

June 1, 2026

VIA EMAIL AND CERTIFIED MAIL

Pocatello City Council
Brent McLane, Pocatello City Planning Director
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Re: Appeal and Request for Reconsideration of Findings of Fact and Decision of Pocatello Hearing Examiner on Conditional Use Permit Application CUP26-003 submitted by Lex Developments and Gus Schultz (“Lex CUP Application”)

Dear Council, Mr. McLane, and Ms. Kendell,

This firm represents Applicants Lex Developments LLC and Gus Schultz (together, “Applicant”) in connection with the above-referenced matter to formally appeal the City’s determination to require the Lex CUP Application and the May 19, 2026 decision of the Pocatello Hearing Examiner denying the Lex CUP Application (together, “Decision”) for development of a data center in Pocatello’s heavy industrial zoning district at the former Hoku plant site, commonly known as 1800 River Park Way. A copy of the Decision is attached hereto as Exhibit A.

INTRODUCTION

We respectfully submit that the Decision should be reversed for at least three separate reasons, each of which independently supports reversal.

First, the City did not follow proper procedure from the outset, and it applied the wrong legal standard in requiring a CUP application. Applicant’s proposed data center should have been evaluated by the Planning Director under Section 17.01.160.C, governing “Unlisted Use; Authorization of Similar Use,” which requires a formal, specific finding based on specific and

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limited criteria. The City did not do this, but instead required Applicant follow the Conditional Use Permit procedures set forth in Section 17.02.130. The initial question is not whether Applicant can satisfy the standards for a new CUP, but whether the proposed use would have been permitted in the heavy industrial zone had it been contemplated and whether such proposed use is compatible with or similar to the listed and permitted uses. It plainly is when the appropriate standards are applied – which they were not.

Moreover, the subject property already carries approved entitlements for a heavy industrial facility with infrastructure, utility, environmental, and operational parameters that well exceed anything the proposed data center would require. Those entitlements run with the land. There is therefore no basis to ignore the required 17.01.160.C determination and unilaterally impose a new CUP requirement on a use that fits squarely within the scope of what is already permitted and approved.

Second, even if a CUP were required, the Hearing Examiner’s outright denial was arbitrary and capricious and not supported by a sufficiently reasoned statement. The City’s own planning staff reviewed the Lex CUP Application and recommended approval with suggested modest conditions. A copy of the staff report is attached hereto Exhibit B. In denying the application, the Hearing Examiner departed from staff’s conclusions based solely on Applicant’s failure to submit comprehensive studies that are ordinarily required during the site development and building permit process, not at the CUP stage. Denying a CUP on the basis that studies not required had not yet been submitted improperly inverts the regulatory process and constitutes an abuse of discretion.

And third, the conclusion the Hearing Examiner reached—outright denial—is disproportionate and fundamentally unjust in these circumstances. State and City Code both expressly authorize the hearing body to approve a CUP with conditions, including conditions requiring future studies and analyses. But the correct approach (arguing in the alternative as a CUP is not even required here) is to approve the CUP conditioned on completion of those studies before *final approval*, not conditional approval. Denying an application entirely and forcing Applicant to expend likely hundreds of thousands of dollars on studies with no assurance of approval if conditions are satisfied, is not justified nor justifiable in this case.

For these reasons, the City Council should reverse the Hearing Examiner’s denial and permit Applicant to proceed with lawful development of the subject property.

ARGUMENT

I. NO CONDITIONAL USE PERMIT IS REQUIRED.

A. Pocatello Code Section 17.01.160.C (“Unlisted Use; Authorization of Similar Use”) governs here, not the Conditional Use Permit procedures set forth in Section 17.02.130.

Pocatello City Code expressly anticipates the situation presented here and provides a specific mechanism for addressing it. The Code recognizes that not every conceivable use can be expressly identified within the zoning classifications and therefore establishes a process for determining whether an unlisted use is nevertheless compatible with, similar to, and properly allowed within a particular zoning district. Importantly, that process is not the Conditional Use Permit process set forth in Section 17.02.130.

Section 17.01.160.C provides that because “[i]t is not possible to contemplate all of the various uses that will be compatible within a zoning district,” the “purpose of [the section] is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with or similar to the listed uses.” P.C.C. § 17.01.160.C.

The Code then describes the process in a single sentence: “The *director shall render an interpretation*, as governed by section 17.02.180 of this title.” *Id.* (Emphasis added.) In other words, when a proposed use is not expressly listed, the Planning Director is solely tasked with determining whether the use would have been permitted had it been contemplated and whether it is sufficiently similar and compatible with the uses already allowed within the zoning district. That determination is a formal one, requiring reviewable findings based on specific and limited criteria, outlined below. Once the director renders that interpretation, the decision may be appealed directly to the City Council. *See* P.C.C. §§ 17.02.180.C.5; 17.02.300.

The Code requires four specific and limited criteria. “Approval or denial of an unlisted use application by the director shall be based on findings of whether:”

- a. The use is consistent with the intent and purpose of the applicable zoning district;
- b. The use is similar to and of the same general type as the uses listed in the zoning district;
- c. The use has similar impacts as the uses listed in the zoning district; and
- d. The use has similar impacts on the community facilities as the uses listed in the zoning district....

P.C.C. § 17.01.160.C.

That process was never followed here. Initially the director told the Applicant that no CUP was required. And, rather than rendering the interpretation required by Section 17.01.160.C and analyze the proposed use under the four mandatory and limited criteria, the director and the City simply stated that “City use classifications do not include data centers and the Planning Director as well as the Mayor have determined that the proposed use requires a CUP in accordance with 17.01.160.C.” Ex. A, Decision at 1. But Section 17.01.160.C does not direct the City to require a CUP whenever a use is unlisted. It specifically directs the Planning Director to make a finding whether the proposed use is compatible with and sufficiently similar to uses

already permitted within the district according to the criteria provided. The City skipped that analysis entirely.

Instead, the City improperly required the Applicant to submit a CUP application under Section 17.02.130 to provide public input on this hot-button issue. That procedural error fundamentally altered the posture of the project and subjected the Applicant to an entirely different review framework than the one mandated by the City Code. The matter was then referred to the Hearing Examiner for adjudication of a CUP application that should never have been required in the first place.

Had the Planning Director performed the interpretation required by Section 17.01.160.C and applied the four criteria set forth therein, the only reasonable conclusion would have been that a data center fits comfortably within the Heavy Industrial zoning district. The City Code defines Heavy Industrial uses as including “[m]anufacturing, processing and assembling of semifinished or finished products from raw materials,” together with uses involving substantial infrastructure, outdoor equipment and storage, continuous industrial operations, and potentially significant utility and operational impacts. P.C.C. § 17.01.160.b.4.b.(2). The listed examples include energy production facilities, large-scale machinery manufacturing, concrete and asphalt production, metal processing, feed manufacturing, wood processing, etc. *Id.*

A modern data center is plainly of the same general industrial character and operational intensity as those uses. Data centers are large-scale industrial infrastructure facilities requiring extensive electrical systems, mechanical cooling equipment, backup generation, utility interconnection, and continuous operations. Like the expressly permitted heavy industrial uses, data centers are defined by substantial power consumption, significant infrastructure demands, industrial-scale building systems, and operational impacts requiring placement away from lower-intensity commercial or residential districts. *See generally*, Ex. B, 10–20, including cited sources.

If facilities such as its predecessor owner, Hoku, involving chemical processing, asphalt mixing, energy production, and large-scale manufacturing are contemplated within the Heavy Industrial zones, then a data center—which obviously operates with much fewer external impacts, significantly less noise, vibration, and traffic, and substantially fewer emissions than most expressly permitted heavy industrial uses—necessarily falls within the same general category of uses contemplated by the zone. *Id.*

Because the City failed to follow the process mandated by Section 17.01.160.C which would have avoided the CUP application altogether, the resulting CUP decision is legally defective from the outset. The Council should therefore reverse the Decision on this basis alone.

B. The prior CUP approved this property for heavy industrial use with full infrastructure authorization.

As discussed, the City followed the wrong procedure and failed to apply an obvious legal standard. But even apart from that procedural defect, a new CUP was unnecessary because the

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property carries approved entitlements authorizing a substantially more intensive industrial use. And those entitlements run with the land. *See* P.C.C. § 17.02.130.I (“a conditional use permit granted pursuant to the provisions of this chapter shall continue for the approved use upon a change of property ownership”).

The subject property already holds approved entitlements for the formerly-planned Hoku plant, a heavy industrial solar polysilicon manufacturing facility—one of the most infrastructure-intensive and environmentally demanding industrial uses possible. In approving that prior use, the City necessarily determined that this particular property could support extraordinary electrical demand, industrial-scale utility infrastructure, water and wastewater impacts, significant and problematic environmental impacts, and serious public safety considerations. Those prior approvals necessarily included findings under the same criteria the Hearing Examiner later found lacking here: adequate public facilities and services (Criterion D4), no excessive environmental impacts (Criterion D6), and no detriment to public health, safety, or welfare (Criterion D7).

The City cannot reconcile those two positions. It cannot conclude that a 110-megawatt chemical manufacturing facility satisfies Section 17.02.130.D while simultaneously concluding that a data center (which involves no chemical manufacturing, no comparable industrial byproducts, just a fraction of the water use, substantially less wastewater, if at all, and materially fewer environmental impacts such as creation of toxic waste) fails those same standards. The prior entitlement approvals already resolved the very infrastructure, environmental, and compatibility questions the Hearing Examiner claimed remain unanswered.

