

BEFORE THE IDAHO BOARD OF TAX APPEALS

DARYL MULLINIX,	)	
	)	
Appellant,	)	APPEAL NO. 25-A-1026
	)	
v.	)	FINAL DECISION AND ORDER
	)	
IDAHO COUNTY,	)	
	)	
Respondent.	)	
	)	
_____	)	

**AGRICULTURAL PROPERTY APPEAL**

This appeal is taken from a decision of the Idaho County Board of Equalization denying an appeal of the valuation for taxing purposes on property described by Parcel No. RP27N01E237962A. The appeal concerns the 2025 tax year.

This matter came on for hearing October 27, 2025, in Grangeville, Idaho, before Board Member Kenneth Nuhn. Appellant Daryl Mullinix was self-represented. Idaho County Assessor Kim Nuxoll represented Respondent.

Board Members Kenneth Nuhn and Doug Wallis join in issuing this decision.

**The issue on appeal concerns the valuation of an agricultural parcel under the provisions of Idaho Code § 63-604.**

**The decision of the Idaho County Board of Equalization is reversed.**

FINDINGS OF FACT

The assessed land value is \$108,843, and the improvements' value is \$10,109, totaling \$118,952. Appellant contends the entirety of the subject parcel qualifies as land actively devoted to agriculture and should be assessed as such, removing the one (1) acre homesite assessment of \$100,607, for a total assessed value of \$18,345.

The subject property is a 20.8 acre parcel located near Grangeville, Idaho on the Salmon River. Subject is one (1) of two (2) parcels owned by Appellant that are receiving special valuation for land actively devoted to agriculture. The property is improved with a well, power service, a camper cover with a deck, several outbuildings, and a lean-to structure. Of subject's total acreage, 11.0 acres are assessed as irrigated agricultural land at \$7,909, 8.8 acres as dry grazing at \$327, and the one (1) acre rural homesite is assessed at \$100,607.

Appellant's central issue concerned the addition of the homesite valuation for the 2025 tax year. Having owned the property since 2002, Appellant stated there has never been a homesite assessed until this year. For historical context, Appellant explained the subject property was part of the Horseshoe Bend Placer claims, which were gold mining claims actively mined in the late 1800s until the 1930s. When the previous owner purchased the property, a house and some outbuildings existed on the land. The house was sold and moved, and the remaining outbuildings were placed on skids. There was no concrete foundation left behind after the house was moved. Since that time, the land has been actively devoted to agricultural uses.

Appellant testified the subject land continues to be devoted to agriculture with a hay operation, a one (1) acre orchard, and winter calving operations. To support these activities, Appellant stores two (2) tractors, a plow, spider disk, grain drill, irrigation pipe and associated trailer for the pipe, as well as numerous other farm-related equipment, on the subject property. Additionally, a fifth-wheel trailer is stored on site beneath a camper cover. Appellant stated the trailer is registered with the Idaho Department of Motor Vehicles and is not lived in. The trailer is used for occasional overnight stays

when protecting the orchard, or as a place to rest for the ranchers during what can be long nights during winter calving season if the heifers are showing signs of difficulty.

Appellant objected to the addition of the one (1) acre homesite as there is no home on the land, and no one lives on the property. There is power to the site and an operable well for farming activities only. Appellant claimed subject has no water rights for a domestic well and provided a letter from Idaho Department of Water Resources (IDWR) dated July 8, 2025, that indicated water right 79-10355 had been abandoned. After having the well water tested in September of 2025, results showed unacceptably high levels of coliform and arsenic, making it hazardous for human consumption. Appellant advised there is no residential septic system; there may be a drain field from the house that was formerly located on the subject property, but it was abandoned and Appellant has no record of it.

Appellant stressed all the subject property is either actively devoted to agriculture or used to store the associated equipment for those operations; there is no home and no person taking up residence in the camper stored on the land. Further, there are no sanitary facilities, and the water from the existing well is unsuitable for human consumption. As such, Appellant claimed no part of the subject parcel qualifies as a homesite and requested the removal of the one (1) acre homesite assessment.

In response to Appellant's claim of abandoned water rights, Respondent questioned what water right had been abandoned, stating Idaho law does not require water rights for domestic wells. Appellant held that it was his understanding from discussions with IDWR that the use of the well on the subject property was for agricultural purposes only.

In support of subject's assessment, Respondent shared observations from two (2) certified evaluators who conducted an on-site inspection of subject in November 2024. A well and power were observed, and other items noted were a satellite receiver attached to the camper cover, outdoor furniture, a propane fire pit, and a riding lawn mower. Respondent said some of these items are not typically stored outside during the non-agricultural growing season and highlighted a prior on-site inspection from April 2021 which showed a similar setup of items around the camper, demonstrating what Respondent characterized as continuity in use and consistent with a partially developed residential homesite.

In more direct support for the homesite designation, Respondent provided information on four (4) properties with agricultural land and homesite assessments applied due to residential or recreational occupancy. The parcels ranged in size from 5.8 to 269.7 acres. Two (2) had camper covers with an attached deck, one (1) had a covered deck with a camper parked next to it, and one (1) had two (2) campers that Respondent regarded as "lived in" full time parked behind a large barn. Where subject was observed to have residential or recreational items kept in a manner consistent with residential use, and noting other agricultural parcels had homesite designations, Respondent maintained the addition of the homesite to subject's property assessment was appropriate and equitable.

