

**MINUTES FOR THE BOARD OF DIRECTORS OF THE
WOOD RIVER VALLEY IRRIGATION DISTRICT #45
July 14th, 2026**

- 1. CALL TO ORDER:** Director Clark called the meeting to order at 6:30 p.m., July 14th, 2026, at the meeting place, Clearwater Landscaping, Kingsbury Lane, Bellevue, ID.
- 2. ROLL CALL TO ESTABLISH QUORUM:** Director Clark, Director Casey and Director Berman were present establishing a quorum.
- 3. READING AND CORRECTION OF MINUTES FOR:** Director Clark attested to the meeting minutes for June 16th, 2026 was correct. On a motion made by Director Clark, seconded by Director Casey, accepting these meeting minutes was unanimously approved.
- 4. PUBLIC COMMENT:**

Bette Gower Read into minutes Mark Gower's typed opinion.
Chris Smith, Griffin Ranch HOA
Elise & Jim Stelling
Annette & Tom Goicoechea

5. OLD BUSINESS:

a. BOR WaterSMART Grant (Low Head Dam Remediation Project):

1. Director Clark updated all attending of current status for the Project.
 - a. Construction is planned to start August 3rd, 2026 which is a Monday.
 - b. The Contractor & water district are working on creating signage for the project site designating open areas and closed areas.
 - c. The contractor must submit plans for the coffer dam by July 15, 2026 for review and approval by IDWR.
 - d. Next meeting with Contractor is planned for July 24th, 2026 at their airport way office.
2. The BOC discussed having Saturday morning walking tours for interested valley residents to spend about one hour explaining & showing them the site and what is planned to rehabilitate the low head dam. Explain the steps, why the improvements are needed, and answer questions about the project.

Points to assist the tours:

- a. Clear the presence of the guided tours with the insurance company
- b. Amanda Bauman of Project Bigwood will deal with press releases & publication of tours

3. Project Bigwood has procured 2 of 3 grants, one for \$10,000 and one for \$113,000 which they plan to apply to the Districts' construction budget for the Low Head Dam Project. With this help it reduces the amount short on covering the expenditures from \$220,000 to only \$110,000. The Districts (D45 & TID) will only need to consider borrowing through the IDWR loan program to cover \$110,000 budgeted shortfall.

4. All the root ball tree trunks needed for the project will be supplied by Hillside Ranch. This will be 20-24 30ft spruce trees.

- a. The start date of August 3, 2026 is still looking good, and the Districts are committed to keep 50 cfs of water flowing in the river to maintain minimum flows during project construction.

b. Water master Benefit Package (Written Policies):

-No Draft prepared at this time.

c. Water master Access Permission letter from Land Owners:

-No Draft prepared at this time to review. Water master will continue to work on this letter.

6. REPORTS:

a. Claire Casey, BOC Representative:

- 1. The next BOC meeting is scheduled for July 21st, 2026 at 8am.

b. John Wright, Water Master:

Mr. Wright reported that there were only three senior users with 82, 81, & 80 receiving water at this time. The senior users are not receiving enough water via the surface so all are utilizing supplemental (ground water) to water their crops.

Mr. Wright has cut the main flow in the canal system from 136 cfs to only 60 cfs.

c. Shirley Spinelli, Treasurer:

1. Handed out the financial reports.
2. 3 checks for signature, Secretary, Treasurer and the BOC.
3. Ms. Spinelli reported that the interest on the state accounts was over \$200 dollars this last month.
4. Ms. Spinelli reported that the state of Idaho moved the financial reporting time from November to the end of June. She was able to electronically report to the business registry and received notification that all was good.

d. Bette Gower, Secretary:

1. Asked why the Watermaster had not included me in notification of the shut-off dates for each of the water rights per their date. I have normally been notified of this information and transfer this information to the website for all patrons to be aware of water rights shut-off dates. Mr. Wright has not given me this information this water season. Mr. Wright did not give a clear reason as to why he did not include me with this information.
2. Presented to the directors & water master copies of original pages from the website under the bullets (Water Master & Landowner Responsibilities). Then I gave them the same pages with highlighted changes taken from Mr. Wright's proposed Operating Standards.

I made it clear that most everything Mr. Wright had typed up on the OS sheet was already on these pages except for the 3-4 highlighted changes. I requested that they re-read the website pages and compare them to the OS sheet and decide if they wanted the highlighted updates added.

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

a. The Proposed Water Delivery Operating Standards:

1 The proposed operating standards and public comments were addressed at the beginning of the meeting. As previously noted under item #4 Public Comment, Bette Gower read into the minutes Mr. Mark Gower's typed comments to the board with a brief portion of their Lawyers opinion. Mark emphasized that, as proposed, Section (3.0) of the OS is not permitted under Idaho Code. He further points out that the board should inform the D45 patrons of their intention to grant authority to the BOC to reallocate 40% of everyone's water rights, if indeed that is their intention. That is the net effect of the D45OS relative to section 3.0 as written.

