

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

May 16, 2023

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on May 16, 2023, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:47 p.m. President Dan Tschida presiding.

The following Directors were present:

Dan Tschida	Bruce Corn
Eric White	Frank Ausman

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; Bruce Cruickshank and Drew Cruickshank, District Patrons; and Representatives from Grant 4-D Farms.

PLEDGE OF ALLEGIANCE. President Dan Tschida led the Pledge of Allegiance.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on May 11, 2023.

MINUTES. Minutes of the meeting of the Board of Directors held April 18, 2023, 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.

DISTRICT FINANCIAL REPORT. Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the financial report. Director White asked about the delinquent accounts. Mr. Flynn said he will look into them and report on them at next month's meeting. He said he believes over 90% of District patrons paid their bills on time this year. He said the water accounting software is getting the customer portals more up to speed. He said that gopher tails are starting to come in.

DISTRICT ACCOUNTS PAYABLE. Two lists of District accounts payable for the month were included in the Directors' packets. The Directors reviewed the lists and asked questions which were answered by Mr. Flynn. Mr. Flynn explained the credit card charges which were part of the bills being reviewed. A motion was made by Director Corn and was seconded by Director White to pay the bills. A vote on the motion was had and it passed unanimously.

MITCHELL BUTTE POWER PROJECT:

Financial Report. A financial report on the Mitchell Butte Power Project was included in the Directors' packets. Mr. Flynn said that one unit has been running for quite some time.

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

AT&T	\$93.11
Nichols Accounting Group	210.00
Tekfinity	42.95
Owyhee Irrigation District	1,777.86
Century Link	<u>192.56</u>
TOTAL	\$2,316.48

GRANT 4-D FARMS. Dan Hart with Grant 4-D Farms said that his group is here to voice their concern on the late start to water throughout the system. He said that Adrian got water early and property they have on the slope did not get their water for quite some time. He said they have lost 3% of their onions because of the late water. He said he would like to see a policy that all water users get water by April 15.

Mr. Flynn explained that given the wet spring, the ditches were not ready for water as weeds could not be burned. He explained that once Grant 4-D Farms made their request for water, that water was turned in to the Dead Ox system very shortly thereafter and it is his understanding that Grant 4-D Farms has not used any of the water put into the system. Mr. Hart said that they have in fact used water. Mr. Flynn said that perhaps the ditch rider has yet to get an updated report to the office.

Mr. Flynn encouraged water users to attend meetings in the spring and voice their needs for water. The Directors noted that they had multiple meetings this spring about this very subject and that all of the patrons who attended those meetings were in support of later water releases to help conserve water. Drew Cruickshank asked if the ditch riders could notify all of the water users on the Dead Ox system by text about pumps going on and off. The Board members discussed possible solutions to get the word out to water users and it was noted that notices about turning pumps on and off also goes both ways when it comes to landowner pivots going on and off.

Mr. Cruickshank explained an easement problem he is having with trees growing over and plugging a ditch near his place, along with homes in the area dumping stuff into the lateral. He also mentioned a concrete box being taken out and broken concrete being left behind. Mr. Flynn explained that a crew was sent out to clean up the concrete. He said he will look into the easement problem.

Mr. Horton explained to the water users present that it is very important that they attend the March and April Joint Committee meetings to learn of the then current water situation and to provide input on turn on dates.

POLICY DISCUSSION. Mr. Flynn said that he has proposed edits to the temporary transfer forms. He presented those edits. A motion was made by Director White, seconded by Director Ausman, and unanimously carried approving the temporary transfer forms as edited.

BOARD EMPLOYEE PROPOSAL. Mr. Flynn said that he is planning on scheduling a meeting of the Board Committee on Employee Group negotiations in the near future.

DISTRICT BANKING. Mr. Flynn expressed frustration with U.S. Bank where the District's bank account is held. The matter was discussed and after discussion, it was the consensus of the Directors that Mr. Flynn go bank shopping.

NICHOLS ACCOUNTING GROUP. Mr. Flynn said that the District payroll has been transferred to Paylocity and away from Nichols Accounting Group. He said there were some missed deadlines with Nichols Accounting. He said that he would like to look at other accounting firms. He said the new auditors had an issue in getting information from Nichols Accounting. The matter was discussed and after discussion, it was the consensus of the Board that Mr. Flynn begin shopping around for accounting services.

PRESIDENT COMMENTS. President Tschida thanked Mr. Flynn with dealing with the District patrons.

MOORE'S HOLLOW SEPTIC. Mr. Flynn reported that the cost of the septic for the Moore's Hollow ditch rider house was \$3,991.

FUEL TANKS. The Directors discussed taking money from Mitchell Butte to buy fuel tanks. It was noted that a transformer bearing is needed at Mitchell Butte and will cost approximately \$14,000. The matter was discussed and after discussion, it was the consensus of the Board to start figuring out how to set money aside for the fuel tanks.

WATERSHED PLAN PROCESS. Mr. Flynn said that FCA was provided with a list of 55 prioritized projects. He said those projects which affect the District as a whole were given a heavier weighting. The matter was discussed.