Appellant questioned the definition Respondent used for a developed homesite. Regarding the area designated as the homesite for the subject parcel, Appellant noted much of it is the access road that has been there for fifty (50) years or more, and the rest of the area is used for storing and moving around farming equipment, which area

qualifies as devoted to agriculture. Appellant stressed there is no homesite and no potable water and maintained the inclusion of a one (1) acre homesite was inappropriate.

### CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of market value in fee simple interest or, as applicable, a property's exempt status. This Board, giving full opportunity for all arguments and having considered all the testimony and documentary evidence submitted by the parties, hereby enters the following.

Idaho Code § 63-205 requires taxable property be assessed at market value annually on January 1; January 1, 2025, in this case. Market value is always estimated as of a precise point in time. Idaho Code § 63-201 provides the following definition,

“Market value” means the amount of United States dollars or equivalent for which, in all probability, a property would exchange hands between a willing seller, under no compulsion to sell, and an informed, capable buyer, with a reasonable time allowed to consummate the sale, substantiated by a reasonable down or full cash payment.

Market value is estimated according to recognized appraisal methods and techniques. There are three (3) approaches to value: the sales comparison approach, the cost approach, and the income approach. *Merris v. Ada Cnty.*, 100 Idaho 59, 63, 593 P.2d 394, 398 (1979).

In the case at bar, the relevant issue was not the market value per se, but rather the appropriateness of the addition of a one (1) acre homesite designation to subject's 2025 assessment. As such, neither party developed a traditional appraisal analysis. Appellant argued no part of subject qualifies as a homesite, and the area being

assessed as a one (1) acre homesite should be recognized as contiguous land to the land actively devoted to agriculture and valued at the same special rate as provided in Idaho Code § 63-604.

Appellant testified the contiguous part of subject that Respondent recognized as a homesite has no home or foundation on it, has a well that is too highly contaminated for human consumption of the water, and has power for the well, but has no functional septic system. Thus, Appellant disagreed with the homesite designation. Respondent argued there is sufficient evidence from the last two (2) site inspections to indicate the homesite area has been partially developed for residential or recreational use which supports the homesite assessment.

There is no disagreement between the parties as to whether the portion of subject in question is actively devoted to agriculture. It is clear to the Board from aerial and ground-level photos the homesite area is not farmed, as it is graded and there is nothing actively growing there. It is used to primarily store farm equipment. So that leaves the question of whether the area satisfies the statutory requirements to qualify for special assessment. Idaho Code § 64-604 reads in pertinent part:

(2) Land that is contiguous to land qualifying under subsection (1) of this section shall also be appraised, assessed, and taxed as land actively devoted to agriculture if the land:

...

(b) Is used primarily to store agricultural commodities or agricultural equipment, or both.

Respondent provided photos of a fifth wheel camper parked beneath a camper cover, slides extended on the camper, a propane fire pit, and several camping chairs and outdoor tables. A satellite receiver fixed to the camper cover and a riding

lawnmower stored beneath a lean-to in the general area were also pictured. Photos from November 2024 and others from April 2021 showed similar conditions. In Respondent's view, the similarities "indicate ongoing use and occupancy consistent with a partially developed residential site," particularly because these photos were taken outside of the active agricultural growing season.

Appellant conceded there is a fifth wheel trailer stored on the subject property. However, it is a licensed trailer that is unable to be stored at Appellant's residence. Appellant acknowledged the trailer does get used occasionally for overnight stays when protecting the peach orchard, or as a place for the ranchers to rest during calving season when nights can be long with difficult births, but emphasized the trailer is not lived in and the satellite dish has not worked for years. Though the Board could understand how Respondent concluded there was residential use due to the manner in which the fifth wheel trailer is stored, the Board is not convinced that having slides extended on a stored trailer and camping furniture left out rises to the level of residential development. Appellant's explanation of the trailer's use while stored on subject property was logical and convincing and falls well short of residential use.

Rule 645 of Idaho's Administrative Rules defines the term homesite as, "...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.*" IDAPA 35.01.03.645.01 (emphasis added.) As Appellant made clear, the subject property is not used for residential purposes. Though there is an access road, a well, and power to the site, these improvements alone are insufficient to support a residential homesite. The contaminated well and lack of a septic system do not allow

for residential use. The noted improvements are used simply to support subject's agricultural operations. Further, the fact other agricultural parcels in the county are assessed with a homesite is irrelevant to the question of whether the subject property has a homesite. Based on the facts presented, there is no homesite on the subject property, so the entire parcel should have been specially assessed as land actively devoted to agriculture.

In accordance with Idaho Code § 63-511, the burden is with Appellant to establish subject's valuation is erroneous by a preponderance of the evidence. The Board finds the burden satisfied in this instance. With Appellant's explanation of the actual agricultural uses of subject property and how the items stored there are supporting those operations throughout the year, the Board did not find sufficient support for a homesite designation. Accordingly, the Board will remove the one (1) acre homesite designation.

The decision of the Idaho County Board of Equalization is reversed.

#### FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Idaho County Board of Equalization concerning the subject parcel be, and the same hereby is, REVERSED to remove the one (1) acre homesite designation and to restore the special valuation treatment set forth in Idaho Code § 63-604 to the entirety of the subject property.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 63-1305, any taxes which have been paid in excess of those determined to have been due be refunded or applied against other *ad valorem* taxes due from Appellant.

Idaho Code § 63-3813 provides that under certain circumstances the above-ordered value for the current tax year shall not be increased in the subsequent assessment year.

DATED this 9<sup>th</sup> day of January, 2026.