

Tuesday, March 26, 2018

## Farmers Union Ditch Meeting

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### Board Present:

Sam Rosti, Lloyd Akins, Paul Akins, Tom Foster

Craig Waddell, Ditch Rider

Rosalie Cope, Secretary/Bookkeeper

Jerry Kiser, Attorney for FUD

Guests: Rhen Thurgood – JUB Engineers (Suez Water), Roger Greaves (Suez Water), Tamara Thompson (The Land Group, re: Vine Estates), Gabe Welz (The Land Group, re: Vine Estates), Ryan Cutler (ACHD), Justin Fredin (ACHD), Scott Wood (ACHD), Aleksey Strelyuk & Norman Ellis, Judy Sailor (Roselands Sub.)

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

### SUEZ TEMPORARY DISCHARGE

Rhen Thurgood with JUB Engineers is requesting a temporary permit for Suez Water to discharge water used to flush a new municipal water line at Seaman's Gulch. They propose to flush the line in late May for approximately three days. The line is 24" and will carry 74,000 gallons per full flush. The only option at this time is to drain the water into the Farmer's Union canal. Lloyd stated there is a drain on the west side of the road and asked why they can't use that drain. Craig said the drain runs into a concrete pond around the corner. Craig asked if they were going to fully flush the tank. He stated it should not damage the canal bank even if they do discharge the full amount. Lloyd would like them to put the water into the drain rather than the Farmer's Union canal. He asked how they will control how much is flushed at one time so it won't cause the bank to erode. Jerry asked if they can put a 45 degree angle in the pipe to push the water downstream. Craig stated he would need to be notified several days ahead of time so he can adjust the canal level. Jerry Kiser asked what the quality of water is that is going to be flushed. Mr. Thurgood said there is a spot test that will be done on the water. The Board asked Mr. Thurgood to coordinate with Craig and Sam stated Farmer's Union may require compensation for taking the water.

### SUEZ PUMP STATION

Roger Greaves with Suez Water informed the board they are building a new pump station on Hill Road, east of Pierce Park. He said the old pump station needs to be replaced and Suez is working with Belmar Sub. to acquire some land where they propose to install the new pump station. Suez is requesting to have the surge relief valve discharge into the Farmer's Union canal. The water will be chlorinated, potable

water. The new line will run on the north side, parallel with the existing line. The valve can release up to 4,000 gpm at full capacity. Craig asked what size the pump and pipe are currently? Mr. Greaves stated there are two 100 hp and one 40 hp pumps with a 12" line. Sam asked when the project is to take place. Mr. Greaves stated, this fall. Sam asked how they plan to drain the water. Sam also said they would probably need to put the pipe level with the top of the bank and construct a splash pad or box to prevent erosion. Sam stated the Board would like to review the proposal and will respond to Mr. Greaves with a decision within a week.

#### VINE ESTATES SUBDIVISION

Gabe Welz from The Land Group spoke on behalf of Mr. Strelyuk and Vine Estates. He said they would like to connect a new pump station to the existing structure. They are proposing to install a 4" line along the roadway, also connecting to Ellis'. The plans presented show installation of a gravity system for Ellis. Mr. and Mrs. Ellis currently have a pressurized system to run stationary lines. Mr. Welz stated he and Craig Waddell have met onsite several times to review the proposed plans. Mr. Welz stated Ada County requires Farmer's Union to sign off on the preliminary plans and irrigation plan before they will approve.

#### ROSELANDS SUB.

Judy Sailor from Roselands subdivision and Lindsey Choules from Sentry Management reported Mr. Newell just turned management of the subdivision over to the Association. Roselands subdivision is working with Sentry Management. It is their understanding Mr. Peterson was going to develop the full property and had been selling property off to Mr. Newell. Sam stated the irrigation system at Roselands was designed incorrectly and they are currently wasting water as well as flooding neighboring properties. Mr. Newell and Kevin McCarthy attended the November board meeting and discussed their plans to install a static irrigation system for Roselands. They stated the existing pump station needs some work in order to properly operate the irrigation system. Mr. Newell asked the board if the existing pump station could be relocated to the north side of the canal. Revised plans were not presented to the Farmer's Union Board and the work could not be done prior to water coming in to the canal this season. It is the Boards understanding that Mr. Newell still plans to complete the project even though management has been turned over to the Association. Sam stated Farmer's Union will monitor the headgate more closely this season to help control the flooding. Ms. Choules stated the HOA landscaper will also be monitoring the pump. Jerry Kiser suggested a water rotation schedule will also help control the excess runoff.

#### ACHD

Representatives from both ACHD and HDR attended the meeting to discuss finalizing the agreement with Farmer's Union on the State Street and Collister project so they can send the project out for bid. Jerry Kiser said we have not come to an agreement as to who will be maintaining the "improvements". Scott Wood, attorney for ACHD sent Jerry a standard agreement with warranty information and Farmer's Union has reviewed the proposed design. At this time the Farmer's Union ditch is currently

