

Tuesday, March 9, 2021

## Farmers Union Ditch Meeting

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### Board Present:

Sam Rosti, Lloyd Akins, Paul Akins, Mike McGowan

Craig Waddell, Seth Kettering – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Jerry Kiser, Attorney for FUD

Lloyd Akins called the meeting to order at 5:20 p.m.

### COREY BLAINE 1154 & 1178 E BEACON LIGHT RD.

Mr. Blaine has been working with Boise Valley to purchase 46.28 inches of water. There are 0.1 shares of Farmer's Union for the property at 1164 E Beacon Light Rd. under Thompson Ltd. Partnership and Mr. Blaine's his father-in-law, Dale Wilson has 5" of Developed water for 1178 E Beacon Light Road. Water is currently delivered to pump #34. The Boise Valley water would be under Cory Blaine and also delivered to pump #34. The Board informed Mr. Blaine the water would be cut by 1/3 for delivery and he will need to have Boise Valley send a delivery agreement to Farmer's Union. A flow meter will need to be installed on the pump and since there is no road on that side of the ditch they will need a remote reader or will need to provide the Ditch Riders with access from Hill Road to read.

### DEREK COOPER – 7129 GOODDALE TRAIL

Mr. Cooper has a house on the north side of the canal and an additional ½ acre on the south side. At this time he has to go down Hartley and access the ½ acre from the canal road. He would like to install a small bridge to access with a UTV. The bridge would be shared with his neighbor who is in a similar situation. They purchased the property from Bob Hanson and the properties were configured this way to allow for 5 acre parcels. The Board is agreeable that the bridge could be done with eco blocks approximately 4-5' wide. Mr. Cooper is to draft plans for the access bridge and get back to the Board for approval. Upon approval Jerry will issue a crossing agreement. The Board suggested Mr. Cooper contact Wagner Farms to install the blocks. The work may not be able to be completed prior to water coming in. It will more than likely be fall before they will be able to install. Jerry suggested getting plans back to the Board as soon as possible for approval and getting someone lined up to do the work as soon as the water is out.

### DAVID SEYMOUR – 5525 W HILL RD.

Mr. Seymour provided the Board with a parcel map showing his property on Hill Rd. The lot was originally one parcel and has been split into three parcels with the existing

pump located on the most western lot. Mr. Seymour's lot is the lot farthest to the east and he does not have access to the pump. He has 1.34" of Boise Valley water and would like to install a pump on his property to irrigate a garden. The Board recommended he build a wall or install eco blocks then stub a pipe back approximately 25' to a wet well on his property. That way the pump station would be out of the right-of-way. They asked Mr. Seymour to contact a pump company and have plans designed for the proposed pump system. Once the design plans are approved by the Board Jerry Kiser will issue a license agreement.

Minutes from the February meeting were mailed to the Board prior to the meeting for review. Lloyd Akins moved to approve the minutes with revisions; motion was seconded by Mike McGowan.

Levi Glynn provided the Board with pictures of his property and the location the Board is proposing for his pump. Mr. Glynn communicated to Jerry Kiser that he does not want to install the pump near the bridge abutment as the Board recommended. He thinks it will be too close to the road and may be vandalized. The Board discussed and directed Jerry to communicate to Mr. Glynn the pump is to be installed near the bridge abutment with the pipe buried 3' below the road. He can tie on to the edge of the concrete and build a structure to protect the pump similar to what Jon Dobson has done. Jerry will also remind Mr. Glynn he will need to install a flow meter.

#### DITCH RIDER REPORT

Craig reported that Bennett Construction is going to repair the Klondike spill for the cost of materials.

The Lee's on Hill Road have hired Wagner Farms to install blocks along the bank and the repair work will be done by March 21st.

Seth and Dale plan to clean up tree and shrub debris and haul to the dump. The material is not burning. Parker Tree Service will be out from Thursday through Monday doing work west of Pierce Park at the Green Meadow Spill.

The headgate at Tom Foster's still needs to be replaced.

Seth and Dale have been working between Linder and Park putting in a maintenance road and dipping the canal. They are finishing clean-up through town then will finish at the tail of the canal.

The bridge at Vine Estates is complete.

#### ATTORNEY'S REPORT

#### TRASH RACK

Jerry provided the Board a revised set of plans for the Trash Rack from River Structures. Once the plans are approved by the Board the project will go out to bid

this fall. Jerry will forward the approved plans to ACHD along with the invoices for work done by River Structures. The Board is to review the plans and get back to Jerry with comments this week. Jerry reported the flow meter will not be installed this year.

Ryan Cutler with ACHD emailed Jerry a video of the inspection of the Box Culvert at Collister. The tunnel is clean.

Jerry provided the Board with a draft letter to Star Sewer and Water regarding their request to discharge water into the canal. The Board gave Jerry approval to send the letter.

Jerry reported he sent the letter to J&M Land in regards to the gates being locked open or removed.

Jerry reported he has been in contact with a restitution coordinator with the Ada County Prosecuting Attorney's office and asked if the Board wishes to seek restitution for damages to the excavator. There is a questionnaire he will need to fill out and submit along with receipts for the repairs. Jerry will follow up.