At the end of this reading Director Clark gave the floor to Mr. Wright, Watermaster, to address these comments to all directors and other patrons attending the meeting.

1. Mr. Wright made the statement that his attempt for writing the proposed Operating Standards was not to give the BOC power or authority above and beyond what is legally required, John stated his attempt was to make sure that everybody understood of the physical aspects of the system and the delivery constraints of the irrigation canals that limit delivery of 100% of water rights.

He went on to iterate that water right documents the amount that he is responsible for diverting into the canal system at the main diversion, which is not a guaranteed amount that will be received at the individual's diversion gate. Again, due to the aspects of a surface water canal system.

John strongly noted that the Operating Standards were created primarily to protect himself from the irresponsible request and litigation from an unhappy patron. He stated he wants to NOT be obligated by a user to deliver more than 60% of their water.

2. Director Clark interrupted further statements, questions, and discussion and indicated that there will be a lot more work done regarding Mr. Wrights proposed Operating Standards. He wishes to be very transparent to the patrons with review by district legal counsel before voting on any new operating standards.

8. PUBLIC COMMENT:

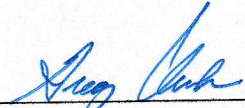
9. SETTING DATE FOR NEXT MEETING:

Next regular meeting will be August 18th, 2026 at 6:30 p.m.

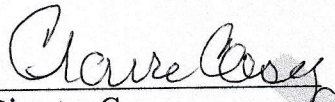
10. EXECUTIVE SESSION:

11. ADJOURNMENT:

Director Casey made the motion to adjourn and Director Clark seconded. Director Clark adjourned the meeting at 7:45 p.m.



Director Clark (Chairman)



Director Casey

Director Berman

FINAL

Diversion 45 Operating Standards

The Board of Control (BOC) consists of members of two irrigation districts in Blaine County, the D45 and the Triangle Irrigation District. The Board is responsible for the delivery of water for the two districts using the district canals and laterals. The delivery is under the supervision of the Water Master hired by the BOC. The current water master is John Wright and he is an employee of the BOC and is responsible for water delivery per the district standards. He has a challenging job of managing a complex system of canals and laterals with users that have varying water rights and priority dates. These Operating Standards are meant to inform the members of the process the BOC has established for the delivery of water. These operations are for surface water delivery via the canals and laterals in the district.

1.0 Season of Use:

The irrigation season starts on 4/15 of each year when the districts can first take water into the canal system. The season ends at dates that vary each year based on the amount of water available from the Wood River. District 37 is the state district that manages water delivery for most of Blaine County and the counties south of Blaine and the water master for District 37 determines the priority date that can be delivered during the season and when water can no longer be delivered. Typically the end date is in the August time frame but could be sooner or later based on the available water in the river.

Users should allow for 7 days after the opening of the season to actually receive water as it takes that long for the water to fill the canal and make its way to the furthest reaches of the canal system. Users should not expect to get water delivery on day one of the season.

2.0 Access to Water:

All users should be very familiar with the system, their private "take-outs", and their private laterals, used to deliver water to their property. Each user must ensure that their private lateral is setup to deliver their correct amount of water. The water master is available to do this turn on for users that need help. The BOC requests that any user that does turn on their water inform the Water Master when this happens.

John Wright can be reached at: 775-934-6200 or at jandmw@icloud.com. Call or text John when you have turned on water for your property or if you need assistance.

3.0 Water Balance:

The canal system extends over many miles and the laterals vary in depth and soil types. "Ditch loss" occurs when water travels over many miles and what may be 100 CFS at the top of a lateral will be significantly less at the bottom end of a lateral, even when users are not taking any water. This loss means users that are near the bottom ends of the laterals have less water available to them than users near the beginnings, or tops, of the laterals. The BOC requires the water master to balance this delivery for any given priority date so that every user in the system has water available. It may mean a user near the beginning of a lateral will get a lesser percentage of what's available of their water so that a user at the end of the lateral will get adequate water for their right. This system balance is a challenge for the Water Master and he is authorized to deliver no more than 60% of any water right for any user so that users at the end of the lateral can get at least some portion of their allocated water right.

The Water Master is responsible for managing the system in an equitable manner and will monitor the take-outs to ensure users are following the priority guidelines and ensuring a balanced water delivery.

Summary of Key Take Aways:

1. **Water can be accessed on April 21**
2. **Contact the water master before accessing water**
3. **Water master is not obligated to deliver more than 60% of a user's water right**

The districts have taken action to improve water delivery. Some sections of laterals have been lined and a pipeline has been installed at the south end of the district to more efficiently deliver water to users at the end of laterals. Efforts to improve surface water delivery will continue. If any user has issues with their water delivery they should be brought to the attention of the Board of Control.

