

**ORDINANCE NO. 2020-25
CITY OF KUNA, IDAHO**

**ORDINANCE AMENDING THE EXTERIOR BOUNDARIES
OF THE KUNA MUNICIPAL IRRIGATION SYSTEM
[PATAGONIA DEVELOPMENT 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 PATAGONIA DEVELOPMENT 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 NEW YORK 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 PATAGONIA DEVELOPMENT 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 New York 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 4th day of August, 2020.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



EXHIBIT A

**LEGAL DESCRIPTION FOR WATER RIGHTS ON
PATAGONIA DEVELOPMENT LLC.
PATAGONIA ESTATES NO. 7**

A parcel located in the S ½ of Section 7, Township 2 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of the SE ¼ of said Section 7, from which an Aluminum Cap monument marking the southwest corner of said SE ¼ of Section 7 bears N 89°25'45" W a distance of 2651.45 feet;

Thence N 89°25'45" W along the southerly boundary of said SE ¼ a distance of 1325.73 feet to a point marking the southeast corner of the SW ¼ of the SE ¼ of said Section 7;

Thence N 0°28'57" E along the easterly boundary of said SW ¼ of the SE ¼ and also partially along the easterly boundary of Patagonia Subdivision No. 2, as filed for record in Book 112 of Plats at Pages 16476 through 16480, records of Ada County, Idaho, and the future easterly boundary of Patagonia Subdivision No. 5 a distance of 686.50 feet to a point marking the northeasterly corner of said Patagonia Subdivision No. 5 and the **POINT OF BEGINNING**;

Thence along the northerly boundary of said Patagonia Subdivision No. 5 the following courses and distances:

Thence N 89°25'45" W a distance of 347.52 feet to a point;

Thence N 55°36'52" W a distance of 1296.86 feet to a point;

Thence N 34°33'52" E a distance of 125.97 feet to a point;

Thence S 55°26'08" E a distance of 40.83 feet to a point;

Thence N 34°33'52" E a distance of 69.00 feet to a point;

Thence continuing along said northerly boundary and the extension thereof N 34°23'08" E a distance of 175.04 feet to a point;

Thence leaving said northerly boundary extension S 89°19'11" E a distance of 921.19 feet to a point;

Thence S 89°31'03" E a distance of 64.00 feet to a point;

Thence S 0°28'57" W a distance of 38.91 feet to a point;

Thence S 89°31'03" E a distance of 198.00 feet to a point on the easterly boundary of the West ½ of the SE ¼ of said Section 7;

Thence along said easterly boundary S 0°28'57" W a distance of 965.71 feet to the **POINT OF BEGINNING**.

This parcel contains 22.92 acres.

