

## July 2015 Farmers Union Board Meeting Minutes

Board Present: Lloyd Akins, Sam Rosti, Paul Akins, Tom Foster and Brian Harm

Staff Present: Lisa Harm Secretary, Dane Vaughn Ditch Rider and Jerry Kiser Attorney

Minutes of June meeting were read and a motion to approve with minor changes was made by Sam Rosti with Lloyd Akins seconding. Motion passed.

### **Guests:**

#### **Mr. Ron Gulley, Camadrie Heights Subdivision**

Mr. Gulley presented a letter dated 2007 expressing the easement agreement signed and approved by Gene Bailey, along with a preliminary plat map and CC &R's of the development

Discussion followed about concerns regarding the placement of a cattle crossing on the north side of the ditch and associated fencing believed to be in the easement. Gully indicated he would move the fence. Discussion also covered a portion of the subdivision which designated to be a not build zone and what would happen to this property up to the 25 from centerline of the ditch boundary.

Board assigned Dane the task of measuring the cattle guard and fence. Mr. Gulley expressed in willingness to work with the board on these issues.

Jerry is going to contact Gully's attorney to suggest an amendment to the CCR's to disallow property improvements within 30 feet from water's edge on the north side of the ditch.

### **Board Discussion and Reports:**

Brian delivered a report of the newly formed Treasure Valley Waters Users Association.

Organization has been officially formed, initial by-laws created and officers elected. Farmers Union has a seat on the board and Brian was elect Vice President.

Water entities & board includes: Clinton Pine-Nampa Meridian ID, Kenneth Cole-Boise Kuna ID, Alan Newbill-Pioneer ID, Allen Funkhouser-Middleton Mill IC,, Gale Maslonka-New Your ID, David Vaile Settlers ID, Lou Murgotion-At Large

The TVWUA has agreed to an initial voluntary assessment of 20 cents an acre for FY 2015 to fund the start up of organization.

Main area of focus to date has been around the Re-Fill Issue and press releases to call this to the public's attention.

Jerry Kiser added clarity on the Re-Fill noting the summary judgment currently before the court.

The association hired Roger Batt of Batt and Associates to act as Executive Director.

### **General Discussion**

Board began discussion about Fitzgerald case and this spilled into talk about hiring a historian to document the history of the ditch and a chronology of its legal agreements and contracts. There was general agreement on this though no motions or directives were issued.

### **Jerry Kiser Report**

**Fitzgerald Case:** We disputed submitted property description. We need expert witnesses to testify to normal maintenance of ditch and several names were suggested. We need to establish ability for gopher control. Need to locate Shane McCary assist ditch rider to testify to Google Earth photos showing ditch maintenance in the area. Investigative work continues on the case.

Board requested Jerry write a letter to Mr. Tensen and Boise City regarding the old abandon head-gate/pipe indicating we were going to remove the pipe unless Boise City would declare responsibility.

### **Dane Vaughn Report:**

June 12<sup>th</sup> observed "oil sheen" on the ditch. Dane pulled a water sample and sent it to Analytical Labs for testing.

Dane reported on operations on the Ditch is without major incident...ditch running at 75% and projected mid Sept...everyone agreed to maintain course

### **General Discussion:**

Mr. Beckman continues with his unwillingness to surrender the original water certificate in order to affect a transfer. Board instructed Jerry to write a letter to him outlining his options to resolve the issue.

Joe Watterson officially resigned as board member. Lloyd Akins nominated his son Paul Akins. Board discussed and the Paul was officially nominated to the board.

This concluded the meeting and it was adjourned.

October 26, 2007

Gene Bailey, Retire President  
Farmers Union Ditch Company, LTD.  
715 Clover Drive  
Boise, Idaho 83703

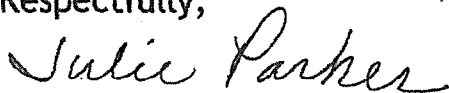
**RE: CAMADRIE HEIGHTS SUBDIVISION**

Dear Mr. Bailey,

Attached please find a copy of the proposed preliminary plat for the above captioned project. Please review the layout and let me know if you would like to see the width of easement reduced from 33 feet from centerline (as is currently noted) to 25 feet from centerline.

Thank you for a timely response on letterhead stationary, as I need to submit your requirements to Canyon County Development Services.

