the cost approach. (7-1-99)

06. The Income Approach. For operating property, the income approach is based on the premise that value can be represented by the present worth of future benefits derived from the ownership, use or operation of the unit. The appraiser shall consider yield capitalization in processing the income approach. (7-1-99)

07. The Market Approach. In the market approach for operating property, the appraiser shall consider the sales comparison approach or the stock and debt approach. (7-1-99)

08. Reconciliation. Reconciliation, also called correlation, is an opinion regarding the weight that should be placed on each approach. The appropriate weight to be given each indicator is based on the appraiser's opinion of the inherent strengths and weaknesses of each approach and the data utilized. The appraisal report shall disclose the weight given to the indicators. (7-1-99)

09. Allocation. Factors should use readily available data from existing records. Factors themselves should not be an allocation. (7-1-99)

406. (RESERVED).

407. APPEAL OF OPERATING PROPERTY ASSESSMENTS (Rule 407).

01. Procedure Governed. This rule shall govern all practice and procedure before the State Tax Commission sitting as a Board of Equalization in hearings under Section 63-407, Idaho Code. (7-1-99)

02. Liberal Construction. These rules shall be liberally construed to secure just, speedy and economical determination of all issues presented to the State Tax Commission. For good cause the State Tax Commission may permit deviation from these rules. (7-1-99)

03. Communication. All notices and petitions required to be filed with the State Tax Commission must be in writing. Each notice must identify the filing party, be signed by the filing party, be dated and give the filing party's mailing address and telephone number. The provisions of Section 63-217, Idaho Code, apply to the filing of documents with the State Tax Commission. (7-1-99)

04. Service By State Tax Commission. All notices and orders required to be served by the State Tax Commission may be served by mail. Service shall be complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail. (7-1-99)

05. Notice To County Assessors. When the calendar of hearings under Section 63-407, Idaho Code, is final, the State Tax Commission shall send a copy of this calendar to the assessor of each county. (7-1-99)

06. Parties. The following are parties to a hearing of the State Tax Commission meeting as Board of

Equalization. (7-1-99)

a. Petitioner. A person petitioning for a hearing shall be called the petitioner. (7-1-99)

b. Staff. The State Tax Commission staff may appear as a party at the hearing and may be represented by one (1) or more Deputy Attorneys General assigned to the State Tax Commission. (7-1-99)

c. Legal advisor to the commission. When sitting as a Board of Equalization, the State Tax Commission may obtain legal advice from a Deputy Attorney General who is not representing the State Tax Commission staff. (7-1-99)

07. Appearances And Practice. The following apply for appearances and practice in a hearing. (7-1-99)

a. Rights of parties. At any hearing, both parties may appear, introduce evidence, examine and cross-examine witnesses, make arguments, and generally participate in the conduct of the proceeding. (7-1-99)

b. Taking of appearances. The presiding officer conducting the hearing shall require appearances to be stated and shall see that both parties present are identified on the record. (7-1-99)

c. Representation of taxpayers. An individual may represent himself or herself or be represented by an attorney. A partnership may be represented by a partner, authorized employee or by an attorney. A corporation may be represented by an officer, authorized employee or by an attorney. (7-1-99)

08. Pre-Hearing Conferences. The following apply for holding pre-hearing conferences. (7-1-99)

a. Reasons for holding pre-hearing conferences. The State Tax Commission may, upon notice to both parties, hold a pre-hearing conference for the following purposes: (7-1-99)

i. Formulating or simplifying the issues; (7-1-99)

ii. Obtaining admissions of fact and of documents which will avoid unnecessary proof; (7-1-99)

iii. Arranging for the exchange of proposed exhibits or prepared expert testimony; (7-1-99)

iv. Limiting the number of witnesses; (7-1-99)

v. Setting the procedure at for the hearing; and (7-1-99)

vi. Reviewing other matters to expedite the orderly conduct and disposition of the proceedings. (7-1-99)

b. Action taken. Any action taken at the conference and any agreement made by the parties concerned may be recorded and the State Tax Commission may issue a pre-hearing order which will control the course of subsequent proceedings unless modified. (7-1-99)

c. Compromise and offers to compromise. Evidence of an offer or agreement to compromise the dispute and the conduct and statements made in compromise negotiations are not admissible at the hearing. (7-1-99)

09. Hearings. The following apply to the hearings. (7-1-99)

a. Request for hearing. A request for a hearing shall be in the form of a petition filed with the State Tax Commission on or before August 1 of the current year. The petition shall state the factual and legal basis on which the request is based. (7-1-99)

b. Notice of hearing. The State Tax Commission shall notify both parties and all counties of the place, date and time of the hearing. (7-1-99)

c. Motions. Motions may be submitted for the State Tax Commission's decision by written or oral argument or both. The filing of affidavits in support or opposition is permitted. Motions filed by different parties but involving the same point of law may be set for hearing at the same time. The practice for motions shall generally conform to the Idaho Rules of Civil Procedure, with modifications and exceptions as ordered by the State Tax Commission. (7-1-99)

d. Presiding officer. The Chairman of the State Tax Commission shall appoint an individual who is not a member of the State Tax Commission's staff to conduct the hearing. In the absence of a conflict of interest or other good cause, this person will normally be the Commissioner overseeing the centrally assessed property section of the State Tax Commission or the designee thereof. A Commissioner shall not vote on any matters where he has oversight. (7-1-99)

e. Testimony under oath. All testimony to be considered by the State Tax Commission in hearings, except matters noticed officially or entered by stipulation, shall be under oath. Before taking the witness stand each person shall swear, or affirm, that the testimony he is about to give shall be the truth. (7-1-99)

f. Rules of evidence. No informality in any proceeding or in the manner of taking testimony shall invalidate any order or decision made by the State Tax Commission. The Idaho Rules of Evidence will be generally followed but may be modified at the discretion of the State Tax Commission to aid in ascertaining the facts. When objection is made to the admissibility of evidence, the evidence may be received subject to later ruling by the State Tax Commission. The State Tax Commission, at its discretion either with or without objection may limit or exclude inadmissible, incompetent, cumulative or irrelevant evidence. Parties objecting to the introduction of evidence shall briefly state the grounds of objection at the time such evidence is offered. (7-1-99)

g. Recessing hearing for conference. In any proceeding the presiding officer may, in at his discretion, call both parties together for a conference prior to the taking of testimony, or may recess the hearing for a conference. The presiding officer shall state on the record the results of the conference. (7-1-99)

h. Transcript. An official transcript of the hearing will be taken. A petitioner desiring the taking of stenographic notes by a qualified court reporter may notify the State Tax Commission in writing and shall arrange for the hiring of a reporter and bear the expense of the reporter's fees. If the reporter's transcript is deemed by the State Tax Commission or presiding officer as the official transcript of the hearing, the petitioner shall furnish the State Tax Commission a transcript free of charge. (7-1-99)

i. Transcript copies. A request for a copy of the transcript of proceedings at any hearing must be in writing or on the record. Upon completion of the transcript, the State Tax Commission shall notify the person requesting a copy of the fee for producing the transcript. Upon receipt of the fee, the State Tax Commission will send a copy of the transcript. (7-1-99)

408. RE-EXAMINATION OF VALUE--COMPLAINT BY ASSESSOR (Rule 408).

01. Request For Reexamination Of Value. Section 63-408, Idaho Code, entitles the assessor (complainant) of any county in which the value of operating property is apportioned, to request that the State Tax Commission reexamine the valuation. (7-1-99)

02. Information To Be Provided By The State Tax Commission. After final values are established and sent to the respective taxpayers, the State Tax Commission shall send to each County Assessor a statement of the value allocated to Idaho for each centrally assessed taxpayer, together with the previous year's Idaho value for that taxpayer. (7-1-99)

03. Complaint. On or before July 15, a complainant may file a complaint under Section 63-408, Idaho Code. A complaint by an assessor to the State Tax Commission to examine the valuation and allocation of value of operating property must be in writing and contain clear and concise questions regarding the valuation and allocation in question. The State Tax Commission shall send a copy of the complaint promptly to the taxpayer. (7-1-99)

04. Meeting To Examine Valuation And Allocation. Upon receipt of a complaint under Section 63-

408, Idaho Code, the staff of the State Tax Commission shall schedule a meeting between the staff appraiser(s) who performed the valuation and allocation and the complainant. Notice of this meeting shall be sent to the taxpayer in question. At this meeting, the staff appraiser(s) shall answer the complainant's questions to the best of his knowledge. The taxpayer or representative may participate in this meeting. (7-1-99)

409. -- 410. (RESERVED).

