

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE OWYHEE IRRIGATION DISTRICT**

February 16, 2021

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on February 16, 2021, at 10:08 a.m., by teleconference due to Covid-19. Jerry Nagaki, President of the District presiding.

The following Directors were present:

Bruce Corn	Jerry Nagaki
Eric White	Dan Tschida
Frank Ausman (who joined the meeting at 11:30 a.m.)	

Also present were: Jay Chamberlin, Manager; Michael W. Horton, Attorney; Kenny Kimball and Brian Hartley, OID Employees; Lynn Larson, NRCS; and Darla Sebasto, OID Patron.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on February 11, 2021.

MINUTES. Minutes of the meeting of the Board of Directors held on January 19, 2021, were mailed to the Directors prior to the meeting. A motion was made by Director White, seconded by Director Tschida, and unanimously carried approving the minutes.

District Financial Report. The Directors reviewed the monthly financial report. The gopher budget was discussed, along with the carryover amount.

District Accounts Payable. Two lists of District accounts payable for the month were included in the Directors' packets. The lists were reviewed and discussed. A motion was made by Director Corn, seconded by Director White, and unanimously carried approving payment of the accounts payable.

NRCS PRESENTATION. Lynn Larson made a presentation on three items he would like the Board of Directors to take action on. The first item involves House Bill 566 which provides funding for watershed improvement plans. Fifty million dollars is available through this program with third parties actually preparing the plans. He said that if the District writes a letter to NRCS to request assistance then they can begin moving forward. He said that since the District is the largest irrigation district in the state, it may be possible to break the watershed plan up into multiple plans for different areas within the District. Mr. Chamberlin said there is a possibility that the District could have three different areas. The matter was discussed, along with the need to prioritize areas.

Mr. Larson said the second item is that the next anticipated farm bill is expected to have language in it allowing for NRCS to contract directly with districts instead of landowners. He said the Jacobson Gulch and Morgan Avenue Projects are ongoing and that NRCS would like to be able to contract directly with the District on these projects. He said that Linda Rowe is writing up grant proposals for these projects and that NRCS funds can be used to match OWEB funds.

Mr. Larson said that the third item he would like to bring to the Board's attention is that FERC will be requiring Idaho Power to spend money on irrigation projects in Malheur County under the proposed re-licensing for Idaho Power. He said that once that goes through, the District will need to investigate how it might go about requesting some of those funds for projects.

The Directors discussed having a letter written to NRCS to request assistance for a watershed plan. After discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried authorizing Mr. Chamberlin to write a letter to NRCS requesting assistance on a watershed improvement plan. Mr. Larson said that once that goes through, he would expect it would take about three years for the plan to be completed.

The Directors next discussed the proposal to allow NRCS to contract directly with the District rather than landowners on certain projects. Mr. Horton asked what type of projects these would be and whether they would involve on farm projects. Mr. Larson said the projects would be limited to District owned open laterals which would be piped. A motion was made by Director Corn, seconded by Director Tschida, and unanimously carried adopting the following resolution:

RESOLVED, that NRCS may contract directly with Owyhee Irrigation District rather than individual landowners on projects to pipe District owned open laterals.

#### MITCHELL BUTTE POWER PROJECT:

Financial Report. A financial report for the Mitchell Butte Power Project was included in the Directors' packets. The Directors reviewed and discussed the report. Mr. Chamberlin said that the trash rack has not been worked on yet.

Accounts Payable. The agenda listed the accounts payable for the Mitchell Butte Power Project. A motion was made by Director White, seconded by Director Corn, and unanimously carried approving payment of the following accounts payable:

Tekfinity	\$42.95
AT&T	41.61
Nichols Accounting	<u>125.00</u>
TOTAL	\$209.56

2021 BUDGET. Mr. Chamberlin presented the Directors with the revised draft 2021 budget. He said the changes which the Board requested to be made last month have been made. He said there were three other changes and he explained those changes. He said that a request for forgiveness for the PPP Loan has been applied for, but SBA is needing additional

documentation. He said that Tyler Sweet said that the documentation is being provided and he believes that the District may be eligible for a second round of PPP funds after this first PPP Loan is forgiven. The Directors discussed the draft budget and after discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried adopting the budget for 2021 as presented. Mr. Chamberlin said that billings and the newsletter will go out together shortly.

DISTRICT PROPERTY APPRAISAL. Mr. Chamberlin said the appraiser from the insurance company is here today to appraise the District buildings, including the substations and pumping plants.

POTENTIAL BACKHOE PURCHASE OR LEASE. Brian Hartley made a presentation on quotes the District received on purchasing or leasing a backhoe. He said that all of the machines being quoted take four to six weeks for delivery. At 11:30 a.m., Director Frank Ausman joined the meeting. The proposals on the backhoes were reviewed in detail and after review, a motion was made by Director White, seconded by Director Corn, and unanimously carried that the District enter into a lease on the CAT backhoe and Mr. Chamberlin and/or President Nagaki are authorized to sign such lease.

OFFICE BUILDING. Mr. Chamberlin said that the sale of the office building is pending contingent upon a variance being granted by the City to allow residential use of the building. The matter was discussed, and after discussion, a motion was made by Director Ausman, seconded by Director Tschida, and unanimously carried adopting the following resolution:

RESOLVED that Jerry Nagaki, President of Owyhee Irrigation District, is hereby authorized to sign all documents necessary to sell the real property owned by the District located at 17 South 1<sup>st</sup> Street, Nyssa, Oregon for the sum of \$73,000.