Considering this, the Applicant would be wholly within its rights to simply build a facility identical to that of the planned Hoku plant rather than the significantly less intensive data center, and the City would not be able to prevent that from happening.

The codified purpose of a CUP further confirms why a second CUP proceeding was unnecessary in this case. The City Code explains that conditional uses require individualized review where “their effect on the surrounding environment cannot be determined in advance of a specific proposal for a particular location.” P.C.C. 17.02.130.A. But that evaluation has already occurred here. The City previously approved a considerably more intensive heavy industrial operation on this very property in connection with the Hoku facility.

And, critically, the City has also separately evaluated and actively and vehemently supported comparable data-center infrastructure in connection with the FBI data center project located in the City several years ago—confirming that this type of use is neither novel nor unanticipated within the City’s industrial planning framework.

Accordingly, there is nothing speculative or unforeseeable about the impacts associated with Applicant’s proposal. Nor would additional CUP conditions meaningfully “enhance the compatibility” of the proposed use with surrounding properties, which is the stated purpose of

the CUP ordinance. *See* P.C.C. § 17.02.130.A (“Conditional uses are uses that are allowed within a zoning district provided that certain standards (or ‘conditions’) are met that will enhance the compatibility of the proposed use with other surrounding uses.”).

Finally, the Code’s “Parallel Use Consideration” provision also confirms that a new CUP should not have been required. Section 17.02.130.K allows a parallel use within the same use classification where the new use does not increase the general intensity of use or materially expand impacts. That is exactly the case here. The Applicant seeks to establish another industrial use on property already approved for a substantially more intensive heavy industrial operation. The proposed data center falls squarely within the scope, intensity, and infrastructure profile of the prior approval and should have been treated accordingly.

Because the property already carries heavy industrial entitlements for a far more intensive use, the City had no valid basis to require a new CUP for Applicant’s proposed data center. The Council should therefore reverse the Decision on this basis as well.

II. EVEN IF A CUP WERE REQUIRED, THE HEARING EXAMINER’S DENIAL WAS ARBITRARY, CAPRICIOUS, AND LEGALLY DEFICIENT.

Even assuming that the Applicant was properly subjected to the CUP process (which it wasn’t), the Hearing Examiner’s absolute denial cannot stand. The decision was arbitrary and capricious, unsupported by a sufficiently reasoned statement, and contrary to the record before the City. The Decision fails to adequately explain the standards applied, the contested facts relied upon, or the rationale connecting the evidence in the record to the denial, as required by applicable law.

In her quasi-judicial capacity, the Hearing Examiner is not free to simply deny a CUP application without articulating a reasoned factual basis for doing so.¹ Under Idaho Code § 67-6535(2), the Hearing Examiner’s written decision must “explain[] the criteria and standards considered relevant, state[] the relevant contested facts relied upon, and explain[] the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.” I.C. § 67-6535(2). Similar reasoning and explanation are required by Pocatello City Code 17.02.400.B.

The Idaho Supreme Court has unequivocally held that “[section] 67-6535 requires more than conclusory statements from which a decision-maker’s resolution of disputed facts and legal

¹ “[W]hen a governing body sits in a quasi-judicial capacity, it must confine its decision to the record produced at the public hearing, and ... failing to do so violates procedural due process of law.” *S Bar Ranch v. Elmore Cnty.*, 170 Idaho 282, 304, 510 P.3d 635, 657 (2022), *as amended* (June 14, 2022). Applicant notes that the Hearing Examiner openly admits that she did not confine herself to the record in this case: “The Hearing Examiner discloses that she visited the site to observe the physical character and relationships of the subject property and surrounding area and viewed the subject property on Google Maps.” Ex. A. at 2.

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reasoning may be inferred.” *Veterans Park Neighborhood Ass'n, Inc. v. City of Boise*, 175 Idaho 194, 564 P.3d 350, 368 (2025), *reh'g denied* (Mar. 6, 2025). Further, a land use decision cannot be “(a) In violation of constitutional or statutory provisions; (b) In excess of the statutory authority of the agency; (c) Made upon unlawful procedure; or (d) Arbitrary, capricious, or an abuse of discretion.” I.C. § 67-5279. Nor can the denial of a CUP application harm an applicant’s substantial rights. *Veterans Park* 564 P.3d at 370.

Here, the City’s own planning staff conducted a detailed review of the Lex CUP Application under the seven criteria set forth in Pocatello City Code § 17.02.130.D and recommended approval subject to modest conditions, no doubt bearing in mind the history, factual record, zoning classification, and existing entitlements of the subject property. Staff concluded that the proposed data center satisfied the applicable CUP criteria and was appropriate for the Heavy Industrial zone. *See generally*, Ex. B.

The Hearing Examiner nevertheless rejected staff’s conclusions as to Criteria D4, D6, and D7 with nothing more than conclusory statements. Critically, the Hearing Examiner did not sufficiently explain the criteria and standards considered relevant, state the relevant contested facts relied upon, or explain the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. I.C. § 67-6535(2); P.C.C. 17.02.400.B. The Hearing Examiner failed to identify facts demonstrating that the proposed use would overburden public facilities, create unacceptable environmental impacts, or threaten public health and safety despite its heavy industrial zoning. Instead, the denial was based entirely on the asserted absence of comprehensive technical studies and engineering-level analyses that are ordinarily required later in the development process during final permitting, site plan review, utility review, and building permit approval—not at the CUP stage.

That distinction matters. A CUP proceeding evaluates *land use compatibility and general site suitability*; it is not intended to function as the final engineering review for every component of a proposed industrial development. The City’s own staff recognized this and recommended approval with conditions allowing subsequent technical review through the ordinary permitting process. The Hearing Examiner instead effectively required Applicant to complete substantial portions of downstream engineering and permitting review before obtaining even conditional land use approval.

That approach improperly inverts the City’s regulatory framework. If generalized uncertainty regarding future engineering details were enough to deny a CUP, then virtually no major industrial project could obtain preliminary land use approval before first completing the entire technical study and design process. That is neither how the City Code is structured nor how industrial development approvals ordinarily proceed either legally or practically.

The Hearing Examiner also failed to explain why the conditions recommended by staff were insufficient to address any remaining concerns. Rather than impose additional reasonable

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conditions—which is the very purpose of the CUP process—the Hearing Examiner denied the application outright based on information the Code did not require Applicant to provide at this stage. In doing so, the Decision harmed Applicant’s substantial rights without a sufficiently reasoned basis grounded in the City Code or the record.

The aggregate result was an arbitrary and capricious abuse of discretion, untethered from the applicable approval criteria and unsupported by substantial evidence in the record. The procedural posture and substance of the Decision further suggest that the denial was driven less by the standards of the City Code and more by external political pressure surrounding the project. Rather than approve the application with reasonable conditions pending subsequent technical review, the Hearing Examiner denied it wholesale (ostensibly due solely to the fact that data centers are now the political hot button of the day and the hearing was days before a primary election) and has attempted to enforce the one-year waiting period before Applicant could even reapply.

That extraordinary step functionally operates as a moratorium on the project despite the absence of substantial evidence demonstrating that the proposed use is incompatible with the Heavy Industrial zone or incapable of satisfying applicable development standards. By denying the Applicant the ability to use the property for purposes for which it is already entitled, the Hearing Examiner has harmed the Applicant’s substantial rights. (Even just “[t]he failure to provide a reasoned statement that enables [a court] to engage in meaningful judicial review deprives a party of its substantial right to due process.” *Veterans Park* 564 P.3d at 370.).

The record in this case reflects an effort to delay or prevent the project from proceeding entirely by demanding engineering-level certainty at the earliest possible stage of the land use process, contrary to the structure and purpose of the City’s own regulatory process. Applicant therefore respectfully requests that, if a CUP is required for this project (Applicant maintains that it isn’t per Part I *supra*), the Council reverse the Hearing Examiner’s denial of the Lex CUP Application.

III. THE CITY’S REFUSAL TO CONDITIONALLY APPROVE THE LEX CUP APPLICATION IS FUNDAMENTALLY UNJUST.

The Hearing Examiner’s Decision was disproportionate and fundamentally unjust under the circumstances in this matter. Both Idaho law and the Pocatello City Code expressly contemplate conditional approval as the appropriate mechanism for addressing unresolved technical or site-specific issues during the CUP process. Idaho Code § 67-6512(d) authorizes local governments to impose “[c]onditions reasonably necessary to mitigate adverse impacts” in connection with conditional use approvals. Likewise, Pocatello City Code § 17.02.130 is expressly structured around the concept that potentially compatible uses may proceed subject to conditions tailored to address outstanding concerns.

The Hearing Examiner nevertheless adopted the most extreme possible outcome: full denial coupled with a one-year prohibition on refileing. That result is not equitable or just considering the Hearing Examiner's quasi-judicial role and Idaho's foundational principles of free use of land. The result is especially unreasonable (and completely unjustifiable) given this particular property, its zoning designation, history, and existing entitlements.

Major industrial projects routinely proceed through phased review processes in which land use compatibility is evaluated first, followed by progressively more detailed engineering and technical review. The CUP process is not intended to require applicants to incur the full cost of final engineering, utility design, environmental analysis, and construction-level studies before obtaining preliminary and conditional land use authorization. If appropriate and reasonable conditions cannot be met, the CUP process could result in failure to obtain *final approval*. Yet that is effectively what the Hearing Examiner required here.

