

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

April 28, 2026

A regular meeting of the Board of Directors of the Owyhee Irrigation District was held on April 28, 2026, at the Owyhee Irrigation District office located at 422 Thunderegg Blvd., Nyssa, Oregon, at 7:57 p.m. President Frank Ausman presiding.

The following Directors were present:

- Bruce Corn
- Gregory Clark
- Joseph Davis
- Eric White
- Frank Ausman

Also present were:

- Clancy Flynn, District Manager
- Michael W. Horton, General Counsel
- Linda Henderson, Member of the Public
- Darla Sebasto, Member of the Public
- Brian Wavra, Geo Stabilization International Engineer

MEETING NOTICE.

The meeting agenda showed that public notice of the meeting was given on April 23, 2026.

MINUTES.

Minutes of the meeting of the Board of Directors held March 17, 2026, were mailed to the Directors prior to this meeting. A motion was made by Director Corn to approve the minutes as mailed. The motion was seconded Director White. The motion passed with all the Directors present voting in favor of the motion.

SNIVELY FLUME REPAIR.

Brian Wavra, an engineer with Geo Stabilization International made a presentation on the planned repair work on the Snively flume. He explained that his company did the work on the flume last time. He said this work will be further downstream and that it was caused by an erosion event rather than a slide. He said they will be installing anchors with a gunite facing. He showed slides of similar jobs his company has done. The estimated cost of the project is \$374,000. The work is planned to be started when the water shuts off. He said there is a temperature window when the work can be done. He estimated the work taking between three to four weeks. Questions on the proposed work were asked and answered. Mr. Wavra left the meeting at 8:34 p.m.

DISTRICT FINANCIAL REPORT.

Mr. Flynn handed out a financial report for the month. The Directors reviewed and discussed the report. Leased vehicles were discussed. Mr. Flynn said that the building permit has been received from the County for the storage building construction by the office.

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, questioned, and discussed the accounts payable. Director White made a motion to approve the accounts payable. Director Davis seconded the motion. The motion passed with all the Directors present voting in favor of the motion.

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 plant is running really good. He said that one unit is currently running.

Accounts Payable.

Accounts payable for the Mitchell Butte Power Project were listed on the agenda. Director Corn made a motion to approve the accounts payable. Director White seconded the motion. The motion passed with all the Directors present voting in favor of the motion.

KINGMAN LATERAL 5.4 SLIDE FAILURE.

Mr. Flynn reported that on April 7 part of the Kingman Lateral 5.4 slid off. He said that it affects an approximate 75-foot section. He explained the repairs which need to be done. He said that the slide needs to be piped. He said that everything is now on site, except for a weed screen, to complete the repairs. He said that 650 feet of the slide will be piped at an approximate cost of \$200,000. He said that he added the amount to the DEQ loan application. He said that half of the loan can be forgiven. The piping plan was discussed. Following discussion, a motion was made by Director Corn to add the \$200,000 to the DEQ Clean Water State Loan Fund Application. The motion was seconded by Director White. A vote on the motion was had and it passed with all of the Directors present voting in favor of the motion.

NEW ACRES WATER RIGHT PERMIT EXTENSION REQUEST.

Mr. Flynn explained that the Oregon Water Resources Department sent out a notice of a proposed order denying the Bureau's application to extend the deadline to prove up beneficial use for the water rights for the new acres which were to be brought in under House Bill 3111. Mr. Flynn and Mr. Horton explained the situation and action which was taken after the Notice of Proposed Order was sent out. Mr. Flynn said that Oregon Water Resources Department has since withdrawn the proposed Order. The stated reason for the proposed denial was the lack of a fish screen on the tunnel inlet. Mr. Horton and Mr. Flynn said this issue will need to be addressed especially with the FERC licenses coming up for renewal for the Tunnel Power Plant and Mitchell Butte Power Plant. Mr. Flynn said that he will continue to work with the Bureau of Reclamation, the Oregon Water Resources Department, and the Oregon Department of Fish and Wildlife to try to address the fish screening issue. The matter was discussed by the Directors.

MITCHELL BUTTE POWER PLANT FERC LICENSING RENEWAL.

Mr. Horton explained that the FERC license for the Mitchell Butte Power Plant will expire in 2042. He said that the relicensing process needs to start in 2032. He said that one alternative that is being looked at is a conduit exemption from FERC licensing. He said that

if such an exemption were to be granted, a FERC license would not have to be obtained every thirty years as the exemption is perpetual. Mr. Flynn explained that the FERC attorneys which the District is using on the relicensing sent an email suggesting that if a conduit exemption is wanted, that the process should start fairly quickly in order to have time in the event the exemption is denied and the District would need to shift back into the relicensing process. Mr. Horton pointed out that if a conduit exemption is granted, then the District would be subject to agency demands which could potentially include fish screens. The lack of funds for beginning the relicensing in the Mitchell Butte Power Plant account was discussed. Mr. Horton said that he and Mr. Flynn will have a phone call with the FERC attorneys tomorrow to learn of the timing and options on seeking a conduit exemption.

PICKUP TRUCK LEASES.

Mr. Flynn reported on leases for pickups which have arrived. The matter was discussed.

LEROY LOOMIS PIVOT.

Mr. Flynn said that the bid to line the bank to complete a permanent repair by Mr. Loomis' property came in at \$45,000. He said that the repair did not happen because of the timing and cost. He said that staff are just going to watch the area and repair it after water is out. He said that the repair will most likely not include lining because of the cost.

DUNAWAY TRANSFORMER.

Mr. Flynn said that the grounding grid plan for the Dunaway transformer has been completed.

PUMPING PLANTS.

Mr. Flynn said that the grates at the Dunaway Pumping Plant have been cleaned. He said that the delivery channel for the Dead Ox Pumping Plant has been cleaned.

V-SIPHON.

Mr. Flynn said that the V-siphon was leaking and has been repaired. The matter was discussed.

OWYHEE SIPHON INLET.

Mr. Flynn said that the work which was done on the Owyhee siphon inlet seems to be working good.

COYOTE GULCH SIPHON.

Mr. Flynn reported on repair work which was done to the Coyote Gulch siphon.

DITCH RIDER CHANGES.

Mr. Flynn reported on changes to the ditch rider staffing.

WASHINGTON D.C. TRIP.

Mr. Flynn reported on his trip to Washington D.C.

KINGMAN LATERAL PIPELINE PROJECT.

Mr. Flynn said that the SHIPPO approval has finally been received. He said that he is now working through the EPA and is waiting for construction approval.

STAFF RESTRUCTURE.

Mr. Flynn reported on the staff restructuring. He said that it is helping in efficiency. The matter was discussed.

ADJOURNMENT.

There being no further business to come before the Board, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Michael W. Horton, General Counsel

APPROVED: