

OWYHEE IRRIGATION DISTRICT
Allocation of Water Savings
from the Kingman Lateral Piping Project
Resolution 2022-4

WHEREAS, the Owyhee Irrigation District has had difficulty with seepage and slope stability along the first mile of the Kingman Lateral since at least the 1970's; and

WHEREAS, these difficulties resulted in reduced flows in the Kingman Lateral to lessen seepage and protect slope stability in the 2021 water year; and

WHEREAS, the District has identified piping this lateral as the most viable option to resolve this persistent problem; and

WHEREAS, the District has requested \$3 million in federally directed funding for said piping project; and

WHEREAS, the Senators offices that the request channels through have asked for a portion of the saved water for in-stream flows; and

WHEREAS, the District has an agreement to preserve the cold-water fishery, the Owyhee Dam has created, with ODFW for an unquantified amount of water.

NOW THEREFORE, BE IT RESOLVED that the Owyhee Irrigation District authorizes the Manager to reserve twenty-five percent (25%) of the water savings from the Kingman Lateral piping Project toward this unquantified obligation for taking action(s) to preserve the cold-water fishery.

BE IT FURTHER RESOLVED that Owyhee Irrigation District commits to timing the release of these saved waters upon calls for the same from ODFW.

Dated this 17th day of May 2022.

OWYHEE IRRIGATION DISTRICT



Dan Tschida, Chairman

President

OWYHEE IRRIGATION DISTRICT
Clean Water State Revolving Fund Loan Application
for the Kingman Lateral Piping Project
Resolution 2022-3

WHEREAS, the Owyhee Irrigation District has had difficulty with seepage and slope stability along the first mile of the Kingman Lateral since at least the 1970's; and

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WHEREAS, the District has identified piping this lateral as the most viable option to resolve this persistent problem; and

WHEREAS, the District has requested \$3 million in federally directed funding for said piping project; and

WHEREAS, the \$3 million federal request is estimated to be insufficient to complete the project; and

WHEREAS, the State of Oregon makes available low interest loans that are potentially forgivable.

NOW THEREFORE, BE IT RESOLVED that the Owyhee Irrigation District authorizes the Managers' application to the Oregon Department of Environmental Quality for securing additional funding through the SCWRF to complete this project.

BE IT FURTHER RESOLVED that Owyhee Irrigation District is capable of and commits itself to providing the funds to repay the loan agreement, if forgiveness is not granted.

Dated this 17th day of May 2022.

OWYHEE IRRIGATION DISTRICT



Dan Tschida, Chairman

President

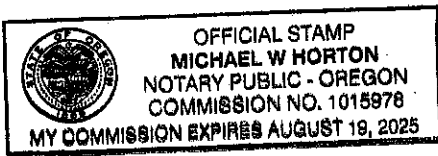
OATH OF DIRECTOR

STATE OF OREGON)
) ss.
County of Malheur)

I, Greg Clark, being first duly sworn, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Oregon and the laws thereof, and will discharge faithfully the duties of Director of OWYHEE IRRIGATION DISTRICT to the best of my ability, So Help Me God.

Greg Clark
Greg Clark

Subscribed and sworn to before me this 17 day of May, 2022.



Michael W. Horton
Notary Public for Oregon
My Commission Expires: 8-19-2025

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OWYHEE IRRIGATION DISTRICT



Dan Tschida, ~~Chairman~~

President

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

May 17, 2022

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on May 17, 2022, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:26 p.m. President Dan Tschida presiding.

The following Directors were present:

Dan Tschida Bruce Corn
Eric White Frank Ausman
Greg Clark (after being sworn in)

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; and Darla Sebasto and Linda Henderson, Members of the Public.

MINUTES. Minutes of the meetings of the Board of Directors held on April 19 and April 26, 2022, were mailed to the Directors prior to the meeting. A motion was made by Director White, seconded by Director Ausman, and unanimously carried approving the minutes as mailed.

DIRECTOR VACANCY. Mr. Horton reported that the Malheur County Court appointed Greg Clark as Director of Division 5. Mr. Horton administered the oath of office to Mr. Clark and Mr. Clark then assumed his duties as Director for Division 5.

DISTRICT FINANCIAL REPORT. Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the financial report. The Directors discussed the vehicle being used by Mr. Flynn. He said that he would like to hold off this year on replacing it so that some of the money can be used towards purchasing a cement truck. He said that the engine on the CAT backhoe blew up. Director Ausman said that if negligence was involved in causing the engine to fail, then we need to find out so the District can avoid problems in the future. Mr. Flynn said he will investigate and see what caused the engine failure.

