

Tuesday, March 14, 2023

## Farmers Union Ditch Meeting

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Board Present:

Sam Rosti, Paul Akins, Mike McGowan, John Schram, Corey Blaine

Seth Kettering, Sean Kettering, Dale Wood – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Guests: David Erlebach – 23853 Can Ada Rd.; Chris Wilson – Boise Brew Putt; Bert Brownen - Buckhorn Est. West HOA

Sam Rosti called the meeting to order at 5:36 p.m.

This will be Mike McGowan's last meeting and Bert Brownen will be filling his seat on the Board.

**DAVE ERLEBACH – 23853 CAN ADA RD.**

Mr. Erlebach purchased Debbie Foster's property and explained there is an acre which is landlocked and is asking for a crossing to access the property. He provided the Board with a property map and plans for a 60" culvert. Sam asked if he would consider installing eco blocks into the bank on each side with beams for a platform instead. The Board would prefer the canal remains open. Mr. Erlebach is open to the idea and stated he has equipment and a crew that can do the work. The Board approved the crossing with installation of the blocks to happen early next week. Mr. Erlebach will provide revised plans to Andy Waldera to attach to a license agreement.

Minutes from the February meeting were mailed to the Board prior to the meeting for review. Mike McGowan moved to approve the February minutes; motion was seconded by John Schram. Motion was unanimously approved.

### DITCH RIDER REPORT

- They have not been able to burn yet due to the wet weather conditions.
- There is some debris from the tree trimming to be cleaned up.
- They still need to get rip rap around the weed rack.
- The thumb for the backhoe is on order and should be in within a couple of weeks.
- More lumber for check boards is on order.
- Rip rap has been installed at the trash rack and Shane Livingston installed the electronics. He is coming back to install the flow meter.

- Boise City is done with the pipe project and left several sticks of 36" pipe, a section of concrete pipe and a concrete pad for Farmer's Union to utilize.
- The alternator in the dump truck went out but they have the part and will get it repaired quickly.
- Bennett Construction will resurface the Klondike as soon as weather permits.
- Rip rap has been installed at the Big Gulch crossing.

Paul asked if the City has inspected the diversion structure. Seth stated it has been done and he was on-site. There was a little bit of sand build up but nothing major. The Ditch riders have also inspected the box culvert at Collister.

#### CHRIS WILSON - BOISE BREW PUTT

Mr. Wilson explained he has been contacted by someone with Boise City Canal Company and informed there is a pipe on the property which they will need to install a return pipe to in order to discharge water into Farmer's Union canal. The pipe was installed at the time of the road improvement. It runs toward the street, then parallel with the sidewalk. He stated the pipe has been dry and does not currently drain into the canal. It appears to have been plugged in several locations and severed in another. The Board is not aware of any pipe draining back into the canal and would require a license agreement for that. They asked Mr. Wilson to put Seth in touch with the representative from Boise City Canal Company so he can try to figure out what is going on and report back.

#### ATTORNEY'S REPORT

Andy sent a letter to Mr. Christman in response to the request for Farmer's Union to remove trees and clear a road for the pump 49 water users to have a different access to their pump. In the letter Andy informed them Farmer's Union does not see the work as necessary for the Company and reiterated they will need to install a flow meter and gave them until April 1<sup>st</sup> of 2024 to have it installed. He has not received a response to the letter.

Andy located the Capital View files in Jerry's files but has not had a chance to review the Arbitrator's award.

Andy spoke with Nate Runyan at Ardurra about serving as the on-call engineer for Farmer's Union for basic plan review. Andy will send him the standards and specs for approval. McMillan will continue the work on Cresta Del Sol and other large projects as needed.

Greg Clark submitted plan approval for the retaining wall at Cresta Del Sol. They have reconfigured some of the lots along the canal so the most dramatic vertical cut elevation will be approximately 9 ft. vs. 20 ft. as previously planned. The City of Star will not approve any work on the ground including cutting in the bank without a license agreement from Farmer's Union. Andy will issue the license agreement.

Legislature is considering a joint memorial resolution between the House and Senate as it relates to irrigation infrastructure projects. The State has a goal to invest in infrastructure and aquifer recharge projects. Andy explained NRCS and the Bureau mainly has Federal Funds but there are also some Federal funds that came in to the Idaho Water Resource Board along with approximately \$75 million in State funds to be allocated. Andy asked the Board to revisit the list of infrastructure improvements that might qualify for funds.

The Cat Creek energy project for a proposed 100,000 acre ft., fully lined storage reservoir above Anderson Ranch is moving forward. They require 20,000 acre ft. for power generation purposes and are interested in leasing the remaining water to municipal and irrigation entities. The Department of Water resources has the water right application which is on hold for now but the project is gaining traction.

Andy reported the idea of freeing up the un-contracted space in Lucky peak was presented to the Lieutenant Governor. He also said the Bureau is going to send a proposal to District 63 to require all leased storage in Basin or out of Basin to be treated the same, last to fill. The advisory committee would have to approve and Andy does not see the committee approving the proposal. He is of the opinion that in order to maintain the 426,000 acre feet of water required for fish flush the Bureau will fight to keep the un-contracted storage space in Lucky Peak.

Andy was contacted by Lynette Davis regarding the Green Meadow Spill. She said ACHD might be willing to put a pipe in. Andy reiterated to Ms. Davis that Farmer's Union is not involved in this matter and is willing to Quit Claim deed the property to her client.

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

Rosalie received a transfer fee and water share certificate under Pristine Development to be transferred to a property they recently sold. Pristine Development has 1.934 shares for property at the corner of Can Ada Rd. and New Hope Rd. Approximately 14 acres were previously split off and sold to TH Holdings (Tresidio Homes) to be developed as phase 5 of Craftsman Estates subdivision (Pristine Springs HOA). Water shares were not transferred at the time of that sale. The certificate has been signed over to the buyers of the remaining 4.41 acres. They don't have a need for all of the water and Rosalie is trying to figure out if the remainder of the water should be transferred to Pristine Springs HOA. Sam stated that property also has shares with Middleton Irrigation and Foothill Ditch Company. There was discussion about having Andy send Pristine Development a letter requiring them to assign the shares. Rosalie is going to get in touch with Middleton Irrigation to see what information they might have and has been working with the HOA to see if they have a need for the water.

John Schram moved to adjourn the meeting; motion was seconded by Paul Akins. Motion was unanimously approved. Meeting adjourned at 8:04 p.m.