STEWART CARTER CANAL AGREEMENT. Mr. Chamberlin said that the owner of a mobile home park in Ontario has requested to put storm water into the Stewart Carter Canal which the District uses to deliver live water to the advancement area. He said the owners presented an old agreement allowing the discharge of storm water into the canal. He explained the history of the Stewart Carter Canal and the fact that it is owned by Old Owyhee Ditch Company. Mr. Horton read from the letter from the mobile home park owners requesting permission and provided his analysis of the old agreement. He explained that the agreement can be terminated by the Board if it determines that such discharges would be an interference to District operations or if DEQ or other governmental agencies have placed restrictions. He said the agreement was intended to be temporary and was done back in 1976. He said that if the District intends to terminate the agreement, a notice of termination must be given to the owner of the mobile home park 90 days prior to such termination. The matter was discussed and after discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried that the June 3, 1976 agreement between North Board of Control and Grapevine Mines, Incorporated be terminated because of the changes in the environmental laws and the fact that storm water discharged into the District's system would interfere with District operations and that a notice of termination be sent to Grapevine 7, Inc.

The Directors discussed the overall agreement with Old Owyhee Ditch Company on the Advancement System and cleaning of the Stewart Carter Canal. The Directors discussed having Mr. Horton write a letter to the City of Ontario reminding them that City of Ontario storm water is not to be discharged into the District's system. Mr. Horton said that he has written such letters to the City of Ontario in the past.

RENTING DISTRICT PROPERTY. Mr. Chamberlin said that he has been approached with a request to rent some District property for the placement of a mobile home. The matter was discussed and after discussion, it was the consensus of the Board not to rent the property.

FUEL STORAGE. Fuel storage was discussed. Mr. Chamberlin said he will do some research and come back with some numbers.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 12:11 p.m.

Respectfully submitted,

  
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Michael W. Horton, General Counsel

APPROVED: \_\_\_\_\_

**MINUTES OF MEETING OF JOINT COMMITTEE  
OF THE OWYHEE PROJECT**

February 16, 2021

A meeting of the Joint Committee of the Owyhee Project was held on February 16, 2021, at 1:01 p.m., by teleconference due to Covid-19. Eric White, Chairman, presiding.

The following members of the Joint Committee were present:

Eric White	Frank Ausman
Bruce Corn	Dan Tschida

Also present were: Jay Chamberlin, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, South Board Manager (who joined the meeting at 1:18 p.m.); and Darla Sebasto, OID patron.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on February 11, 2021.

MINUTES. The minutes of the meeting of the Joint Committee held on January 19, 2021, were reviewed by the Committee members prior to this meeting. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving the minutes.

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. The financial report for the Tunnel #1 Power Project was included in the Committee members' meeting packets. The Committee members reviewed and discussed the financial report.

Tunnel #1 Power Project Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Tunnel #1 Power Project. The amount payable to SDIS for insurance was questioned and discussed. It was noted that the payment to SDIS was taken care of last month. A motion was made by Mr. Corn, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Stunz, Fonda, Kiyuna, Horton	\$703.00
AT&T	64.68
Oregon Idaho Utilities	226.94
Nichols Accounting	<u>375.00</u>
Total	\$1,369.62

OWYHEE DAM POWER PROJECT.

Owyhee Dam Financial Report. The financial report for the Owyhee Dam Power Project was included in the Committee members' meeting packets. The Committee members reviewed and discussed the report.

Owyhee Dam Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Owyhee Dam Power Project. A motion was made by Mr. Tschida, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Oregon Idaho Utilities	\$602.36
AT&T	33.21
Century Link	<u>140.90</u>
Total	\$776.47

ELEVATOR EVACUATION PLAN. Mr. Chamberlin said that an elevator evacuation plan is needed. He said staff have started working on that. The matter was discussed. Mr. Chamberlin said that a new elevator inspector is coming in April.

TUNNEL #1 POWER PLANT STATUS. Mr. Chamberlin gave a report on the status of the Tunnel Power Plant. He said that the hydraulic pump damage was caused by relays which failed. He said that the relays are being replaced. He said the runner is in good shape. He said that Idaho Power is wanting to do an equipment upgrade like they did on the Dam Power Plant. He said he is not sure how that upgrade will affect the District and that it will probably be done this fall.

OWYHEE DAM STATUS REPORT. Mr. Chamberlin reported on the status of the Owyhee Dam Power Plant. He said that the Idaho Power equipment upgrade needs some trouble shooting. He said the plant needs some cleanup. At 1:18 p.m., John Eels joined the meeting.

SNOW PACK REPORT. Mr. Chamberlin said that he flew the watershed a week ago and the snow pack looked pretty thin. He said the recent storm which came in after he flew has improved the snow pack by 25%. He said storage is normal and that Wild Horse is at 145% of normal. He said the USBR forecast is for 150,000 to 200,000 acre feet of inflow. He said the recent storms could potentially double that. He said he may fly again in ten days if he gets a clear day to fly. He said that as of the 1<sup>st</sup> of February, the snow pack was only at 53% of normal.

DAM TENDER TRAINING. Mr. Chamberlin said that dam tender training will be held on February 25 with the Bureau's annual inspection to follow.

STAFFING AT OWYHEE DAM. Mr. Chamberlin reported on staffing at Owyhee Dam. He said that it seems to be working well up there.

SOUTH BOARD TUNNEL #5. Mr. Chamberlin said that South Board's Tunnel #5 has a crack in it with an estimated repair cost of \$100,000.

ADJOURNMENT. There being no further business to come before the Committee, the meeting was adjourned at 1:42 p.m.

Respectfully submitted,

  
Secretary

APPROVED: \_\_\_\_\_