

**EAGLE POINT IRRIGATION DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

March 8, 2022

The meeting was called to order by President Gary Bedell at 5:00 pm, and noted that the meeting was being recorded. The Meeting was held at Ashpole Center, and was also on Zoom video.

Those noted present were as follows:

Gary Bedell, President	David Ford, Secretary/Manager	Ralph McKechnie
Mike Trotter, Vice President	William Mansfield, Attorney	Katy Kelley, Bookkeeper
JB Dimick, Director	Michael Schultz, Attorney	Shelby Snow, Office Asst.

Patrons in attendance: David Casey, Ron Casey, Jim & Woodie Roberts, Dovie King, Rick Pini, Sam Collier, Sean Hickey, Tony Friesen, Bill Daw, Brien Kelley, Jaxon Roberts, Travis Daniels, Jeanne Shiroma, Randy Wolf, Luke Bishop, Noah Pinck, Tim Finch, John Dimick, Charlie Boyer, Kevin Mullenliex, Karen Carpenter, Brad & Buckley Cox, Rick Anderson, Bob Bray, Duane Haas, John Rotar, Larry Hogan, Wayne Stieber, Marty Daniels, John Ramsey, Terry & Judy Jackson, Fred Bockstahler, Mo Noorhassan, Jim Hubbard. Joining by Zoom were Joanne Beckett, Benjy Darrow, Holly Hogan, Damian Mann, Linda Trotter, Allie Beckett

- JB Dimick made a motion to approve the minutes of the Regular meeting held 2/8/22 and the Special Meeting held 3/1/22. Mike Trotter seconded the motion passed 3-0. The amount for bills was \$51,107.86. The amount for Payroll was \$30,047.52. Total amount for bills and payroll for the month of February, 2022 was \$81,155.38. Mike Trotter made a motion to approve the Bills and Payroll for the month of February, 2022. JB Dimick seconded the motion. Motion passed 3-0.

- Gary Bedell announced that the District will need a consent form or consent email from those patrons who wish to receive email notices for future meetings, announcements, or events. There were forms in the back that they could fill out and return

PUBLIC PRESENTATIONS:

Charlie Boyer thanked the staff for the postcards sent to all patrons which asked for consent to send email and announced the meeting.

CORRESPONDENCE:

Email received today 3/8/22 from Nicola DeGradi regarding the price increase on the Change of Irrigation Practice (COIP).

SECRETARY/MANAGERS REPORT: David Ford

- David Ford reported that the creek has 44-47 cfs, far less than the 92 cfs last year. The plant is running at about 50 to 60% due to low water. The lake is around 5000 AF, compared to 8000 AF last year. Medford Water Commission's snowpack survey showed there is not enough to fill the lake. David explained that our canal is dependent on stream flow and lake storage together, unlike some other districts who rely solely on lake storage. It's harder to predict how long the season will go with the variable stream flow factor. He thought right now there would be enough to carry us to August, and is hoping for more rain.

ATTORNEYS REPORT: Bill Mansfield and/or Michael Schultz

- Atty Schultz reported that he has requested an extension until 4/15/22 from Pacificorp to go over the communication specs on the ICA for the power plant. He wants our engineers to have a chance to talk with their engineers. Gary Bedell briefly explained the power plant contract situation to the audience. Atty Schulz explained the PPA and the ICA to the audience, and said that we are operating on a 1 year extension of our last contract with new lower rates set by the PUC.

Jeanne Shiroma asked about the canal pipe repair job on the budget, and why it cost so much. Gary Bedell explained to her that the pipe was leaking and had to be totally replaced. David Ford explained that he noticed significant leaks in the old 8' diameter pipe during last season and had to start planning for a replacement of the pipe as soon as the water went off in October. The EPID crew did all the work instead of contracting the job out, and saved a significant savings to the District. Gary also explained that we replaced another pipeline on the south side of the District several years ago. Mo Noorhassan asked about getting subsidies to help with repair jobs. Luke Bishop asked about who is responsible for leak repair, and Gary said it depends on where the ditch is and who owns it.

