

STATE OF IDAHO
COMMISSION FOR REAPPORTIONMENT

FINDINGS AND CONCLUSIONS

FOR LEGISLATIVE PLAN L 87

This Commission For Reapportionment, whose members are:

Ron Beitelspacher, Co-Chair
Dolores Crow, Co-Chair
Shauneen Grange, Commissioner
Randy Hansen , Commissioner
Elmer Martinez, Commissioner
Sheila Olsen, Commissioner

was convened on September 28, 2011 in Boise, Idaho by the Secretary of State pursuant to Art. III, Section 2 of the Idaho Constitution, and Idaho Code section 72-1501(1)(b) in order to adopt new Congressional and Legislative District Plans.

PRIOR REDISTRICTING COMMISSION

The prior Redistricting Commission was convened by the Secretary of State on June 7, 2011. That Commission held a total of fourteen public hearings around the state in Sandpoint, Coeur d'Alene, Moscow, Lewiston, Boise, Meridian, Caldwell, Hailey, Twin Falls, Burley, Soda Springs, Rexburg, Pocatello and Idaho Falls. The prior Commission also held several public meetings in Boise reviewing approximately 82 proposed Legislative Plans and 50 proposed Constitutional Plans. The previous Commission concluded its proceedings without adopting either a legislative or congressional plan on September 6, 2011.

CURRENT REDISTRICTING COMMISSION

After being sworn in by the Secretary of the State, this Redistricting Commission adopted the record and proceedings of the previous Redistricting Commission. This Commission convened public hearings in Idaho Falls (October 5, 2011), Coeur D' Alene (October 6, 2011) and Boise (October 7, 2011) during which time citizens were provided the opportunity to comment on the approximately 86 Legislative plans under consideration by the Commission along with the approximately 51 Congressional plans under consideration.

Based upon the Redistricting Commission's review of the record, its meetings, the public comments received, and the governing legal requirements, the Commission makes the following findings and conclusions:

LEGAL REQUIREMENTS AND APPLICATION

1. **Federal Constitutional Requirements.** The United States Constitution has been interpreted by the United States Supreme Court and the Idaho Supreme Court to require that legislative districts be formed after each census with substantially equal population to satisfy the one person/one vote requirement. A legislative redistricting plan that has more than a ten percent deviation is presumptively unconstitutional. *Smith v. Idaho Comm'n on Redistricting*, 136 Idaho 542 (2001). State legislative redistricting plans of less than 10% deviation between the most populous and least populous districts are presumed to satisfy the federal constitutional requirement. Merely showing that an alternative plan with a lower overall range could be used was not in itself sufficient to require invalidation of a plan. *Gafney v. Cummings*, 412 U.S. 735 (1973).
2. **State Constitutional Requirements.** Article III §5 of the Idaho Constitution establishes the following requirements on legislative redistricting:

SENATORIAL AND REPRESENTATIVE DISTRICTS. A senatorial or representative district, when more than one county shall constitute the same, shall be composed of contiguous counties, and a county may be divided in creating districts only to the extent it is reasonably determined by statute that counties must be divided to create senatorial and representative districts which comply with the constitution of the United States. A county may be divided into more than one legislative district when districts are wholly contained within a single county. No flatorial district shall be created. Multi-member districts may be created in any district composed of more than one county only to the extent that two representatives may be elected from a district from which one senator is elected. The provisions of this section shall apply to any apportionment adopted following the 1990 decennial census.

Idaho Constitution, Art. III, Sec. 5.

Art. III, Section 2(2) of the Idaho Constitution charges the Commission for Reapportionment with the task of redistricting the Idaho legislature. Art. III, Sec. 2(3) of the Idaho Constitution authorizes the legislature to “enact laws providing for the implementation of the provisions of this section.”

