

**ORDINANCE 2019-16  
CITY OF KUNA, IDAHO**

**ORDINANCE AMENDING THE EXTERIOR BOUNDARIES  
OF THE KUNA MUNICIPAL IRRIGATION SYSTEM  
[Toll ID I LLC real property]**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:**

- **MAKING CERTAIN FINDINGS; and**
- **ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S TOLL ID I LLC.; AND**
- **DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and**
- **DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and**
- **DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE~KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and**
- **PROVIDING AN EFFECTIVE DATE.**

**The City Council findings:** The City Council makes the following findings of its authority, purpose and the history of the enactment of this ordinance:

- 1.1 The City of Kuna has established and operates, as authorized by Title 50, Chapter 18, Idaho Code, a municipal irrigation system, known and referred to as *Kuna Municipal Irrigation System* (the "KMIS"); and
- 1.2 Commencing with the establishment of the KMIS and with every additional real property enlarging KMIS, the City Council has passed and enacted an ordinance pursuant to Idaho Code Section 50-1832 describing and enlarging the exterior boundaries of KMIS; and

- 1.3 It is the intention of the City Council to include that certain real property identified by the Ada County Assessor's office as TOLL ID I LLC. [legally described in Exhibit A attached to this Ordinance and by this reference incorporated herein] (the "SUBJECT REAL PROPERTIES") within the boundaries of KMIS and which SUBJECT REAL PROPERTIES are depicted on the attached Exhibit B Location Map; and
- 1.4 It is therefore necessary as required by Idaho Code Section 50-1832 to approve and enact this Ordinance in order to include the Subject Real Properties within the boundaries of KMIS.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, Ada County, Idaho, as follows:**

Section 1: The boundaries of the Kuna Municipal Irrigation System are enlarged by the inclusion of the SUBJECT REAL PROPERTIES and the boundaries thereof are adjusted accordingly, said SUBJECT REAL PROPERTY being described as follows in Exhibit A attached hereto this Ordinance.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes.

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District, the owner of the SUBJECT REAL PROPERTIES and to update the official City map of the exterior boundaries of KMIS.

Section 5: Effective Date: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

DATED this 7<sup>th</sup> day of May 2019.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk



**EXHIBIT A**

**LEGAL DESCRIPTION FOR WATER RIGHTS ON  
TOLL ID I LLC**

A parcel of land situated in the southeast quarter of Section 13, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, and being more particularly described as follows:

Beginning at the northwest corner of the southeast quarter of Section 13, Township 2 North, Range 1 West, Boise Meridian, (from which the East quarter corner of said Section 13 bears S88°51'58"E, 2631.72 feet;

Thence S88°51'58"E, 1971.63 feet along the north line of said southeast quarter;

Thence S00°11'35"W, 1753.96 feet leaving said north line to the centerline of the Kuna Canal;

Thence along the centerline of the Kuna canal the following four (4) courses:

N70°46'49"W, 174.05 feet;

Thence 225.66 feet along the arc of a curve to the left having a radius of 500.00 feet, a delta angle of 25°51'30", and a long chord which bears N83°42'33"W for a chord distance of 223.75 feet;

Thence S83°21'42"W, 169.05 feet;

Thence 207.43 feet along the arc of a curve to the right having a radius of 900.00 feet, a delta angle of 13°12'19", and a long chord which bears S89°57'51"W for a chord distance of 206.97 feet;

Thence S15°22'44"W, 75.75 feet leaving the centerline of said Kuna Canal;

Thence N74°37'16"W, 66.00 feet;

Thence N15°22'44"E, 68.00 feet to the centerline of the Kuna Canal;

Thence along the centerline of said Kuna Canal the following six (6) courses:

41.86 feet along the arc of a non-tangent curve to the right having a radius of 900.00 feet, a delta angle of 2°39'54", and a long chord which bears N77°52'09"W for a chord distance of 41.86 feet;

Thence 171.20 feet along the arc of a compound curve to the right having a radius of 200.00 feet, a delta angle of 49°02'39", and a long chord which bears N52°00'53"W for a chord distance of 166.02 feet;

Thence N27°29'33"W, 326.42 feet;

Thence 202.44 feet along the arc of a curve to the left having a radius of 225.00 feet, a delta angle of 51°33'06", and a long chord which bears N53°16'06"W for a chord distance of 195.68 feet;

Thence N79°02'39"W, 116.09 feet;

Thence 400.37 feet along the arc of a curve to the right having a radius of 450.00 feet, a delta angle of 50°58'36", and a long chord which bears N53°33'21"W for a chord distance of 387.29 feet;

Thence S59°24'40" W, 42.23 feet leaving the centerline of said Kuna Canal;

Thence 39.51 feet along the arc of a non-tangent curve to the left having a radius of 70.50 feet, a delta angle of 32°06'37" and a long chord which bears N73°56'42"W for a chord distance of 39.00 feet;

Thence N90°00'00"W, 100.29 feet;

Thence N44°54'47"W, 28.24 feet;

Thence N00°10'26"E, 2.60 feet;

Thence N90°00'00"W, 42.00 feet to the West line of the southeast quarter of said Section 13;

Thence N00°10'26"E, 939.21 feet along said West line to the POINT OF BEGINNING.

The above-described parcel contains 64.60 acres, more or less.

