

**MINUTES OF THE BOARD OF DIRECTORS OF THE WOOD RIVER VALLEY
IRRIGATION DISTRICT #45**

NOVEMBER 10, 2015

- 1. CALL TO ORDER:** The duly noticed regular meeting of the Board of Directors of WRID #45 was called to order by director Jim Super at 6:30 PM, November 10, 2015, at 24 Gannett Road, Bellevue, ID 83313.
- 2. ROLL CALL TO ESTABLISH QUORUM:** All directors (Super, Sawrey, and White) were present.
- 3. READING AND CORRECTION OF MINUTES FOR APPROVAL – 10/13 & 10/22, 2015:** Minutes were not approved at this time. Director White had some corrections, to offer before next monthly meeting.
- 4. SPECIAL GUEST SPEAKER:** Dave Tuthill (former Director of IDWR) to address the question of “What role, if any, could a Surface Water Irrigation District play in the coming mitigation efforts in response to a curtailment order”. Mr. Tuthill’s association with water management in Idaho goes back to 1976.

Mr. Tuthill addressed water issues in the Wood River Valley in 2010, when he discusses items for conjunctive water management with the Blaine County Commissioners. He did not get support for this from the commissioners at this time. He again came back in 2012, with ideas on ground water recharge to compensate surface water users.

He has looked extensively into conservation conscious ways to recharge the aquifer. He believes that at times the Big Wood River flows provide too much water for the users. He recommends to take some of the overage and put it into the ground to recharge aquifers. But to do this, you need to have additional water rights and/or convert irrigation rights to mitigation. If we are interested, Mr. Tuthill’s company will file for us, to get water rights, and would be asking 50% as his fee. This would be on a negotiated 5 year contract, to be renegotiated at the end of the term. Upon conclusion of the presentation, there were a few questions and answers.

Mr. White indicated he will continue to investigate the questions.

5. PUBLIC COMMENT:

Mark Gower: Regarding Mr. Tuthill’s presentation, Mr. Gower had prepared comments (attached to minutes) regarding his opinion of what the role of our Board of Directors has in the mitigation of ground water rights.

6. OLD BUSINESS:

a. Dir. Super: Dir. Super addressed Judy Grigsby’s appointment as assistant secretary for elections, during Jim Spinelli’s absence. Mr. Super’s position is that the appointment should be ended. Mr. Super made a motion to “unappoint” Ms. Grigsby, and Dir. Sawrey seconded. During discussion, Dir. White commented that he understood Ms. Grigsby’s appointment was for all elections, not just one. Dir. Sawrey said that we may need in the future again, but not now. Dir. Super again mentioned that his understanding was that the appointment was only for Mr. Spinelli’s absence, and the position is no longer needed. The vote on the motion made by Dir. Super was called – Directors Super and Sawrey voted in favor of terminating the appointment, and Dir. White – voted nay.

b. Dir. Sawrey: Discussed new meeting spaces: He is looking into Cove Ranch location, lease, heated, space to meet and store records, and a Kingsbury location: **Dir. Super** indicated that the property needs to be in the district to qualify. It is 1,000 square feet, bathroom, dinette, and storage for \$650 monthly. **Dir. Sawrey** commented about needing a plan of action. **Dir. White** suggested we stay at the present location for the time being because it is free. **Dir. Super** said that we need to be more proactive to "find a home". **Dir. Sawrey** asked Mrs. Spinelli to make appointment with Dr. Weaver to look at the Kingsbury location. **Dir. White** mentioned that a vacancy might happen at the old office Park Complex where we used to meet, and we might be able to get a good deal.

Re: Insurance notice from HUB, with Cincinnati Insurance Co. Someone needed to sign the release to BUB Insurance since we are now insured with ICRMP. **Dir. Super** signed the release form.

Dir. Sawrey: Presented a check for \$12 to the treasurer for Cade's phone bill.

c. Dir. White: Re: The appointment of Jim Spinelli as Sergeant at Arms of Board meetings tabled from last month's meeting was discussed. At that meeting Mrs. Betty Gower spoke for her husband who didn't feel that we needed such. **Dir. White** feels that it would be nice to have if we needed it. He spoke with Mr. Spinelli about what this position would entail. In the past there didn't seem to be appropriate protocols, procedures, and adherence to some of the concepts of Robert's Rules of Order. Mr. Spinelli volunteered to create such a position to enable the Board to "stay on point" at meetings, and establish some positive structure. **Dir. White** made a motion to appoint Mr. Spinelli as "Protocol Officer" of the Board, **Dir. Sawrey** supported this idea, and seconded the motion. **Dir. White** asked for Public Comment. Mr. Gower mentioned he had a discussion with Mr. Spinelli. He believes that this position could streamline the meetings process. Mr. Spinelli was asked for comment, and he confirmed that he volunteered to do this with the hopes of helping all of the Board members become more efficient by establishing some procedures, protocols, etc. A vote on the motion was called, **Dir. White** made the motion to appoint Mr. Spinelli as the Protocol Officer, seconded by **Dir. Sawrey**, and passed unanimously, with the expectation that Mr. Spinelli will develop these meeting guidelines to be presented to the Board.