open at that location and the proposal from ACHD is to cover the canal for approximately ¼ mile. The canal will run under the road. Farmer's union does not want bridges crossing the canal and will not be responsible for maintenance of said bridges. Sam asked what the expected lifespan of the new structure is. Mr. Cutler said a minimum of 75 years. In part, this project is being done in anticipation of future widening of State Street. Mr. Cutler stated the funds have to be obligated by the end of April and work will begin on November 1<sup>st</sup>. They will be done with the portion affecting irrigation by March 15<sup>th</sup>. Mr. Kiser stated the Farmer's Union Board received the first set of plans less than three weeks ago and approved them conceptually. The Board still needs to approve the final plans. Mr. Kiser asked what changes have been made from the conceptual drawings. Is ACHD going to rehabilitate, maintain and replace the structure ongoing? There are two components to necessary maintenance; 1) maintaining the structure itself 2) cleaning. Mr. Kiser reiterated that ACHD needs to do both. A staff gauge also needs to be added to the agreement rather than just shown on the plans. Mr. Cutler stated it would be best for Farmer's Union to purchase the gauges and install where we want them then ask ACHD for reimbursement. Craig Waddell said if the current structure gets full of dirt he calls ACHD and they clean it. ACHD representatives said they will continue doing what they have done in the past. The plans call for installation of man-holes for access and will have a concrete bottom so equipment can be brought in to clean. ACHD and ITD independently monitor culverts to see how much sediment build-up there is. Sam Rosti stated there is a portion of land upstream from the project that has trees and brush and Farmer's Union cannot access in order to maintain. Mr. Wood stated removal of the trees and brush is beyond the project limits which are federally mandated. Mr. Wood said a separate scope of work can be drafted allowing ACHD to remove or trim the trees and brush but ACHD would need a right-of-entry from Farmer's Union in order to do the work. Jerry is going to work with Mr. Wood on an agreement. Sam would like to meet onsite again to go over the parameters of the project. Sam also asked where the stop logs are going to be stored. Craig Waddell said they can be stored at the Farmer's Union yard. Sam said Farmer's Union will reply to ACHD with any more questions within the week.

#### DITCH RIDER REPORT

Craig Waddell reported we are currently at 8% snowpack and the reservoirs are only at 80%.

Craig reported the pipe is changed out and lowered at the Whitewater Park and the intake is now below the Farmer's Union stream. He said the end of the pipe where the rope swing was needs to be covered to keep the beavers out. Jerry reiterated the Board needs to review the plans again, identify potential issues and have a follow up meeting with Mr. Tensen. Paul asked about the 5 year guarantee. It is the Board understands it is 5 years from final completion.

Minutes were read by Rosalie Cope.

Minutes approved with corrections.

## ATTORNEY'S REPORT

Jerry Kiser received a revised set of plans for the pump station from Capital View and Sam stated we have not come to an agreement with Capital View yet.

As requested by the Board at the February meeting Jerry sent a letter to Trident Ridge with stipulations in regards to installation of a pump and it came back as undeliverable. Jerry sent again and will follow up.

Jerry reported the irrigator's percentage of O&M charges for Lucky Peak may come out at 12% of costs related to storage and release of irrigation water. The BOR is now looking at the entire reservoir for cost sharing allocation. Flood control is going to be assuming approximately ½ the cost and the studies previously discussed are not going to be required.

Jerry received an e-mail from ACHD with plans for a pedestrian crossing and installation of a storm drain discharge pipe at Wylie Lane. The pipe was going to be replaced but is now postponed. The pedestrian crossing is outside the scope of the federal project but is still going to be done. Jerry doesn't see any issues with the plans.

Further discussion was had regarding Suez request for a temporary permit to discharge water used to flush a new municipal water line at Seaman's Gulch. Sam suggested Farmer's Union charge Suez \$2,500 plus legal for the convenience. Jerry will draft an agreement.

Further discussion was had regarding Suez request to discharge water from a new pump station in Belmar Estates into the canal. The Board would like more specific information on how long the pump would release, how much water will be released at one time and would it automatically shut off the pump. Jerry Kiser thinks the discharge would happen in the event the pumps fail and it would empty the entire system. Do they have backup generators for the pumps? The Board would also like to know what the likeliness is this event would happen. When and under what conditions would it release? The Board agreed Suez would have to pipe over the canal without going into the canal and would have to install a box to take the water and initially then release into the stream. Jerry is going to contact Suez and get more information.

Jerry reported on the refill issue. He said the agreement is not finalized enough to get a proposal back to the state. They are working on calculations on how to quantify the acre feet and divide between the uses. The Board of control is on board and working in conjunction to resolve. The Reservoir Operating Plan has to continue to be followed and the BOR has to sign-off on the agreement. It is technically the BOR's water right and the Board of Control has no water rights.

Jerry suggested in 2019 the Board consider raising the administrative fee assessed from \$10 to \$25. Rosalie brought to the Board's attention that currently Farmer's

Union shareholders are the only ones paying a transfer fee when a change in ownership occurs. Sam stated that is because they are the only ones receiving a new certificate. The others are just changes in ownership that need to be recorded. Rosalie stated it takes the same amount of time, if not more, and in the case of Boise Valley share transfers requires the time of Jerry Kiser to review new delivery agreements. Jerry said the Board can pass a resolution to issue a water transfer fee for non-Farmer's Union water users which would basically be a fee to keep the records. Or, Jerry suggested possibly raising the administrative fee for non-Farmer's Union water users to \$50 and leaving the fee for Farmer's Union shareholders at \$10. Jerry is going to look into the statute.

The Board reviewed February financials. Lloyd Akins moved to approve the financials; motion was seconded by Tom Foster.

Sam would like to incorporate stronger wording into the letter that goes out with delinquent assessments.

Rosalie stated she received a call from Dan Christman in regards to splitting his water shares. Mr. Christman is considering purchasing a parcel of property adjoining his property and the parcel does not have water rights. Mr. Christman has 0.346 shares of Farmer's Union water. The Board asked if the other parcel is in the Farmer's Union delivery area and stated Mr. Christman doesn't have enough water to irrigate much land. They suggested Mr. Christman attend the next Board meeting and present a parcel map and explain what he wants to do.

Paul Akins moved to adjourn the meeting; motion was seconded by Tom Foster. Meeting adjourned at 10:44 p.m.

The next official meeting will be May 8<sup>th</sup>. The Board is going to meet on April 10<sup>th</sup> to review the Whitewater Park plans and prepare for a meeting with the City of Boise.