411. PRIVATE CAR REPORTING BY RAILROAD COMPANIES (Rule 411).
The president or other officer of each railroad company whose railroad tracks run through, in or into Idaho shall, by April 15 of each year file a report with the State Tax Commission. The report form is available from the State Tax Commission upon request. The completed report shall include the following: (7-1-99)

01. Name Of Reporting Railroad Company. The name of the railroad company making the report. (7-1-99)

02. Name Of Private Railcar Fleet. The name of each private railcar fleet, defined under Sections 63-201(14) and 63-411, Idaho Code, having traveled on the reporting railroad company's track. (7-1-99)

03. Private Railcar Fleet's Address. The business address of each reported private railcar fleet. (7-1-99)

04. Car Classification. Classification of cars by symbol, XC, SC, etc., according to Official Railway Equipment Register. (7-1-99)

05. Initials. Car initials. (7-1-99)

06. Miles Traveled. Total number of miles traveled on the reporting railroad's track, including main line, branches, sidings, spurs, and warehouse or industrial track in Idaho during the year ending December 31 of the preceding year. (7-1-99)

412. (RESERVED).

413. SPECIAL PROVISIONS FOR PRIVATE RAILCAR FLEETS (Rule 413).

01. Definitions. The following terms are defined for the valuation, allocation and apportionment of private railcar fleets. (7-1-99)

a. Idaho Miles. The Idaho miles are the total number of miles traveled in Idaho by all cars in the private railcar fleet during the calendar year immediately preceding the current tax year. (7-1-99)

b. Idaho Taxable Value. The Idaho taxable value is that portion of the system value that reflects the value of that part of the private railcar fleet located in Idaho during all or part of a tax year. (7-1-99)

c. System Miles. The system miles are the total number of miles, both in and out of Idaho, traveled by all cars in the private railcar fleet during the calendar year immediately preceding the current tax year. (7-1-99)

d. System Value. The system value is the value of the entire private railcar fleet regardless of the location of its various components. (7-1-99)

02. Railcar Valuation, Allocation And Apportionment. For tax years beginning on or after 1998, the State Tax Commission will appraise the system value of each private railcar fleet and allocate a portion of the system value to Idaho to obtain the Idaho taxable value as set forth below. The Idaho taxable value will be apportioned to the appropriate counties in Idaho pursuant to section 63-411, Idaho Code. (7-1-99)

03. Allocation. System value is allocated using the "miles to miles" method of allocation. (7-1-99)

04. "Miles To Miles" Method Of Allocation. The State Tax Commission will divide Idaho miles by

system miles and multiply the quotient by five-tenths (0.5). The product of this calculation will be multiplied by the system value to determine Idaho taxable value. (7-1-99)

414. (RESERVED).

415. APPORTIONMENT OF RAILCAR FLEETS ASSESSED VALUES WITHIN THE STATE (Rule 415).

01. Private Railcar Fleet Apportionment. Railroad track miles shall be used for the apportionment of each private railcar fleet's assessed value when the value within Idaho equals five hundred thousand dollars ($500,000) or more. The Idaho value of each private railcar fleet shall be multiplied by a ratio of this private railcar fleet's mileage for each railroad to this private railcar fleet's total mileage in Idaho and divided by the in service main track mileage of that particular railroad, to obtain a rate per mile. This rate per mile is multiplied by the in service main track mileage in each county and tax code area to calculate the apportioned value. For the purpose of apportioning value by miles traveled, main track includes branch lines, as well as main lines, but does not include industrial spurs, sidings or passing tracks. (7-1-99)

02. Determination Of Average Tax Rate -- Private Railcar Fleets Under Five Hundred Thousand Dollars Assessed Value. For private railcar fleets having an assessed value of less than five hundred thousand dollars ($500,000), the average tax rate is computed each year by dividing the current taxes for all private railcar fleets with assessed value of five hundred thousand dollars ($500,000) or more by the current Idaho value of all such fleets. By November 1 of each year, each county treasurer must provide the State Tax Commission with the amount of taxes due from all private railcar fleets in the county. (7-1-99)

416. (RESERVED).

417. PENALTY FOR FAILURE TO MAKE STATEMENT (Rule 417).
If a private railcar fleet fails or refuses to file the operator's statement as provided by Section 63-404, Idaho Code, by April 30 of each year, the State Tax Commission shall add a penalty. The penalty is fifty percent (50%) of the assessed value, determined by the State Tax Commission, as provided by Section 63-411, Idaho Code. When an emergency exists, the company may petition the State Tax Commission for an extension of time for filing, not to exceed thirty (30) days. For such petition to be valid it must be submitted in writing to the State Tax Commission by April 30 of each year. (7-1-99)

418. -- 429. (RESERVED).

430. MUNICIPAL TAXES CERTIFICATION OF VALUATION (Rule 430).

01. Dates For Completing Certification. For the budget preparation of a unit of government, the certification to all taxing districts of full market value less exemptions must be made by the assessor and auditor between the first (1st) and fourth (4th) Monday of January. (7-1-93)

02. Certification Is Full Market Value Of Property. The certification of full market values less exemptions by the assessor and auditor under this section is the full market value of all real, personal, and operating property of the prior calendar year. (7-1-93)

03. District Shall Obtain Certification Data From Commission. The full market value of operating property less exemptions shall be obtained by district from the Commission's data printout certification filed with the auditors. (7-1-93)

431. -- 459. (RESERVED).

460. TRANSIENT PERSONAL PROPERTY DEFINED (Rule 460).

01. Transient Personal Property. Transient personal property is property that is not properly registered for highway use in accordance with Section 49-434, Idaho Code, and that moves from county to county and spends more than thirty (30) days but less than one (1) year in any county. (7-1-93)

02. Exempt Property. Farm machinery and other personal property not used in construction, logging, or mining shall not be considered transient personal property. (7-1-93)

03. Payment Of Taxes. For payment of taxes refer to Section 63-1302, Idaho Code. (7-1-93)

461. -- 479. (RESERVED).

480. DEFINITIONS (Rule 480).

01. Present Use. Present use shall mean that the land contains trees of a marketable species which are being actively managed to produce a forest crop for eventual harvest and which may be accepted by a commercial mill. (7-1-97)

02. Silvicultural Treatment. Silvicultural treatment shall include the following activities: site preparation, planting, vegetation control, precommercial thinning, commercial thinning, fertilization, mechanical or chemical pest and disease control, pruning, inventorying, cruising, or regeneration surveys, fencing established to protect seedlings, and genetic tree improvement. (7-1-97)

03. Forest Land Management Plan. Forest land management plan shall mean a written management plan reviewed by a professional consulting forester, Idaho Department of Lands private forestry specialist, professional industry forester, or federal government forester, to include eventual harvest of the forest crop. Professional forester is defined as an individual holding at least a Bachelor of Science degree in forestry from an accredited four (4) year institution. The forest land management plan shall include as a minimum: (7-1-97)

a. Date of the plan preparation; (7-1-97)

b. Name, address, and phone number of the land owner, and person preparing and/or reviewing the plan; (7-1-97)

c. The legal description of the property; (7-1-97)

d. A map of the property of not less than 1:24,000 scale; (7-1-97)

e. A general description of the forest stand(s) including species and age classes; (7-1-97)

f. A general description of the potential insect, disease, and fire hazards that may be present and the management systems which shall be used to control them; (7-1-97)

g. The forest management plans of the landowner over the next twenty (20) years. (7-1-97)

04. Bare Forest Land. Bare forest land shall qualify as forest land only if, within five (5) years after harvest or initial assessment, they are planted or regenerated naturally to minimum stocking levels as specified by the Idaho Forest Practices Act. (Title 38, Chapter 13, Idaho Code). (7-1-97)

05. Joint Ownership. Joint ownership as used in Subsections 488.01 and 489.01 includes ownership of a single parcel of forest land by two (2) or more legal entities irrespective of their proportionate ownership interests in the parcel, but shall not include the community property interests of a spouse. (7-1-97)

481. -- 483. (RESERVED).