3. **State Statutory Requirements.** Idaho Code section 72-1506 provides criteria to govern legislative redistricting plans.
 - a. Idaho Code section 72-1506 states:

72-1506. Criteria governing plans. Congressional and legislative redistricting plans considered by the commission, and plans adopted by the commission, shall be governed by the following criteria:

 - (1) The total state population as reported by the U.S. census bureau, and the population of subunits determined therefrom, shall be exclusive permissible data.
 - (2) To the maximum extent possible, districts shall preserve traditional neighborhoods and local communities of interest.
 - (3) Districts shall be substantially equal in population and should seek to comply with all applicable federal standards and statutes.
 - (4) To the maximum extent possible, the plan should avoid drawing districts that are oddly shaped.

(5) Division of counties shall be avoided whenever possible. In the event that a county must be divided, the number of such divisions, per county, should be kept to a minimum.

(6) To the extent that counties must be divided to create districts, such districts shall be composed of contiguous counties.

(7) District boundaries shall retain the local voting precinct boundary lines to the extent those lines comply with the provisions of section [34-306](#), Idaho Code. When the commission determines, by an affirmative vote of at least five (5) members recorded in its minutes, that it cannot complete its duties for a legislative district by fully complying with the provisions of this subsection, this subsection shall not apply to the commission or legislative redistricting plan it shall adopt.

(8) Counties shall not be divided to protect a particular political party or a particular incumbent.

(9) When a legislative district contains more than one (1) county or a portion of a county, the counties or portion of a county in the district shall be directly connected by roads and highways which are designated as part of the interstate highway system, the United States highway system or the state highway system. When the commission determines, by an affirmative vote of at least five (5) members recorded in its minutes, that it cannot complete its duties for a legislative district by fully complying with the provisions of this subsection, this subsection shall not apply to the commission or legislative redistricting plan it shall adopt.

- b. The Commission found that it could not complete its duties by fully complying with the provisions of Idaho Code section 72-1506(7). Therefore, on October 14, 2011, all six Commissioners voted unanimously to waive the requirement that precincts be kept intact.
- c. The Commission also found that it could not complete its duties by fully complying with the provisions of Idaho Code section 72-1506(9). Therefore, on October 14, 2011, all six Commissioners voted unanimously to waive the requirement that all counties included in a district be connected by state highways.

4. **Application of Legal Requirements: Deviation.** The Idaho Supreme Court has held that a population deviation exceeding ten percent is presumptively unconstitutional. *Smith v. Idaho Comm'n on Redistricting*, 136 Idaho 542 (2001). The deviation in the legislative redistricting plan adopted hereby submitted by the Commission has a deviation of 9.92%.

5. **Application of Legal Requirements: Division of Counties.** The Idaho Supreme Court has held that Article III Sec. 5 of the Idaho Constitution prohibits the division of counties unless absolutely necessary to satisfy the one person/one vote requirement of the United States Constitution. *Bingham County v. Comm'n for Reapportionment*, 137 Idaho 870, 874 (2002). Consistent with this requirement, Counties were only divided when required by one person/one vote and the extensive demographic, geographic and topographic limitations within the State of Idaho.

GENERAL FINDINGS

6. **Unique Physical Features.** There are several physical factors which complicate redistricting in Idaho. The unique shape of the state limits the combinations of contiguous counties that can be combined to create legislative districts. The geography of Idaho (wilderness areas,

mountain ranges, deserts and rivers) in some cases limits the ideal combination of certain counties in the creation of legislative districts. The low population of many counties limits the ideal combination of certain counties in the creation of legislative districts. The fact that most of the external boundaries of Idaho (with the exception of certain areas on the western border) run through very sparsely populated areas limits the ideal combination of counties in the creation of legislative districts. For redistricting purposes, Idaho is the exact opposite of the rectangular shaped state whose population is evenly distributed over flat farmland. The federal one person/one vote requirement, the Idaho Constitution's limitation on the number of districts, the Idaho Constitution's limitation on the division of counties in the formation of legislative districts, and these unique physical features necessarily result in the creation of a few legislative districts that are not ideal under any redistricting plan.