The practical effect of the Decision is to force Applicant to spend potentially hundreds of thousands of dollars on additional technical studies and analyses with no assurance that the City will ultimately approve the project even if those studies satisfy every conceivable concern. What is worse, is that the Decision fails to provide any meaningful certainty as to what additional information would actually be sufficient – a year from now. The Hearing Examiner appears to have assembled a generalized list of potential studies and technical analyses unrelated to any clearly articulated approval standard, objective benchmark, or identified deficiency. The Decision therefore places Applicant in the impossible position of satisfying an undefined and potentially ever-expanding set of vague requirements before even obtaining conditional land use approval. That is not a reasonable or fair application of the CUP process, which amounts to the deprivation of Applicant's substantial right to due process. It is an indefinite moving target that effectively forecloses development through procedural exhaustion rather than through application of the standards actually set forth in the Code.

If the Hearing Examiner genuinely believed additional technical information was necessary, the appropriate course was straightforward. That is, approve the application subject to conditions requiring completion of those studies before commencement of construction or issuance of final permits. The complete denial instead transformed the CUP process into an open-ended and prohibitively expensive prerequisite regime far removed from the ordinary sequencing of land use and permitting review.

Under these circumstances, the denial was not merely erroneous, it was fundamentally unfair and inconsistent with the purpose and structure of Idaho's land use law.

CONCLUSION

The Hearing Examiner's denial of the Lex CUP Application is wrong as a matter of law and fact. A CUP was not required in the first place because the City failed to follow correct procedure and applied the wrong standards. The subject property already holds entitlements for heavy industrial use at a scale and intensity that encompasses the proposed data center.

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Even if a CUP was required, the application satisfied all seven criteria of Pocatello City Code section 17.02.130.D. And even if additional information is needed, the correct decision is approval with conditions, not full denial that imposes a one-year reapplication bar with no assurance of any future approval.

Applicant respectfully requests that this Council reverse the Decision and permit Applicant to proceed with lawful development. If the Council feels a CUP is required, Applicant requests that the Council approve the Lex CUP Application, with such reasonable conditions as the Council deems appropriate to address infrastructure coordination and study requirements.

We appreciate the Council's time and consideration of this matter.

Respectfully submitted,
PARSONS BEHLE & LATIMER



Jon A. Stenquist
Attorney at law

JAS

Enclosures

EXHIBIT A

AMENDED FINDINGS OF FACT AND DECISION

CITY OF POCATELLO HEARING EXAMINER

HEARING HELD MAY 14, 2026

City Hall Council Chambers, 911 North 7th Avenue, Pocatello, Idaho

Instrument # 22605992
Bannock County, Pocatello, Idaho
05/19/2026 03:18:55 PM No. of Pages: 9
Recorded for: CITY OF POCATELLO
Jason C. Dixon Fee: \$0.00
Deputy: jmcDonald

APPLICANT: Gus Schultz
OWNER: Portneuf Capital, LLC
REQUEST: Conditional Use Permit for potential data center
LEGAL DESCRIPTION: RPPGW000100 and RPCPP044853
GENERAL LOCATION: 1800 River Park Way
STAFF: Jennifer Flynn, Assistant Planner

REQUEST & BACKGROUND:

Gus Schultz is requesting permission to develop land for a data center on the subject property, known as 1800 River Park Way, entailing two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial. The request is to allow a potential data center to be built on these parcels. City use classifications do not include data centers and the Planning Director as well as the Mayor have determined that the proposed use requires a CUP in accordance with 17.01.160.C.

Per code **17.01.160: USE CLASSIFICATIONS:**

A. Purpose: The purpose of this section is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for the regulation of uses in accordance with criteria that are directly relevant to public health, safety, and general welfare.

As noted in section C:

C. Unlisted Use; Authorization of Similar Use:

1. Purpose: It is not possible to contemplate all of the various uses that will be compatible within a zoning district; therefore, unintentional omissions occur. The purpose of these provisions is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with or similar to the listed uses.

2. Process: The director shall render an interpretation, as governed by section [17.02.180](#) of this title.

3. Approval Standards: Approval or denial of an unlisted use application by the director shall be based on findings of whether:

- a. The use is consistent with the intent and purpose of the applicable zoning district;
- b. The use is similar to and of the same general type as the uses listed in the zoning district;
- c. The use has similar impacts as the uses listed in the zoning district; and

d. The use has similar impacts on the community facilities as the uses listed in the zoning district. Community facilities include, but are not limited to, streets, schools, libraries, hospitals, parks, police and fire stations and water, sanitary sewer and storm drainage systems.

4. Other Provisions: The director shall not authorize an unlisted use in a zoning district if the use is specifically listed in another zoning district as either a permitted use or a conditionally permitted use.

Physical Characteristics of the Site: 1800 River Park Way, entails two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial.

Notification: Notice was posted on the subject property and published in the Idaho State Journal on April 28, 2026. All property owners within three hundred feet (300') of the external boundaries of the subject property have been provided notice of the public hearing in order that they may provide comment on the proposed Conditional Use Permit.

Hearing Examiner Authority to Grant: The Hearing Examiner may approve, approve with conditions, or deny an application for a Conditional Use Permit. The decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code section 67-6521) to the City Council pursuant to the process outlined in Pocatello City Code section 17.02.400: Appeals.

CONDITIONAL USE PERMITS (CUP): 17.02.130.A DEFINITION:

Conditional uses are uses that are allowed within a zoning district provided that certain standards (or "conditions") are met that will enhance the compatibility of the proposed use with other surrounding uses. Often conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of a specific proposal for a particular location. Application for a conditional use permit affords the city an opportunity to review the location, design, configuration, and potential impact of the proposed use on surrounding land uses.

DECISION & CONDITIONS:

Based on review of the application for the conditional use permit, analysis of the staff report, and the applicants' presentation received during the public hearing regarding this conditional use permit application, the Hearing Examiner **denies the conditional use permit**, finding the application does not meet the standards for approval under Chapter 17.02.130 D of Pocatello Municipal Code.

FINDINGS OF FACT:

1. The Hearing Examiner discloses that she visited the site to observe the physical character and relationships of the subject property and surrounding area and viewed the subject property on Google Maps. No ex-parte communications took place with anyone prior to the public hearing or during the writing of this report beyond the information gathered or requested at said public hearing. The Hearing Examiner states that there is nothing personally or professionally that would not allow an impartial or unbiased decision.
2. City Staff received 95 written comments prior to the public hearing.
3. Over 120 written public comments were received by the time the public hearing closed and over 90 public comments were heard during the hearing.
4. A public hearing was held on Thursday, May 14, 2026, beginning at approximately 5:33 pm and closing at approximately 9:58 pm.

CRITERIA FOR REVIEW: The Hearing Examiner shall review the facts and circumstances of each proposal in terms of the standards listed in the table below:

Table 1. Conditional Use Permit Review Criteria Analysis

REVIEW CRITERIA (17.02.130.D):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D1	Is conditionally permitted within the subject land use district and complies with all of the applicable provisions of this code unless modified through the CUP process.
			<i>Findings</i>	Yes, this land is zoned Industrial. According to 17.01.160.4.b.2: Heavy industrial: Manufacturing, processing and assembling of semi-finished or finished products from raw materials. A substantial proportion of activities and storage may be undertaken outdoors with resulting noise, glare, vibration, and other potentially adverse impacts. Examples include, but are not limited to, production or processing of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; manufacturing and production of large scale machinery; energy production facilities; concrete batching and asphalt mixing; production of metals or metal products including enameling and galvanizing; production of cars, trucks, recreational vehicles, or mobile homes; feed manufacturing; and wood processing. Data centers are an unlisted use in the zoning ordinance. In accordance with 17.01.160.C the Planning Director and the Mayor have determined a CUP is required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D2	Is consistent with the goals and policies of the comprehensive plan of the city.
			<i>Findings</i>	Future Land Use designates the subject property to be industrial for future use. Data centers are most similar to Heavy Industrial uses as described in 17.01.160.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D3	Is compatible with existing and permitted land uses within the general area.
			<i>Findings</i>	This corridor is industrial and if a potential data center use is approved, would be compatible with other industrial uses.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.02.130.D4	Could be adequately served by public facilities and services such as thoroughfares, transportation facilities, police and fire protection, drainage, refuse disposal, water/sewer and schools, to ensure that the proposed use would not be detrimental to public health, safety, and welfare.
			<i>Findings</i>	The Hearing Examiner finds that the application does not adequately address that the project could be served by public facilities and services. The applicant should conduct studies/impact analysis for power, water and wastewater capacity, air quality analysis prior to submitting another application. These studies

				should include at a minimum: wastewater discharge quantities; identification of pretreatment systems if needed; potential chemical discharge; water demand calculations; long term electrical infrastructure requirements and environmental impacts related to emissions, water utilization and wastewater discharge.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D5	Would be harmonious in scale, mass, coverage, density, and intensity with all adjacent permitted land uses.
			<i>Findings</i>	Adjacent land uses are similar and fit within the industrial use classification. Landscape buffers will be required per City standards.
			17.02.130.D6	Would not adversely affect the environment to a greater degree than had a use permitted outright by the ordinance been established.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Findings</i>	Based on the limited information provided, the Hearing Examiner finds that the question of environmental impacts has not been adequately addressed. The applicant has failed to provide sufficient information necessary for meaningful review. Studies including utility impact analyses, environmental assessments, infrastructure mitigation measures, and long-term operational impacts showing that this project meets local, state, and federal standards for emissions, power demands, water utilization, and wastewater discharge.
			17.02.130.D7	Would not be detrimental to the public interests, health, safety, or welfare of the city in its proposed location, size, design, and operating characteristics.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Findings</i>	The Hearing Examiner finds that the application does not adequately address that the project would not be detrimental to the public interests, health, safety, or welfare of the city. The applicant should conduct studies/impact analysis for power, water and wastewater capacity, air quality analysis prior to submitting another application. These studies should include at a minimum: wastewater discharge quantities; identification of pretreatment systems if needed; potential chemical discharge; water demand calculations; long term electrical infrastructure requirements and environmental impacts related to emissions, water utilization and wastewater discharge.

