

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

November 22, 2022

A meeting of the Joint Committee of the Owyhee Project was held on November 22, 2022, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 1:10 p.m. Eric White, Chairman of the Joint Committee presiding.

The following members of the Joint Committee were present:

Eric White	Frank Ausman
Bruce Corn	Chris Landa
Dan Tschida	

Also present were: Clancy Flynn, Manager of the Hydro Projects; Michael W. Horton, Secretary and Legal Counsel; John Eells, Manager of South Board; Gregory Clark, OID Alternate; J.L. Eldred, OID Watermaster; Tim Smith, Attorney; and Linda Henderson, Member of the Public.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on November 17, 2022.

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

MINUTES. The minutes of the October 18, 2022, meeting of the Joint Committee were mailed out prior to the meeting. A motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried approving the 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 just normal maintenance is planned at the power plant during the offseason.

SELP BOND PAYMENT. The Committee members discussed making a payment on the SELP bond. After discussion, a motion was made by Mr. Corn, seconded by Mr. Tschida, and unanimously carried that \$100,000 be paid on the SELP bond.

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

AT&T	\$451.20
Nichols Accounting Group	425.00
Oregon-Idaho Utilities	225.52
OWRD	6,440.64
Spiegel & McDiarmid, LLP	2,010.83
SDAO	4,203.34
Five Rivers Law, P.C.	<u>555.00</u>
Total	\$14,311.43

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 he has nothing major to report on the Dam 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. Corn, seconded by Mr. Ausman, and unanimously carried approving payment of the accounts payable as follows:

Nichols Accounting Group	\$850.00
AT&T	191.00
Oregon-Idaho Utilities	225.52
OWRD	<u>\$3,804.48</u>
Total	\$5,071.00

DAM COMPOUND PUMP HOUSE ROOF AND WOODSHOP ROOF. Mr. Flynn said that the materials for the roofs of the pump house and woodshop cost \$2,800. He said that staff will complete the work. He said that the roofs will match the other roofs at the compound.

BOAT RAMP. Mr. Flynn said that the first boat ramp at the reservoir needs the concrete repaired. He showed photos of the boat ramp.

RING GATE REPAIR. Mr. Flynn said that the concrete work on the ring gate will start next week. He showed photos of the work done so far. He said the existing rebar is in really good shape.

BUOYS. Mr. Flynn said that the cables for the buoys in front of the tunnel inlet are being replaced.

TUNNEL INSPECTION. Mr. Flynn reported on the recent inspection of the tunnel. He said that nothing major showed up. He said that overall the tunnel looks really good.

ELEVATOR INSPECTION. Mr. Flynn said that the elevator inspection went well and that everything checked out good.

WATER REPORT. Mr. Flynn said that there is currently around 70,000 acre feet of water in the reservoir. He said that the snow looks pretty good. The forecasts are mixed.

DAY USE AREA SIGN. Mr. Flynn showed sample language for the sign at the day use area. The proposed language was reviewed and discussed by the Committee members.

ADJOURNMENT. There being no further business to come before the Committee, the meeting was adjourned at 1:33 p.m.

Respectfully submitted,

  
Secretary

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

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

November 22, 2022

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on November 22, 2022, at Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 10:02 a.m. President Dan Tschida presiding.

The following Directors were present:

Dan Tschida	Bruce Corn
Eric White	Frank Ausman
Gregory Clark	

Also present were: Clancy Flynn, District Manager; Michael W. Horton, Attorney; J.L. Eldred, OID Watermaster; Linda Henderson, Member of the Public; and Brian Hartley, Manny Valero, Robert Bair, and Art Martinez, Employee Committee Representatives.

MEETING NOTICE. The meeting agenda showed that public notice of the meeting was given on November 17, 2022.

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

MINUTES. Minutes of the meeting of the Board of Directors held on October 18, 2022, were mailed to the Directors prior to the meeting. A motion was made by Director Ausman, seconded by Director White, 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. Mr. Flynn explained that money was spent on the 4-year non-water use letters. President Tschida said that he would like to see more money spent on right-of-way sterilant in order to try to get rid of the puncture vines.

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 about specific bills. President Tschida and Director Ausman asked if management could put together a backhoe operation preventive maintenance pre-operation checklist in order to help with the maintenance of the backhoes. A motion was made by Director White and was seconded by Director Clark to pay the bills. A vote on the motion was had and it passed unanimously.

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 reported on work being done at the Mitchell Butte Power Plant.

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

AT&T	\$98.43
CenturyLink	195.52
OWRD	1,596.00
Tefkinity	42.95
Nichols Accounting Group	<u>247.68</u>
TOTAL	\$2,180.58

DELINQUENT WATER CHARGES. Mr. Flynn explained that during the process of sending out the 4-year water nonuse letters, a few delinquent accounts have come up that need addressed. He said that one of them which is for 1540 Sunset Drive in Ontario, has a one-acre water right and the owners are asking for a bill reduction on a bill which totals \$13,000. The request was discussed, and after discussion, a motion was made by Director White, seconded by Director Ausman, and unanimously carried denying the request.

Mr. Flynn explained there is a second delinquent account for .61 acres of water right which have already been transferred. He recommended that this debt be written off. He explained the situation and the Directors discussed it. After discussion, it was the consensus of the Directors to write off the old debt on the .61 acres.