7. **Number of Districts.** Art. III Sec. 2 of the Idaho Constitution requires that there be “not less than thirty nor more than thirty-five” legislative districts. After considering redistricting plans from thirty to thirty-five districts, as well as the very nearly unanimous public testimony received in favor of retaining the maximum number of thirty-five districts, the Commission finds that the thirty-five district plan is constitutional and serves the best interests of the citizens of the state of Idaho.
8. **Division of Counties.** In a thirty-five district plan:
 - a. 1 county has a population that it can constitute a single district by itself without combining with any other county or portion of another county. It is Bingham County. Bingham County occupies a unique position within Idaho because it is surrounded by counties that must either be split or combined with other counties and contains a portion of a Native American Reservation, the remainder of which is located in three other counties (Power, Bannock, and Caribou).
 - b. Two counties could be divided into districts wholly within that county that meet the one person/one vote requirement without having to combine any portion of that county with any other county or portion of another county. They are Ada County and Kootenai County.
 - c. Four counties are of such population that one or more districts can be created solely within the county, but a portion of the county must be combined with other counties to meet the one person/one vote requirements. They are Bannock County, Bonneville County, Canyon County, and Twin Falls County.
 - d. The remaining counties are so sparsely populated that they must be combined with other counties to create districts of sufficient population to comply with the federal constitutional requirement of one person/one vote. One of these counties (Bonner) must be divided and combined with contiguous counties because one neighboring county (Boundary) is not contiguous to any other county. Boundary County is so small it cannot constitute a district by itself which satisfies the one

person/one vote requirement and when Bonner and Boundary Counties are combined undivided, they are too large to constitute a district which complies with the one person/one vote requirement.

9. **Demographic Data.** Although divided into 44 counties, both the population and land area of the counties are disparate. For example, out of 44 counties, 36 must be combined in some fashion or another to achieve a district with a constitutionally acceptable population. (Appendix A). Additionally, based upon the lack of an equal distribution of the population throughout the state, often a simple combination of counties into one district cannot be achieved, which therefore requires a county to be split in order to satisfy the one person - one vote requirement. To illustrate this principle (although no Idaho counties are actually configured like this), if there were three adjacent counties each with the population of two-thirds of a district, it might be necessary to split one of them among two districts to apportion them while keeping the other two wholly within a district, and there is no constitutional reason to choose among them which of the three to split. The decision of which one to split must be based on other factors. Each county split actually made in this apportionment has been justified throughout these findings, with the acknowledgement that a change in the determination of which county to split requires not only a new and competing justification, but also has a ripple effect over all of the other districts as multiple district boundaries will need to be shifted to maintain compliance with one person – one vote. Idaho’s unique shape further challenges the reapportionment of the Idaho because neighboring state boundaries often limit the direction in which the Commission can combine Counties. For example, within the Panhandle of Idaho, counties must generally be combined north and south, while on the Eastern border, combinations are limited to North, South, and West.
10. **Statistical Data.** The total state population is 1,567,582. With a total of thirty-five legislative districts, the ideal district population is 44,788 people. The attached list of Idaho’s 44 counties (Appendix B) includes the population for each as determined by the 2010 U.S. Census.

SPECIFIC FINDINGS

APPROVED PLAN: L 87

11. The Commission adopts Plan L 87 as the Idaho Legislative Redistricting Plan. District 24 contains the largest population with a total of 46,887 people. This constitutes a deviation of 4.69%¹ above the ideal district size of 44,788 people. District 25 has the smallest population with a total of 42,443 people. This constitutes a deviation of 5.24% below the ideal district size. Combined the overall plan population deviation of Plan L 87 is 9.92%. Specifically as to each district in Plan L 87, the Commission finds:

¹ The deviation percentages have been rounded to the nearest hundredth of a percentage point.

12. District 1 (Boundary County and Bonner County (part)). Separately, neither Boundary County nor Bonner County have sufficiently large populations to constitute one ideal district of 44,788 persons. When combined, they exceed 44,788 people, the population of an ideal district, by more than allowable deviation. The Commission therefore finds that it is necessary to divide the population of Bonner County to create District 1 because it is the only Idaho county contiguous to Boundary County and the division is necessary to satisfy the one person, one vote requirement of the 14th Amendment to the United States Constitution. Bonner County was divided along major highways and roads in an effort to keep communities of interest together. District 1 contains 46,492 people, a deviation of +3.80% from the ideal district.
13. District 2 (Bonner County (part) and Kootenai County (part)). As explained in the findings for District 1, Bonner County must be divided in order to meet the one person one vote requirement. Therefore the Commission finds that the remaining population of Bonner County should be joined with northern Kootenai County which is contiguous and connected to Bonner County by Idaho's major north south highway, Highway 95. This division of Kootenai County results in keeping the majority of the city of Hayden Lake intact. In addition to being identified specifically as a factor in Idaho Code section 72-1506, the need to keep cities and other traditional communities of interest intact was stressed in a significant portion of the public comment taken and reviewed by the Commission. (See testimony from Coeur d'Alene Hearing on June 22, 2011, Sandpoint Hearing on June 22, 2011, and Coeur d'Alene Hearing on October 6, 2011). District 2 contains 46,142 people with a deviation of +3.02 % from the ideal district.
14. District 3 (Kootenai County (part)). District 3 is contained wholly within Kootenai County. It includes the remainder of Kootenai County that is west of the city of Coeur d'Alene and Highway 95 to the Idaho border. Consistent with public testimony received at the June 22, 2011 hearings in Coeur d'Alene and Sandpoint, and the October 6, 2011 hearing in Coeur d'Alene, District 3 includes the majority of the cities of Post Falls and Rathdrum, keeping traditional communities of interest intact. Further, the district was divided along major highways providing an easily distinguished boundary. District 3 contains 46,278 people with a deviation of +3.32% from the ideal district.
15. District 4 (Kootenai County (part)). District 4 is contained entirely within Kootenai County and includes the majority of the city of Coeur d'Alene, a traditional community of interest unto itself. The district line follows well known and clearly identifiable streets and highways and is consistent with public testimony as reflected in ¶¶ 18 & 19 regarding the need to keep cities and communities of interest intact. District 4 contains 46,278 people with a deviation of +3.33% from the ideal district.
16. District 5 (Benewah County and Latah County). District 5 is comprised of the entirety of Benewah County and Latah County. Separately, Benewah County and Latah County do not have a large enough population to constitute an entire legislative district. Therefore,

combining Benewah County and Latah County is necessary to meet the one person one vote requirement. Further, combining these counties keeps communities of interest intact. Idaho's major state highway, Highway 95 runs the entire length of the District 5. Additionally, this district contains the largest concentration of Coeur d'Alene Tribal members attainable while balancing the constitutional requirements for reapportionment. The Commission has placed great emphasis on keeping traditional Native American populations intact throughout Idaho and believes that the protection of these communities of interest is a legitimate and significant state interest. This approach is consistent with Idaho's historical effort to work with the Native American Tribes located within its borders. District 5 contains 46,529 people with a deviation of 3.89% from the ideal district.

