

Tuesday, June 18, 2024

## Farmers Union Ditch Meeting

---

### Board Present:

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

Seth Kettering, Sean Kettering – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Guests: Manny Wheaton – ACHD; Luke Erlebach – 6745 Willis Rd.

Sam Rosti called the meeting to order at 6:07 p.m.

### LUKE ERLEBACH– 6745 WILLIS RD.

Mr. Erlebach received the agreement from Idaho Power to trench through his property to get power to the Foster property for Farmer's Union. He has reached out to Idaho Power requesting some modifications to the agreement before signing including language in the agreement that limits the amount of power than can be run through the trench in the future in the event Farmer's Union sells the property. He also does not want the easement transferrable in the event of the property being sold.

The trench was an effort to appease Mr. Erlebach because he didn't want power poles down the driveway. If Idaho Power is willing to make changes to the agreement that is fine but if not the best option is to bring poles down the road since there is already an Idaho Power easement and it would be cheaper. Corey will touch base with Idaho Power.

### MANNY WHEATON - ACHD

Mr. Wheaton provided the Board with plans for a crosswalk going north/south crossing Floating Feather, off Edgewood Lane. As part of the project they will be installing a signal/light pole on the north side of Floating Feather. The proposed foundation is approximately 5' from the wing wall of the bridge and to the left there is a control box 10.25 ft. from the canal road. Seth said that is a really bad corner and they already have to jump the curb with the equipment trailer to make the turn. On the other side of Edgewood there are a bunch of existing utilities and there is not enough space to install the signal. They will already be replacing the curb and offered to widen the driveway and cut the curb to the west at that time. The Board proposed increasing the wing wall, setting 3-4 eco blocks 2 high past the wing wall and moving the rip rap to the end of the eco blocks past the wing wall so Seth would not need access to replace the rip-rap. They can also move the signal cabinet behind the pole or across the street to allow for more space.

ACHD is hesitant to do work on the wing wall because they would potentially have to involve the Army Corps of Engineers because of the potential involvement with Waters of the U.S. Andy asked Seth to work with ACHD on a design that works and he would build language into the License Agreement for ACHD to pay Farmer's Union a set amount to do the work on the wing wall.

Minutes from the May meeting were e-mailed to the Board for review. John Schram moved to approve the May minutes with corrections; motion was seconded by Sam Rosti. Motion was unanimously approved.

#### DITCH RIDER REPORT

The excavator is on-site at the Foster property. They are going to start doing some work on the property in their down time.

Coastline equipment had to come out and replace the battery relay on the excavator.

An irrigation line on Larry Christensen's property at 3472 N Ballantyne, uphill from canal broke and caused a landslide into the canal. It is cleaned up for now but they will have to go in with eco blocks and rebuild the wall when water is out.

Alan Funkhouser is farming Jared Lindsay's 3 acres on headgate 138. Andy asked him if Farmer's Union agreed to put more water through the headgate could he guarantee to spill 10-15 inches toward Haven subdivision at all times. Seth said he already puts more water down the lateral because it is one of the last headgates on the canal. Haven is the 2<sup>nd</sup> largest water user on the lateral and is dry for 2-3 days a week because Mr. Funkhouser is taking the full 48.928" south of New Hope Road for 36-48 hours to irrigate the 3 acres. Seth will put an additional 10" in headgate 138 and Andy will let him know there are 20-25 more inches of water in the ditch than there is ground.

Seth reported June 16<sup>th</sup> was the day of allocation.

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

#### ATTORNEY'S REPORT

Andy attended two meetings with the Bureau of Reclamation and Solicitor's office representatives at the Water Users Conference to identify items for the renewed Nez Perce agreement. Everyone thinks the existing agreement is working well. The different basins have different interests in the existing agreement. The Bureau taking a look at the existing agreement and identifying what if anything in the existing framework is undoable today such as a 30 year buy-out. The chance of getting another 30 year biological opinion is highly unlikely. The Water Users are going to meet with the office of Species Conservation and the Governor's office to make sure the water users are aligned with the State's interests. The current agreement expires in 10 years however the Bureau needs 5 years to do the studies necessary to define

the proposed action and to get ESA section 7 consultation complete with the US Fish and Wildlife Service.

Paul Akins moved to adjourn the meeting; motion was seconded by Bert Browen. Motion was unanimously approved. Meeting adjourned at 8:06 p.m.