START DATE FOR IRRIGATION:

David Ford said that the season started last year on 4/14/21, and he wants to start this 2022 season on 4/13/22. He wants to watch the weather and have an option to postpone the start if we get some rain. The schedules could go out with the 4/13 start date, and if we delay that, it would just mean skipping your first rotation. If the stream flow keeps dropping, we hope to make it to August and then talk about going to a 28 day rotation. We can take the lake down to 1500 AF per our agreement with Medford Water Commission. Patrons can be in touch with their ditch rider closer to that time to get the start date, and it will also be on the website. David said that our south side side ditch rider had just quit, and we are looking to hire someone.

OLD BUSINESS:

- Change of Irrigation Practice policy and fees: Gary Bedell mention the hand outs for people to look at. He summarized what we had talked about at last weeks special meeting. The District is obligated to prevent harm to all patrons. We have no interest or authority to say what crops you may grow, we are simply trying to maintain the hydrological balance of the District and prevent harm. We are a run off district and always will be. Who should bear the cost for monitoring the COIP applicants? Should the applicant be required to apply annually? How many years should they apply before they are "sunsetting" or don't have to keep applying when they prove no harm to others. Should an applicant have to apply if they are using pre-existing bulge ponds? These are all questions to be discussed. 5% of acres and 8% of patrons apply for COIP. The rest of the District patrons do not want to bear the cost. Katy provided 7 years of expenses to compare, and Gary used the figures to try and get an idea of the increased cost to the District. In the last 2 years, the cost to run the district went up 191K and 158K and the Board studied those increases. Much of the increased cost of operations is attributed to the cost to manage COIP. Noah Pinck came up to ask about the expenses and asked the Board if they think the total increases are from COIP, and not increased costs of materials. Noah asked if they were suggesting that COIP applicants subsidize the whole district, and Gary said that the COIP cost should be divided among the 400 plus COIP acres. Bob Bray said he is at the end of the line and always got plenty of water until COIP started, and now he has problems getting his water due to COIP patrons above him pumping out of turn. Mo Noorhassan mentioned that he is on the end of the line before the water goes into Little Butte Crk, so it shouldn't matter how much water he uses. David explained that other patrons use the water that runs back into Little Butte and gets pumped out down the creek. Jeanne Shiroma said there should be more water running into Little Butte if people are using drip, but David said that every property is different. Bruce Beckett said he applied in 2021 but decided not to grow, and no one from EPID ever noticed. Sean Hickey said that more people will steal water if they can't afford the