17. District 6 (Lewis County and Nez Perce County). District 6 contains all of Lewis County and Nez Perce County. Separately, Lewis County and Nez Perce County do not have enough population to constitute an entire legislative district. As Nez Perce County is bounded by Oregon and Washington on the west, the only contiguous county that could be combined with Nez Perce County to make compact legislative district is Lewis County. Further, this legislative district also includes the majority of the Nez Perce Tribe, a traditional community of interest. The Commission has placed great emphasis on keeping traditional Native American populations intact throughout Idaho and believes that the protection of these communities of interest is a legitimate and significant state interest. This approach is consistent with Idaho's historical effort to work with the Native American Tribes located within its borders. District 6 contains 43,086 people with a deviation of -3.80% from the ideal district.
18. District 7 (Kootenai County (part), Shoshone County, Clearwater County, and Idaho County). District 7 includes a portion of Kootenai County, the entirety of Shoshone County, the entirety of Clearwater County and the entirety of Idaho County. The portion of Kootenai County that is included is clearly distinguished by roads surrounding Coeur d'Alene and Highway 95. In order to meet the one person one vote requirement, the Commission combined this portion of Kootenai County with Shoshone County because they are connected by I-90, a major interstate that runs east to west across the district. This major corridor ties the two counties together creating a community of interest and a flow of commerce through the area. This part of Kootenai County and Shoshone County are combined with Clearwater County which is contiguous to Shoshone County and Idaho County which is contiguous to Clearwater County, maintaining the integrity of the Idaho county line that runs across the entire state of Idaho.

This district is evidence of the great difficulty in creating legislative districts in a state the size and shape of Idaho with its diverse landscape and comparatively sparse population density. The Commission recognizes that this district is large and not ideal; however, it is necessary to meet the one person one vote requirement and is consistent with other Idaho constitutional and statutory requirements. It is particularly revealing that this district comprised of a massive geographical area is still population light, which clearly reflects the

disparity between population and county land size evident throughout Idaho. District 7 includes 42,948 people with a deviation of -4.11% from the ideal district.

19. District 8 (Adams County, Boise County, Valley County, Washington County, and Gem County (part)). District 8 contains the majority of Gem County and the entirety of Adams, Boise, Valley and Washington Counties. Separately, none of these counties have sufficient population to form independent legislative districts. However, if all of the counties are included, specifically all of Gem County, the population violates the one person one vote requirement. Therefore, Gem County had to be split in order to satisfy the United States constitutional requirements. Other proposed legislative districts in this area have combined Valley County with Lemhi or Custer County; however, the Commission finds that this combination is inconsistent with Idaho statutory requirements and not geographically feasible. Instead, Valley and Boise Counties are physically divided from Lemhi and Custer Counties by one of Idaho's largest wilderness areas, nearly eliminating all travel between the counties and eliminating the possibility that they share significant commercial or traditional interests. Additionally, the only highway connecting Boise County to Custer County is Highway 21, a road that may be closed for a significant portion of the year. District 8 has 46,317 people, a deviation of +3.41% from the ideal district.
20. District 9 (Canyon County (part), Gem County (part), and Payette County). District 9 contains a portion of Canyon County, a portion of Gem County and the entirety of Payette County. Payette County is bounded on the west by the state of Oregon and does not have sufficient population to constitute one district. Payette County is bordered by both Canyon and Gem Counties. As the majority of Gem County had to be included in District 8 to meet the one person one vote requirement as explained below, the remainder of Gem County must be combined with Payette County in order to satisfy the one person one vote requirement and to keep communities of interest intact. The portion of Gem County that is included in District 9 is divided along a precinct line and delineated by Highway 52, creating a distinguishable district boundary. This combination still lacked sufficient population to satisfy the one person one vote requirement requiring that a portion of Canyon County, the only remaining county that is contiguous to Payette County, be included in District 9. In dividing Canyon County, the Commission kept communities of interest intact by keeping the cities of Parma and Middleton whole and including them in this district. Further, Payette County is connected to this portion of Canyon County by two major roadways, Highway 95 and Interstate 84, both major routes of commerce that create communities of interest and commonality throughout the region. District 9 includes 44,283 people with a deviation of -1.13% from the ideal district.
21. District 10 (Canyon County (part)) is compact, follows major roads and highways and consists of the majority of the city of Caldwell, a traditional community of interest located entirely in Canyon County. District 10 contains 44,769 people, a deviation of -.04% from the ideal district.