484. LANDS OF LESS THAN FIVE ACRES (Rule 484).
Forest land of four and nine hundred ninety-nine one thousandths (4.999) contiguous acres or less shall not be eligible for valuation and taxation as forest land, whether or not the landowner owns other parcels which are eligible. The five (5) acre size is determined EXCLUSIVE of homesite. (7-1-93)

01. Example 1. Landowner owns a fifteen (15) acre parcel which contains four (4) acres of forest, nine

(9) acres of irrigated row crop, and two (2) acres of homesite. The four (4) acres of forest is not eligible for valuation and taxation as forest land. (7-1-93)

02. Example 2. Landowner owns eight (8) one (1) acre parcels of forest, and one (1) five hundred (500) acre parcel of forest. The eight (8) one (1) acre parcels are not eligible for valuation and taxation as forest lands. (7-1-93)

485. -- 487. (RESERVED).

488. CERTAIN FOREST LANDS TO BE DESIGNATED FOR TAXATION BY OWNER--LIMITATIONS (Rule 488).

01. Designation Of Forest Parcels. A forest landowner may choose to have the total acreage of forest land parcels owned within the state designated under the provisions of either Section 63-1705 or 63-1706, Idaho Code. The forest landowner cannot have parcels in both designations. If the new owner owns no forest land in the state designated under Section 63-1705 or 63-1706, Idaho Code, he may choose the option of forest taxation he desires. Designation shall be made on or before December 31st, of the year preceding assessment and will be effective for the following year. Where forest property is held in joint ownership, all co-owners must mutually agree on a property designation under Section 63-1703(a) and (b), Idaho Code. Each co-owner must make a timely designation. Where co-owners are unable to agree on a mutual designation or fail to make a designation, the forest land shall be subject to appraisal and assessment as provided in Section 63-1702, Idaho Code. (7-1-97)

02. Change In Use. Failure to notify the assessor of the change in use when lands have been designated shall cause forfeiture of the designation as to the changed acres, and the property shall be appraised, assessed and taxed, as provided in Section 63-1702, Idaho Code, from the date of latest designation or renewal. (7-1-97)

03. Certain Lands With No Deferred Taxes. There are no deferred taxes on lands designated under Section 63-1705, Idaho Code. (7-1-97)

489. RECAPTURE OF DEFERRED TAXES ON LANDS DESIGNATED UNDER SECTION 63-1706, IDAHO CODE (Rule 489).

01. Ownership Interest/Deferred Taxes. Where forest land is held in joint ownership, a transfer of ownership for purposes of recapturing deferred taxes shall occur when any one of the legal entities holding an ownership interest in the subject property shall convey, transfer, or otherwise dispose of their ownership interest or portion thereof. Any such transfer of ownership shall subject the entire parcel to recapture of deferred taxes, unless the new owner timely redesignates their ownership interest under Section 63-1706, Idaho Code. (7-1-97)

02. Deferred Tax Responsibility. Recaptured deferred taxes shall be the responsibility of the selling landowner. Deferred taxes shall constitute a lien on the land. (7-1-97)

03. Detrimentelinquent Deferred Taxes. All deferred tax amounts shall be certified to the real property roll immediately following delinquency. (7-1-97)

04. Change In Use/Deferred Taxes. Forest lands designated under Section 63-1706, Idaho Code, and subsequently removed from the designation by change in use with no ownership transfer to any taxing category other than designation under Section 63-1705, Idaho Code, shall cause a recapture of deferred taxes calculated in the following manner: (a) the difference between the current bare land value for the correct class of land in the forest value zone in which the parcel lies and the current market value for assessment purposes of the property during the current year, (b) multiplied by the current levy for the tax code area or areas in which the parcel lies, (c) multiplied by the number of years, including the entire current year, the lands have been subject to designation under Section 63-1706, Idaho Code, not to exceed ten (10) years. A credit shall be allowed for any yield tax paid up to the amount of the deferred taxes. (7-1-97)

05. Transfer Of Ownership/Deferred Taxes. Forest land designated under Section 63-1706, Idaho Code, upon transfer of ownership or removal to designation under Section 63-1705, Idaho Code shall be subject to a

recapture of deferred taxes calculated in the following manner: (a) the difference between the current bare land value for the correct class of land in the forest value zone in which the parcel lies and the current productivity value for the correct class of land in the forest value zone in which the parcel lies, for the current year, (b) multiplied by the current levy for the tax code area or areas in which the parcel lies, (c) multiplied by the number of years, including the entire current year, which the lands have been subject to designation under Section 63-1706, Idaho Code, not to exceed ten (10) years. A credit shall be allowed for any yield tax paid up to the amount of the deferred taxes. (7-1-97)

06. Investment Lands. Investment lands are defined as those in categories 1, 2, 3, 4, 5, and 9, as defined in Rule 327 of these rules. (7-1-97)

490. -- 499. (RESERVED).

500. VALUATION OF CHRISTMAS TREE FARMS (Rule 500).
Christmas tree farms shall be categorized on the tax rolls under the applicable agricultural category. Section 63-1708, Idaho Code, shall only apply to Christmas trees harvested from designated lands. (7-1-97)

501. -- 549. (RESERVED).

550. TAXING DISTRICTS NEWLY ORGANIZED OR ALTERED (Rule 550).

01. Documentation To Be Filed. The following documentation shall be filed with the county assessor, county recorder, and Tax Commission no later than ten (10) days following the effective date of any action creating a new district or municipal boundary or altering an existing district or municipal boundary. (7-1-93)

a. A legal description which plainly and clearly defines the boundary of a new district or municipality, or the altered portion of an existing district or municipality with a copy of the ordinance or order effecting the formation or alteration. (7-1-93)

b. A copy of a map prepared in a draftsmanlike manner or a record of survey as defined by Chapter 19, Title 55, Idaho Code, which matches the legal description. (7-1-93)

02. Legal Description. Legal description means a narrative which describes, by metes and bounds, a definite boundary of an area of land that can be mapped on a tax code area map, and shall include: (7-1-93)

a. Section, township, range, and meridian. (7-1-93)

b. An initial point, being a government surveyed corner, such as a section corner, quarter corner, meander corner, or mineral survey corner. (7-1-93)

c. A true point of beginning, defined by bearings and distances from the initial point, that begins the new or altered district or municipal boundary. (7-1-93)

d. Bearings and distances that continuously define an area boundary with a closure accuracy of at least one (1) part in five thousand (5,000). Variations from closure requirements of this subsection may be approved when verified documentation is provided: When boundaries follow mountain ranges, rivers, lakes, canals, etc., that are clearly delineated on published U.S. Geological Survey quadrangle maps at scale 1:24,000 or, if not available, at scale 1:62,500; or when references to cardinal directions, government survey distances, and section or aliquot part corners are used and modern survey information is not available; or when legislatively established boundaries are defined by Idaho Code, a duplication and reference to that section of the code shall be provided. (7-1-93)

e. The legal description to annex to an existing district, shall duplicate the metes and bounds of the existing district, or shall reference the former legal description as, formerly known as, unless the existing district can be clearly identified. (7-1-93)

