

**ORDINANCE NO. 2020-29
CITY OF KUNA, IDAHO**

**ORDINANCE AMENDING THE EXTERIOR BOUNDARIES
OF THE KUNA MUNICIPAL IRRIGATION SYSTEM
[N STAR FARM 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 N STAR FARM 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 N STAR FARM 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.

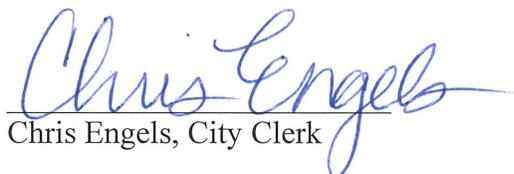
DATED this 6th day of October, 2020.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



EXHIBIT A

LEGAL DESCRIPTION FOR WATER RIGHTS ON N STAR FARM LLC CAZADOR ESTATES 2

A parcel of land situated in a portion of the Northwest 1/4 of the Southwest 1/4 of Section 14, Township 2 North, Range 1 West, B.M., City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the Southwest corner of said Section 14, which bears $S00^{\circ}14'54''W$ a distance of 2,661.44 feet from a found brass cap marking the West 1/4 corner of said Section 14, thence following the westerly line of the Southwest 1/4 of said Section 14, $N00^{\circ}14'54''E$ a distance of 1,906.93 feet;

Thence leaving said westerly line, $S89^{\circ}45'06''E$ a distance of 48.00 feet to a found 5/8-inch rebar marking the Northwest corner of Cazador Subdivision No. 1 (Book 116 of Plats at Pages 17,569 through 17,571, records of Ada County, Idaho) on the easterly right-of-way line of North Ten Mile Road and being the **POINT OF BEGINNING**.

Thence following said westerly right-of-way line, $N00^{\circ}14'54''E$ a distance of 682.99 feet to a set 5/8-inch rebar on the southerly right-of-way line of West Ardell Road;

Thence leaving said westerly right-of-way line and following said southerly right-of-way line, 24.16 feet along the arc of a circular curve to the right, said curve having a radius of 90.50 feet, a delta angle of $15^{\circ}17'34''$, a chord bearing of $N55^{\circ}10'34''E$ and a chord distance of 24.08 feet to a set 5/8-inch rebar;

Thence following said southerly right-of-way line, 80.08 feet along the arc of a compound curve to the right, said curve having a radius of 266.00 feet, a delta angle of $17^{\circ}15'00''$, a chord bearing of $N71^{\circ}27'12''E$ and a chord distance of 79.78 feet to a set 5/8-inch rebar;

Thence following said southerly right-of-way line, 25.82 feet along the arc of a compound curve to the right, said curve having a radius of 391.00 feet, a delta angle of $3^{\circ}47'01''$, a chord bearing of $N81^{\circ}57'44''E$ and a chord distance of 25.82 feet to a set 5/8-inch rebar;

Thence following said southerly right-of-way line, $S89^{\circ}39'48''E$ a distance of 473.17 feet to a set 5/8-inch rebar;

Thence leaving said southerly right-of-way line, $S00^{\circ}15'30''W$ a distance of 174.58 feet to a set 5/8-inch rebar;

Thence $N89^{\circ}45'06''W$ a distance of 6.08 feet to a set 5/8-inch rebar;

Thence $S00^{\circ}14'54''W$ a distance of 102.00 feet to a set 5/8-inch rebar;

Thence $N89^{\circ}45'06''W$ a distance of 344.00 feet to a set 5/8-inch rebar;

Thence $S00^{\circ}14'54''W$ a distance of 508.00 feet to a found 5/8-inch rebar on the subdivision boundary of said Cazador Subdivision No. 1 (Northeast Corner of Lot 2, Block 1);

Thence leaving said subdivision boundary, $S89^{\circ}45'06''E$ a distance of 414.45 feet to a set 5/8-inch rebar;

Thence 48.82 feet along the arc of a circular curve to the right, said curve having a radius of 275.00 feet, a delta angle of $10^{\circ}10'15''$, a chord bearing of $N16^{\circ}54'34''W$ and a chord distance of 48.75 feet to a set 5/8-inch rebar;

Thence $N78^{\circ}10'34''E$ a distance of 159.87 feet to a set 5/8-inch rebar on the boundary of the United States Teed Lateral easement;

Thence following said easement the following four (4) courses:

1. 85.29 feet along the arc of a circular curve to the left, said curve having a radius of 113.00 feet, a delta angle of $43^{\circ}14'44''$, a chord bearing of $S37^{\circ}21'46''E$ and a chord distance of 83.28 feet to a set 5/8-inch rebar;
2. 155.50 feet along the arc of a circular curve to the left, said curve having a radius of 1,178.00 feet, a delta angle of $07^{\circ}33'47''$, a chord bearing of $S65^{\circ}56'20''E$ and a chord distance of 155.38 feet to a set 5/8-inch rebar;
3. 116.84 feet along the arc of a circular curve to the left, said curve having a radius of 428.00 feet, a delta angle of $15^{\circ}38'27''$, a chord bearing of $S75^{\circ}31'45''E$ and a chord distance of 116.47 feet to a set 5/8-inch rebar;
4. $S85^{\circ}11'05''E$ a distance of 4.39 feet to a set 5/8-inch rebar;

Thence leaving said easement, $S00^{\circ}00'45''W$ a distance of 106.68 feet to a set 5/8-inch rebar on the northerly right-of-way line of West Winsett Street;

Thence following said northerly right-of-way line, $N89^{\circ}45'56''W$ a distance of 20.03 feet to a found 5/8-inch rebar on the subdivision boundary of said Cazador Subdivision No. 1;

Thence following said subdivision boundary the following eight (8) courses:

1. $S00^{\circ}14'04''W$ a distance of 50.00 feet to a found 5/8-inch rebar;
2. $S53^{\circ}17'28''E$ a distance of 24.45 feet to a found 5/8-inch rebar;
3. $S00^{\circ}14'54''W$ a distance of 5.13 feet to a found 5/8-inch rebar;
4. $N89^{\circ}45'06''W$ a distance of 866.74 feet to a found 5/8-inch rebar;
5. $N00^{\circ}14'54''E$ a distance of 254.00 feet to a found 5/8-inch rebar;
6. $N89^{\circ}45'06''W$ a distance of 54.00 feet;
7. $N00^{\circ}14'54''E$ a distance of 59.05 feet to a found 5/8-inch rebar;
8. $N89^{\circ}45'06''W$ a distance of 189.84 feet to the **POINT OF BEGINNING**.

Said parcel contains 11.359 acres, more or less.