22. District 11 (Canyon County (part) and Owyhee County (part)). District 11 contains a portion of Canyon County and a portion of Owyhee County. The population remaining in Canyon County after the creation of Districts 9, 10, 12 and 13 is insufficient by itself to constitute an entire legislative district and therefore had to be combined with a portion of Owyhee County, the population of which is also insufficient to create its own legislative district. However, the remaining portion of Canyon County combined with the entirety of Owyhee County is too large to create a single legislative district and Owyhee County must be split in order to meet the one person one vote requirement. The portions of both Canyon and Owyhee County are tied together by Highway 95 that runs throughout the district as well as several other roads which creates a corridor for commerce and a commonality of interest between the two counties. District 11 contains 44,583 people, a deviation of -.046% from the ideal district.
23. District 12 (Canyon County (part)) is compact and consists of a portion of the city of Nampa, which had to be split due to its size. Nampa was divided along major roads and highways and in accordance with traditional communities of interest. This district is located entirely in Canyon County. District 12 contains 44,216 people, a deviation of -1.28% from the ideal district.
24. District 13 (Canyon County (part)) is compact and includes the remainder of the city of Nampa, which had to be split due to its size. Nampa was divided along major roads and highways and in accordance with traditional communities of interest. This district is located entirely in Canyon County and contains 44,155 people, a deviation of -1.41% from the ideal district.
25. District 14 (Ada County (part)). Ada County has sufficient population for nine total districts. This plan keeps Ada County intact, uses major roads and highways as easily identifiable boundaries and divides the districts based on city lines which constitute traditional communities of interest. The majority of the districts in Ada County have a population deviation of less than the ideal district in order to accommodate for future growth in these areas. District 14 consists of the cities of Eagle and Star, traditional communities of interest unto themselves. District 14 contains 44,919 people, a deviation of .29% from the ideal district.
26. District 15 (Ada County (part)) is made up of a community of interest located wholly within the city of Boise and Ada County. District 15 contains 42,799 people, a deviation of -4.44% from the ideal district.
27. District 16 (Ada County (part)) consists of the entirety of Garden City as well as traditional communities of interest in the city of Boise. Portions of the city of Boise were included in order to satisfy the one person one vote requirement. District 16 includes 44,383 people, a deviation of -.90% from the ideal district.

28. District 17 (Ada County (part)) is made up of communities of interest located wholly within the city of Boise in Ada County. District 17 includes 44,778 people, a deviation of -2.26 from the ideal district.
29. District 18 (Ada County (part)) includes traditional communities of interest in the city of Boise and continues to Ada County's boundary. District 18 includes 43,612 people, a deviation of -2.63% from the ideal district.
30. District 19 (Ada County (part)) includes traditional communities of interest in the city of Boise and continues to Ada County's northern boundary and Highway 55. District 19 includes 42,895 people, a deviation of -4.23% from the ideal district.
31. District 20 (Ada County (part)) includes the majority of the city of Meridian, a traditional community of interest wholly contained in Ada County. Significant public testimony supported keeping the city of Meridian whole. District 20 includes 42,610 people, a deviation of -4.86% from the ideal district.
32. District 21(Ada County (part)) includes traditional communities of interest south of Interstate 84 that are wholly included in Ada County. District 21 includes 43,541 people, a deviation of -2.78% from the ideal district.
33. District 22 (Ada County (part)) keeps the majority of the city of Kuna intact and continues to the Ada County boundary. District 22 includes 43,828 people, a deviation of -2.14% from the ideal district.
34. District 23 (Owyhee County (part), Elmore County, and Twin Falls County (part)). District 23 includes all of Elmore County. Elmore County does not have a large enough population to constitute a district by itself and therefore in order to meet the one vote requirement, it was combined with the remainder of the population of Owyhee County and a small portion of Twin Falls County. Due to Owyhee County's geographic location this combination was necessary as Elmore and Twin Falls Counties are its only two remaining neighboring counties that could be combined to form a complete legislative district. Elmore and Owyhee Counties are connected by Highway 51 which runs north to south, creating a commercial zone and linking the communities within those counties together. Combined, these two counties did not have sufficient population to form a complete legislative district, and in the interest of forming compact districts, a portion of Twin Falls County which is contiguous to both Elmore and Owyhee Counties, had to be included.² This district also contains the entirety of the Duck Valley Tribal Reservation. The Commission has placed great emphasis on keeping traditional Native American populations intact throughout Idaho and believes