03. Map Prepared In A Draftsmanlike Manner. Map prepared in a draftsmanlike manner means an original graphic representation or precise copy matching the accompanying legal description and drafted to scale using standard mechanical drawing instruments or a computer. The map shall include: Section, township, range, and

meridian identifications. North arrow, bar scale, and title block. District name and ordinance number or order date. Bearing and distance annotation between boundary points. Clearly defined boundary lines of the newly formed district or altered district, together with reference to the existing boundary where contiguous. District boundaries delineated on recorded surveys, engineer drawings, or U.S. Geological Survey Quadrangle maps are also acceptable. General hunting and fishing, city street, or nonscaled maps will not be accepted. (7-1-93)

04. Contiguous. Contiguous means being in actual contact or touching along a boundary or at a point. (7-1-93)

05. Deadline For Completion. December 31 of the current year shall be the deadline for completion of any action that creates, alters, or dissolves any taxing district requiring a revision of the Commission's tax code area maps for the following year, unless the law provides otherwise. (7-1-93)

06. Alteration Of Boundary. Any district altering its boundary during the year shall provide to the Commission a complete legal description of the new district including all alterations, by January 10 of the following year. (7-1-93)

07. Approval Of Property Tax Levy. No property tax levy shall be approved by the Tax Commission for any newly formed district or altered portion of an existing district: (7-1-93)

a. That fails to provide documentation plainly and clearly designating the boundaries of such district; or (7-1-93)

b. Whose boundaries overlap with like districts. (7-1-93)

08. One Uniform System. The Commission will prepare one uniform system of tax code area numbers and maps which shall be used by each county for property tax purposes. (7-1-93)

09. Tax Code Areas. Each tax code area shall have a separate tax code area number which shall be initiated or changed only by the Commission. (7-1-93)

10. Furnished By Commission. The Commission will furnish annually, without charge, one (1) set of updated tax code area maps, a listing of taxing districts included in each tax code area, and a list of changes in taxing district boundaries to the county assessor, recorder, and treasurer. There shall be a charge for all other tax code area maps. (7-1-93)

551. -- 579. (RESERVED).

580. VALUATION OF MINES FOR TAXATION (Rule 580).
The prices referred to in Section 63-2801, Idaho Code, for patented lode and placer claims are five dollars ($5) and two dollars fifty cents ($2.50), per acre, respectively. (3-23-94)

581. -- 584. (RESERVED).

585. GUIDE TO REPORTING NET PROFITS OF MINES (Rule 585).

01. Revenues Included In Report. The only items which are proper revenues TO BE INCLUDED within the net profits reported for ad valorem taxation are the moneys or their equivalent received from the sale of minerals or metals extracted from the Earth. Moneys received from rents, commissaries, discounts on purchases, and investments are NOT TO BE INCLUDED. The net profit statement shall be filed between January 1 and May 1, each year with the assessor of the county in which the mine(s) or mineral or metal deposits are located. The person, corporation, or association engaged in mining shall complete the statement on forms prescribed by the Commission using as a guide the following allowable deductions to arrive at net profit. None of the nondeductible items can be claimed. (7-1-93)

02. Allowable Deductions. (7-1-93)

a. The actual expenditure of money and labor in and about extracting the metals and minerals from the mine, transporting same to mill, concentrators, or reduction works, reduction thereof and conversion into money, or its equivalent. Expenditures for necessary labor, machinery, and supplies needed and used in mining operations. Improvements necessary in and about the mine for reducing ores and for the construction of mills and reduction works. (7-1-93)

b. Social Security, compensation insurance, forest fire fighting, fire and water protection, first aid and safety devices, mine rescue materials, experimental work reasonably connected with reduction of the ores. (7-1-93)

c. Deductions for improvements can be only for the year immediately preceding the filing of annual net profits statement. (7-1-93)

03. Nondeductible Items. (7-1-93)

a. Taxes. State and county, state corporation license, federal income, capital stock, war facilities. (7-1-93)

b. Depreciation, depletion, royalties, donations, including allotments to schools for experimental work, war work, and aid. (7-1-93)

c. Insurance. No deduction for insurance except as listed in Subsection 585.02.b. (7-1-93)

d. Construction and repairs. Dwellings for employees, boarding and bunkhouses, community buildings, such as halls, schools, swimming pools, ball parks, commissaries, including water, fuel, heat and light. (7-1-93)

e. Miscellaneous administrative and other expenses. Periodicals, tax service; assessment work, other mining claims; director's salaries and expenses; secretaries' salaries and expenses; corporation organization expense; appraisals, property insurance; maintenance of offices in other states; Secret Service, strike breakers, guns; subscriptions to mine organizations and societies; expenses entered on books with no detail attached; publication of meetings, financial statements; audits; political; burial expense; stock transfer costs; advertising; premium on surety bonds; legal retainers and litigation; and traveling expenses to outside properties, conventions, hearings. (7-1-93)

586. -- 609. (RESERVED).

610. PROPERTY EXEMPT FROM TAXATION -- RESIDENTIAL IMPROVEMENTS -- SPECIAL SITUATIONS (Rule 610).

01. Scope. This rule addresses issues relating to the homeowner's exemption as it applies to certain unusual factual situations. It states general principles applicable to unusual cases and provides some illustrative examples. The rule cannot address every conceivable situation that may arise, but the principles established may apply to the resolution of situations not addressed in the rule. (7-1-99)

02. Dual Residency Couples. As used in this rule, "dual residency couple" means a husband and wife, each of whom has established a different dwelling place as his or her primary dwelling place as defined in Section 63-602G, Idaho Code, and Subsection 135.02 of these rules. (7-1-99)

03. Dual Residency Couples -- General Principles. (7-1-99)

a. Whether a particular residential improvement is an individual's primary dwelling place is a question of fact for each individual. Each spouse of a dual residency couple can maintain a separate primary dwelling place for purposes of the homeowner's exemption. The test to be applied is the general test set out in Subsection 135.02 of these rules. (7-1-99)

b. If a residential improvement is community property, either the husband or wife may exercise full management or control over it, except that neither the husband nor the wife can sell or encumber the property without the written consent of the other. Thus, either the husband or the wife can file an application for the homeowner's

exemption regarding community property on his or her own authority. The signature of the other spouse is not required on the application. See Section 32-912, Idaho Code. (7-1-99)

c. Neither spouse is a partial owner of community property. (This principle is an exception to laws generally governing community property interests. It applies only for matters relating to the homeowner's exemption or the circuit breaker property tax relief program. See Section 63-701(8) Idaho Code.) Thus, there is no authority to reduce the amount of homeowner's exemption proportionally to reflect an ownership in community property. For purposes of the homeowner's exemption, a community property interest is treated the same as a full ownership interest. (7-1-99)

d. An owner may apply only once for the homeowner's exemption. See Section 63-602G(c), Idaho Code. Thus, an application by one (1) spouse regarding a residential improvement that is community property, precludes the other spouse from making a second application on any other residential improvement whether held by the other spouse as community or separate property. (7-1-99)

04. Example -- Both Residences Are Community Property. (7-1-99)

a. Each member of a dual residency couple maintains his or her primary dwelling in a different residential improvement, each of which is owned by the couple as community property. Each applies for the homeowner's exemption for the residence in which he or she resides. (7-1-99)

b. The first application is valid. Any subsequent application, though filed by the other spouse, is not valid because the couple can not make more than one (1) application. The full amount of homeowner's exemption applies to the first residential improvement to qualify without any proportional reduction. The other residential improvement does not qualify. (7-1-99)

05. Example -- One Residence Is Community Property, The Other Is Separate Property. (7-1-99)

a. Each member of a dual residency couple maintains his or her primary dwelling in a different residential improvement. One (1) is owned by the spouse who resides in it as his or her separate property, the other is owned by the couple as community property. Each applies for the homeowner's exemption for the residence in which he or she resides. (7-1-99)

b. The first application is valid. Any subsequent application, though filed by the other spouse, is not valid. If the first application relates to the community property, it is an application on behalf of both members of the community. Thus, the other spouse can not file a second application relating to his or her separate property. If the first application relates to the separate property, then the subsequent application relating to the community property is a second application by the spouse owning the separate property and is not valid. The full amount of homeowner's exemption applies to the first residential improvement to qualify without any proportional reduction. The other residential improvement does not qualify. (7-1-99)