APPLICANT NOTICE:

Notice is hereby given that this decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code Section 67-6521) to the City Council, using the process outlined in Municipal Code Section 17.02.400 pursuant to Idaho Code Section 67-8003 within 14 days of this recorded decision.

RESPECTFULLY SUBMITTED this 19th day of May 2026.

Kathleen Lewis, City of Pocatello Hearing Examiner

STATE OF IDAHO)

ss:

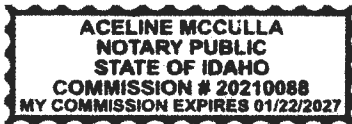
County of Bannock)

On this 19th day of May 2026, before me, the undersigned, a Notary Public in and for the State, personally appeared Hearing Examiner Kathleen Lewis on behalf of the City of Pocatello, known to me or proved to me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn, acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Aceline McCulla
Notary Public for Idaho
Residing at Pocatello, Idaho

Seal



FINDINGS OF FACT AND DECISION
CITY OF POCATELLO HEARING EXAMINER

HEARING HELD MAY 14, 2026
911 NORTH 7th AVENUE, POCATELLO, IDAHO

Instrument # 22605957
Barnock County, Pocatello, Idaho
05/18/2026 03:11:06 PM No. of Pages: 4
Recorded for: CITY OF POCATELLO
Jason C. Dixon Fee: \$0.00
Deputy: aleavitt

APPLICANT: Gus Schultz
OWNER: Portneuf Capital, LLC
REQUEST: Conditional Use Permit for potential data center
LEGAL DESCRIPTION: RPPGW000100 and RPCPP044853
GENERAL LOCATION: 1800 River Park Way
STAFF: Jennifer Flynn, Assistant Planner

REQUEST & BACKGROUND:

Gus Schultz is requesting permission to develop land for a data center on the subject property, known as 1800 River Park Way, entailing two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial. The request is to allow a potential data center to be built on these parcels. City use classifications do not include data centers and the Planning Director as well as the Mayor have determined that the proposed use requires a CUP in accordance with 17.01.160.C.

Per code 17.01.160: USE CLASSIFICATIONS:

A. Purpose: The purpose of this section is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for the regulation of uses in accordance with criteria that are directly relevant to public health, safety, and general welfare.

As noted in section C:

C. Unlisted Use; Authorization of Similar Use:

1. Purpose: It is not possible to contemplate all of the various uses that will be compatible within a zoning district; therefore, unintentional omissions occur. The purpose of these provisions is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with or similar to the listed uses.
2. Process: The director shall render an interpretation, as governed by section [17.02.180](#) of this title.
3. Approval Standards: Approval or denial of an unlisted use application by the director shall be based on findings of whether:
 - a. The use is consistent with the intent and purpose of the applicable zoning district;
 - b. The use is similar to and of the same general type as the uses listed in the zoning district;
 - c. The use has similar impacts as the uses listed in the zoning district; and
 - d. The use has similar impacts on the community facilities as the uses listed in the zoning district. Community facilities include, but are not limited to, streets, schools, libraries, hospitals, parks, police and fire stations and water, sanitary sewer and storm drainage systems.
4. Other Provisions: The director shall not authorize an unlisted use in a zoning district if the use is specifically listed in another zoning district as either a permitted use or a conditionally permitted use.

PHYSICAL CHARACTERISTICS OF THE SITE: 1800 River Park Way, entails two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial.

NOTIFICATION: Notice was posted on the subject property and published in the Idaho State Journal on April 28, 2026. All property owners within three hundred feet (300') of the external boundaries of the subject property have been provided notice of the public hearing in order that they may provide comment on the proposed Conditional Use Permit.

HEARING EXAMINER AUTHORITY TO GRANT: The Hearing Examiner may approve, approve with conditions, or deny an application for a Conditional Use Permit. The decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code section 67-6521) to the City Council pursuant to the process outlined in Pocatello City Code section 17.02.400: Appeals.

CONDITIONAL USE PERMITS (CUP): 17.02.130.A DEFINITION:

Conditional uses are uses that are allowed within a zoning district provided that certain standards (or “conditions”) are met that will enhance the compatibility of the proposed use with other surrounding uses. Often conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of a specific proposal for a particular location. Application for a conditional use permit affords the city an opportunity to review the location, design, configuration, and potential impact of the proposed use on surrounding land uses.

DECISION & CONDITIONS:

Based on review of the application for the conditional use permit, analysis of the staff report, and the applicants' presentation received during the public hearing regarding this conditional use permit application, the Hearing Examiner **denies the conditional use permit**, finding the application does not meet the standards for approval under Chapter 17.02.130 D of Pocatello Municipal Code.

FINDINGS OF FACT:

1. The Hearing Examiner discloses that she visited the site to observe the physical character and relationships of the subject property and surrounding area and viewed the subject property on Google Maps. No ex-parte communications took place with anyone prior to the public hearing or during the writing of this report beyond the information gathered or requested at said public hearing. The Hearing Examiner states that there is nothing personally or professionally that would not allow an impartial or unbiased decision.
2. City Staff received 95 written comments prior to the public hearing.
3. Over 120 written public comments were received by the time the public hearing closed and over 90 public comments were heard during the hearing.
4. A public hearing was held on Thursday, May 14, 2026, beginning at approximately 5:33 pm and closing at approximately 9:58 pm.

CRITERIA FOR REVIEW: The Hearing Examiner shall review the facts and circumstances of each proposal in terms of the standards listed in the table below:

Table 1. Conditional Use Permit Review Criteria Analysis

REVIEW CRITERIA (17.02.130.D):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D1	Is conditionally permitted within the subject land use district and complies with all of the applicable provisions of this code unless modified through the CUP process.
			<i>Findings</i>	Yes, this land is zoned Industrial. According to 17.01.160.4.b.2: Heavy industrial: Manufacturing, processing and assembling of semi-finished or finished products from raw materials. A substantial proportion of activities and storage may be undertaken outdoors with resulting noise, glare, vibration, and other potentially adverse impacts. Examples include, but are not limited to, production or processing of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; manufacturing and production of large scale machinery; energy production facilities; concrete batching and asphalt mixing; production of metals or metal products including enameling and galvanizing; production of cars, trucks, recreational vehicles, or mobile homes; feed manufacturing; and wood processing.

				Data centers are an unlisted use in the zoning ordinance. In accordance with 17.01.160.C the Planning Director and the Mayor have determined a CUP is required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D2	Is consistent with the goals and policies of the comprehensive plan of the city.
			<i>Findings</i>	Future Land Use designates the subject property to be industrial for future use. Data centers are most similar to Heavy Industrial uses as described in 17.01.160.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D3	Is compatible with existing and permitted land uses within the general area.
			<i>Findings</i>	This corridor is industrial and if a potential data center use is approved, would be compatible with other industrial uses.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.02.130.D4	Could be adequately served by public facilities and services such as thoroughfares, transportation facilities, police and fire protection, drainage, refuse disposal, water/sewer and schools, to ensure that the proposed use would not be detrimental to public health, safety, and welfare.
			<i>Findings</i>	The Hearing Examiner finds that the application does not adequately address that the project could be served by public facilities and services. The applicant should conduct studies/impact analysis for power, water and wastewater capacity, air quality analysis prior to submitting another application. These studies should include at a minimum: wastewater discharge quantities; identification of pretreatment systems if needed; potential chemical discharge; water demand calculations; long term electrical infrastructure requirements and environmental impacts related to emissions, water utilization and wastewater discharge.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D5	Would be harmonious in scale, mass, coverage, density, and intensity with all adjacent permitted land uses.
			<i>Findings</i>	Adjacent land uses are similar and fit within the industrial use classification. Landscape buffers will be required per City standards.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D6	Would not adversely affect the environment to a greater degree than had a use permitted outright by the ordinance been established.
			<i>Findings</i>	Based on the limited information provided, the Hearing Examiner finds that the question of environmental impacts has not been adequately addressed. The applicant has failed to provide sufficient information necessary for meaningful review. Studies including utility impact analyses, environmental assessments, infrastructure mitigation measures, and long-term operational impacts showing that this project meets local, state, and federal standards for emissions, power demands, water utilization, and wastewater discharge.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D7	Would not be detrimental to the public interests, health, safety, or welfare of the city in its proposed location, size, design, and operating characteristics.
			<i>Findings</i>	The Hearing Examiner finds that the application does not adequately address that the project would not be detrimental to the public interests, health, safety, or welfare of the city. The applicant should conduct studies/impact analysis for power, water and wastewater capacity, air quality analysis prior to submitting another application. These studies should include at a minimum: wastewater discharge quantities; identification of pretreatment systems if needed; potential chemical discharge; water demand calculations; long term electrical infrastructure requirements and environmental impacts related to emissions, water utilization and wastewater discharge.

