

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

September 5, 2018

A special meeting of the Board of Directors of the Owyhee Irrigation District was held on September 5, 2018, at the offices of Stunz, Fonda, Kiyuna & Horton, LLP, at 106 Main Street, Nyssa, Oregon, at 11:40 a.m. Jerry Nagaki, President of the District, presiding.

The following Directors were present:

Jerry Nagaki	Eric White
Dan Tschida	Frank Ausman

Also present were: Jay Chamberlin, Manager; Harvey Manser, Assistant Manager; and Michael W. Horton, Attorney.

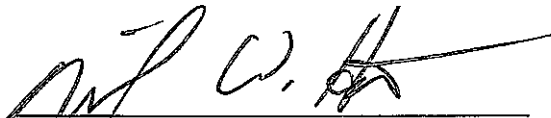
MEETING NOTICE. Mr. Chamberlin said that public notice was given of the meeting in compliance with Oregon Public Meeting Law.

EXECUTIVE SESSION. Mr. Chamberlin said that an executive session is needed to discuss real estate matters pursuant to ORS 192.660(2)(e). At 11:41 a.m., the Board entered into executive session.

The meeting reconvened at 12:05 p.m.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 12:06 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

APPROVED: _____

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

August 21, 2018

The regular monthly meeting of the Board of Directors of the Owyhee Irrigation District was held on August 21, 2018, at the offices of Stunz, Fonda, Kiyuna & Horton, LLP, at 106 Main Street, Nyssa, Oregon, at 8:10 p.m. Jerry Nagaki, President of the District, presiding.

The following Directors were present:

Bruce Corn	Eric White
Dan Tschida	Frank Ausman
Jerry Nagaki	

Also present were: Jay Chamberlin, Manager; Michael W. Horton, Attorney; Harvey Manser, Assistant Manager; Larry Meyer, Newspaper Reporter; Darla Sebasto and Linda Henderson, District Patrons.

MEETING NOTICE. The meeting agenda showed that public notice as to the meeting was given on August 15, 2018.

MINUTES. Minutes of the meeting of the Board of Directors held on July 17, 2018, were mailed to the Directors prior to the meeting. A motion was made by Director Ausman, seconded by Director Tschida, and unanimously carried approving the minutes as mailed.

DISTRICT FINANCIAL REPORT. Mr. Chamberlin handed out a monthly financial report for the District. The Directors reviewed the report. Director White asked about delinquent accounts and Mr. Chamberlin said they are less than normal. Mr. Manser said that on the weed control he is going to be treating on the 28th instead of the 25th and will not be purchasing a last skid of chemical. The Board members noted that water quality has been much better this year.

FUEL TANK. Director White asked about fuel tank shopping. Mr. Chamberlin said that he priced a double-walled 10,000 gallon tank and the quote came in at \$20,000. He said he will check with the Fire Marshal if a single walled tank is allowed. He said that he will also check to see that if the District purchases a tank, if the District insurance covers stolen fuel.

ACCOUNTS PAYABLE. Two lists of the District accounts payable for the month were included in the Directors' packets. The Directors reviewed the lists. Questions were asked and answered on the bills. A motion was made by Director White, seconded by Director Corn, and unanimously carried approving payment of the accounts payable.

MITCHELL BUTTE POWER PROJECT.

Financial Report. A financial report for the Mitchell Butte Power Project was included in

the Directors' packets. The Directors reviewed the report.

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

Century Link	\$142.66
FERC	3,944.29
Owyhee Irrigation	20,174.26
Nichols Accounting Group	<u>120.00</u>
Total	\$24,381.21

MALHEUR SIPHON UPDATE. Mr. Chamberlin gave an update on the Malheur Siphon Project. He said everything is on track for the contractor to start on October 15. He passed around a cost estimate which the Directors reviewed. He explained the planned work schedule. Security at the worksite was discussed. Mr. Chamberlin said that the contractor has been good to work with. He said the planned completion of the repair is for the middle of January.

WATER CONSERVATION PLAN. Mr. Chamberlin said that he heard back from OWRD that no comments were received from the public during the public comment period. He said that OWRD staff did raise questions about the plan and the contractor has tweaked the plan to comply with OWRD requests. Mr. Chamberlin said that OWRD staff said that the District Water Conservation Plan is the best plan they have received and that they might use it as an example for other districts.

SARTIN WATER RIGHTS - DELIVERY ISSUE. Mr. Chamberlin said that Randy Sartin has contacted the District with a concern on his pumping costs from pumping out of the pump ditch near his property. He said that his pump has failed and the cost of repairing the diesel pump is cost prohibitive. Mr. Sartin asked about raising the check structure and District staff did an analysis and it cannot be raised. Mr. Chamberlin explained Mr. Sartin's situation and the water rights which he has on his property. Mr. Chamberlin said Mr. Sartin does have a water right to stored water on some of his property with a secondary right to the stored water for a lower portion of his property. Mr. Chamberlin said that Mr. Sartin is requesting that he be allowed to utilize some of the stored water under his secondary water right to get water on the lower ground given the problems he is having with the pump. Mr. Chamberlin explained the upper stored water does eventually end up in the lower system which Mr. Sartin pumps out of. He said that the District could allow usage of the stored water in a good water year under a special use permit if the usage does not cause harm to downstream users since the water is commingled. The Directors discussed the request and after discussion, it was the consensus of the Board to have Mr. Chamberlin proceed as Mr. Chamberlin recommends, but that the special use permit must be in writing. Mr. Chamberlin said that the District needs to be transparent and give the neighbors a chance to object.

FCA IMPROVEMENT PLAN. Mr. Chamberlin gave a report on the work being done by FCA.

EXECUTIVE SESSION. Mr. Chamberlin said that an executive session is needed to discuss real estate matters pursuant to ORS 192.660(2)(e). At 9:16 p.m., the Board entered into executive session with Linda Henderson and Darla Sebasto leaving the meeting.

The meeting reconvened at 9:50 p.m.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 9:51 p.m.

Respectfully submitted,



Michael W. Horton, General Counsel

APPROVED: _____