Mr. Flynn explained that when the 4-year nonuse letters go out, the landowners are offered the opportunity to transfer the water rights back to the District so that the District can reallocate those acres to other landowners in the District who want additional water rights. He said that he would like to get direction from the Board on the requirement that the bill be brought current by the relinquishing landowner before the water rights are transferred back to the District. The matter was discussed. No consensus was reached and Mr. Flynn said that he will continue to advise landowners that they must bring the water charges current before they can transfer the water rights back to the District.

CLARICH WATER TRANSFER REQUEST. Mr. Flynn said that Mr. Clarich wants to swap water between OID and Warm Springs Irrigation District. He showed a map of the area of the proposed swap. Mr. Horton explained that such transfers would have to go through and be approved by the Bureau of Reclamation. He said that a hearing process by the Board is also required. Mr. Flynn explained the issues involved in completing such a transfer. He said he would like direction from the Board if they want him to continue moving forward with the transfer process. After discussion, a motion was made by Director Ausman, seconded by

Director Corn, and unanimously carried authorizing Mr. Flynn to continue moving forward with the transfer process.

EMPLOYEE COMMITTEE. The Directors explained to the Employee Committee that they are not yet ready to address the Committee's wage proposal. They said that they want to get through the budget first. At 11:00 a.m., the Employee Committee members left the meeting.

WATER ACCOUNT COMBINATION POLICY. Mr. Flynn asked the Board for general guidelines on the proposed Water Account Combination Policy. Director White suggested that the combination of accounts be limited to those accounts that are on the same laterals or within a half mile of the Highline Canal. The Directors discussed the draft policy and changes to make. Mr. Flynn said that he will revise the draft and present it at the next Board meeting.

DISTRICT WEBSITE. Mr. Flynn explained that the District's website is being updated. Mr. Horton said that the District needs to get adequate assurances from the company updating the website that it is ADA compatible.

OFFICE PHONE SYSTEM. Mr. Flynn explained that the phone system at the office is being updated. He said the phone lines are also being updated. He explained how those systems are being updated and that money will be saved by the updates.

NORTH CANAL RADIAL GATE. Mr. Flynn said that inspection of the North Canal's radial gate revealed that it needs to be replaced because of rust on the bottom third of the gate. He said this is the gate that is located at Tunnel Canyon. He said that staff are getting quotes for replacing the gate. He said the replacement probably needs to be done in the next three years.

WATERSHED PLAN. Mr. Flynn said that the watershed plan is still being worked on.

LAND SALE. Mr. Flynn said that the land sale is moving along and that the earnest money is now nonrefundable.

FEDERAL SENATE BILL 4860. Mr. Flynn said that the proposed Wyden Senate Bill 4860 on the Owyhee is being reintroduced with changes. He said that he has made comments on the proposed bill that he needs maps to review.

USBR FIELD SERVICE GRANTS. Mr. Flynn said that the Bureau of Reclamation has brought back field service grants to pay for project designs. He said he is going to begin paperwork to apply for such a grant for the Kingman Lateral.

DISTRICT STAFFING. Mr. Flynn reported that District staff are down two people. He said that currently ditch rides 6 and 8 are vacant.

DITCHING. Mr. Flynn said that the ditcher needed work done before ditching could start. He said that repairs were made and the ditcher started ditching, but then the weather changed and it got frozen out. He said that crews are currently doing head gate installations,

along with working on the Arabian Pipeline and rehabilitation at Cruickshank's. He said that staff will begin pouring concrete at the ring gate in the next couple of weeks.

2023 BUDGET. Mr. Flynn went through the proposed draft budget for 2023. He said that inflation is at 8.5% and if the budget is increased to keep up with inflation, the annual incurred charge would need to increase by \$4.50 to \$5.00 per acre. He said that Tyler Sweet, with Nichols Accounting, can come to the December and January Board meetings to assist with the budget. The impact of the employee proposal on the budget was analyzed and discussed. Director White made a motion to adjourn the meeting for lunch. President Tschida said that before entertaining a second on the motion, he would like to have the employee proposal settled on. He asked each Director for their thoughts and recommendations on the proposal. Each Director expressed their thoughts. A motion was made by Director White, seconded by Director Corn, and unanimously carried that the employees be offered a 4% base wage increase with the potential for up to an additional 3% increase based upon management performance review.

MEETING RECESSED. At 12:15 p.m., the meeting was recessed to reconvene after the Joint Committee meeting.

MEETING RECONVENED. At 1:35 p.m., the meeting was reconvened. The Board members thanked President Tschida for getting the Board to make a decision on the employee proposal before breaking for lunch.

2023 BUDGET (Continued). The Directors continued discussion on the 2023 budget. Planned equipment purchases were discussed. Mr. Flynn said that there is a long stick which may be available for purchase from a Washington irrigation district for around \$60,000. The potential for purchasing a brush truck was discussed.

KRIS WARD RETIREMENT LUNCH. Mr. Flynn said that a retirement lunch is scheduled for Kris Ward on January 5 at noon at the District office.

CHRISTMAS BONUSES. A discussion was had on providing turkeys and Christmas bonuses to the District employees. Mr. Flynn said that the turkeys have already been done. A motion was made by Director Corn, seconded by Director White, and unanimously carried to provide a \$200 cash bonus to each employee.

ADJOURNMENT. There being no further business to come before the Board, the meeting was adjourned at 1:53 p.m.

Respectfully submitted,

  
Michael W. Horton, General Counsel

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