² Even if Owyhee County had been combined with Elmore County in its entirety, the population would have only totaled approximately 36,032 residents requiring the Commission to take population from other counties to comply with the one person one vote requirement.

- that the protection of these communities of interest is a legitimate and significant state interest. This approach is consistent with Idaho's historical effort to work with the Native American Tribes located within its borders. The portion of Twin Falls County that is included is clearly distinguished by major highways and the northern Twin Falls County line and also contains part of the Snake River Plain. District 23 contains 46,669 people, a deviation of 4.20% from the ideal district.
35. District 24 (Twin Falls County (part)). District 24 consists of the majority of the city of Twin Falls, a traditional community of interest entirely contained within Twin Falls County. District 24 includes 46,887 people, a deviation of 4.69% from the ideal district.
 36. District 25 (Jerome County and Minidoka County). District 25 includes the entirety of Jerome County and Minidoka County. Separately, these counties do not have a large enough population to constitute an entire legislative district. They are contiguous counties connected by Interstate 84. Geographically, the Snake River and Snake River Canyon prevent the combination of these counties with Cassia County to the south. District 25 includes 42,443 people, a deviation of -5.24% from the ideal district.
 37. District 26 (Blaine County, Lincoln County, Gooding County, and Camas County). Consistent with the Idaho Constitutional requirement to keep counties whole to the maximum extent possible, District 26 combines the entirety of Blaine, Lincoln, Gooding, and Camas counties. These counties are contiguous, connected by several different roads and highways and share common watersheds creating communities of interest. District 26 has 43,156 people, a deviation of -3.62% from the ideal district.
 38. District 27 (Cassia County and Power County). The population in Cassia and Power counties has decreased since the 2000 census. Because of that reality, these two counties must be combined with a portion of the population of another county in order to form a complete legislative district. As explained above, Twin Falls County must be split and is contiguous to Cassia County. Therefore, the remainder of the population in Twin Falls County has been combined with the entirety of Cassia and Power counties to meet the one person one vote requirement and create District 27. Geographically, the Snake River and Snake River Canyon create a natural divide between District 27 and District 25. District 27 includes 44,013 people, a deviation of -1.73% from the ideal population district.
 39. District 28 (Bannock County (part), Bingham County (part), and Oneida County). District 28 includes all of Oneida County and portions of Bannock and Bingham counties. Oneida County is not large enough to constitute an independent legislative district. Bannock County has sufficient population to create one full district but not enough for two. Therefore, the Commission finds that in order to meet the one person one vote requirement, a portion of Bannock County must be combined with neighboring Oneida County. These two counties are connected by a major Interstate, I-15 which has created a commercial corridor and significant link between the two counties. This district also includes the majority of the Fort

Hall Indian Reservation located in Bannock County as well as that portion of Bingham County that contains the Fort Hall Indian Reservation in order to maintain that significant traditional community of interest in one district. The Commission has placed great emphasis on keeping traditional Native American populations intact throughout Idaho and believes that the protection of these communities of interest is a legitimate and significant state interest. This approach is consistent with Idaho's historical effort to work with the Native American Tribes located within its borders. District 28 includes 43,701 people, a deviation of -2.43% from the ideal district.

