

**MINUTES OF THE BOARD OF DIRECTORS OF THE WOOD RIVER VALLEY  
IRRIGATION DISTRICT #5**

**APRIL 12, 2016**

**1. CALL TO ORDER:** Director Jim White called the meeting to order at 6:30 PM, April 12, 2016, at the meeting place, 213 Kingsbury Lane, Bellevue, ID 83313.

**2. ROLL CALL TO ESTABLISH QUORUM:** Directors White, Sawrey, and Super were present.

**3. READING AND CORRECTION OF MINUTES FOR MARCH 15, 2016:** Dir. Super moved to accept the minutes for March 15, 2016, seconded by Director Sawrey (up until he left at 6:07 PM). Motion passed unanimously.

**4. PUBLIC COMMENT:**

**John Wright**, the new Water Master, introduced himself. He said he is having a good time, learning the system, and meeting good people. He welcomes input. He is also focusing on minimizing work that poses the greatest risks. Dir. White welcomed him and invited him to all of our meetings.

**David Boutelle:** Is there another petition? What is the status? What about Dry Lot assessments? Dir. White indicated that these items are in the agenda and will be addressed in the meeting.

**Dir. White:** These items are in the agenda.

**5. OLD BUSINESS:**

**Dir. Jim White:**

**a. Review/discussion of Lovas Partition/Petition Presentation to Blaine County**

**Commissioners, March 29** – This is a new partition petition since the TID. It is in the County process. On May 24 the County will take comment and conduct a hearing. D45 will get a “Points” memo from Atty. Waldera and will decide whether to approve the new petition. Dir. White is concerned because the earlier partition reclassified the D45 divisions. We need to put a lot of attention to this again. **Dir. Sawrey:** There was an article in a recent issue of the Mountain Express that implied that D45 hasn’t done their job in delivery of water. It also implied that D45 wasn’t paying the BOC to perform the job. Dir. Sawrey explained to the attendees our budget process in allocating monies to the BOC. We are financially protecting our members by doing monthly, not lump sum payments in advance. **Dir. Super** mentioned that with the TID partition, we pre-funded and weren’t happy with their performance of handling the funds; therefore, we are funding month by month.

**b. Discussion of SmartWater grant opportunities** – Nothing new, delete from next agenda.

**c. Opportunities for coordination Galena ground water district** – Nothing new. He will

continue to try to make a meeting, but take off next month agenda.

**d. Addressing “Dry Lot” matters and related assessment authority** – D45 is allowed to assess some costs to dry lot owners that is not being done at the present time. Until we can get a letter of options to owners, but “Dry Lot” assessments should be deferred. “Dry Lot” owners could contact IDWR, work with the water bank and get water at low costs, but at this time we are waiting for the partition decision. Put on agenda next month.

**e. “Joint Map” issues and discussion** – We will wait for the partition decision. **Dir. Sawrey** explained to the attendees what the partition petition is about. **Dir. Super** expressed his concern that the partition will be a “nightmare” for joint works, with 3 different entities, assessments, etc.

**f. Creation of Office of Vice President** – This position is not a statutory office. Delete from agenda.

**g. Meeting Place?** We are now renting from Dr. Weaver at this current location with several amenities.

**Dir. Jolyon Sawrey:**

**a. Notices by email/discussion** – We will continue to solicit email addresses from attendees. Dir. Sawrey will get email for Nate Thornton. We have John Wright’s email. There is software that can help us with mass mailing, but there are privacy issues.

**b. Bylaws/SOP Update** – Still working on it. Keep on agenda.

## **6. REPORTS**

### **A. D-45 Designated Representatives to the Board of Control Status Report:**

**Jan Super:** Mrs. Super announced that the next BOC meeting is 4/14. She also mentioned that there is a draft Water Master Description. A “Headgate Statement” has been sent to the City of Bellevue. Dir. White read it and noticed that the language doesn’t allow D45 BOD to inspect works. Ms. Super said she will re-write in include D45 BOD.

**Dir. Sawrey:** The BOC hired a new Water Master, John Wright. Dir. Sawrey is very impressed with Mr. Wright’s skills in expense management and especially tracking. It is most important to have good tracking. Dir. Sawrey will produce a binder/SOP. This will help with accountability, and will help with “hands on” in the field tracking. Dir. Super estimated that it would take ½ of a full employee to do the tracking (meter reading) required at this level.

**B. Secretary’s Report:** Mr. Spinelli has not completed the draft description of Protocol Officer for D45.

**C. Treasurer’s Report:** Mrs. Spinelli was absent due to illness.

Dir. Sawrey brought a request in from the BOC to take 2 pre-approved locations for debris removal and change the two to East Gannet Road recommended by the Water Master as a higher priority. \$1,000 @ \$500 each was budgeted for the 2 different locations. Our portion would be



\$380. Mrs. Super agreed. Motion was made by Dir. Super and seconded by Dir. Sawrey for the amount and change of locations. Motion passed unanimously.

