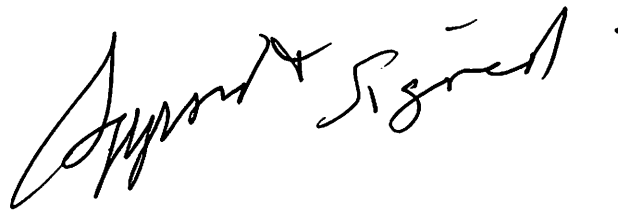


 DRAFT VER 1

 Signed

**Minutes of Meeting of the Board of Directors
of the Wood River Valley Irrigation District # 45
September 8, 2014**

The Regular Meeting of the Board of Directors of the Wood River Valley Irrigation District # 45 was **called to order** by Director Super at 4:00 p.m. on September 8, 2014 at the office of the district located at Unit 4B, 1411 S. Main Street, Bellevue, Idaho.

QUORUM

Director Super assumed the chair and declared that a *quorum* was present, consisting of Directors, Super and Frugard. Mr. Super announced he had received an email from Sarah Gardner confirming her resignation as a director. On motion by Director Frugard, seconded by Director Super, and unanimously adopted, the Board seat for Division 3 was declared vacant.

READING AND CORRECTION OF MINUTES FOR APPROVAL

The draft minutes of August 18, 2014 submitted by the Secretary were read. Upon request of Director Frugard, the minutes were tabled for his further review and comments.

ANNOUNCEMENTS

Jim Super –

Announced that the Petition for Partition had been granted at the hearing of Sept. 2, 2014 effectively immediately.

At this point in the meeting, Director Super proposed that the Directors go into **Executive Session** for consultation with the District's counsel and announced that the public meeting would reconvene promptly after the completion of the Executive Session.

After the Executive session, the public meeting reconvened at

approximately 5:25 p.m..

Mr. Super proceeded to announce that a lawsuit by individuals challenging constitutionality of Partition Law had been filed and that District's counsel has been authorized to accept service of the complaint and answer on behalf of the District.

Mr. Super explained why Attorney Waldera was not present for the hearing on Sept. 2, 2014 on account of a direction by Directors Gardner and Frugard instructing Attorney Waldera not to attend.

Mr. Frugard explained his reasons for his decision to instruct Attorney Waldera not to attend, accepting the responsibility of that decision.

MANAGER REPORTS: Kelly Shannon –

Reported on planning for placement of rock berm behind main head-gate at end of season; the rights remaining in system; the system condition to deliver remaining rights for balance of season.

SEC-TREAS REPORT: Jim White –

Provided the Financial Reports, including banking, Accounts Receivables to the Directors.

He also reported on the payment of taxes on Gannett Road parcel; the 2007 appraisal re Gannett Road property; reported that the Certificate of Coinsent had been sent to IDWR on Water Bank Application by Tom O'Gara; reported on the Status of Penalty and interest calculation project; the recording of 2014 Delinquencies; the Status of Easement Matters affecting Beck/ Gardner/ Browning/ Campbell properties which Kelly reported are in the mail from the property owners; the status of the input from District counsel re draft Notice of Statutory Liens for Unpaid Assessments; the status of an inventory of District's fixed assets (*i.e.*, its delivery works) and implications as a result of partition; his consultation with an accountant/auditing firm; the status of notice to US Bank re Sec/Treas as US Bank Account

contact person; an offer by Mr. Rau to swap spaces; his suggestion that further action on the completion of Mapping Project for recordable map and plat map be tabled; the status of Planning for November 4, 2014 Election cycle and implications as a result of partition.

Mr. Super announced that he wants to have Jan Super take over the Quick Books data entry, book-keeping, billing and reporting through January, 2015. Mr. Frugard gave his consent. Mr. White will facilitate the process with Linda Gates and Jan Super.

The directors discussed Mr. Rau's proposal to swap spaces. Mr. White was instructed to consult with the land lord and until then the matter is tabled.

The directors discussed the need to provide additional information to the county regarding district division lines and plan to consult further with District's counsel and Attorney Graves.

Mr. White responded to an inquiry by Director Frugard regarding the bank balance, noting that the reconciled bank balance showing approximately \$19,000 had been provided with the financials to the Directors, which amount already takes into account the checks signed today, including the check for legal fees.

PUBLIC COMMENT TIME:

Lynn French asked for recognition at the second public comment time.

OLD BUSINESS:

Jim Super -

Reviewed the Water Bank Application by Gregory Ranch (Miles Stanislaw); after further explanations by Mr. White of his contacts with representatives of IDWR in which he was informed that the State did not care where the user took the water from to irrigate his agricultural land (*i.e.*, he could take it directly from the ditch or from the lake, as the user saw fit to

do), on motion made by Director Frugard, seconded by Director Super, after further consultation with Kelly Shannon, and after further discussion, the application was approved with a 20% hold back and the secretary was instructed to use the customary language as provided to other applicants for the formal consent resolution.

Announced that the Sub-Committee negotiations with large landowners had served its purpose and is now terminated; Mr. Frugard agreed that the sub-committee does not need to exist any further.

Mr. Frugard and Mr. Goettsche provided their final reports on the work of the sub-committee.

Mr. Super led a discussion of implications of immediately effective partition of district, including discussion of status of Prairie Sun landowners, and review of proposed budget for 2015 Water Assessment Year.

PUBLIC COMMENT

Better Gower thanked Kelly for collecting the measurement data on the water going down each leg, a task she believes had not been done under prior water managers. She also commented on her opinions respecting the work of the sub-committee, as has been reported by Mr. Frugard, particularly her reaction to the report now that the large landowners are so willing to discuss matters with Mr. Frugard, yet they refused to come to the meetings.

Ralph Lapham commented on several subjects.

Jan Super commented on the need for the patrons to attend meetings with the large owners, and in particular at the BOC meetings.

Lynn French commented and criticized Mr. Frugard on several

topics, including the secrecy of the sub-committee meetings and his behavior in meetings.

Mr. Goettsch commented on the work of the sub-committee and the potential work to be done as an advisory committee.

SETTING DATE FOR NEXT MEETING

The Board then set the next MEETING DATE for September 16, 2014 at the office of the district located at Unit 4B, 1411 S. Main Street, Bellevue, Idaho.

ADJOURNMENT

Whereupon, Mr. Frugard moved to Adjourn the meeting, seconded by Director Super, and having been unanimously agreed, the meeting was adjourned at 7:20 p.m..



Director Super

Director Frugard