06. Example -- Both Residences Are Separate Property. (7-1-99)

a. Each member of a dual residency couple maintains his or her primary dwelling in a different residential improvement, each of which is owned by the spouse residing in it as his or her separate property. Each applies for the homeowner's exemption for the residence in which he or she resides. (7-1-99)

b. Both residential improvements qualify for the full homeowner's exemption. Neither application is a second application by the same owner. Each spouse is a sole owner of the residential improvement, so the proportional reduction provisions for partial ownership do not apply. (7-1-99)

07. Multiple Ownerships Including Community Interests As Partial Owners. A community property interest in a residential improvement is a partial ownership when combined with the ownership of another individual who is not a member of the marital community. For example, if a deed conveys title to real property to a husband and wife and to an adult child of theirs, the husband and wife hold a community property interest in the improvement and the child is a tenant-in-common. The parents collectively hold a two-thirds (2/3) partial interest and the child holds a one-third (1/3) partial interest in the property. Qualification of the property for the homeowner's

exemption is as follows: (7-1-99)

a. If the residential improvement is the primary dwelling of the husband and wife but not the child, the improvement qualifies for two-thirds (2/3) of the homeowner's exemption. (7-1-99)

b. If the residential improvement is the primary dwelling of the child, but not of the husband or wife, the improvement qualifies for one-third (1/3) of the homeowner's exemption. (7-1-99)

c. If the residential improvement is the primary dwelling of the husband, wife and child, the improvement qualifies for the full homeowner's exemption. (7-1-99)

d. If the residential improvement is the primary dwelling of one (1) spouse but of neither the other spouse nor the child, the improvement qualifies for two-thirds (2/3) of the homeowner's exemption unless the residential improvement of the other spouse has previously qualified for the homeowner's exemption under the dual residency couple rules set out in Subsections 610.02 through 610.06. The two-thirds (2/3) qualification results from the statutory provision that a community property interest is not considered a partial interest of either spouse. See Subsection 610.03.c. (7-1-99)

e. If the residential improvement is the primary dwelling of one (1) spouse and the child, the improvement qualifies for the full homeowner's exemption unless the residential improvement of the other spouse has previously qualified for the homeowner's exemption under the dual residency couple rules set out in Subsections 610.02. through 610.06. (7-1-99)

611. VALUE OF RESIDENTIAL PROPERTY IN CERTAIN ZONED AREAS (Rule 611).

01. Improvements. The residential improvements and any additional garage, shed, or out-buildings on the same lot shall be appraised equitably with comparable improvements on residential lots in the vicinity. (7-1-93)

02. To Qualify For Exemption. The owner must reside in the residence in order to qualify. (7-1-99)

612. -- 614. (RESERVED).

615. PROPERTY EXEMPT FROM TAXATION - CERTAIN INTANGIBLE PERSONAL PROPERTY (Rule 615).

01. Definitions. The following definitions apply to the exemption for certain intangible personal property. (1-1-99)

a. Contracts and contract rights. Contracts and contract rights are enforceable agreements, which establish mutual rights and responsibilities, and rights created under such agreements. (1-1-99)

b. Copyrights. Copyrights are rights granted to the author or originator of literary or artistic productions, by which he or she is invested with the sole and exclusive privilege of making, publishing or selling copies for a specified time. (1-1-99)

c. Custom computer programs. Custom computer programs means those programs defined in Section 63-3616, Idaho Code. (1-1-99)

d. Customer lists. Customer lists are proprietary lists containing information about a business enterprise's customers. (1-1-99)

e. Franchises. Franchises are special privileges. (1-1-99)

f. Goodwill. Goodwill is the expectation of continued public patronage of a business. Goodwill is the ability of a business to generate income in excess of a normal rate due to such things as superior managerial skills, superior market position, favorable community and customer reputation and high employee morale. (1-1-99)

g. Licenses. Licenses are permissions to do acts, which are not allowed without such permissions. (1-1-99)

h. Method A. Method A is the method by which the value of exempt intangible personal property is excluded from the value of operating property by subtracting the market value of exempt intangible personal property from the market value of the operating property at the system level. (1-1-99)

i. Method B. Method B is the method by which the value of exempt intangible personal property is excluded from the value of operating property by subtracting the market value of exempt intangible personal property from the market value of the operating property at the state level. (1-1-99)

j. Method C. Method C is the method by which the value of exempt intangible personal property is excluded from the value of operating property by using valuation models which value only the nonexempt assets. (1-1-99)

k. Patents. Patents are grants from the government conveying and securing the exclusive right to make, use and sell inventions. (1-1-99)

l. Rights-of-way which are possessory only and not accompanied by title. Rights-of-way, which are possessory only and not accompanied by title, are easements by which grantees acquire only the rights to pass over or to access for installation or maintenance, without acquiring exclusive use of the rights-of-way. (1-1-99)

m. Trademarks. Trademarks are marks of authenticity, through which products of particular manufacturers or vendible commodities of particular merchants may be distinguished from those of others. (1-1-99)

n. Trade secrets. Trade secrets are formulas, patterns, compilations, programs, devices, methods, techniques or processes, deriving independent economic values from not being generally known by other persons who can obtain economic values from disclosure or use. Trade secrets are the subjects of efforts that are reasonable to maintain secrecy. (1-1-99)

02. Tangible Property Value Not Affected By Intangible Personal Property Value. The values of the exempt intangible personal properties shall not affect the values of any tangible properties or the value of the attributes of any tangible properties, regardless of the role of the intangible personal properties in the use of the tangible properties. The exempt values shall not include any values attributable to availability of a skilled work force, condition of surrounding property, geographic features, location, rights-of-way, accompanied by title, view, zoning, and attributes or characteristics of real properties. (1-1-99)

03. Operating Property Election, Reporting And Methods. The following apply to operating property for the identification of valuation methods to be used by the State Tax Commission, election of Method A, Method B or Method C by the property owners, reporting by owners and valuation using Method C. (1-1-99)

a. Identification of valuation methods. When the State Tax Commission mails the blank Operators' Statements to the property owners, the State Tax Commission shall identify proposed changes in valuation methods compared to those relied on in the prior year. (1-1-99)

b. Election default. In the event of default of the taxpayer to make an election, the State Tax Commission shall use the method proposed in the notice accompanying the Operator's Statement. (1-1-99)

c. Election of exclusion method. When submitting the Operator's Statement, the owner has the right to elect the method for exclusion of the values of the exempt intangible personal properties from the operating property value. (1-1-99)

d. Amending Election. An owner may amend the elected method if written notice is received at least seven (7) business days prior to a hearing under Rule 407 of these rules. (1-1-99)

e. Reporting. The State Tax Commission shall consider the value and supporting data provided by the owners. If no supporting intangibles valuation information is provided by the owners, known exempt intangible

personal property will be subtracted or will not be impounded in the value. (1-1-99)

f. Valuation using Method C. When the owner elects Method C, the State Tax Commission shall give primary consideration to the cost less depreciation model, without regulatory adjustment, in valuing tangible personal property and nonexempt intangible personal property. Only if this model fails to produce market value of the tangible personal property and nonexempt intangible personal property, shall the State Tax Commission consider other appropriate valuation models. (1-1-99)

04. Personal Property Reporting For Locally Assessed Property. The exemption for custom software, contracts and contract rights shall be claimed by scheduling such property on the owner's personal property declaration form. (1-1-99)

616. -- 619. (RESERVED).