Farmer's Union received an email from Jamie Watts & Craig Dale at 5353 W Hill Rd. They have concerns about the locust trees along the north side of the canal and bank erosion. They want to know if Farmer's Union has a plan for stabilizing the bank or doing any tree work. Jerry informed them the trees are leaning away from the canal and the bank is not eroding. He explained the tree roots help protect the integrity of the canal and let them know that there are no plans at this time to do any work in that area. Jerry would like to send another email letting Mr. Dale and Mr. Watts know the trees are in fact their responsibility and they may hire someone to remove or trim. The work just needs to be coordinated with the Ditch Riders. Farmer's Union would also like the root systems to stay in place as they are helping to prevent erosion.

#### J&M SUBDIVISION

Jerry reported the preliminary plat was not submitted for approval. All they put before the City of Eagle was a request to be annexed and rezoned.

#### ELKHORN RESERVE SUBDIVISION

Jerry reported there is a project called the Elkhorn Reserve Subdivision which does not impact Farmer's Union however he reported one of the City representatives responded that there may be a reason for the 3 lot project to appear before the PPRC to discuss BLM Land Access and connections to canal network. Jerry has questions in regards to the connections to canal network comment; he thinks it may have something to do with easement roads. Jerry stated the City is talking about a pathway connecting canals to development using maintenance roads. Sam stated there was a meeting at Star City Hall. He said Bryce Farris was in attendance along with representatives from New Dry Creek and Middleton. Farmer's Union was invited but the Board decided it was not necessary to have a representative there. Jerry responded that Farmer's Union does not want canal roads used for anything other

than maintenance. Sam reported they are proposing walking paths and using the sides of the canal.

Jerry said in the Culver Subdivision application there were agency responses with references to canal pathways. He is going to contact the City of Eagle and City of Star to find out what they are planning in regards to making pathways along canal roads. Lloyd stated we need to maintain the integrity of the canal right of way.

## TRIDENT RIDGE

Lloyd reported John Carpenter met with John Pickens in regards to their proposal for a tunnel to accommodate the pedestrian traffic and a bridge that would be for fire truck access only. If Mr. Pickens does not agree to the proposed plan for them to utilize his right of way they will move to the left and use their right of way. Lloyd wants Jerry to make it very clear that Farmer's Union is not interested in a pedestrian walkway over the canal; the Board will consider a tunnel under the canal. Jerry stated they already said they don't see that as feasible. Jerry said Farmer's Union is going to have to require the developer to fence off the development along the canal and restrict access points. He thinks a lot of the access will be blocked by homes and if the developer is required to install a fence that is not owned by the lot owners there is more ability to control access. Policing trespassing on the canal is becoming more difficult as urbanization happens and it can't be the ditch rider's job to control.

Jerry provided the Board with a copy of the letter he sent to the Management Company for Breitenbach Ridge Subdivision. Jerry reiterated that headgate 138 needs to form a lateral association and Farmer's Union is only responsible for irrigation water and delivery from the Boise River to the headgates.

Jerry provided the Board with information on the McCrometer McPropeller flow meters. They have a propeller in the pipe, no batteries and a secure meter. They have a current flow reading and totalizer. The meters are available as wireless, but technically there is wire that allows for it to be read remotely. The standard flow meter is \$1,099 and the wireless option is an additional \$1,400.

Jerry thinks there is a statute relating to the irrigation delivery entity being responsible for measuring the water deliveries. He is not certain if that means responsible to make sure the water is measured and used correctly by the water user. He is not certain of how it reads but will look into it. The question is who is responsible for paying for the meter. Paul asked if it would be a matter of Farmer's Union installing the meters and billing the water user for the meter over time. Jerry reiterated at this point flow meters are only required on new Boise Valley deliveries who have an addendum to the delivery agreement in place and any new Farmer's Union deliveries once a property changes hands. It is not the intention to go back and require flow meters on existing pumps or to existing shareholders.

Jerry provided the Board with plans for Rene Place subdivision near Eagle Hills Golf Course, south of Floating Feather. There are 18.51 acres. They submitted an application to the City of Eagle and Jerry replied with the standard subdivision development letter reiterating there needs to be an HOA, shares need to be transferred, etc.

Corona Estates Subdivision is on the Chase property on Floating Feather, by the Eagle Middle School. The Board needs to decide what they want included in a comment letter to the City of Eagle. They are on headgate 57 which has 341.758 total inches of water and 17 different water users. The Board recommended Jerry include in the reply letter that a lateral association needs to be formed.

Jerry reported Roselands HOA, Collina Vista HOA and Trapper Ridge subdivision still have not installed flow meters. Jerry sent letters to Don Newell with copies to Roselands and Collina Vista HOA's. The letter stated flow meters need to be installed or water will not be delivered. Engineering Solutions is working with Trapper Ridge and they are going to follow up with the contractor to make sure a flow meter is installed.

Jerry reported he sent the revised letter to Thomas.

#### WATER RIGHT PROTEST

Jerry reported he has had conferences with IDWR regarding what language needs to be in the water right permit and he and Bryce Farris have included separate language with requirements regarding measuring the water, inflow, outflow, making sure it is not consumptive, etc. that will be incorporated into a separate agreement because IDWR does not want all of that language on the actual water right.

The water right will have language stating the return flows are not to be comingled with the Farmer's Union Canal water. That language will also be in the agreement.

Lloyd Akins moved to approve the financials; motion was seconded by Paul Akins.

Paul Akins moved to adjourn the meeting; motion was seconded by Mike McGowan. Meeting adjourned at 8:54 p.m.