

Tuesday, October 7, 2025

Farmers Union Ditch Meeting

Board Present:

Sam Rosti, Paul Akins, John Schram, Bert Browen, Corey Blaine

Seth Kettering, Sean Kettering, Dale Wood – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Sam Rosti called the meeting to order at 5:30 p.m.

NEIL JENKINS – EAGLE SEWER DISTRICT

Since the Open House Eagle Sewer District has not had any inquiries or complaints regarding the Reuse plan. The agreement has allowed the Board to move forward with a \$9 million filtration project. The construction contract has been awarded and will be done in two stages. The first stage should be completed by the first of June and the second stage should be done about this time next year. DEQ should have a draft permit back to Eagle Sewer District by March of 2026 for their review. Once Eagle Sewer District signs off on the permit it will go out for public comment for 30 days. Neil stated Eagle Sewer District would need to complete the first stage of filtration upgrade regardless of whether they continue to discharge to the City of Boise or discharge into the Farmer's Union system.

The Eagle Sewer District Board is excited about the concept of aquifer recharge during the winter months. Once the irrigation side of things is up and running, they would like to start the initial studies. When the canal is dry, they would need to drill approximately six 1'x30' borings in the bottom of the canal starting at the discharge location. From that data they can characterize the soil in order to be added to the groundwater model to understand where the water goes. This will help determine what wells, rivers, streams, etc. would be impacted and what other potential impacts there would be. This data tells them what needs to be done on the cleaning side. As part of the DEQ permit they need to answer the following questions:

Where does the water go?

What impact does it have on surface water?

What impact does it have on ground water?

Seth is going to work with Eagle Sewer District next week, when water is out to spill enough to get the 8 cfs at Hwy. 55.

CHERYL BLOOM – 2153 N HOLLYBROOK PL.

Ms. Bloom thinks it is a conflict of interest for Andy Waldera to represent Mark Beckman against Lateral 75/Canterbury HOA. She said this was brought up at the 2023 and 2024 Annual Meeting. Mr. Beckman purchased New Dry Creek water shares and she said a transfer of use has not been filed with IDWR yet. Andy stated Farmer's Union and New Dry Creek service area overlap in that section, so he is already in the New Dry Creek delivery area. He has enough New Dry Creek water shares to satisfy the needs of his proposed development and the lateral does not have an issue with him leaving Lateral 75. Andy stated there is no conflict. If Mr. Beckman were to file suit against Canterbury HOA that is not a suit that involves Farmer's Union Ditch Company or its shareholders. It is a lateral water users dispute on a community downstream of the F.U.D. headgate and downstream of Farmer's Union jurisdiction. Sam reiterated the Board does not get in the middle of lateral issues as lateral issues are beyond the purview of the Company. The fact that they are all shareholders on the Ditch does not make their issue a company issue. Ms. Bloom stated that Canterbury approached Sawtooth Law for representation before Mr. Beckman did and Sawtooth declined to represent Canterbury. Andy explained he had already entered into an engagement with Mr. Beckman which Bryce Farris was not aware of and Mr. Farris declined to represent Canterbury because Sawtooth Law was already representing Mr. Beckman.

JAMES JENSEN, FOCUS ENGINEERING – SCENICVIEW SUBDIVISION

Focus Engineering is working on a residential development that crosses the canal in Star and they would like to get the Board's input on the location of the crossing from the southern portion of the development at Scenic View Drive, to the north. He provided the Board with the preliminary plat. They are proposing to remove the bend in the canal by installing pipe about 150' south of the horseshoe corner, at the location marked on the plat. Seth said they do drive that section and Mr. Jensen stated they plan to make the ditch road follow the top of the pipe. Seth doesn't see a problem with it. It is a really steep draw, they will need to fill, then install a concrete structure on top of the levee for a free flow system. Sam said they need an oversized box like Trident Ridge. He said if the box is deep enough to supply the water and as high or higher than the canal bank it should work. Sam stated there will need to be a concrete structure on each end and the floor and they will need to install a wall on the south side of the canal in order to maintain the bank. They will also need a concrete floor on both ends so water can't erode under the wing walls. The pipe will need to be sized to take catastrophic flow, Sam estimates a 10' pipe. Seth suggested they measure the opening at Candau's bridge to determine size. The pipe will not have much forward fall, and F.U.D. does not have anywhere to evacuate water. Seth will meet with them onsite. He said Candau's pipe was bedded in ¾" chip and water flows through it like a French drain. He suggested they use native clay or Bentonite under the pipe to stop water infiltration. Andy stated license agreements call for projects to be completed by March 15th. Sam said they can get engineered drawings to Will Mason for review and the Board can review via email so they can get approval by the November meeting, then Andy can issue a license agreement. Andy said anything they are doing, joint trench, utility, etc. needs to be included in the plan.

They would like to utilize the water to irrigate the lots on the north side of the canal. Andy said they need to determine if the water right place of use is entirely below the canal or if the south side is included in place of use. Seth does not think there is a headgate, so a new headgate would need to be installed. The license agreement should include:

- 1) Relocating and piping the ditch
- 2) Crossing through or in ditch easement
- 3) Pi system, headgate, piping approval

MIKE BALLENTYNE – TOK COMMERCIAL

Mr. Ballentyne provided the Board with a marketing proposal and property valuation for the Clover property of \$800-\$850,000. The current zoning would allow up to 22 residents on the parcel but he sees potential for two residential houses. Mr. Ballentyne researched the recorded documents back to ownership in 1893 and one of the challenges is the easement through the center of the property. TOK plotted the easement and part of it does not sit on F.U.D.'s property. He said the easement is a mess. The easement was written to be 100' initially and to be reduced after construction but it never was. Mike suggested to identify a buyer who has a plan that makes sense then approach the City. At that time the Board can request to work with the City to obtain a reasonable easement for the sewer and have discussions with the City as to what parts of the property are developable. He said F.U.D. would need to give a buyer time to get entitlements and work through the easement situation. They can do that as part of their application with the City. Sam said F.U.D. needs to have access with equipment off of Clover. He would like to incorporate an easement as wide as the bridge over the canal to get in, and a way to get out by the apartments on Stillson. Seth said they don't use the Veteran's Park side of the canal. They clean it occasionally, but there is no road on that side. He said they could use that side and if the bridge was replaced that would free up additional land as buildable space. Mike said it is a matter of determining what the Board wants and communicating that to the buyer. At the time of closing any protections would need to be recorded. John asked if doors were built at the evacuation channels would there still be a need to build the dam every year? Seth said Fish and Game require some water flowing through the channels so they dam the canal in front of the headgates to keep the channels wet. However, if the headgates at the shop didn't leak there would not be a need to build the dam. If the buyer were to install a new bridge F.U.D. could require it to be built with a wall to include new headgates which would free up access to the south side. Mr. Ballentyne suggested it would be better to go to market, have a buyer, then approach the City and see if they will buy it for that amount.

Sam would like the Board and Seth to meet with Mike on-site. In the meantime, Mike will get their standard agreement to Andy for review.

Will Mason is going to do an ALTA survey and have a Title Commitment on it so everything is included. The ALTA survey shows easements, rights of way, etc. and physically shows them on the map where they sit.

John Schram made a motion to proceed with TOK on the sale of the Clover property; motion was seconded by Corey Blaine. Motion was unanimously approved.

CHRIS HOPPER – CANYON HIGHWAY DISTRICT NO. 4

Will Mason reviewed the revised road plan from Chris Hopper and drafted a new site plan. He sent the site plan to the Board for review prior to the meeting. Chris shifted the curve further to the north and to the east as much as possible. He said the Developer to the north is working on their plat now and doesn't have opposition to the revised road plan. CHD4 would purchase the parcel for stormwater runoff and they will have to purchase the ground for the roadway. It works out to 0.667 acres for the stormwater pond and 0.763 acres for the roadway.

John Schram made a motion to approve the revised road plan and to sell the 0.667 acre parcel to CHD4 in principle based on the alignment dated September 30, 2025; motion was seconded by Bert Browen. Motion was unanimously approved.

The Highway District will get a purchase offer to Andy prior to the next meeting. Chris said in order to get a building permit F.U.D. will need an access permit from CHD4. They can write one off Blessinger Rd. and Willis where the public road stops. There is an easement that will get F.U.D. to the property. As the public road gets extended the access will change to the most logical location. It will be designated as an open roadway subject to construction. Farmer's Union can put a gravel base down, CHD4 will not make any improvements past Blessinger at this time.

DITCH RIDER REPORT

Seth would like to build or have an access road built on the Foster property along the south side of the pond from the gate.

They will be shutting down water on Friday. Seth will work with the Water Master to leave the 8cfs in the canal at Highway 44 for Eagle Sewer District to do their field testing.

Once water is out, they will start evaluating gates but Seth thinks there are 3-4 headgates that will need to be replaced this off-season.

Minutes from the August and September meetings were e-mailed to the Board for review. Bert Browen moved to approve the August and September minutes; motion was seconded by Corey Blaine. Motion was unanimously approved.

John Schram moved to approve the financials; motion was seconded by Corey Blaine. Motion was unanimously approved.

ATTORNEY'S REPORT

Andy gave a brief update on Legislative issues.

Early last month there was a series of meetings between Water Users, Idaho Power, State Executive Branch Idaho Fish & Game Bureau of Reclamation regarding the Nez Perce Agreement negotiations.

John Schram moved to adjourn the meeting; motion was seconded by Paul Akins. Motion was unanimously approved. Meeting adjourned at 9:15 p.m.