APPLICANT NOTICE:

Notice is hereby given that this decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code Section 67-6521) to the City Council, using the process outlined in Municipal Code Section 17.02.400 pursuant to Idaho Code Section 67-8003 within 14 days of this recorded decision.

RESPECTFULLY SUBMITTED this 18th day of May 2026.

Kathleen Lewis, City of Pocatello Hearing Examiner

STATE OF IDAHO)

ss:

County of Bannock)

On this 18th day of May 2026, before me, the undersigned, a Notary Public in and for the State, personally appeared Hearing Examiner Kathleen Lewis on behalf of the City of Pocatello, known to me or proved to me to be the person whose name is subscribed to the foregoing instrument, and being duly sworn, acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Aceline McCulla
Notary Public for Idaho
Residing in Pocatello, Idaho

Seal

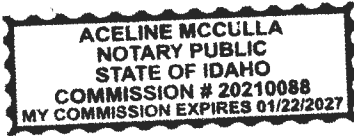


EXHIBIT B

MEETING AGENDA

CITY OF POCATELLO

HEARING EXAMINER

MAY 14, 2026 | 5:30 PM

POCATELLO CITY HALL | COUNCIL CHAMBERS | 911 NORTH 7TH AVENUE

In accordance with the Americans with Disabilities Act, it is the policy of the City of Pocatello to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require an accommodation, please contact Skyler Beebe with two (2) business days' advance notice at 208.234.6248, sbeebe@pocatello.gov or 5815 South 5th Avenue, Pocatello, Idaho. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The Hearing Examiner is a citizen advisory group to the City Council. The Hearing Examiner is charged with making decisions for conditional use permit and variance applications. All Hearing Examiner meetings are recorded for record retention and transcription.

The following is the official agenda of the Hearing Examiner meeting. Discussion and action will be limited to those items on the agenda. Any citizen who wishes to address the Hearing Examiner shall first be recognized by the Hearing Examiner, and shall give his/her name for the record. If a citizen wishes to read documentation of any sort to the Hearing Examiner, he/she shall first seek permission from them. Oral testimony may be restricted to no more than 3 minutes per person.

1. DISCLOSURES.

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

2. ACTION ITEM: PUBLIC HEARING: CONDITIONAL USE PERMIT (CUP) – FILE CUP26-003.

This time has been set aside for the Hearing Examiner to hear comments from the public regarding a CUP request by Gus Schultz. The subject property, known as 1800 River Park Way (PARCEL NO. RPPGW000100 AND RPCPP044853, entails 59 acres (more or less) and is zoned of Industrial (I) with a Future Land Use designation of Industrial (I). The request is to allow a potential data center to be built on these parcels. City use classifications do not include data centers and city staff have determined that the proposed use requires a CUP application. (Quasi-Judicial Public Hearing)

HEARING EXAMINER
HEARING: MAY 14, 2026
STAFF REPORT

FILE: CUP26-003

APPLICANT: Gus Schultz
OWNER: Portneuf Capital, LLC
REQUEST: Conditional Use Permit for potential data center
LEGAL DESCRIPTION: RPPGW000100 and RPCPP044853
GENERAL LOCATION: 1800 River Park Way
STAFF: Jennifer Flynn, Assistant Planner

SUMMARY & CONDITIONS:

In consideration of the application, staff concludes that the proposed use is **compliant** with Pocatello City Code Section 17.02.130.D. A full analysis is detailed within this staff report.

Staff recommend the following conditions that are outlined in code for this type of use:

1. All applicable standards of the City of Pocatello Municipal Code not herein listed and applicable shall apply;
2. Any activity requiring a separate development or building permit shall comply with applicable regulations;
3. The applicant shall coordinate with the applicable City Departments prior to the submittal of a building permit to address any site improvements that may be required; and
4. Idaho Power's impact analysis for power generation and construction be provided to the City once complete.

OPTIONAL MOTIONS:

1. Approval of the Application: "Move to recommend **approval** of the Conditional Use Permit application from Gus Schultz to authorize a l data center for RPPGW000100 and RPCPP044853, finding the application meets the standards for approval under section 17.02.130.D of Pocatello City Code.

2. Denial of the Application: "Move to recommend **denial** of the Conditional Use Permit application from Gus Schultz, finding the application **does not** meet the standards for approval under section 17.02.130.D of Pocatello City Code (**state reason for denial**).

GENERAL BACKGROUND:

Request: Gus Schultz is requesting permission to develop land for a data center on the subject property, known as 1800 River Park Way, entailing two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial. The request is to allow a potential data center to be built on these parcels. City use classifications do not include data centers and the Planning Director as well as the mayor have determined that the proposed use requires a CUP in accordance with 17.01.160.C.

Per code 17.01.160: USE CLASSIFICATIONS:

A. Purpose: The purpose of this section is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for the regulation of uses in accordance with criteria that are directly relevant to public health, safety, and general welfare.

As noted in section C:

C. Unlisted Use; Authorization of Similar Use:

1. Purpose: It is not possible to contemplate all of the various uses that will be compatible within a zoning district; therefore, unintentional omissions occur. The purpose of these provisions is to establish a procedure for determining

whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with or similar to the listed uses.

2. Process: The director shall render an interpretation, as governed by section [17.02.180](#) of this title.

3. Approval Standards: Approval or denial of an unlisted use application by the director shall be based on findings of whether:

- a. The use is consistent with the intent and purpose of the applicable zoning district;
- b. The use is similar to and of the same general type as the uses listed in the zoning district;
- c. The use has similar impacts as the uses listed in the zoning district; and
- d. The use has similar impacts on the community facilities as the uses listed in the zoning district.

Community facilities include, but are not limited to, streets, schools, libraries, hospitals, parks, police and fire stations and water, sanitary sewer and storm drainage systems.

4. Other Provisions: The director shall not authorize an unlisted use in a zoning district if the use is specifically listed in another zoning district as either a permitted use or a conditionally permitted use.

Physical Characteristics of the Site: 1800 River Park Way, entails two parcels encompassing ~59 acres and is zoned Industrial (I) with a Future Land Use Map designation of Industrial.

Notification: Notice was posted on the subject property and published in the Idaho State Journal on April 28, 2026. All property owners within three hundred feet (300') of the external boundaries of the subject property have been provided notice of the public hearing in order that they may provide comment on the proposed Conditional Use Permit. No written comments were received from the public prior to the publishing of this staff report.

Hearing Examiner Authority to Grant: The Hearing Examiner may approve, approve with conditions, or deny an application for a Conditional Use Permit. The decision may be appealed by the applicant or other affected persons (according to the provisions of Idaho Code section 67-6521) to the City Council pursuant to the process outlined in Pocatello City Code section 17.02.400: Appeals.

ATTACHMENTS:

- A. Application Documents

CRITERIA FOR REVIEW: The Hearing Examiner shall review the facts and circumstances of each proposal in terms of the standards listed in the table below:

Table 1. Conditional Use Permit Review Criteria Analysis

REVIEW CRITERIA (17.02.130.D):				
Compliant			City Code and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D1	Is conditionally permitted within the subject land use district and complies with all of the applicable provisions of this code unless modified through the CUP process.
			<i>Staff Review</i>	Yes, this land is zoned Industrial. According to 17.01.160.4.b.2: Heavy industrial: Manufacturing, processing and assembling of semi-finished or finished products from raw materials. A substantial proportion of activities and storage may be undertaken outdoors

			<p>with resulting noise, glare, vibration, and other potentially adverse impacts. Examples include, but are not limited to, production or processing of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; manufacturing and production of large scale machinery; energy production facilities; concrete batching and asphalt mixing; production of metals or metal products including enameling and galvanizing; production of cars, trucks, recreational vehicles, or mobile homes; feed manufacturing; and wood processing.</p> <p>Data centers are an unlisted use in the zoning ordinance. In accordance with 17.01.160.C the Planning Director and the Mayor have determined a CUP is required.</p>
			<p><i>Applicant Response</i></p> <p>The proposed data center use complies with the applicable provisions of Pocatello City Code through the framework established in Section 17.01.160 for authorization of unlisted uses. While “data center” is not explicitly identified as a permitted or conditional use within the zoning ordinance, the proposed use meets all required approval standards for similar uses.</p> <p>Specifically, the proposed development is consistent with the intent and purpose of the applicable zoning district, which is to accommodate employment-generating, infrastructure-supported commercial and industrial activities. The data center is functionally similar to permitted uses such as warehouse, light industrial, and utility-related facilities in that it operates within an enclosed structure, has limited on-site staffing, and generates minimal external impacts.</p> <p>The operational characteristics- including low traffic generation, controlled access, and reliance on existing utility infrastructure- are consistent with or less intensive than those of permitted uses. Additionally, the project’s infrastructure demands can be adequately supported by existing and planned public facilities. As such, the proposed use satisfies all criteria for approval as an unlisted use under Section 17.01.160.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.02.130.D2</p> <p>Is consistent with the goals and policies of the comprehensive plan of the city.</p>
			<p><i>Staff Review</i></p> <p>Future Land Use designates the subject property to be industrial for future use. Data centers are most similar to Heavy Industrial uses as described in 17.01.160.</p>
			<p><i>Applicant Response</i></p> <p>The proposed data center is consistent with the goals and policies of the City of Pocatello Comprehensive Plan, particularly those related to economic development, land use efficiency, and infrastructure utilization.</p> <p>The project represents a significant investment in technology infrastructure and contributes to the diversification of the local economic base by introducing a high-value, low-impact employment use. Data centers are widely recognized as essential infrastructure supporting modern commerce, communications, and digital services.</p> <p>The proposed location within an established commercial/industrial area aligns with the Comprehensive Plan’s intent to concentrate</p>

