

Tuesday, August 9, 2022

Farmers Union Ditch Meeting

Board Present:

Sam Rosti, Lloyd Akins, John Schram, Paul Akins

Seth Kettering, Sean Kettering, Dale Wood – Ditch Riders

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Guests: Gretchen Hoyt - 8914 Lander St.; Allan Hochstrasser – 1791 W Washam Rd.

Sam Rosti called the meeting to order at 5:28 p.m.

GRETCHEN HOYT – 8914 LANDER STREET

Ms. Hoyt reported there was recently a fire at the Idaho Youth Ranch main distribution center and Interfaith Sanctuary has loaned them the State Street property as a temporary warehouse. The Neighborhood Alliance suggests Interfaith and the Youth Ranch do a land swap since the old Salvation Army property is set up as a distribution center and there is an opportunity to rebuild a more suitable homeless shelter at the Youth Ranch site. The Neighborhood Alliance has hired an attorney who is working with the City toward mediation. Gretchen tried to reach out to property owners and says none of the residents have funds to contribute toward gates. The owner of Burger and Brew and Gretchen would be the only participants. She did provide the Board with a public notice that has a map of the area. The City of Boise and Gretchen are the only property owners with an easement along the canal in that area.

Andy reiterated Farmer's Union has the right to protect the easement if the landowner is making inconsistent use of the right-of-way. The pedestrian traffic from the shelter would qualify but only the landowner can allege trespassing and the City is not likely to enforce. Is the installation of gates actually going to solve the problem? Andy will speak with the attorney for the Neighborhood Alliance to see how Farmer's Union might be able to assist.

ALLAN HOCHSTRASSER – 1791 W WASHAM RD.

Mr. Hochstrasser currently owns two parcels and has applied with the City of Eagle to split into four parcels. He intends to retain two parcels and sell two. The question is if the Board would have him split the water shares amongst the parcels or transfer to Shepherding Acres HOA. After discussion the Board requested shares are transferred to the HOA. After Mr. Hochstrasser left the meeting more discussion was had during financial review and Andy Waldera explained in a subdivision situation where there are no common lots there is nothing to lien in the event of delinquent assessments. It has

been the policy of the Board to require shares are transferred to an HOA in the event a subdivision is formed. After discussion it was decided in these cases it would be best to transfer shares to the individual lots. Rosalie will work with Mr. Hochstrasser on the share transfer.

DITCH RIDER REPORT

Seth reported they continue to put Bentonite in the canal and all leaks/seeps have cleared up.

Seth, Dale and Sean took the applicator's exam. Seth passed two of the three exams, Sean passed one of the three and Dale will need to retake all three. They are scheduled to re-take within the week.

The canal is at 169 cfs with 120 cfs of Farmer's Union water. Storage is at 15,747 acre feet which is 60% of the Stuart Decree. Seth estimates there will be 4 – 5000 acre feet of storage water remaining at the end of the season.

Seth will serve as the point of contact with Knife River on construction of the trash rack.

Minutes from the July meeting were mailed to the Board prior to the meeting for review. John Schram moved to approve the June minutes with corrections; motion was seconded by Paul Akins. Motion was unanimously approved.

ATTORNEY'S REPORT

Rosalie sent an invoice to GWC Capital for reimbursement of legal fees for the Spring Valley temporary crossing agreement. Andy stated the permanent agreement is prepared and ready to be sent for signature once the invoice is paid.

The Board and Jerry Kiser met with Susan Buxton, Director of Idaho Department of Parks and Recreation on August 1st to discuss the lease they have with the City. Ms. Buxton and staff would like to look into the situation further. They were unaware the City was using their agreement to get around the agreement with Farmer's Union.

LUCKY PEAK O&M

Andy and Roger Batt have had several meetings with Dirk Mendive, Regional Director for Russ Fulcher. Mr. Mendive is coordinating with the other Idaho Congressional offices to go to the Army Corps of Engineers to push for better communication and justification as to why a new office building is necessary and if it is necessary how does it relate to storage and irrigation water vs. how much of the building and its function are related to other non-irrigation purposes. The main purpose of the dam is flood control and other purposes have developed over time. The building may be justifiable but without explanation the water users have no way to know. They are also going to question what Federal funds might be available to offset or cover the cost. At a minimum they will work toward better communication and documentation.

CREEKSIDE ESTATES

The draft agreement has been sent to them. They have not asked any questions or asked for any revisions. Andy has not received the signed agreement back yet.

The crossing agreements for Idaho power for the intersection of Hill Rd. and Seaman's Gulch, Candau's bridge and Spring Valley Development have been drafted. Idaho Power requested a few minor revisions. The revised agreements have been sent to Idaho Power for signature.

The Cable One crossing agreement for 2970 N Glen Stuart has been sent for signature.

Development Policies and Procedures process and Engineering specs. have been drafted and Andy needs to review. He will send the draft to the Board for review.

STADIUM VIEW SUBDIVISION

Andy has been playing phone tag with Ms. Porchia regarding easements, homeowners association, etc.

BOISE BREW PUTT

Ms. Murphy provided Andy with the legal description and a survey of the boundary. He has not had a chance to take a look at it yet. It appears the property line is at top of bank of the canal. A 25' easement would significantly cut into the property. Andy will review the documents and work with Ms. Murphy on a license agreement for temporary structures subject to removal upon request.

CITY OF BOISE CANAL CROSSING

Andy provided the Board with revised plans from the City. There are changes on the third page; C100 regarding the concrete cap. There is a revised red note example of 4' wide, 1' thick collar centered on each joint. The note states they expect 20 collars extending for the length of the 42" pipe from the manhole structure toward the pond, underneath the existing concrete pad. The integrated concrete cap notation is correct, however Andy stated the width of the concrete cap is not noted. He will suggest the language be revised to read 1' thick integrated concrete cap, 5' wide centered over pipe should clarify. The only other change on page C100 under keynote 6 calls for the trench to be backfilled with ¾" bedding chips. The Board does not approve of the bedding chips. They would like to see that replaced with ¾" road mix to provide a solid footing for the structure.

Andy reviewed the proposed storage water lease application for the City of Boise and gave Mary Grant notes on the MOU in order to convert it to an automatically renewable agreement to renew any time the City wanted to utilize. He has not received a response yet.

CAPITAL VIEW

There was brief discussion previously regarding the complicated calculations used for Capital View's assessment and how that may be simplified. It was suggested meeting with them to discuss Capital View turning their shares over to Farmer's Union and being billed as a lateral. Farmer's Union could possibly purchase their Anderson Ranch storage water to help supplement Capital View's delivery with Farmer's Union storage water. Andy will pursue setting up a discussion with the Capital View Board.

Andy received August statements from Rosalie and will send out pre-lien notices to those with outstanding assessments.

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

Paul Akins moved to adjourn the meeting; motion was seconded by John Schram. Motion was unanimously approved. Meeting adjourned at 8:11 p.m.