increased fees, and would the district waive the \$250 reversion fee if they can't afford the COIP fee. Jeanne Shiroma thinks the whole district should split any increased costs in their O&M charges. Brad Cox told the Board that all of last season his neighbor with COIP was taking water from him. It happened all summer long, he saw the pump in the ditch 7 days a week. He was accused of taking too much water when it was the neighbor pumping illegally. David Casey said that he relies on the run off, and if anyone above stores water, he does not get his water. He thinks it should be monitored so run off patrons get their water. Bruce Beckett said the applications should not get approved if they will cause harm. Gary Bedell asked again who should bear the cost. Jaxon Roberts said that water theft is an issue that everyone has to deal with, including COIP, so those costs should be spread out to all. Bob Bray is very concerned about illegal operations causing harm. Gary Bedell again said that he does not want to bear the cost to monitor COIP. Charlie Boyer asked if we did not have COIP, what would they increase in O&M be, and Gary told him \$20 an acre. Boyer doesn't care where anyone puts the water as long as they only take it on their own time. Duane Haas said that Chuck Smith had many problems with the old egg ranch taking his water. He said the water level always went down at night. He said anyone who wants special treatment should bear the cost of it. Travis Daniels agreed with Duane. Judy and Terry Jackson said they don't want to bear the cost for COIP. Jim Roberts said that for him, flood irrigation is the economical way. He asked if the law backs our ditch riders. David said they are slow to respond, and that our guys are on their own. Rules say we can enter properties, but that does not ensure their safety. Jim would not want to tell anyone about the ditch rider job for fear of his safety. Bruce Beckett said we should keep records of costs to monitor each place and see who is taking up more time. JB Dimick appreciates all the input, and said that the Board does care about them. He said that the staff has to go out and ensure that the water continues to flow the way it has since the 1930's. Of the 41 applicants, 11 of them paid late or didn't turn in paperwork, and 10 additional patrons changed over to drip without applying at all. The volume of calls and complaints about those COIP applicants keeps staff from their regular maintenance and repairs like getting a new head gate. We did not have these kind of problems before COIP. It's not about theft, it's about the evolution of the district and trying to move in the right direction. Our system is only able to handle so much. Mike Trotter is in agreement with some of the COIP applicants, and questions some of the increased cost. He wants to re look at some of the costs. Ron Anderson talked about having a good relationship with the district, and his grandfather before him. He said we should be thankful that we didn't borrow government money, and that we own the district. It was set up to flood hay fields for cattle, and many people raised crops on flood irrigation. He does not want to bear the cost for COIP. Rick Pini is in the middle because he applied for COIP to run sprinklers on some new lands that he got water rights for a few years back. He mainly floods, but wants to be more efficient. He pays the additional fees and is ok with it because he will be able to produce a hay crop. It is his responsibility to contribute to the extra cost. Randy Wolf is a believer that people should be able to do what they want on their property as long as they follow the rules. He thinks they need to apply and pay the fees to change. He also thinks there need to be penalties for those who break rules. How do we control rule breakers if there is no penalty? Atty Schultz said that we have no legal authority to fine people, that falls on OWRD or law enforcement. Randy says we need to evolve, and he doesn't care what anyone grows since he doesn't want to be told what he can or can't do on his own property. Gary Bedell asked Bruce Beckett what he would do if he were on the Board. Bruce agreed that a many of the people at the meeting are not the problem, and illegal use is harming everyone. There should be some sort of tapering down in the COIP fees if a patron has proven after so many years that they are not harming anyone. Maybe there is some sort of tiered approach for farms with more acres to pay more. Weigh the size, one package may not fit all. We pay an hourly fee for inspections. What about those with gated pipe, should they be charged? if people can improve their method of irrigating, it should benefit the whole district. Jeanne Shiroma asked Atty Schultz if the fees charges must be in relation to the service provided. She said the staff is not driving around as much as they say they are. We can't calculate on 26 weeks if we are not going to have a full season. Gary told her the budget is always for the whole year. Jeanne says it would be more fair to charge for time spent, not to charge the same for everyone. Tim Finch agrees with Gary and that he doesn't care what people do, but he doesn't want to bear the cost. Bob Bray says if you can't afford it, pick another crop. Sean Hickey agrees with paying the fees, just not at a 400% increase. Luke Bishop asked about what Gary calls "sunsetting" or applying for several years and then maybe after 3 to 5 years not having to apply any more. Noah Pinck said that David Ford is not spending 40 hours a week on COIP. After more discussion and suggestions from all the audience members, Gary Bedell suggested having a \$2000.00 fee for this year, and go back to the drawing board. JB Dimick made a motion to set the COIP fees at \$2000.00 for the 2022 season, and upon renewal the applicant must provide their ODA and/or OLCC license, and to try to establish a group of long term COIP users to "sunset" going forward. He also asked Bruce Beckett to sit on an advisory panel or committee.

- JB Dimick made a motion to set the COIP fees at \$2000.00 for the 2022 season, and upon applying or renewal the applicant must provide their ODA and/or OLCC license, and in 2023 to try to establish a group of long term COIP users to "sunset" going forward. He also asked Bruce Beckett to establish and sit on an advisory panel. Mike Trotter seconded. The motion passed 3-0
- JB Dimick asked President Bedell if we could extend the due date for the COIP to June 1, after which time the late fees will apply. Gary Bedell and David Ford agreed. Jeanne Shiroma asked about the reversion fee, and Gary said that it still stands.
- Several people asked if the new advisory panel meetings will be open, and Gary asked Bruce to have some flood irrigators on the panel as well as drip irrigators. JB Dimick said it would be public.

ADJOURNMENT:

- JB Dimick made a motion to adjourn. Mike Trotter seconded the motion. Motion passed 3-0. The meeting adjourned at 7:30 pm.

EAGLE POINT IRRIGATION DISTRICT

Date Approved April 12, 2022


Gary Bedell


Mike Trotter

ATTEST:


David Ford, Secretary/Manager

J.B. Dimick