There was a discussion by the directors about a D37 list of unpaid D45 owners. The question was how do we handle our owners who haven't paid? Dir. White said the officers should verify the delinquent account and contact the owner. Also we should double our efforts to collect. Dir. White offered to help Mrs. Spinelli. Dir. Super said that we should direct the Water Master to shut off the water. Dir. White said that D45 cannot direct the Water Master to do this since the Water Master is a BOC employee. D45 needs to work through the BOC. Mrs. Super said that D45 can talk to the BOC, and have them turn off the water. The matter is to be discussed again and should be on the agenda for the next meeting.

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

**Dir. Sawrey: Brett Stevenson Water Bank Application** The Directors then considered an April 7, 2016 letter from Mr. Stevenson's attorney and an accompanying water bank application for the District's consideration. Given that the application was only provided to the Directors within the last couple of days, the Directors indicated that they had not had a significant opportunity to completely review the application. Director White asked Dir. Sawrey if he believed he had a sufficient grasp of the matter to provide a summary explanation. Director Sawrey indicated he had spoken with Mr. Stevenson's attorney and that he (Director Sawrey) has been informed that the TID has already reviewed the application and approved it without conditions. Dir. Sawrey proceeded to provide an overview of the application. The application asserts that the purpose of the application was to effectively place water into the water bank and then lease it out from the Water Bank so as to effectively move water from property described as the Triangle Ranch to the Rinker Pit property, as described in the application. The applicant asserts that, to effect the application, certain corners of the Triangle Ranch property are to be dried up and that water saved by drying up the corners would, by virtue of the use of the water bank as an intermediary, be rented to and used on the Rinker Pit property.

The board then considered whether or not there was any conveyance loss which needed to be considered. Since the water is effectively being moved approximately one and a quarter miles "upstream", it appeared that a conveyance loss factor would need to be applied to any approval by District 45 of the application.

Director Super also expressed concerns respecting the issue of whether there would be any net increase in water usage if the application were to be approved and implemented.

Dir. Super had some questions and concerns about the "maximum irrigatable acres" as compared to "place of use" acres. Director Super asked the applicant to address that concern.

Dir. White asked Justin Stevenson if a delay in approval would create any material harm for the applicant. Mr. Stevenson explained that the pivot was in place and that they were ready to plant but no planting had, as yet occurred and that therefore a delay of a week to ten days would not result in any material harm.

Addressing Dir. Super's concerns, Mr. Stevenson asserted that the amount of acreage being dried up was properly calculated using the maximum irrigatable acres about which Director Super had inquired and that there would be no net increase in water usage being effectively transferred to the Rinker Pit.

Director Jim Super then made a motion to approve the application as follows: Motion to approve the Stevenson transfer of water from the Triangle Ranch to the Rinker Pit pivot, conditionally,

provided that there is no net increase of maximum "irrigatable acres", and that there be a retention of 5% of water per mile to prevent harm to downstream users, and that the applicant provide to the directors by email within ten days the applicants' written acknowledgement and confirmation of the conditions.

Director Jolyon Sawrey seconded the motion. After discussion, the matter was called for a vote and Directors Super and Sawrey approved the motion. Director White abstained. The motion passed 2 to 1 in favor, provided the conditions are fully and timely met.


**8. DIR. WHITE RE-OPENED MEETING FOR PUBLIC COMMENT:**

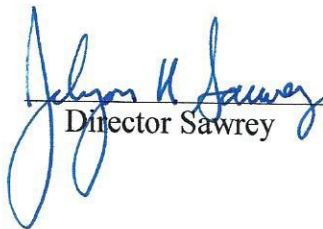
**Dave Boutelle:** Thanked the Board for answers to all his questions. He indicated he learned a lot.

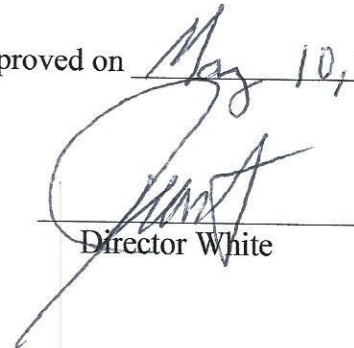
**8. SETTING DATE FOR NEXT MEETING: Tuesday, June 14, 2016**

**9. ADJOURNMENT:** Motion made by Dir. Super and seconded by Dir. Sawrey to adjourn at 8:11PM

On a motion by Mr. Super, these minutes are unanimously approved on May 10, 2016

  
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Director Super

  
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Director Sawrey

  
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Director White