

**ORDINANCE NO. 2020-40
CITY OF KUNA, IDAHO**

**ORDINANCE AMENDING THE EXTERIOR BOUNDARIES
OF THE KUNA MUNICIPAL IRRIGATION SYSTEM
[VIPER INVESTMENTS 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 VIPER INVESTMENTS 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 NAMP~MERIDIAN 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 VIPER INVESTMENTS 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 Nampa-Meridian 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.

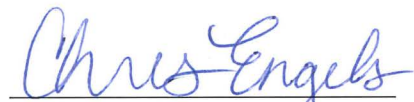
DATED this 15th day of December 2020.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION FOR WATER RIGHTS ON
VIPER INVESTMENTS LLC
MEMORY RANCH 4 SUBDIVISION**

A parcel of land located in the Government Lots 1 and 2 of Section 3, T.2N., R.1W., B.M., Ada, County, Idaho more particularly described as follows:

Commencing at the NE corner of said Section 3 from which the E1/4 corner of said Section 3 bears South 00°07'58" East, 2624.99 feet;

thence along the North boundary line of said Section 3 North 89°29'53" West, 433.95 feet to the **REAL POINT OF BEGINNING**;

thence leaving said North boundary line South 00°12'37" West, 423.38 feet to a point on the North boundary line of Memory Ranch Subdivision No. 3 as filed in Book ___ of Plats at pages ___ through ___, records of Ada County, Idaho;

thence along the exterior boundary line of said Memory Ranch Subdivision No. 3 the following 10 courses and distances:

thence North 89°29'53" West, 101.00 feet;

thence North 00°12'37" East, 24.13 feet;

thence North 89°47'23" West, 50.00 feet;

thence South 00°12'37" West, 23.87 feet;

thence North 89°29'53" West, 56.00 feet;

thence South 00°30'07" West, 151.00 feet;

thence South 89°29'53" East, 2.14 feet;

thence South 00°30'07" West, 101.00 feet;

thence North 89°29'53" West, 360.29 feet;

thence North 81°50'35" West, 190.83 feet to the NW corner of Lot 9, Block 9 of said Memory Ranch Subdivision No. 3;

thence leaving said exterior boundary line North 64°30'54" West, 83.24 feet;

thence North 09°54'42" East, 47.95 feet;

thence North 68°46'26" West, 151.00 feet;

thence North 21°13'34" East, 3.05 feet;

thence North 68°46'26" West, 108.00 feet;

thence North 21°13'34" East, 121.00 feet;

thence South 68°46'26" East, 8.37 feet;

thence North 21°13'34" East, 108.00 feet;

thence North 63°07'08" East, 96.39 feet;

thence North 00°03'31" West, 217.45 feet to a point on the North boundary line of said Section 3;

thence along said North boundary line South 89°29'53" East, 888.57 feet to the **REAL POINT OF BEGINNING**. Containing 13.065 acres, more or less.

