

**ORDINANCE NO. 2020-13  
CITY OF KUNA, IDAHO**

**ORDINANCE AMENDING THE EXTERIOR BOUNDARIES  
OF THE KUNA MUNICIPAL IRRIGATION SYSTEM  
[CHALLENGER DEVELOPMENT INC. 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 CHALLENGER DEVELOPMENT INC.; 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 CHALLENGER DEVELOPMENT INC. [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 3<sup>rd</sup> day of March, 2020.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION FOR WATER RIGHTS ON  
CHALLENGER DEVELOPMENT INC.  
ARBOR RIDGE 6**

A portion of the north half of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 14; thence S00°19'50"E, 2,643.85 feet along the centerline of N. Linder Road and along the easterly boundary of the northeast quarter of said Section 14 to the southeast corner of the northeast quarter of said Section 14 and to the centerline of W. Ardell Road; thence S89°56'20"W, 2,642.11 feet along the southerly boundary of the northeast quarter of said Section 14 and the centerline of W. Ardell Road to the southwest corner of the northeast quarter of said Section 14; thence N00°09'48"W, 918.71 feet; thence N62°24'45"E, 11.26 feet to the easterly right of way of N. School Avenue and the **Point of Beginning**:

Thence N00°09'48"W, 119.81 feet along said easterly right of way;

Thence N28°50'34"E, 30.88 feet along said easterly right of way;

Thence S89°53'45"E, 3.38 feet along said easterly right of way;

Thence N00°27'15"W, 50.00 feet along said easterly right of way;

Thence N45°51'42"W, 25.28 feet along said easterly right of way;

Thence N00°09'48"W, 188.93 feet along said easterly right of way;

Thence N89°56'56"W, 10.00 feet;

Thence N00°09'48"W, 146.95 feet parallel to and 10.00 feet westerly of said easterly right of way;

Thence N89°50'12"E, 120.00 feet;

Thence S85°19'37"E, 50.18 feet;

Thence S89°53'45"E, 360.00 feet;

Thence N00°06'15"E, 101.01 feet;

Thence N05°35'07"W, 50.00 feet;

Thence N00°06'15"E, 104.23 feet;

Thence S89°53'45"E, 83.00 feet;

Thence N67°47'21"E, 53.90 feet;

Thence N89°42'40"E, 100.00 feet to the westerly boundary of Arbor Ridge Subdivision No. 1 as shown in Book 96 of Plats, Pages 10269 through 12074, records of Ada County, Idaho;

Thence the following courses and distances along said westerly boundary of Arbor Ridge Subdivision No. 1:

S00°17'20"E, 80.00 feet;  
N89°42'40"E, 50.00 feet;  
S00°17'20"E, 367.63 feet;  
109.24 feet along a curve deflecting to the left, having a radius of 200.00 feet, a central angle of 31°17'42", a long chord bearing of S15°56'11"E, and a long chord distance of 107.89 feet;  
S31°35'02"E, 71.92 feet to the most northerly corner of Arbor Ridge Subdivision No. 3 as shown in Book 111 of Plats, Pages 16010 through 16012, Records of Ada County, Idaho;

Thence the following courses and distances along said northerly boundary of Arbor Ridge Subdivision No. 3:

S58°24'58"W, 150.00 feet;  
S28°55'27"W, 57.44 feet;  
S58°24'58"W, 66.38 feet;

Thence N89°53'45"W, 569.41 feet along said northerly boundary of Arbor Ridge Subdivision No. 3 and the northerly boundary of Arbor Ridge Subdivision No. 4 as shown in Book 113 of Plats, Pages 16604 through 16607, Records of Ada County, Idaho;

Thence S59°26'54"W, 40.84 feet along the northwesterly boundary of said Arbor Ridge Subdivision No. 4;

Thence S62°24'45"W, 56.08 feet continuing along the northwesterly boundary of said Arbor Ridge Subdivision No. 4 to the **Point of Beginning**.

Comprising 10.80 acres, more or less.