40. District 29 (Bannock County (part)). District 29 consists of the majority of the city of Pocatello, a community of interest in itself, and is located entirely within Bannock County. District 29 is compact and easily distinguished due to its clearly identifiable boundaries consisting of interstate highways and the Bannock County line. District 29 includes 43,701 people, a deviation of -2.43% from the ideal district.
41. District 30 (Bonneville County (part)). Bonneville County has a large enough population that two complete legislative districts may be contained within the county; however, it is not large enough to form three inclusive legislative districts. Therefore, the Commission finds that Bonneville County must be split in order to comply with the one person one vote requirement. District 30 is contained entirely within Bonneville County and includes local communities of interest that share the area's agricultural emphasis. Further, the district includes the majority of the cities of Lincoln and Ammon, communities of interest in themselves. District 30 contains 46,525 people, a deviation of +3.88% from the ideal district.
42. District 31 (Bingham County (part) and Butte County). District 31 includes the entirety of Butte County which is not large enough to constitute an entire legislative district. To meet the one person one vote requirement, the Commission finds that it is necessary to combine Butte County with the remaining portion of Bingham County not included in District 28. These counties are connected by major highways and share common commercial relationships including with the Idaho National Laboratory or INL. District 31 has 45,668 people, a deviation of 1.96% from the ideal district.
43. District 32 (Bonneville County (part), Bear Lake County, Caribou County, Franklin County, and Teton County (part)). District 32 is another example of how the Idaho's unique geography and the sparsity of its population in certain areas necessitate the creation of large districts. District 32 includes the entirety of Bear Lake County, Caribou County, and Franklin County, contiguous counties that share a border with Utah or Wyoming. Together these counties do not have sufficient population to create an entire legislative district and must be combined with portions of other counties in order to meet the one person one vote requirement. Therefore, these counties are combined with the remainder of Bonneville County which is contiguous to Caribou County and the Wyoming border as well as the southern portion of Teton County, contiguous to Bonneville County. Teton County must be

split because it does not have enough population to form one entire legislative district and, due to Teton County's geographic location, its population must be divided between District 32 and District 34 in order to meet the one person one vote requirements in both districts. Teton County was divided in accordance with Idaho's statutory requirements, keeping the entirety of the cities of Driggs and Victor, traditional communities of interest, within District 32. District 32 includes 46,089 people, a deviation of +2.90% from the ideal district.

44. District 33 (Bonneville County (part)). The majority of the city of Idaho Falls is included in District 33 which is contained entirely within Bonneville County. Idaho Falls is a community of interest requiring statutory protection and the district is compact with easily identifiable boundaries. District 33 has 45,964 people, a deviation of +2.63% from the ideal district.
45. District 34 (Madison County, Teton County (part), and Fremont County (part)). Madison County is kept whole within District 34 but it does not contain sufficient population to form an entire legislative district. In order to meet the one person one vote requirement, the Commission included the northern portion of Teton County as well as the southern portion of Fremont County. Fremont County is also not large enough to constitute an entire district and its combination with adjacent counties is necessary to meet the one person one vote requirement. The lines dividing Fremont County and Teton County were drawn in order to keep communities of interest whole. The entirety of the city of Teton, located in Teton County, is included in this district as well as the entirety of the city of St. Anthony in Fremont County. This district is directly connected by Highways 32, 33 and 20 creating commercial corridors and commonality of interests. District 34 has 46,012 people, a deviation of +2.73% from the ideal district.
46. District 35 (Clark County, Custer County, Fremont County (part), Lemhi County, and Jefferson County). District 35 is contiguous, bounded by Idaho's border with Montana and Wyoming, and made up of all of Clark, Custer, Lemhi, and Jefferson counties. Combined, the population of these counties is insufficient to meet the one person one vote requirement and therefore the remainder of Fremont County must also be included. This is another large geographic district that must come together to create a population adequate to satisfy the one person one vote requirement. As vast as the area is, it does share a common interest in natural resources, farming, ranching, and recreation. District 35 contains 45,753 people a deviation of +2.15% from the ideal district.