Re: Past due payments from Renker and Myers. There was a discussion relative to assessments owed D45 from TID. **Mr. Super** advised that TID still owes us money on these 2 properties.

7. REPORTS

D45 Designated Representatives to the Board of Control Status Report:

a. Jan Super: Mrs. Super attended a Special BOC Meeting. She reported that the BOC budget was approved by the BOC. There was some concern over check signing procedures only requiring 1 signature. Sara Gardner recommended that Mrs. Super sit in as interim treasurer for the BOC until 1-1-16. Susan Orason has been hired as the new bookkeeper for the BOC and will work with Mrs. Super and **Dir. Sawrey**. **Dir. Super:** In the past an email was sent mentioning that one signature check signing was not good, and that the treasurer should not sign checks. This BOC action re: 1 signature should be denied. Mrs. Super did not approve this action either.

b. Dir. Sawrey: Re: Accountability and check signing: Spoke with Atty. Waldera. He recommends that two signatures, but most Irrigation Districts use other measures. He mentioned that if checks to be signed are within the limits of the approved budget, and the treasurer has vetted the expense, it is OK, **Dir. Sawrey** said that if a BOC check is outside the approved

budget, it will go back to the BOC for a special meeting for board approval. Dir. Sawrey had a question to the Board; there is a gap between collecting assessments and paying the BOC. How do we cover start-up funds? Mrs. Super and Mrs. Spinelli calculated the upcoming immediate expenses for wages, ICRMP insurance (\$2100 + \$478), which we have in the bank.

c. Dir White: Re: check signing – It appears that our BOC representatives did the best they could at the BOC meeting. No bank looks at signature unless it comes back later if something goes wrong. The signature card should state “2” signatures required. He is not comfortable that everyone at the TID and BOC understands that the approved budgets are “iron clad” limits on what the BOC can expense. Please take the 2011 email from Mrs. Harris to BOC. **Mrs. Super:** Banks don’t require 2 signatures any more. **Dir. Sawrey:** He will work with BOC for 2 signatures. **Dir White:** He said he is satisfied our representatives will protect D45 interests.

d. Dir. Sawrey: Walker Site Visit: Cut trees, burn, help with BOC. Dir. Sawrey will walk the property with BOC members and Mr. Walker. As a side issue, he offered a “Justin” update. It appears that Justin is guiding Cade in his activities and projects. And Justin is unpaid volunteer. Dir. Sawrey believes that this will help reduce the confusion of who Cade takes orders from in the BOC, TID, D45, especially as it relates to joint projects. Dir. Sawrey will continue to work with the BOC using our “Joint Projects” packet that he developed this year.

Dir. White: Re: If Justin is directing Cade, for clear lines of authority and responsibility, the BOC needs to appoint Justin as Cade’s manager for the BOC. **Dir. Sawrey:** He also showed Justin and Cade the Decree Book. They complimented Dir. Super. We need to take out personal information and use to record measurements, etc. Dir. Super to help.

SECRETARY’S REPORT: Request for records for Joel Teeley. Dir. Super said that this will go to Executive Session due to the person being a prior employee. Board of Corrections notice is being prepared for posting and publishing in the local newspaper.

