

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

August 19, 2025

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on August 19, 2025, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:38 p.m. President Frank Ausman presiding.

The following Directors were present:

- Bruce Corn
- Gregory Clark (Present by video conference)
- Eric White
- Frank Ausman
- Joseph Davis

Also present were:

- Clancy Flynn, District Manager
- Michael W. Horton, General Counsel
- Linda Henderson, Member of the Public
- Darla Sebasto, Member of the Public
- Carl Morton, Member of the Public
- Jerry Bowman, Member of the Public
- Michelle Traw, Member of the Public
- Don Popoff, RH2 Engineering (Present by video conference)

MEETING NOTICE.

The meeting agenda showed that public notice of the meeting was given on August 14, 2025.

MINUTES.

Minutes of the meeting of the Board of Directors held July 15, 2025, were mailed to the Directors prior to this meeting. A motion was made by Director Corn, 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. Mr. Flynn said that the report includes a little bit of August also. The Directors reviewed and discussed the report.

DISTRICT ACCOUNTS PAYABLE.

A list of District accounts payable for the month, together with a breakdown of credit card charges, were included in the Directors' packets. The Directors reviewed the accounts and credit card charges. The Directors asked questions about some of the bills and credit card charges. One of the questions was about a fan belt and pulley from Campbell Tractor. Mr. Flynn said that he will check into it. He then explained the new procedures being implemented for shop purchases. A motion was

made by Director Corn, seconded by Director Davis, and unanimously carried approving payment of the accounts payable.

JERRY BOWMAN WATER SITUATION:

Michelle Traw and Jerry Bowman explained a situation at Mr. Bowman's place with regard to getting water to his property. They explained what happened two years ago when Mr. Bowman was told he needed to buy pipe to get water between his weir and his property. He said that the District said that they would install the pipe once he got it purchased. He said that the pipe was purchased, but that he did not purchase enough pipe. He said that whoever measured for the pipe was short. He said that he also needs a block and does not know what a block is nor how to install one. Carl Morton said that he is Mr. Bowman's neighbor whose property the ditch crosses and that the Irrigation District was going to get water to the weir once the pipe was installed, but that the weir pool is full of silt and the crossings are full of mud and it will all need to be cleaned out once Mr. Bowman gets the additional pipe between the weir and his property. After a lengthy discussion about the matter, it was determined that Mr. Flynn will go out and look at the situation tomorrow. Director White volunteered to go with Mr. Flynn. Michelle Traw, Jerry Bowman, and Carl Morton left the meeting at 8:19 p.m.

RH2 ENGINEERING BILLING.

Mr. Flynn reported on issues he had with the billing from RH2 Engineering on the Kingman Pipeline Project. He said that he did not feel that the billings were clear on work done. He said that had he received earlier billings with clearer breakdowns, he would not have had them do some additional work. He said that he and Mr. Popoff met and that RH2 Engineering is willing to split the difference in the bill to resolve the situation. Mr. Popoff explained RH2 Engineering's position on the billing and reiterated that they are willing to split the bill and accept a final payment of \$16,725.48 as full payment for their services. The matter was discussed at length and in detail. Following discussion, a motion was made by Director White to pay the sum of \$16,725.48 to RH2 Engineering as full payment on the disputed bill. The motion was seconded by Director Corn. A vote on the motion was had. Directors Davis, White, and Ausman voted in favor of the motion. Directors Clark and Corn voted against and the motion passed on a vote of three to two.

MITCHELL BUTTE POWER PROJECT:

Financial Report.

A financial report for the Mitchell Butte Power Project was handed out by Mr. Flynn. The Directors reviewed and discussed the financial report. Mr. Flynn said that the power plant is running really good. He said there were some issues from the computer switch over. Director Corn said that the District needs to be building up reserves in anticipation of renewing the FERC license.

Accounts Payable.

Accounts payable for the Mitchell Butte Power Project were listed on the agenda. A motion was made by Director Davis, seconded by Director White, and unanimously carried approving payment of the accounts payable.

TRANSFORMERS AT DUNAWAY PUMPING PLANT.

Mr. Flynn said that Idaho Power tested all of the transformers at Dunaway Pumping Plant. He said they all need to be replaced. He said that after much investigation, there is only one company that has transformers available because of the unique voltage. He said that the company can only supply three transformers and that the cost is \$181,235. He said that the fourth transformer could be rebuilt at a cost of \$64,223.05.

Mr. Clark asked about having the transformers at Dead Ox Pumping Plant tested. Mr. Flynn said that it is going to happen soon. Mr. Horton explained that the District's public contracting rules allow for a direct purchase without formal bidding if the equipment needed is only available from one source. The matter was discussed and after discussion, a motion was made by Director White, seconded by Director Corn, and unanimously carried that the situation qualifies for an exemption from public bidding because the transformers are only available from a sole source and authorized their purchase for the sum of \$181,235 and to also move forward with rebuilding the other transformer at a cost of \$64,223.05. Mr. Flynn said that there is a six-week delivery time.

UTILITY CROSSINGS.

Mr. Flynn said that he has continued discussions with Farmers Mutual Telephone Company about their request to install fiberoptic cables underneath Irrigation District canals, pipelines, and ditches. He said that the Directors need to set the fees for approving the crossings and to approve crossing agreements once the fees are paid. The matter was discussed and after discussion, a motion was made by Director Corn, seconded by Director Davis, and unanimously carried setting the fees for utility crossing approvals as follows: \$150 application fee per crossing, \$1,000 fee for each utility crossing and \$8,000 for the laying of cables within the right-of-way which run parallel to the irrigation system with such fees being a reasonable estimated cost to the District in manpower and legal fees to review proposed crossing plans, draft required agreements, and monitor construction and maintenance of the crossings, and further approving the proposed crossings requested by Farmers Mutual Telephone Company, subject to District staff review and approval of crossing specifications and installation plans.

AQUATIC AND RIGHT-OF-WAY WEEDS.

Mr. Flynn asked the Directors how weed control is going in their areas. President Ausman said that he has received some phone calls about moss, but otherwise things look good. Director Clark said that besides having the ditch riders file reports on weed growth with the office, that phone calls also need to be made so that quicker action can be taken.

KINGMAN PIPELINE PROJECT.

Mr. Flynn said that a meeting is scheduled tomorrow between EPA and SHIPPO on the Kingman Pipeline Project. He said there is still a possibility that the District could get started on the project this year. He said that he feels the District can store pipe close to the site. He said that he feels that the site is secure and that the pipe is less likely to get damaged at the secure site than it would if it were stored in town by the District office.

SURPLUS PROPERTY SALE.

Mr. Flynn reported on the recent surplus property sale.

DISTRICT FINANCAL AUDIT.

Mr. Flynn said that the audit of the District finances for 2024 will be presented next month.

JASMINE ROAD CROSSING.

Mr. Flynn said that the Jasmine Road crossing was washed out recently. He said that it has been put back in as a single lane road. He said that crews have cleaned up the Borjas property, but that a wind event then caused a second washout. He said that staff are coming up with a solution for a long-term fix. Director Clark provided some thoughts on potential fixes.

WATER ACCOUNTING.

President Ausman asked if water accounting is available for patrons to pull up on their phones yet. Mr. Flynn said that it can be done on a computer, but that there is not a phone app yet. President Ausman said that he would like to see a chart on the District's website to help water users calculate water usage. Mr. Flynn reported on issues with some water measuring devices in the District. A discussion was had on cattle getting water from irrigation canals.

ADJOURNMENT.

There being no further business to come before the Board, the meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Michael W. Horton, General Counsel

APPROVED:

September 16, 2025