The board members are:

John Stevenson (TID) jandestevenson70@gmail.com
Sarah Gardner (TID) sarah@sage-solutions.net
Mike Lovas (TID) mjlovas@gmail.com
Claire Casey (D45) casey.claire01@gmail.com
Justin Stevenson, justinflood75@hotmail.com
Greg Clark, gregclark.id@gmail.com

Attachment Two

Mark Gower<mgower2@hotmail.com>
gregclark.id@gmail.com;casey.claire01@gmail.com;rwberman@cox.net
You
Board of Directors D45,

First of all, thank you for your service to The District. I appreciate the work you do for the irrigating community. I know it's by and large a thankless job. Having said that, I would remind you that part of your job is to protect the rights of the WRVID45 water users, not TID's. I will not be able to attend the 7/14/26 meeting because I'm prepping for a medical procedure the morning of the 15th. The comments herein may be considered my public statement on this proposed document, and as you can tell from reading, I'm not in favor of approving it in its current form.

Upon second and third readings of the proposed "Diversion 45 Operating Standards" (D45OS) and after consulting with my attorney, I have arrived at the following conclusions, regarding Sections 1.0 and 3.0 of the D45OS.

In **Section 1.0** it is stated "Users should allow for 7 days after the opening of the season to actually receive water as it takes that long for the water to fill the canal and make it's way to the furthest reaches of the canal system. Users should not expect to get water delivery on day one of the season." In the Summary it says, "Water can be accessed on April 21." These are not the same thing.

I have historically been able to access my water two or three days after water reaches my takeout which is about three to four days after the water is turned into the 75 lateral. It usually takes two or three days to flush most of the debris past us. Although this may not seem like a big deal to some, in these times of drought and shorter growing seasons due to lack of water, everyday counts. So, although I don't expect to start watering on day one, I do expect to start watering as soon as conditions allow at my takeout after the statutory opening day which is April 15.

Changing Takeaway 1. To read simply, "Users should not expect to access their water on day one of the watering season. It takes time to fill and flush the laterals." would solve this inconsistency within the document and not preclude those of us that may be able to start up sooner than 7 days after the statutory start date from doing so.

In **Section 3.0** it is stated that "This system balance is a challenge for the Water Master and he is **authorized to deliver no more than 60%** of any water right for any user so that users at the end of the lateral can get at least some of their allocated water." (They're

getting plenty of their allocated water, just not as much as they think they should.) In the Summary, it says "Water Master is **not obligated to deliver more than 60%** of a user's water right. Again, these are not the same thing.

Idaho code does not authorize the BOC to allocate water on a proportionate basis or reduce deliveries to users rather than administering the water in accordance with Idaho's Prior Appropriation Doctrine. The (D45OS) is an apparent attempt to gain such authorization. The users at the end of the laterals have large amounts of water, in part, to compensate for ditch loss. They should feel the same pain as everyone else in times of drought, which are experienced via VI cuts based on priority and flow rates. They at least have options under the negotiated settlements with other water user groups and companies to pump ground water even in times of drought. Regardless, it doesn't matter if one has more water than they can use as Mr. Wright argues, it is real property with real value and not subject to reapportionment because someone thinks what they have isn't enough to do what they want.

It is incumbent on the District to notify the patrons of the WRVID45 that they, the board, are considering signing away 40% of everyone's water rights in WRVID45 so that the large users in TID can continue to get the water they want in times of drought while the rest of us have 40% of our real property essentially taken by fiat. As far as I'm concerned unless you have sign off from every owner of the real property you propose to devalue by almost half, this constitutes an unlawful taking and is open to litigation. This agreement is designed to benefit the few at the expense of the many smaller water rights holders. It's the same old story around here. I'm not giving up my property to prop up their businesses. Whether I use it all or not is not the point. The point is that it belongs to me, not them.

Changing Section 3.0 I suggest rewriting, explaining the Prior Appropriation Doctrine, ditch loss and the effects of drought conditions to newbies and the large water users alike. In its current form, Section 3 is not a legal remedy for the woes of the growers and developers in the south and those of us that are paying attention know it. Addressing the fact that water users cannot expect to realize 100% of their water at the pump is reasonable and correct. Expecting the smaller users to disregard the amount of and value of their priority water right so that others may benefit from it is not reasonable or correct.

Changing Takeaway 3. The Water Master is unable to deliver 100% of water rights because of ditch loss. Ditch loss is the amount of water it takes to "wet" and keep wet the lateral's sides and bottom. This is a normal occurrence in surface water transmission. Ditch loss can be as high as 40% depending on where your Point of Diversion is. If you are at or near the end of a lateral, you should expect your water loss factor to be higher.

Thank you again.

Sincerely,

Mark Gower
Manager - MBG Oil & Gas LLC
PO Box 912
Bellevue, ID 83313
208-727-7291

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