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

DEAD OX PUMPING PLANT. Mr. Flynn said that a large hunk of wood went through the new trash rack and had to be manually pulled out. He said it did not cause too much damage. He showed some pictures, which the Directors reviewed.

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. Mr. Flynn said that only one unit will be run this year and power production will be pretty skimpy. He said that the plant was started on April 14.

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

AT&T	\$86.59
Nichols Accounting Group	185.00
Tefkinity	42.95
Century Link	<u>182.55</u>
TOTAL	\$497.09

KINGMAN GRANT APPLICATION. Mr. Flynn said that he has put together two resolutions seeking funding for the Kingman Lateral. He said the first one is seeking a \$500,000 loan from the Oregon State Revolving Loan Fund. He said there is potential that loan would be forgiven. He said that in speaking with Congressmen Owens and Findley, there may be some other funding available if requested. He said that following that conversation, he requested 3.5 million dollars for the project from the State of Oregon. Proposed Resolution 2022-3 seeking the \$500,000 loan was reviewed and discussed. After discussion, a motion was made by Director White, seconded by Director Ausman, and unanimously carried adopting Resolution 2022-3, a copy of which is attached to these minutes.

Mr. Flynn said that Senators Merkley and Wyden are wanting the District to commit to putting some of the conserved water from the Kingman Project back into the river if the \$3,000,000 grant is awarded for piping the Kingman Lateral. He presented proposed resolution 2022-4 which the Directors reviewed and discussed. The resolution would commit 25% of any saved water to be put into the river. Mr. Flynn said that he has calculated that to be 120 acre feet. He said that since Oregon Department of Fish and Wildlife has requested a commitment for an unquantified amount of cold water for fish, the resolution would put the 25% of the water savings towards that unquantified obligation. The proposed resolution was discussed. After discussion, a motion was made by Director Corn, seconded by Director Ausman, and unanimously carried adopting Resolution 2022-4, a copy of which is attached to these minutes.

NRCS WATERSHED PLANNING AGREEMENT. Mr. Flynn said that NRCS still does not have the proposed Watershed Planning Agreement drafted yet.

13.5 LATERAL PIPING PROJECT. Director Corn said that Curt Sisson called and asked him about the status of the 13.5 Lateral Piping Project. He said he is not sure that is the actual name of the project out by Sisson's. He said that Mr. Sisson is wondering about the status and if it is still on the table for getting done. Mr. Flynn said he will check on the status of the project and report back with an update.

OWRC LEGISLATIVE REVIEW. Mr. Flynn said he received reports from OWRC and SDAO on recent legislation that might affect the District. He then gave an update on some of the recent legislation.

KINGMAN LATERAL. Mr. Flynn said the area around the Kingman Lateral where it broke has been trenched.

SOUTH BOARD GEM 2 PUMPING PLANT. Mr. Flynn said that he investigated the Gem 2 Pumping Plant a little bit more and that the 700 acres, which the pumping plant can provide water to, also can get water from the "A" Canal, along with a couple of other sources. He said those 700 acres are getting water from sources other than the reservoir.

DOPPLER BOAT. Mr. Flynn said that in measuring ditch loss on the Kingman Lateral he began looking into renting a doppler boat. He then found that the District could purchase a boat for \$22,000, which if it were used more than 14 times, would pay for itself. He said there are funds in the automation budget to make the purchase. He said that he received a couple quotes on doppler boats. The matter was discussed, and after discussion, it was the consensus of the Board that having a doppler boat to calculate water losses would be very beneficial to the District.

DROUGHT POLICY PLANNING ROUNDTABLE. Mr. Flynn said that there is a state-level Drought Policy Planning Roundtable which he has been invited to attend. He said that in the past, that roundtable has been able to award some irrigation districts a lot of money for drought mitigation.

CONCRETE PUMP. Mr. Flynn said that the concrete pump is still in transit.

FIRE TRUCK. Mr. Flynn said that he is still looking into a potential fire truck, but the concrete truck is a higher priority at this time.

MANAGER REVIEW. Mr. Flynn asked about having his employment review. He was advised that the Board typically does reviews at the beginning of the year.