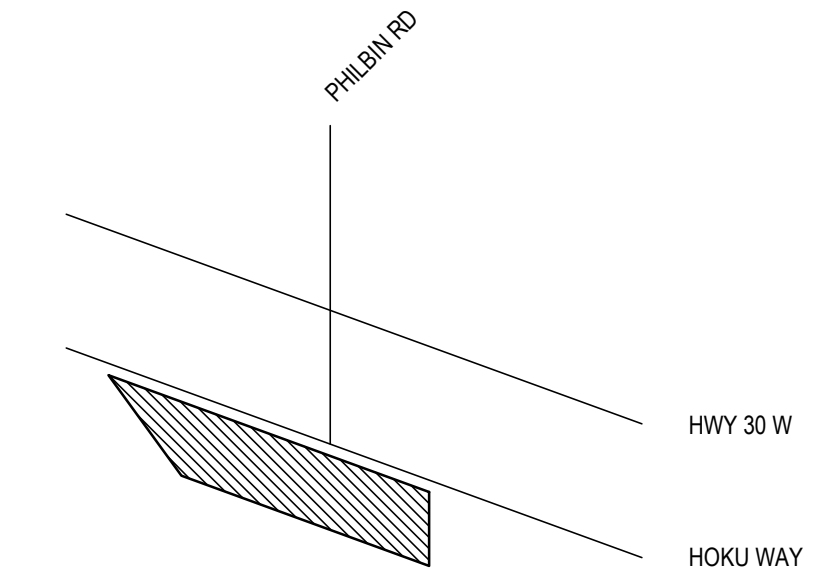
				employment-generating uses in appropriate districts where infrastructure capacity exists. The project promotes efficient use of land and utilities while minimizing conflicts with residential or sensitive land uses.
☒	☐	☐	17.02.130.D3	Is compatible with existing and permitted land uses within the general area.
			<i>Staff Review</i>	This corridor is industrial and if a potential data center use is approved, would be compatible with other industrial uses.
			<i>Applicant Response</i>	The proposed data center is compatible with existing and permitted land uses within the surrounding area. The River Park Complex is characterized by a mix of commercial, industrial, and service-oriented uses, many of which involve similar building forms, operational characteristics, and infrastructure needs. The data center will operate entirely within an enclosed building, with limited employee presence and minimal customer or public access. Compared to many permitted uses in the area, such as retail, distribution, or manufacturing, the data center generates significantly less traffic, noise, and activity. Because of its low-intensity operational profile and industrial/commercial nature, the proposed use is consistent with and compatible with surrounding land uses and will not introduce conflicts within the area.
☒	☐	☐	17.02.130.D4	Could be adequately served by public facilities and services such as thoroughfares, transportation facilities, police and fire protection, drainage, refuse disposal, water/sewer and schools, to ensure that the proposed use would not be detrimental to public health, safety, and welfare.
			<i>Staff Review</i>	Public and private utilities have been notified about this potential development. Needed quantities of water and sewer disposal have not been provided. Once design and calculations have been drafted, this development would need to meet standards and conditions set by Water and Sewer. Officials with the City's Water Pollution Control submitted the following: How much wastewater will be discharged? A ballpark number in gallons. Will any pretreatment be required? Will there be any chemicals being discharged? The City's primary wastewater interceptor line runs alongside/through this property. Full 24/7 access must be provided as well as direct access to all of the manholes connected to the interceptor. The Fire department commented that a secondary access will be required. Applicant is working with Idaho Power and Intermountain Gas to determine a plan to provide power. Up to 100 megawatts of power will be needed to run the data center which will not be available immediately. Idaho Power has commented that 100 megawatts is comparable to the amount of power utilized by the entire city of Pocatello in one year. In the interim, power will be supplemented by gas turbines.
			<i>Applicant Response</i>	The proposed data center can be adequately served by existing public facilities and services, including transportation infrastructure, utilities, and emergency services.

				<p>Traffic generation associated with the use is minimal, consisting primarily of periodic employee access and occasional service or maintenance visits. This is substantially lower than many permitted commercial or industrial uses and will not place undue demand on the surrounding roadway network.</p> <p>The site is located within an area already served by necessary infrastructure, including water, sewer, storm drainage, and electrical systems. The project will be engineered to meet all applicable utility and service requirements, ensuring reliable and efficient operation.</p> <p>Police and fire services can adequately serve the site, and the facility will incorporate modern safety and security systems. Overall, the proposed use will not overburden public facilities and will operate within the capacity of existing infrastructure.</p>
☒	☐	☐	17.02.130.D5	Would be harmonious in scale, mass, coverage, density, and intensity with all adjacent permitted land uses.
			<i>Staff Review</i>	Adjacent land uses are similar and fit within the industrial use classification. Landscape buffers will be required per City standards.
			<i>Applicant Response</i>	<p>The proposed data center will be harmonious in scale, mass, coverage, density, and intensity with adjacent permitted land uses. The building design will be consistent with typical commercial and industrial structures in the area, such as warehouses and similar large-format buildings. While the structure may have a comparable footprint, its operational intensity is significantly lower due to limited staffing and reduced activity levels.</p> <p>The project will incorporate appropriate site planning, setbacks, and design considerations to ensure compatibility with neighboring properties. Overall, the development will fit cohesively within the existing built environment without creating visual or operational conflicts.</p>
☒	☐	☐	17.02.130.D6	Would not adversely affect the environment to a greater degree than had a use permitted outright by the ordinance been established.
			<i>Staff Review</i>	Based on the limited information provided, environmental impacts will be limited as technology advances. City will defer to utilities and other agencies to address environmental impacts; some concerns that will need to be fully addressed meeting local, state, and federal standards are emissions, power demands, water utilization, and wastewater discharge.
			<i>Applicant Response</i>	<p>The proposed data center will be harmonious in scale, mass, coverage, density, and intensity with adjacent permitted land uses. The building design will be consistent with typical commercial and industrial structures in the area, such as warehouses and similar large-format buildings. While the structure may have a comparable footprint, its operational intensity is significantly lower due to limited staffing and reduced activity levels.</p> <p>The project will incorporate appropriate site planning, setbacks, and design considerations to ensure compatibility with neighboring properties. Overall, the development will fit cohesively within the</p>

				existing built environment without creating visual or operational conflicts.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.02.130.D7	Would not be detrimental to the public interests, health, safety, or welfare of the city in its proposed location, size, design, and operating characteristics.
			<i>Staff Review</i>	Impact to public interests is being considered. Based on technological advances, water use will be minimized. The greatest public impact appears to be power usage. Data to support these claims shall be provided by applicant prior to permits being issued.
			<i>Applicant Response</i>	<p>The proposed data center will not be detrimental to the public interest, health, safety, or welfare in its proposed location, size, design, or operating characteristics.</p> <p>The facility represents a low-impact, secure, and professionally managed use that contributes positively to the local economy while placing minimal demands on public infrastructure. Its operational characteristics- low traffic, limited noise, and controlled access- reduce the potential for adverse impacts on the surrounding community.</p> <p>Additionally, the project supports broader economic and technological development goals by providing critical digital infrastructure. The proposed use aligns with the City's interest in promoting responsible growth and sustainable land use patterns.</p>



VICINITY MAP



PROJECT INFORMATION

APN: RPRPCPP044853
 ADDRESS: PHILBIN ROAD AND HOKU WAY
 POCATELLO, IDAHO 83201
 ZONING: (I) INDUSTRIAL
 LOT SIZE: 59.75 ACRES
 LOT COVERAGE: --
 BUILDING COVERAGE: --
 REQUIRED BUILDING SETBACKS
 STREET: ---
 SIDE: - - - -
 REAR: - - - -
 PROVIDED BUILDING SETBACKS
 STREET: ---
 SIDE (EAST): - - - -
 SIDE (WEST): - - - -
 REAR: - - - -
 BUILDING HEIGHT: ---
 REQUIRED PARKING: ---
 PARKING PROVIDED: ---



3/19/2026 3:10:40 PM - PLOT DATE

POCATELLO AI DATA CENTER

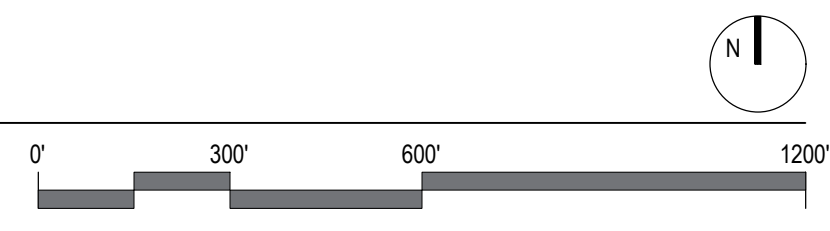
PROJECT TEAM
 ARCHITECT
 EDIFICE
 922 N GILBERT RD,
 SUITE 103
 MESA, AZ 85203
 T 480.590.1116
 CONTACT: DANE ASTLE

#	DESCRIPTION	DATE
	PROGRESS SET	03.19.2026

ARCHITECTURAL SITE PLAN

A011

1 SITE PLAN
 1" = 300'-0"



AFFIDAVIT OF LEGAL INTEREST

I, Chad D. Hansen (on behalf of Portneuf Capital, LLC) reside at 225 E. Lemon Street
in the City of Lakeland, in the State of Florida, being first duly sworn upon Oath, depose and say: I
am the owner of record of the property described as:
1800 River Park Way

and I grant permission to: Gus Schultz/Lex Developments LLC, who resides at _____
in the City of _____, in the State of _____, to submit the following application(s) and
represent the owner pertaining to the property (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Short Plat | <input type="checkbox"/> Zone Map Amendment |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Other: _____ |

I agree to indemnify, defend and hold the City of Pocatello and its employees harmless from any claims to liability
resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the
subject of the application.