620. EXEMPTION FOR NEVER OCCUPIED RESIDENTIAL IMPROVEMENTS (Rule 620).

01. Qualifying Residential Improvements. Improvements to any land parcel that are residential and have never been occupied for residential purposes may qualify for the exemption pursuant to Section 63-602W, Idaho Code. This rule is effective January 1, 1998. Such qualifying improvements can include the following: (1-1-98)

a. Single family residences, residential townhouses, and residential condominiums, and (1-1-98)

b. Attached or unattached ancillary structures which are not intended for commercial use and are constructed contemporaneously with the improvements identified in Subsection 620.01.a. Such structures may include sheds, fences, swimming pools, garages, and other similar improvements, subject to the limitations of Subsection 620.02. (1-1-98)

02. Non-Qualifying Improvements. Never previously occupied residential improvements listed in the following Subsections do not qualify for this exemption. (1-1-98)

a. Location. Ancillary structures (see Subsection 620.01.b.) that are not located on the parcel on which the improvement is located, identified in Subsection 620.01.a. of this rule, shall not qualify for the exemption provided pursuant to Section 63-602W, Idaho Code. (1-1-98)

b. Remodeled improvements. Remodeling of previously occupied residential improvements does not qualify for the exemption. (1-1-98)

c. Improvements included in land value. Improvements included in land value, such as septic tanks, wells, improvements designed to provide utility services or access, and other similar improvements shall not qualify for the exemption. (1-1-98)

621. -- 634. (RESERVED).

635. CERTIFICATION OF SALES TAX DISTRIBUTION (Rule 635).

01. Most Current Census. Population shall be from the most current population census or estimate available from the Bureau of the Census during the quarter of the year for which any distribution of sales tax money is to be made. (3-24-94)

02. Market Value For Assessment. Market value for assessment purposes shall mean the market value, including homeowners exemptions, and the amount of real and personal property value which exceeds the assessed value shown on the base assessment roll for a revenue allocation area as defined in Section 50-2903(12), Idaho Code, for the calendar year immediately preceding the current fiscal year. (3-24-94)

03. Incorporated City. Incorporated city shall, for the current fiscal year, have a duly elected mayor and city council, and be recognized by the Bureau of the Census, U.S. Department of Commerce, for the distribution of federal general revenue sharing monies. (3-24-94)

04. Population And Valuation Estimates. Population and valuation estimates for distribution of revenue sharing monies shall be updated at least annually. Updated estimates shall be used beginning with the October distribution. (3-24-94)

05. Determination Date. The eligibility of each city for revenue sharing monies shall be determined as of July 1 of the current year. (3-24-94)

06. Quarterly Certification. The Commission shall certify quarterly to the counties the BASE and EXCESS shares of the six percent (6.0%) distribution. Each county clerk shall calculate and certify the distribution of these monies to the eligible taxing districts based on the directives of the Commission. The clerk shall prepare and transmit to the county treasurer and the Commission separate certifications for BASE and EXCESS distributions. (3-24-94)

07. Prescribed Filing. Upon receipt of the current operating property roll from the Commission, and by the fourth Monday of September, each county auditor shall certify to the Commission the full market value of each taxing district within the county. The auditor shall use a form prescribed by the Commission and shall show for each district the net taxable market value used for levy certification, the value of the homeowners exemption, and the full market value after adding back the homeowners exemption. Values shall be shown for all cities, regardless of levy requests. (3-24-94)

636. -- 654. (RESERVED).

655. HOMEOWNERS EXEMPTION ON OCCUPANCY TAX ROLL (Rule 655).

01. Exemption. The exemption granted by Section 63-3905, Idaho Code, applies only to the pro rata improvement value that appears on the Occupancy Roll. (3-23-94)

02. Eligibility For Double Exemption. Obtaining the exemption in Section 63-105DD, Idaho Code, will not preclude a property owner from eligibility for the exemption granted by Section 63-3905, Idaho Code. (3-23-94)

03. Limitation To One Exemption. The limitation to one (1) exemption in Section 63-105DD, Idaho Code, is not applicable to newly constructed and occupied residential structures. (3-23-94)

04. Separate Applications. The application for this exemption shall not substitute for the application required by Section 63-105DD, Idaho Code. (3-23-94)

05. Examples And Procedures. Examples and procedures are addressed in the Idaho Assessor's Manual. (3-23-94)

656. -- 708. (RESERVED).

709. PROPERTY TAX RELIEF ("CIRCUIT BREAKER") PROGRAM -- SPECIAL SITUATIONS (Rule 709).

01. Scope. This rule addresses issues relating to the "circuit breaker" property tax relief program as it applies to certain unusual factual situations. It states general principles applicable to unusual cases and provides some illustrative examples. The rule cannot address every conceivable situation that may arise, but the principles established may apply to the resolution of situations not addressed in the rule. (7-1-99)

02. General Principles. Relief under the circuit breaker program is only available to owners of property which have first qualified for the homeowner's exemption under Section 63-602G, Idaho Code. Rule 610 of these rules addresses when property qualifies for the homeowner's exemption in the special situations discussed in this rule. (7-1-99)

03. Dual Residency Couples. The definition of "dual residency couple" in Rule 610 of these rules

applies to this rule. (7-1-99)

a. Example -- Both residences are community property. Circuit breaker relief is available in regard only to the residential improvement qualifying for the homeowner's exemption. See Rule 610 of these rules. (7-1-99)

b. Example -- One (1) residence is community property, the other is separate property. Circuit breaker relief is available in regard only to the residential improvement qualifying for the homeowner's exemption. See Rule 610 of these rules. (7-1-99)

c. Example -- Both residences are separate property. Circuit breaker relief is available in regard to both residential improvements. See Rule 610 of these rules. (7-1-99)

d. Household income. In the three (3) examples in Subsection 709.03, the household income upon which qualification is determined is the total of one-half (1/2) the community income plus any separate income of the spouse residing in the residence plus the income of any other household member. (7-1-99)

04. Multiple Ownerships Including Community Interests As Partial Owners. Example: A deed conveys title to real property to a husband and wife and to an adult child of theirs. The husband and wife hold a community property interest in the improvement and the child is a tenant-in-common. The parents collectively hold a two-thirds (2/3) partial interest and the child holds a one-third (1/3) partial interest in the property. Qualification of the property for the circuit breaker tax relief is as follows: (7-1-99)

a. If the residential improvement is the primary dwelling of the husband and wife but not of the child, the improvement qualifies for two-thirds (2/3) of the benefits. Household income is the total of the community and separate income of the spouses and the income of any other household member. (7-1-99)

b. If the residential improvement is the primary dwelling of the child, but not of the husband or wife, the improvement qualifies for one-third (1/3) of the benefits. Household income is the total of the child's income and the income of any other household member. (7-1-99)

c. If the residential improvement is the primary dwelling of the husband, wife and child, the improvement qualifies for the full benefits. Household income is the total of the community and separate income of the spouses, the income of the child and the income of any other household member. (7-1-99)

d. If the residential improvement is the primary dwelling of one (1) spouse but of neither the other spouse nor the child, the improvement qualifies for two-thirds (2/3) of the benefits unless the residential improvement of the other spouse has qualified for the homeowner's exemption. Household income is the total of one-half (1/2) the community income plus any separate income of the spouse residing in the residence plus the income of any other household member. (7-1-99)

e. If the residential improvement is the primary dwelling of one (1) spouse and the child, the improvement qualifies for the full benefits unless the residential improvement of the other spouse has previously qualified for the homeowner's exemption. Household income is the total of one-half (1/2) the community income plus any separate income of the spouse residing in the residence plus the income of the child and the income of any other household member. (7-1-99)

710. -- 801. (RESERVED).