TREASURER’S REPORT: **Mrs. Spinelli** began with a payroll issue involving Chris payroll. BOC estimated his hours at 40 and yet he only worked 30 up until Oct. 31. He is now “working off” the extra 10 hours and the BOC want us to pay. **Dir. White:** We should not pay, as of 10-31, Chris does not have Workers Comp. Do we have enough money? **Mrs. Spinelli:** Yes to cover all bills pending into Nov, **Dir. White** wants to prioritize pending bills. **Dir. Sawrey:** We will pay up to Oct. 31. Assessments from Nov. are separate. **Dir. Super:** Only pay Chris for 30 hours. There were a few other bills that did not have back-up. **Dir. Sawrey:** Mike from Cove Ranch has not received his assessment. Let’s find out why. **Dir. White:** He is concerned about bank account current and future. He wants net with all bills paid and deposits. He wants a chart of accounts to track our portion of every expense. **Dir. Super:** Numbers are coming back from BOC (Jan). Send dollar amount to BOC to fund their early budget. **Mrs. Spinelli** recommends that we wait to see how the next 5 months go first. **Mrs. Super:** She and Susan will provide P/L and Balance sheet before each D45 meeting. **Dir. White:** There should not be any line item in chart of accounts relating to wages/employment. Make one entitled “BOC Payables”. **Dir. White:** Made motion to authorize payment of \$2600 as initial payment to BOC for operations and maintenance. Dir. Sawrey seconded, motion passed unanimously.

8. NEW BUSINESS AND OTHER ITEMS THE BOARD DEEMS PERTINENT:

a. Dir. Sawrey:

Cove Ranch Site Update – He toured the ditch with site manager John Miley. There was a claim that Cove Ranch didn’t get enough water. Mr. Miley never worried about the amount of water. Also, owner Mike Lovas understood about ditch loss, etc. Mr. Miley mentioned that they can’t handle all the water, feared flooding (especially property down from theirs), and called the

Water Master. **Dir. Super:** By Cove Ranch measurements, records, etc., over 100% of water rights were received for 2013. There are no records for 2014/5. **Dir. White:** We need to get better published procedures and minutes to describe how we created the decree book. **Dir. Sawrey:** He needs more time to do research, to be proactive (visa Cove Ranch).

Review and approve Decree document for website posting: **Dir. White:** Mrs. Super can handle the shortened version. **Dir. Super:** Just need name, assessment amount, decree, billing address. **Dir. White:** There is no requirement to post the Assessment Book on the website. He is not prepared to deal with this tonight.

Review and approval of WRVID#45 General Information Packet – **Dir. Super:** He made various recommendations for improvements. He feels the Joint Works Map is in dispute for its accuracy. Should qualify it with “pending approval” notation.

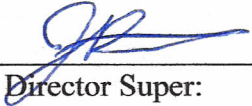
b. Dir. White: He wants to be included in discussion with Bellevue Farms regarding Kelly’s prior time as water master. He also wants to develop a process with Cade so that both District have access to him and he attends our meetings. Time line for this maybe Jan/Feb 2016.

NEXT MEETING DATE SET FOR TUESDAY, 12-8-15.

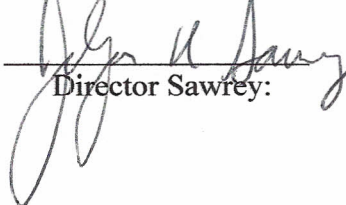
EXECUTIVE SESSION – General meeting was adjourned at 10:05 PM. to go into Executive Session to discuss the request for records pertaining to Joel Teeley.

ADJOURNMENT – After concluding the Executive Session, the General Meeting was reconvened and adjourned at 10:10 PM.

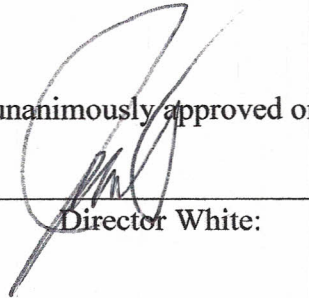
On a motion by Mr. Super, seconded by Mr. Sawrey and unanimously approved on 12 JAN. 16



Director Super:



Director Sawrey:



Director White:

In relation to Mr. Tuttle's talk, "What Role, If Any, Could a Surface Water Irrigation District Play in the Coming Mitigation Efforts In Response to a Curtailment Order", I submit the following comments:

Using D45's system for moving "mitigation water" is inconsistent with The Districts stated mission of delivering surface water rights efficiently and economically.

D45's only business is to deliver SURFACE WATER rights to specific points of diversion and places of use for use by the patrons.

Any intentional movement of water to a place other than it's decreed place of use constitutes a private/individual usage of the common system.

So, as I see it, the ONLY role that the Board of D45 has in the mitigation of ground water rights is to determine a tariff for private usage of the system by individuals or HOAs wishing to use their surface water rights for so called "mitigation credits" at a location other than those water's decreed place of use. Discussions about virtually anything else, other than determining a transportation fee, should be held in the appropriate ground water district meetings NOT in Surface Water District meetings.

Regardless of my opinion I look forward to Dave's talk and reserve the right to change my mind...

Mark Gower

RECEIVED 11-10-15

Jeff Smith
Pres D45