Property owner signature:  , MANAGER

STATE OF FLORIDA)
~~STATE~~)
County of POLK)
~~Sancock~~)

Dated this 17th day of April, 2026, the property owner CHAD HANSEN (MANAGER) has
SUBSCRIBED AND SWORN before me on this day and year the authorization and information above written.

Yolanda R. Heipp
NOTARY PUBLIC FOR ~~STATE~~ FLORIDA
Residing at: Lakeland FL
Commission Expires: _____



Sources for IV West AI Data Center Project

City of Pocatello | Conditional Use Permit Meeting | April 2026

All claims verified against primary 2025–2026 sources.

Core 2026 Industry Benchmarks

• **2026 Data Center Knowledge Base** (March 31, 2026) – JLL, Cushman & Wakefield, FERC, Enverus. Rack densities (50–140 kW AI), PUE targets (1.05–1.10 liquid-cooled), water usage (3–5M gal/day evaporative vs. near-zero closed-loop).

Specific Company & Technology Examples (2025–2026)

- **Oracle AI Data Centers** (Feb 9, 2026) – Direct-to-chip closed-loop non-evaporative systems. Ongoing community water use effectively zero.
- **Microsoft Azure** – Sealed chip-level liquid cooling (2025 deployments). >125 million liters saved per facility annually; 80% WUE improvement; new builds zero-water.
- **ZutaCore HyperCool** – Two-phase direct-to-chip achieving PUE 1.05–1.07 (OCP white paper, 2025–2026).

Pocatello Local Non-Potable Water Sources (Key Advantage)

- **Pocatello Water Pollution Control Facility (WPCF)** – Treats ~7.5 MGD average (design 12 MGD). High-quality treated effluent approved by Idaho DEQ for non-potable industrial reuse, including cooling.
- **J.R. Simplot Don Plant (Pocatello area)** – Major phosphate facility. Active wastewater treatment, recovery, and reuse program under 2023 EPA settlement. Large volumes available for beneficial industrial reuse.
- **Regional Potato Processing Wastewater** – Simplot's Caldwell plant treats 2.3 MGD with MBR technology. Idaho National Laboratory (INL) research supports potato wastewater treatment for industrial applications. Similar streams near Pocatello available.
- **Idaho DEQ Reuse Guidelines + EPA Water Reuse Action Plan 2.0** (April 2026) – Prioritize reclaimed water for data center cooling.

Pocatello Climate & Free Cooling Data

- **US Climate Data / NOAA** – Pocatello, ID (1991–2020 normals). Oct–May free cooling feasibility (5,000–7,000+ hours/year via dry coolers). Industry standard for cold-climate sites.

Additional Regulatory & Market Context

- FERC Large-Load Reports (2026) • 12+ state hybrid/dry cooling mandates • Hyperscaler RFPs (AWS, Microsoft, Google, Meta 2025–2026) • JLL/Cushman 2026 Benchmarks • World Economic Forum (Nov 2025) – up to 91% water / 50% energy reduction with liquid cooling • IBM/Cray historical records (1960s liquid cooling in HPC).
-

AI Data Center

Pocatello, Idaho

Conditional Use Permit – Public Meeting Presentation

Modern AI Cooling

How it works
& why it's required

Water Stewardship

Reduced potable
water impact

Regulatory Protection

How Pocatello &
the treatment plant
are protected

Community Benefit

Jobs, tax base,
responsible growth

The Challenge: Modern AI Chips Run Much Hotter Than Old Computers

Think of it like upgrading from a single light bulb to a stadium spotlight — the heat produced is in a completely different league.

Traditional Data Center

10–20 kilowatts per rack

- Think: hair dryers running simultaneously
- Regular air conditioning handles it fine
- Like cooling a busy office building
- Standard fans and vents work well

5–10x
more

Modern AI Data Center

50–140+ kilowatts per rack

- Think: industrial furnaces in a small space
- Air conditioning physically cannot keep up
- Liquid cooling is now required — no choice
- Like cooling a jet engine, not a bedroom

Why Air Conditioning Alone Can't Handle Modern AI — 3 Simple Reasons

1

Extreme Heat — Like Fitting a Forge in Your Living Room

Modern AI chips produce 700–1,000+ watts each. One rack of 72 chips can reach 140,000 watts (140 kW). Blowing air over that heat is like trying to cool a campfire with a fan — physically inadequate.

2

Performance Throttling — A \$3M Computer Slows Itself Down

If AI chips overheat, they automatically slow down to protect themselves. This wastes the enormous investment in the hardware. Liquid cooling keeps temperatures optimal so the equipment works as designed.

3

Energy Waste — Air Cooling Wastes 20–30% More Electricity

"PUE" (Power Usage Effectiveness) measures how efficiently a data center uses electricity. Air-cooled AI often wastes 50%+ in overhead. Liquid cooling achieves 5–10% overhead — a major efficiency gain for the community grid.

Bottom line: Liquid cooling is not a luxury — it is an engineering requirement for modern AI infrastructure.

Energy Efficiency & Pocatello's Cold Climate Advantage

What Is PUE (Power Usage Effectiveness)? (Like MPG for Data Centers)

PUE = 1.0 Perfect (impossible in practice)

PUE = 1.05–1.10 World-class (liquid AI cooling)

PUE = 1.2 Excellent

PUE = 1.5–1.6 Industry average (older facilities)

PUE = 2.0+ Poor — wastes more power than it uses for computing

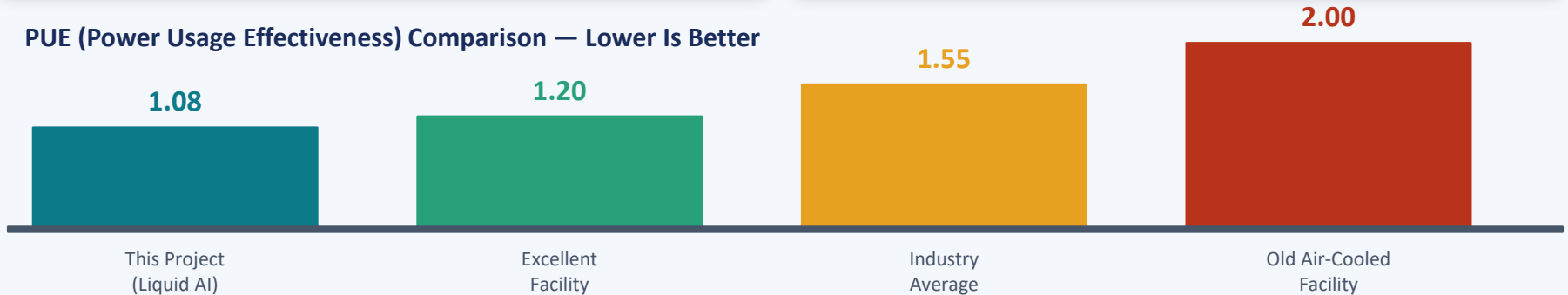
Pocatello's Built-In Climate Advantage

Winter Outdoor Air Utilization (Oct – May):

Pocatello's cold winters allow outdoor air to assist in cooling the data center for ~5,000–7,000 hours per year, significantly reducing the need for electricity-powered mechanical cooling. December through February provides near-continuous natural cooling assist.

What this means: Lower electricity bills, less strain on the local power grid, and reduced environmental impact.

PUE (Power Usage Effectiveness) Comparison — Lower Is Better



Note: A PUE of 1.08 represents the project goal based on the planned liquid cooling design. Actual PUE will vary depending on final system configuration, load levels, and operating conditions. This figure is a target estimate, not a performance guarantee.

Source: Industry PUE benchmarks (Network World 2026, Hanwha Data Centers 2025)

Water Use: What Changed and What It Means for Pocatello

OLD Method: Evaporative Cooling

3–5 million gallons per day
(peaks of 8 million on hot days)

How it works: Like a swamp cooler — water evaporates to remove heat, and that water is gone forever.

Problem: Massive, continuous drain on the local water supply. Risky in drought conditions.

→
**80–
95%
Redu
ction**

NEW Method: Closed-Loop Liquid Cooling

Near-zero ongoing potable water use

How it works: Like the coolant in your car's engine — the same liquid circulates continuously and is never consumed. Water goes in once at construction; that's it. The system is sealed and self-contained.