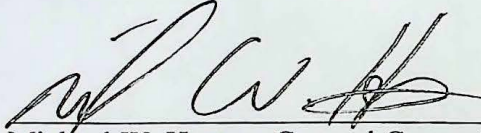
KINGMAN LATERAL PROJECT. Mr. Flynn said that he filled out the EPA forms on the grant and it looks like the District should get a waiver of the requirement to provide cost share. He said the representative he spoke to advised him that the funds may be able to be parsed out to purchase the pipe with funding coming from other sources for the installation. Doing this may avoid some of the extra federal requirements and costs.

DITCHER. Mr. Flynn said that he had an opportunity to look at another District's ditcher and that he and staff are investigating options on the District's ditcher.

DIRECTOR COMMENTS. Director Ausman said that it needs to be made clear that if a water user's pivot breaks, that the water user should still be charged for all of the water that crosses their headgate. The other Directors all agreed.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,



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Michael W. Horton, General Counsel

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

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

May 16, 2023

A meeting of the Joint Committee of the Owyhee Project was held on May 16, 2023, 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	Bruce Corn
Dan Tschida	Frank Ausman
Chris Landa	Brett Nielsen

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, South Board Manager; Bruce Cruickshank and Drew Cruickshank, District Patrons; and Representatives from Grant 4-D Farms.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on May 11, 2023.

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

MINUTES. The minutes of the meetings of the Joint Committee held on April 4, April 11, and April 18 were mailed to the Committee members prior to the meeting. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving all three sets of minutes as mailed.

TUNNEL #1 POWER PROJECT.

Tunnel #1 Financial Report. Mr. Flynn handed out a financial report for the Tunnel #1 Power Project which was reviewed by the Committee members. Mr. Flynn said that Idaho Power has not sent out their report yet. He said there is currently 1,500 cfs going through the Tunnel. Mr. Horton said that a letter was received from Idaho Power showing the new rates based upon the contract. He said that the rates are going up a little bit.

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

AT&T	\$165.94
FERC	28.85
Oregon Idaho Utilities	112.78
Nationwide Insurance	174.78
Five Rivers Law, P.C.	<u>540.00</u>
TOTAL	\$1,021.57

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 good after a few hiccups. He said there is currently 92 cfs going through the power plant.

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

Nationwide Insurance	\$174.00
Five Rivers Law, P.C.	540.00
Owyhee Irrigation District	19,292.75
Oregon-Idaho Utilities	<u>56.39</u>
TOTAL	\$20,063.14

STORAGE AND INFLOW. Mr. Flynn said that there is currently 556,000 acre feet of water in the reservoir. He said that Rome is showing around 2,000 cfs of inflow. He said that June 2020 was the last time the reservoir was at this level. He said that April's water usage was down 46% as compared to last year.

ALLOTMENT. Mr. Flynn said that the allotment can now be set at 4 foot per acre. He said that if the allotment is set at that level, he expects there to be 100,000 to 200,000 acre fee in the reservoir at the end of the season. Chairman White said that he would like to see the pumps turned on earlier in order to conserve water. Mr. Ausman agreed. Mr. Flynn said that approximately 10,000 to 15,000 acre feet of water could be saved in the reservoir if the pumps were started now. The matter was discussed. After discussion, a motion was made by Mr. Ausman, seconded by Mr. Nielson, and unanimously carried setting the allotment at 4 foot per acre with no excess water to be delivered and that the pumping plants be started when the staffing is available to do so. Mr. Eells said that he has started pumps in the south area. He said that the Homedale pumps have not been turned on yet as Idaho Power denied their request for wholesale power. He said the Homedale pump only pumps 20 cfs. He said that Succor Creek is running good and that it supplements reservoir water.

QUESTIONS FROM LAST JOINT COMMITTEE MEETING. Mr. Flynn said that at the last Joint Committee meeting a question was asked on the source of the \$4,000 of miscellaneous income. He said that the income is from an insurance longevity credit. He said that a question was also asked on the current LGIP Account interest rate. He said that rate is at 3.75%.

OWYHEE FIELD DAYS. Mr. Flynn reported that the Owyhee Field Days were a success.

IDAHO POWER UPLIFT CHARGES. Mr. Flynn and Mr. Eells reported on a recent meeting with Idaho Power and USBR. He said that Idaho Power is going to be charging more for the uplift charges which affects the wholesale power rates.

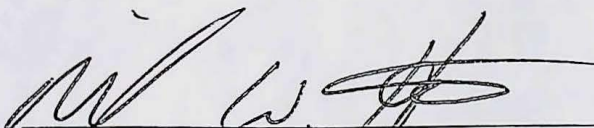
RESERVOIR BUOY. Mr. Flynn said that the buoy in the reservoir in front of the tunnel intake is scheduled to be fixed next week.

EXECUTIVE SESSION. Mr. Horton said that an executive session is needed pursuant to ORS 192.660(2)(h) to consult with legal counsel. The Joint Committee entered executive session at 7:30 p.m., and the audience left the meeting.

MEETING RESUMED. At 7:43 p.m., the Joint Committee returned to regular session and the audience rejoined the meeting.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,



Michael W. Horton, Secretary

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