802. LIMITATION ON BUDGET REQUESTS, SECTIONS 63-802 AND 63-301A, IDAHO CODE (Rule 802).

01. Budget Requested Documents. Each Board of County Commissioners shall submit a budget request for each taxing district in the county that certifies a budget request to finance the ad valorem portion of its annual budget to the State Tax Commission and shall not submit other documents unless requested to do so by the State Tax Commission. Documents not to be submitted to the State Tax Commission unless requested include newspaper advertisements, school district budget books, entire budget documents, other than the budget request, and similar documents. (7-1-98)

02. Classification Of Land Use Change. "Change of land use classification" shall mean any change in land use resulting in a category change and in an increase in taxable land value to be reflected on the current assessment roll. Beginning with the assessment roll prepared to reflect value as of January 1, 1997, the increase in taxable land value due to change of land use classification shall be computed by subtracting the taxable land value, had the land remained in its previous use category, from the taxable land value in the current use category. (7-1-97)

03. New Construction Roll Listing. "Listing" shall mean a summary report of the net taxable value of property listed on the new construction roll. This listing shall include the taxable value of qualifying new construction throughout each taxing district or unit, including qualifying new construction within any revenue allocation area within any urban renewal district encompassed by the taxing district or unit. This report is to summarize the value reported on the new construction roll by taxing district or unit. Taxing districts and units shall be listed in the same order that is used for the certification of value required pursuant to Section 63-510(1), Idaho Code. (7-1-99)

04. Corrected New Construction Roll. The values shown on the listing required in Subsection 802.03 shall be subject to the adjustment if net taxable value for any property included on the new construction roll is changed by the county board of equalization meeting pursuant to Section 63-501, Idaho Code. Each county assessor must certify the corrected values to the appropriate county auditor. Each county auditor must report the corrected values to the State Tax Commission and to each taxing district prior to the first Monday of August on the notification required pursuant to Section 63-510(1), Idaho Code. (7-1-99)

05. Manufactured Housing. "Installation" of new or used manufactured housing shall mean capturing the net taxable market value of the improvement(s) that did not previously exist within the county. (7-1-97)

06. Partial New Construction Values. The net taxable market value attributable directly to new construction shall be reported on the new construction roll in the tax year it is placed on the current assessment roll. Any increase in a parcel's taxable value, due to new construction, shall be computed by subtracting the previous year's or years' partial taxable value(s) from the current taxable value. In the case of partially completed property previously reported on the property roll, but subsequently exempt pursuant to Section 63-602W, Idaho Code, the increase in value to be reported on the new construction roll following loss of this exemption shall be the difference between previously reported new construction roll value and the taxable value for the year in which the occupied property is first entered on the property roll. If any of this difference is attributable to inflation, such value shall not be included on the new construction roll. (7-1-99)

Example: Assume a partially completed, never occupied residential improvement was assessed at ten thousand dollars ($10,000) as of January 1, 1997. The improvement was occupied February 2, 1998. Assume the ten thousand dollars ($10,000) value was on the 1997 new construction roll. Assume that in 1999 the improvement is assessed at ninety thousand dollars ($90,000) and a forty-five thousand dollars ($45,000) homeowner's exemption is then deducted. Assume there has been no inflation. The amount that can be reported on the 1999 new construction roll is calculated as follows: (7-1-99)

1999 Value (before homeowner's exemption)	$90,000
1999 Homeowner's Exemption	<45,000>
1999 Taxable Value (after homeowner's exemption)	$45.000
1997 Value Already Reported on New Construction Roll	<10,000>
1999 New Construction Roll Value (this improvement)	$35,000

07. Nonresidential Structure. Nonresidential Structure shall mean any structure listed by the assessor in any category not described as residential, manufactured homes, or improvements to manufactured homes pursuant to Rule 327 of these rules. (7-1-99)

08. Change In Exemption Status. A previously exempt improvement which becomes taxable shall

not be included on the new construction roll, unless the loss of the exemption occurs during the year in which the improvement was constructed or unless the improvement has lost the exemption provided in Section 63-602W, Idaho Code. (7-1-99)

09. Annexation Values For Operating Properties. Pursuant to Section 63-802, Idaho Code, the State Tax Commission shall certify the current year's taxable values of operating properties within annexations made during the previous calendar year. This certification will be a list summarizing the values of said operating properties for each applicable taxing district or unit. The State Tax Commission shall send this list to the "appropriate county auditor" on or before the third Monday in July. The State Tax Commission shall calculate these values based on the best available information. (7-1-98)

10. Corrected Annexation Values For Operating Properties. If any annexation values reported pursuant to Subsection 802.09 require correction, the State Tax Commission shall report such corrected annexation values for operating properties on or before the first Monday of September. The State Tax Commission shall send these values to the "appropriate county auditor". (7-1-99)

11. County Auditor To Notify Taxing Districts Or Units. As soon as possible, but not later than fourteen (14) days after receipt of the list pursuant to Subsection 802.09 or the corrected values pursuant to Subsection 802.10, the "appropriate county auditor" shall send these values to the affected taxing districts or units. (7-1-99)

12. "Appropriate County Auditor" Defined. For Subsections 802.09, 802.10, and 802.11, the "appropriate county auditor" is each county auditor of each county within which any annexed areas are located. (7-1-99)

803. -- 808. (RESERVED).

809. UNAUTHORIZED LEVY (RULE 809).

Effective January 1, 1999, no levy of any taxing district shall be considered unauthorized or in excess of the maximum provided by law solely for failure of the taxing district to comply with the requirements of Section 63-802A, Idaho Code. (1-1-99)T

810. -- 961. (RESERVED).

962. TAXATION OF LARGE SIZE FOREST TRACTS (Rule 962).

01. Productivity Formula. Taxation under the provisions of Section 63-1705, Idaho Code, shall not include timber inventory in addition to the productivity value since the value of timber growing on the land is included in the productivity formula. The productivity formula used to determine the forest value shall be as follows:

STEP 1 :	(MAI) MEAN ANNUAL GROWTH INCREMENT MULTIPLIED BY THE (SV) STUMPAGE VALUE
STEP 2 :	ADD OTHER AGRICULTURAL RELATED INCOME
STEP 3 :	MINUS COSTS
STEP 4 :	THE SUM OF STEPS 1 - 3 DIVIDED BY THE CAPITALIZATION RATE
MAI x SV + other agricultural related income - costs Capitalization Rate	
KEY:	
MAI = Mean Annual Growth Increment, board feet/acre/year	
SV = Stumpage Value, preceding five (5) year rolling average value of timber harvested within the forest value zone from state timber sales or the best available data for the same five (5) year period.	
Other Agricultural Related Income = Grazing income from the forest land.	

Costs = Annualized expenses directly related to producing the forest crop, including, but not limited to the establishment, maintenance, improvement, and management of the crop over the rotation period, including the forest protection fee currently charged by the Idaho Department of Lands.
Capitalization Rate = Shall be the five (5) year rolling average from the Spokane office of the Farm Credit Service determined in accordance with the procedures described in Section 63-1705, Idaho Code.

(7-1-99)

02. Forest Valuation Zones. The state shall be divided into four (4) forest valuation zones: (7-1-99)

a. ZONE 1 - Boundary, Bonner, Kootenai counties. (7-1-97)

b. ZONE 2 - Benewah, Shoshone, Latah, Clearwater, Nez Perce, Lewis, Idaho counties. (7-1-97)

c. ZONE 3 - Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore, Camas, Blaine, Gooding, Lincoln, Jerome, Minidoka counties. (7-1-97)

d. ZONE 4 - The remaining nineteen (19) counties. (7-1-97)

03. Classification Of Forest Lands. Forest valuation Zones 1 and 2: There shall be three (3) separate productivity classes of forest land poor, medium, and good. These broad classes are related in the following manner by definition to the "Meyer and Haig Tables". These classes apply to forest land which may or may not be stocked with commercial or young growth timber. (7-1-99)

a. Poor productivity class is defined as forest land having a mean annual increment, MAI, of one hundred (100) board feet per acre per year, based on an eighty (80) year rotation and sixty-five percent (65%) of normal stocking by the end of the rotation period. This productivity class includes western white pine site index 35-45 and ponderosa pine site index 45-80. One hundred (100) board feet per acre MAI shall be used in the productivity formula. (7-1-93)

b. Medium productivity class is defined as forest land having a mean annual increment, MAI, of two hundred twenty-five (225) board feet per acre per year, based on an eighty (80) year rotation and sixty-five percent (65%) of normal stocking by the end of the rotation period. This productivity class includes western white pine site index 46-60 and ponderosa pine site index 81-110. Two hundred twenty-five (225) board feet per acre MAI shall be used in the productivity formula. (7-1-93)

c. Good productivity class is defined as forest land having a mean annual increment, MAI, of three hundred fifty (350) board feet per acre per year, based on an eighty (80) year rotation and sixty-five percent (65%) of normal stocking by the end of the rotation period. This productivity class includes western white pine site index 61 and above and ponderosa pine site index 111 and above. Three hundred fifty (350) board feet per acre MAI shall be used in the productivity formula. (7-1-93)

d. Forest land shall be stratified into areas of similar productive potential using the habitat typing methodology described in Forest Habitat Types of Northern Idaho: A Second Approximation, 1991 edition. Within these stratified areas, site index trees will be selected and measured that will identify the site index to be used to place the land in one (1) of the three (3) productivity classes listed above. (7-1-97)

e. Forest valuation Zones 3 and 4: Criteria shall be the same as that used in Zones 1 and 2 with the following adjustments made for lower moisture levels. Poor productivity class, one hundred (100) board feet per acre MAI shall be used in the productivity formula. Medium productivity class, two hundred thirteen (213) board feet per acre MAI shall be used in the productivity formula. Good productivity class, three hundred twenty (320) board feet per acre MAI shall be used in the productivity formula. (7-1-93)