Respectfully,



Julie Parker  
Civil Dynamics, PC  
PO Box 95  
Nampa, Idaho 83653  
466-0823

11/4/15 minutes

**Farmer's Union Ditch Co., Ltd.**  
P. O. Box 1474  
Eagle, ID 83616  
November 7, 2007

Julie Parker  
Civil Dynamics, PC  
P.O. Box 95  
Nampa, ID 83653

RE: Camadrie Heights Subdivision

Dear Ms. Parker,

The board appreciated the drawings you sent and discussed the easement along the ditch in your area, Monday, November 5<sup>th</sup>. They decided the appropriate easement would be 25 feet on the high side of the ditch and 33 feet on the low side of the ditch, measured from the centerline of the ditch.

If there are any questions please call Mr. Bailey at 286-7318 or Joan Langdon at 286-9020.

Sincerely,



Joan Langdon, Sec/Bookkeeper

Amendments #1 to Instr. # 2009-13803

**CC&R's Camadrie Heights Subdivision**

**Article III  
Definitions**

**Irrigation Canal:** The irrigation canal owned by Farmer's Union Ditch Company, Limited, an Idaho corporation and water user association, extending through Lots 2, 4 of CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No.2.

**Private Road Lot:** Lot 3 of CamAdrie Heights No.1 and Lot 1 of CamAdrie Heights No. 2, as referenced on the Plat, upon which the private road will be constructed for access to and from Lots 1, 2, 4 of CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No.2.. The association will own Lot 3 and Lot 1 for the exclusive use and benefit of Lots 1, 2, 4 CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No. 2.

**Residential Lot:** Lots 1, 2, 4 of CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No. 2.

**Article V**

**Permitted Uses and Performance Standards**

**Section 5.02 Building Type and Size.** No dwelling Unit shall have less than two thousand three hundred fifty (2,350) square feet of interior space. Eaves, steps, open porches, garages and patios are excluded for the purpose of calculating the interior square footage. Each Dwelling Unit shall include at least a two (2) car garage but not more than a four (4) car garage. The roof for each Dwelling Unit shall be constructed of fire-resistant architectural style composition shingles, cedar shakes, tile or metal. Metal roofs must be painted or treated and must be non-reflective. Any dwelling Unit or other improvement on Lot 1 of CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No. 2 shall be limited to single story, with or without a daylight basement. Any landscaping or building construction on Lot 1 shall be limited to 17 feet in elevation or elevation 2568.60.

**Section 5.10. Antennae.** Delete.

**Section 5.03. Setbacks:** All minimum building setback lines shall be in accordance with the applicable Canyon County Zoning and Subdivision regulations and ordinances in effect as of the date a building permit is issued for the Dwelling Unit. No landscaping of shrubs or trees or building structures of any kind can be within 60 feet from the center of the Farmers Union Canal at lot 4 of CamAdrie Heights and Lots 2 & 3 of CamAdrie Heights No.2 that would interfere with the view of neighboring lots.

**Article VI  
Easements**

**Section 6.01. Easement.**

**2015-018711**

RECORDED

**05/21/2015 11:29 AM**



00167829201500187110020028

CHRIS YAMAMOTO

CANYON COUNTY RECORDER

Pgs=2 SDUPUIS

\$13.00

MISC

CAMADRIE HEIGHTS SUB

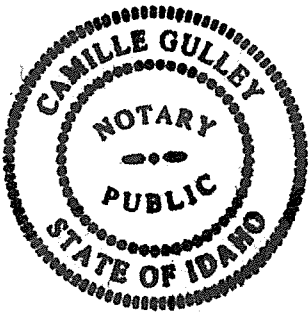
(c) Lots 2, 4 of CamAdrie Heights No. 1 and Lots 2,3 of CamAdrie Heights No. 2 are subject to such easements as may exist in the Irrigation Canal for Farmer's Union Ditch Company, Limited.

Dated April 9, 2015

Declarant Ronald L. Gulley  
Ronald L. Gulley

State of Idaho )  
County of Ada )

On this 9<sup>th</sup> day of April, in the year of 2015, before me, Camille Gulley a notary of the public, personally appeared Ken Gulley, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Camille Gulley  
Notary Public  
My commission Expires on 10/30/2019