

Saturday, January 13, 2024

Special Meeting – Farmer’s Union Ditch Co.

Board Present:

Sam Rosti, Paul Akins, Bert Browen, Corey Blaine

Rosalie Cope, Secretary/Bookkeeper

Andrew Waldera, Attorney for FUD

Sam Rosti called the meeting to order at 2:34 p.m.

River Birch Golf Course currently gets their water from headgates 113 and 119. There are four water users on headgate 113 and the lateral water users have been trying to work with Toll Brothers however things are not going well. River Birch would like to move all of their water delivery to headgate 119. Typically Farmer’s Union would require the water user wishing to change point of delivery to turn in a letter of authorization with signatures from the majority of the shares on the lateral. In this situation they are the majority shareholder. Seth has spoken to a representative from Trellis subdivision because he is planning to replace their headgate this off-season. He suggested while Farmer’s Union is doing the work on the headgate it would benefit Trellis to pipe from the headgate to their system to help cut down on conveyance loss. The Board approved the request from River Birch to abandon delivery from the upper headgate and solely use headgate 119.

Andy received a new set of plans from Intermountain to line the canal for the entire run of the diagonal crossing for Spring Valley subdivision. The plans are for a full concrete liner that meets the Pioneer Irrigation specs. Andy will add language to the license agreement that the liner meets the Pioneer Irrigation specs., etc. Seth would like them to add a cut off wall going down 18 - 24”, backfill and add rip rap. The Board asked Seth to inspect the site prior to them pouring concrete. The Board also asked Andy to request they add gas line markers on the side of the canal.

Andy sent a response letter to the City of Eagle regarding the Hevostila Estates subdivision stating the plans are not detailed enough for comment. The design Engineer sent Andy the plat. They only own to center of canal and do not own the property south of the canal. The plans provide for 25’ from top of bank which will be common lot. They have individual lot line perimeter fences so individual lot owners will not be installing fencing in the easement. There is a reservation in the plat notes, “City of Eagle pathway easements for pedestrian access are reserved over Lot 1, Block 1” which is the Farmer’s Union easement. Andy will add language to the license agreement stating Farmer’s Union is not approving a pathway and if/when the time comes whoever is proposing to construct a pathway will need to request a license agreement from Farmer’s Union.

Also, the Hevostila Estates property used to be irrigated from a pump on the south side of the canal. Since they don't own the property on the south side of the canal they would like to install a p.i. system with a headgate and pump intake on the north side of the canal. The plans call for a headgate and a 4'x4' irrigation box with 32' of pipe. The Board does not want the weir box in the easement and will require a flow meter to be installed. The Board would also like the old box and pipe removed and cleaned up. In the essence of time, Andy will correspond with the Board via email to get final approval.

An invoice for reimbursement of legal fees was sent to Toll Brothers the end of October. Sam has also spoken with them. Adam Capell reached out to Andy with some questions on the invoice. There are some legal fees from the beginning of the issue with Toll Brothers where Jerry was in the process of retiring and handing things off to Andy and some time not related to the canal bank cut was included. The original invoice was \$18,565 and after review Andy came up with a total of \$18,140. Toll has agreed to the charges and we should receive a check.

Liens were filed on two properties, Odom Group LLC and Oakmont Signature Homes. Oakmont signature Homes has paid the 2023 assessment however did not pay any of the accrued finance charges and will now have to pay the lien filing and release fees as well. Rosalie is going to send them a letter.

Idaho Power provided Andy with a design plan for the line at Opper's property. Andy will need Seth to measure the distance from top of bank so he can draft a license agreement.

Several of the Board members and Seth met Ardurra on-site at the Foster property to go over the plans for the property. Ardurra sent a scope of work outlining services with individual costs so the Board can decide which portions they would like help with. Bert and Andy both think NRCS will provide a site grading plan for the pipe trench and anything to do with piping. It was suggested to also reach out to Mason & Stanfield Engineering for a scope of work to see if engineering costs can be kept down. Sam also thinks the Board can do a lot of the work so more money can be put toward the shop. Corey spoke to Idaho Power and they estimate \$30,000 to get power to the site. There are two options; they can come up the road or from the neighbor which would be the easiest. Corey plans to meet again with Idaho Power and the neighbor to see if that is feasible. The Board is hoping to complete the piping project this fall. Sam would also like to do some of the dirt work done this year. He suggested talking to Bennett Construction to do the grading work.

Corey attended the Water District 63 annual meeting and reported Idaho Power wants irrigators to pay for cloud seeding. Sam said they have been trying to do that for years. The Board of control was paying some and Water District 63 has been paying approximately 1/3 which is \$125,000. Idaho Power wants them to now pay half, if not more which will drive up fees for irrigators. Sam is of the opinion this cost needs to be

absorbed by rate payers. Water in the reservoirs has multiple uses such as recreation and flood control and irrigation. It is not fair for the irrigators to absorb more of the cost.

Paul Akins moved to adjourn the meeting; motion was seconded by Bert Browen. Motion was unanimously approved. Meeting adjourned at 3:52 p.m.