04. Recommended Mean Annual Growth Increments. The recommended MAI's to be used in the

productivity formulas for the appropriate forest valuation zones are according to the best available information and subject to change upon receipt of updated information. The MAI's shall be considered as midpoints of a class in the following manner:

MIDPOINT	
Zones 1 and 2:	
Poor	38 - 100 - 162 board feet per acre
Medium	163- 225 - 286 board feet per acre
Good	287 - 350 and greater board feet per acre
Zones 3 and 4:	
Poor	44 - 100 - 156 board feet per acre
Medium	157 - 213 - 268 board feet per acre
Good	269 - 320 and greater board feet per acre

(7-1-99)

05. Deficient Areas. Lakes, solid rock bluffs, talus slopes, and continuously flooded swampy areas, larger than five contiguous acres in size which can be identified on aerial photos shall be valued at forty percent (40%) of the poor bare land value as defined in Section 63-1706, Idaho Code. These areas are defined as being incapable of growing trees. (7-1-97)

963. (RESERVED).

964. YIELD TAX ON APPLICABLE FOREST PRODUCTS (Rule 964).

01. Calculation. The calculation described below will be used to update the bare forest land value for tax assessment purposes on an annual basis:

$$BLV_z = |(0.5 \times |\frac{Tz - Tn}{Tn}|) + 1| \times (BLV_y)$$

STEP 1 :	SUBTRACT Tn FROM Tz
STEP 2 :	DIVIDE THE ANSWER IN STEP 1 BY Tn
STEP 3 :	MULTIPLY THE ANSWER IN STEP 2 BY 0.5
STEP 4 :	ADD 1 TO THE ANSWER IN STEP 3
STEP 5 :	MULTIPLY BLV_y BY THE ANSWER IN STEP 4
KEY:	
BLVz = Bare land value for next year	
BLVy = Bare land value for current year	
Tz = Five year average stumpage value ($/MBF) for the period ending in the current year	
Tn = Five year average stumpage value ($/MBF) for the period ending one year ago	
The stumpage value used in the formula shall be the same as that used in the productivity formula by zone, and the bare forest land values shall be reviewed by the State Tax Commission periodically.	

(7-1-99)

02. Landowner's Report. By June 1, of each year the county treasurer shall make a written report to include the forest landowner's name, legal description of forest property owned, and yield taxes paid for the current assessment year. This report shall be submitted to the county auditor and shall be kept on file. (7-1-97)

965. -- 999. (RESERVED).

CHART I

COMPANION SHEET FOR LAND NOT SUBDIVIDED

Township & Range	5ec	Parcel No.	Grantor	Grantee	Remarks	Deed Type	Date	Inst No.
23NlOE	29	7985	Little, Dwayne	Downend, Robt	See Par #7832	WD	1/10/7	492183
23NlOE	29	7990	Downend, Robt		Split frm 7985			
23NlOE	29	8000	Downend, Robt	Wood, Don	"	WD	3/9/74	641809
23NlOE	29	8010	Downend, Robt		Split frm 7990			
23NlOE	29	7250	Downend, Robt	Dunford, H.	"	WD	4/9/79	642186

CHART 2

COMPANION SHEET FOR LAND SUBDIVIDED
QUARTER SECTION BREAKDOWN KEY

City No	Sub No	Blk No	Lot & Spt No	Grantor	Grantee	Remarks	Deed Type	Date	Inst No
A	0054	001	0090	Long, Phil	Dick, Carol		WD	1/11/69	190624
A	0054	001	009A	Dick, Carol		Retaining N1/2 of Lot 9			
A	0054	001	0096	Dick, Carol	Lusk, Earl	S1/2 of Lot 9	WD	2/12/77	299486
A	0054	001	0098	Lusk, Earl	Craig, Ron	SI/2 of Lot 9	WD	6/9/79	299999

THIS KEY IS TO BE USED ONLY FOR LAND NOT SUBDIVIDED

CHART 3

QUARTER SECTION BREAKDOWN KEY

THIS KEY IS TO BE USED ONLY FOR LAND NOT SUBDIVIDED

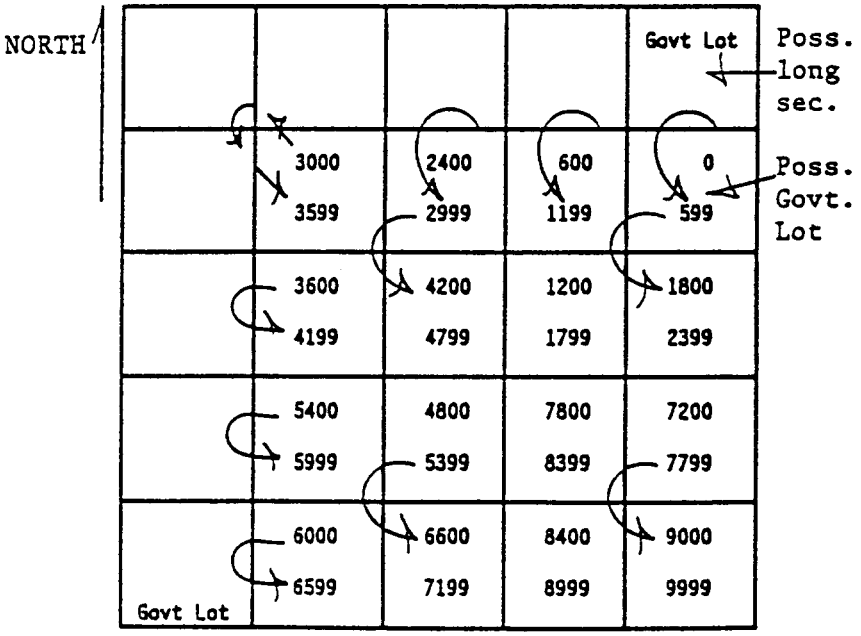

CHART 4

(1)	(2)	(3)		(4)		(5)		(6)		(7)
R.R. Co.	Miles Co. P Cars were propelled-Reported by R.R.	% Each R.R. Co. (Col.2 Col. 2.Tot.		Assessed Val. -Car Co. P		Assessed Val. allocated to R.R. Trackage (Col 3 x Col 4)		Miles Track Over Which Cars were Propelled		Rate per mi.Assessed val. (Col. 5-Col 6)
A	10,421,050	44.27%	x	$120,000		$ 45,155	-	650	=	$69.469
B	8,520,800	36.19%	x	120,000	=	36,194		830	=	44.475
C	4,600,250	19.54%	x	120,000	=	19,931		370	=	53-868
	23,542,100	100.00%				$102,000		1,850		

EQUATION

$$BLV_{y+1} - \left| (1/2 \times \left| \frac{T_{n+1} - Tn}{T_n} \right|) + 1 \right| \times (BLV_y)$$

KEY:

BLV_{y+1} = Bare land value for next year

BLV_y = Bare land value for current year

T_{n+1} = Five year average stumpage value ($/MBF) for the period ending in the current year

T_n = Five year average stumpage value ($/MBF) for the period ending one year ago

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