JOINT COMMITTEE REPRESENTATIVE APPOINTMENT. Mr. Horton suggested that Mr. Clark be appointed as an alternate member of the Joint Committee. A motion was made by Director Corn, seconded by Director Ausman, and unanimously carried appointing Greg Clark as an OID alternate to the Joint Committee.

APRIL 14 DITCH BREAK. Director White asked about the April 14 ditch break. Mr. Flynn said that he has not received anything from the landowner about the ditch break. He said that he did commit the District to haul in some dirt.


CUSTOMER PORTAL. Director White asked if the water accounting software has the customer portal available yet so that landowners can check on their water usage. Mr. Flynn said that he will check into that. He said that currently the ditch riders are updating water usage daily.

PUBLIC COMMENT. President Tschida asked if there was any public comment. Linda Henderson asked about an article in the Argus Observer about a pump back system and Mr. Flynn answered the question.

DOPPLER BOAT(continued). A motion was made by Director Corn, seconded by Director White, and unanimously carried authorizing Mr. Flynn to purchase a doppler boat.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,


Michael W. Horton, General Counsel

APPROVED: _____

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

May 17, 2022

A meeting of the Joint Committee of the Owyhee Project was held on May 17, 2022, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:00 p.m. Eric White, Chairman of the Joint Committee presiding.

The following members of the Joint Committee were present:

Eric White	Frank Ausman
Chris Landa	Bruce Corn
Dan Tschida	Brett Nielsen

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, Manager of South Board; Greg Clark, OID Pending Director; and Linda Henderson and Darla Sebasto, Members of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on May 12, 2022.

PLEDGE OF ALLEGIANCE. Chairman Eric White led the Pledge of Allegiance.

MINUTES. The minutes of the April 19 and April 26 meetings of the Joint Committee were mailed out prior to the meeting. A motion was made by Mr. Corn, seconded by Mr. Ausman, and unanimously carried approving the minutes as mailed.

OWYHEE DAM POWER PROJECT.

Owyhee Dam Financial Report. Mr. Flynn handed out a financial report for the Owyhee Dam Power Project which was reviewed by the Committee members. Mr. Flynn said that the power plant is running well.

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. Nielsen, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	<u>\$425.00</u>
Total	\$425.00

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. Mr. Flynn handed out a financial report for the Tunnel #1 Power Project was reviewed by the Committee members.

Tunnel #1 Power Project Accounts Payable. The Committee members reviewed the accounts payable listed on the agenda for the Tunnel #1 Power Project. A motion was made by Mr. Ausman, seconded by Mr. Tschida, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	\$425.00
Five Rivers Law, P.C.	1,820.25
Nationwide/Blackaby Ins.	348.00
Owyhee Dam Hydro	<u>\$2,660.30</u>
Total	\$5,253.55

RESERVIOR STORAGE. Mr. Flynn gave an update on the reservoir storage. He said that the reservoir gained almost 40,000 acre feet in April. He said that releases were down compared to last year so basically the system got one month of water for free. Mr. Corn asked if the allotment can be increased to 3 acre feet. Mr. Flynn explained that in both 2013 and 2021, the allotment was set at 3 feet and the storage right now is in between the storages during those years. He said in 2013, the water was shut off on September 25 and in 2021, it was shut off on October 10. The matter was discussed. Mr. Nielson said he received four phone calls asking if the allotment was going to be raised. Mr. Flynn said that if the allotment was raised to 2.75 versus 3 feet, that it will save some water on the back end. After further discussion, a motion was made by Mr. Corn, seconded by Mr. Nielson, and unanimously carried setting the allotment at 2.85 foot per acre.

POWER GENERATION. Mr. Flynn said that the power plant at the dam started on the 5th of April and the power plant for the Tunnel started on the 26th of April.

DAM TENDERS. Mr. Flynn said that the new dam tender looks good after the first couple of weeks. He said that training for the dam tenders is coming up in June.

OWYHEE FIELD DAY. Mr. Flynn said that Owyhee Field Day went well as did the school visits. He said there are tours scheduled at the dam coming up in the near future.

USBR INSPECTION. Mr. Flynn said that a USBR inspection is coming up at the dam. He said that USBR is also wanting to use the Owyhee Project as an example for their recycling program.

WEATHER SITUATION. The Committee members discussed the current and forecasted weather situation, along with the crops which are being planted throughout the project.

ADJOURNMENT. There being no further business to come before the Committee, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,



Secretary

APPROVED: _____