Key advantage: Because no water evaporates, the facility's ongoing potable water demand for cooling is dramatically reduced compared to traditional methods.

Historical context: Closed-loop liquid cooling has been used safely in high-performance computing since the 1960s (IBM mainframes, Cray supercomputers). Mass adoption by Amazon, Microsoft, Google, and Meta accelerated from 2022 onward as AI workloads required it.

This Is the 2026 Industry Standard — Not Experimental Technology

The world's largest technology companies have already adopted exactly this approach. Pocatello would be joining proven, responsible infrastructure.

Oracle

Zero Ongoing Potable Water

Oracle published in February 2026 that its new AI data centers — including facilities in New Mexico, Michigan, Texas, and Wisconsin — deploy closed-loop, non-evaporative cooling. Once filled at construction, the system circulates indefinitely. Ongoing community water use for cooling is effectively zero.

Microsoft

125 Million Liters Saved Per Facility Per Year

Microsoft's December 2024 announcement confirmed that all new data center designs from August 2024 use closed-loop liquid cooling with zero water evaporation. Pilot facilities launching in Phoenix, AZ and Mt. Pleasant, WI in 2026. Water savings: 125M+ liters/facility/year versus prior designs.

EPA Water Reuse Action Plan 2.0 (April 2026)

Federal Government Prioritizes This Approach

The U.S. Environmental Protection Agency's WRAP 2.0 specifically identifies reclaimed (treated wastewater) water for data center cooling as a priority use. Pocatello's WPCF effluent reuse aligns directly with this federal framework.

Next, we'll look at exactly how these companies handle any wastewater from their systems — and how this technology compares to other industries already operating under the same rules.

How the World's Largest Tech Companies Handle Closed-Loop Wastewater

These are not experimental approaches — they are the documented, operating practices of companies already running this technology at scale.

Oracle

Oracle, Feb 2026 (oracle.com/news)

One-Time Fill — Zero Ongoing Discharge

Oracle's AI data centers are filled with coolant once during construction. The sealed loop circulates indefinitely. There is no ongoing wastewater output during normal operation — the water never leaves the system.

Microsoft

Microsoft Local (local.microsoft.com), 2026

Glycol Hauled by Licensed Contractor — Other Water Returned to Utility

Where propylene glycol is used, Microsoft collects and hauls it to a licensed disposal facility when removed. All other cooling water is returned to the local utility for treatment identical to household wastewater. Reclaimed water and rainwater are used as input sources where available.

Amazon Web Services (AWS)

Florida Water & Pollution Control Operators Assoc., citing AWS 2023

Treated Municipal Wastewater In — Returned to Treatment Plant After Use

AWS in Virginia cools data centers with treated municipal wastewater instead of potable (drinking) water. After use, that water goes back to the treatment plant to be cleaned and reused again — a fully circular loop. AWS plans to expand this to 120+ facilities by 2030, saving an estimated 530 million gallons of fresh water per year.

Google

ProChem Water, Jan 2026

Recycled Municipal Wastewater — Purpose-Built Reuse Infrastructure

Google's data center in Douglas County, Georgia uses recycled municipal wastewater for all cooling. New Google campuses are now designed from day one with water reuse infrastructure built in.

Microsoft / City of Quincy, WA

U.S. EPA Water Reuse Case Study (epa.gov/waterreuse), July 2025

EPA-Documented Closed-Loop Brine Management — 138 Million Gallons Saved Per Year

The most detailed public case study available. Microsoft and the City of Quincy built a joint industrial wastewater treatment system. Mineral-rich brine is concentrated in lined evaporation ponds and solidified — nothing discharges to the city's sewer or waterways during operation. Permitted by the Washington State Dept. of Ecology.

This Technology Is Not New — It's Used Across Dozens of Industries

The same closed-loop chemicals, the same disposal methods, and the same federal pretreatment rules have governed these industries for decades.

Hospitals & Healthcare Facilities

Same chemicals: Propylene glycol (chosen specifically because it is safer around potable water systems than ethylene glycol), nitrite corrosion inhibitors, biocides
Disposal: Glycol collected by licensed reclamation services for reuse or certified disposal. Water-only loops discharged to sewer after lab testing under pretreatment permits.

Pharmaceutical Manufacturing Plants

Same chemicals: Same corrosion inhibitors, pH buffers, and biocides used in process cooling loops throughout production facilities
Disposal: Full federal pretreatment program (Clean Water Act). On-site pretreatment or licensed hauler. Same Industrial User Permit framework as this data center would operate under.

Iron, Steel & Heavy Manufacturing

Same chemicals: Large-scale cooling water systems with corrosion inhibitors and biocides — the original industrial use case for these chemicals, dating to the mid-1900s
Disposal: Pretreatment agreements with municipal treatment plants. On-site treatment trains for high-concentration streams. The federal pretreatment program was designed for these facilities first.

Universities, Arenas & Large Campuses

Same chemicals: Nitrite, molybdate, glycol — identical formulation to data center closed loops — used in chilled water and hot water HVAC systems
Disposal: Industrial User Permits with the local POTW (wastewater treatment plant). Lab testing required before any sewer discharge. Glycol hauled by licensed contractor.

Food & Beverage Processing Facilities

Same chemicals: Closed-loop cooling systems with the same nitrite/molybdate/glycol chemical profile used to cool process equipment
Disposal: On-site pretreatment required before sewer or land discharge. Subject to the same sewer surcharge and pretreatment rules under the Clean Water Act.

Commercial HVAC (Office Buildings, Hotels, Convention Centers)

Same chemicals: Nitrite, molybdate, glycol — standard industry formulations used in every large commercial building in cold climates, including all across Southeast Idaho
Disposal: Water-only loops discharged to sanitary sewer after lab testing. Glycol-containing water collected and hauled by licensed waste contractor. Identical to the data center protocol.

The Economic Case: What a 200 MW AI Data Center Means for Pocatello

Construction Investment

Total shell & core investment: ~\$2.26 billion

At \$11.3M per MW — JLL 2026 Global Data Center Outlook

Peak construction workers: 140–400 local tradespeople

0.7–2.0 workers per MW during 18–36 month build phase

Construction wages: 30%+ above standard rates

Electricians on data center sites earning \$120,000–\$150,000 (ConstructConnect 2025)

Note: Technology fit-out (servers, racks) is additional investment beyond shell & core

What Stays in Pocatello

Shell & site work (local scope): ~\$472M (20.9% of total)

Foundations, concrete, structural steel, paving, site work

Est. locally sourced materials: ~\$94M

Approx. 20% of shell scope: concrete, aggregate, gravel, paving (Red Hills Strategies / Consumer Energy Alliance, 2025)

Local install labor (MEP): ~\$822M

Even nationally-sourced equipment requires local electricians, plumbers, and HVAC tradespeople for installation

Local subcontract opportunities: Civil, concrete, electrical install, site work, security, ongoing maintenance

Property Taxes — 100% Stay Local

Bannock County combined levy rate: ~1.2% of assessed value

Covers all 5 local taxing districts (Satterfield Realty / Bannock County, 2025)

Tax split (approximate): School Dist. #25 ~30% · City of Pocatello ~26% · Bannock County ~26% · Roads & Ambulance ~18%

Zero goes to state or federal: All property taxes stay in Bannock County

Idaho State Tax Commission: all property tax is spent by local governments

Benchmark — Loudoun County, VA: \$0.04 in city services per \$1 of data center tax revenue vs. \$0.25 for traditional businesses

Wye Economic Development Council, March 2025

Ongoing Operations

Permanent local jobs: ~150–300+ (scales with facility size)

U.S. Chamber of Commerce Technology Engagement Center benchmark

Annual local wages: \$7.8M+ annually

Operations, maintenance, security, facilities management

Annual local economic activity: \$32.5M+ per year

U.S. Chamber of Commerce / ConstructConnect

Ongoing contracts: Maintenance, security, landscaping, utilities — available to local firms long-term

All figures are estimates based on current industry benchmarks and available data. Actual construction investment, job numbers, wages, tax revenue, and local spend will vary based on final project scope, contractor selections, market conditions, and Bannock County Assessor valuations. These figures are not a guarantee of performance or outcome.

Complete Summary: What the City and Public Can Count On



Liquid cooling is an engineering requirement — not a preference. Modern AI racks at 50–140+ kilowatts (kW) cannot be air-cooled.



Oracle, Microsoft, AWS, and Google all operate closed-loop systems with verified wastewater protocols — documented and publicly confirmed.



Dozens of industries — hospitals, pharmaceutical plants, food processors, steel mills, commercial buildings — have used these same cooling chemicals and disposal methods for decades under the same federal rules.



The federal pretreatment program (Clean Water Act) was specifically designed to handle exactly this type of industrial cooling system and has done so successfully for decades.



The economic figures in this presentation — including construction investment, local job numbers, wages, and tax revenue projections — are estimates based on current industry benchmarks. Actual numbers will vary based on final project scope, contractor selections, market conditions, and Bannock County Assessor valuations. These figures are not a guarantee.



Pocatello's cold winters are estimated to allow outdoor air to assist in cooling for approximately 5,000–7,000 hours per year, potentially reducing the need for mechanical cooling. These figures are estimates based on current climate data and are not a guarantee of performance.