

**Klamath Project Drought Response Agency
Regular Board Meeting
June 16, 2022
10:30 am**

MEETING CALLED TO ORDER

Marc Staunton, the President, called the regular scheduled Board of Directors meeting of the Klamath Project Drought Response Agency (KPDRA) to order on Wednesday, June 16, 2022, at 10:48 am at KWUA boardroom at 2312 South Sixth Street and via the on-line conference platform called Zoom.

ROLL CALL

Directors Present: Marc Staunton, Paul Crawford, Sam Henzel (via Zoom), and Mike McKoen
Guests: Chelsea Shearer, Gene Souza, Nathan Ratliff, Mike Neuman, Pat Neu, Paul Simmons, Kyle Knutson, Paul Simmons, Moss Driscoll, and Alen Heck.

Agenda

The board approved the proposed agenda by consensus.

Review Prior Meeting Minutes

No minutes to approve.

Public Comment

No public comment

Review/Approve Financial Statement, Payment of Outstanding Invoices, Ratification of Invoices Paid

Marc Staunton stated the board had been provided a statement of financials as well as several checks to be signed. Nathan stated the item that shows a negative income; those items are reimbursable to the BOR; they just have not been submitted yet for the 2022 grant, which is resulting in a negative number. Marc asks for Amy to compile a review of what the CARES ACT final report was after the remaining \$ 62,773.08.

Motion: Approve payment of outstanding invoices and ratify payments made.

Motion by: Mike McKoen Second: Paul Crawford

Roll call: Unanimous

Motion Passes

Update regarding Assessment Reimbursement from the State of Oregon

Marc Stated that the reimbursement checks were mailed to the districts. There were no other district managers other than Gene on the zoom call. Gene indicated that they received the check and the KID Directors identified beneficial use in responding to the 2021 infrastructure repairs. They put a majority of those funds into the 2021 O&M cost, so there will be a credit per acre reflected on their accounts for that adjustment going into the 2022 assessments. They also retained a small amount for the administration cost of the 2021 assessments. KBID also received their checks, and they are working with Molatore's Accounts on how to apply dollars as they did for KID.

Paul Simmons stated that he gave a personal report to Governor Kate Brown on how the funds were used. He gave the same report to Jason Minor.

Update and Discussion regarding No Irrigation Program and Administration

Pat Neu shared his screen, which displayed a timeline of applications received. He indicated that applications submitted stayed steady, with an uptick on June 10 of over 300 applications in that 5 days. To date, there were a total of 644 applications, 239 via email, 368 mailed or dropped off, and 37 collected at the workshop. These numbers do not include all the applications received. The current status review is reflected in the following chart displayed to the board. It is noted that the table is preliminary and subject to change; final approval requires additional verification by Irrigations Districts and DRA Staff.

Application Categories		Applications	Acres	
			Applied	Approved
1	Approved In Full	112	6972.6	6972.6
2	Approved in Part	211	15033.5	13657.4

3	Late	0	0	0
4	Withdrawn	0	0	0
5	Outside FOD / USBR Contract	0	0	0
6	District Denied	0	0	0
7	Pending Review	312	16678.7	0
8	Less than 4 Acres	9	36.9	0
9	In-Eligible District	0	0	0
10	Federal Lease Land	0	0	0
Total		644	38721.7	20630.0

Pat went on to discuss the District / Season summary of applications as follows and expects once the 125 plus applications are entered, it will result in acreage closer to 40,600:

District	No-Irrigation Program			
	Full Season		Partial Season	
	Applications	Acres	Applications	Acres
	Applied	Applied	Applied	Applied
Enterprise Irrigation District	11	367.4	0	0
Horsefly Irrigation District	1	69.4	0	0
Klamath Basin Improvement District	49	2205.0	1	8.3
Klamath Drainage District	2	70.8	1	211.3
Klamath Irrigation District	279	13020.2	2	34.0
Klamath River	0	0	0	0
Langell Valley Irrigation District	50	7056.1	0	0
Malin Irrigation District	27	1139.5	0	0
Pine Grove Irrigation District	4	54.6	0	0
Poe Valley Improvement District	2	404.0	0	0
Pioneer District Improvement Company	15	130.7	5	89.4
Plevna Irrigation District	0	0	0	0
Shasta View Irrigation District	37	1625.4	0	0
Sunnyside Irrigation District	5	337.8	0	0
Tulelake Irrigation District	122	8110.3	2	67.7
Upper Klamath Lake	0	0	0	0
Van Brimmer Ditch Company	19	1059.5	0	0
Warren Act Contract	8	2622.6	0	0
Midland District Improvement Company	1	26.2	0	0
Total	632	38299.4	11	410.7

The board discussed MBK's suggestion of sending a letter of "preliminary approval" pending verification and remaining eligible by not applying any water to the parcel. The board liked the idea, and Nathan will draft a letter for the next board meeting. The board stated that would be too late; they would like to have a special meeting as soon as Pat is done entering all the parcels in for approval. The result of the discussion was that Nathan would write up a "receipt of application" later, and at the next meeting, the board will review applications recommended for approval or denial based on eligibility.

Discuss and Approve Small Acreage Program

Pat shared the current small parcel program acres. They are represented in the chart below. Not reflected on the chart is the acres that were submitted yesterday by Van Brimmer.

Pat also stated that Tulelake ID and Midland ID did not want to apply for the program.

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Applicant Info	Application Info			
Applicant District	Eligible Parcels	Assessed Acreage	Assessment Fee	Charge per Acre
Klamath Irrigation District	1,987	2502	190,000	75.75
Langell Valley Irrigation	4	6	228	38
Pioneer District Improvement Co	10	16.84	1,673.6	40
Enterprise Irrigation District	1,541	1541	168,490	67.5
Malin Irrigation District	36	24.7	2,914.6	118
Shasta View Irrigation District	4	8.95	1,575.2	176
Totals	3,582	4,099.49		\$ 364,881.40

Pat stated that the next steps for the 2022 programs are to continue logging and reviewing applications, work with legal counsel to send letters to applicants, prepare a small parcel program report timeline and provide maps and tables to districts for verification.

Discussion regarding additional program development(s)

Allen Heck stated that BOR sent a letter to KDD on Friday stating that they were out of compliance in taking water and therefore, their district is out of compliance and no longer available to receive funding. They will send the DRA a letter confirming this. Mike McKoen expressed his displeasure with BOR and that they asked the districts to work together to share the water, they did and now they are being punished. Allen stated that because KDD is considered a Warren Act Contactor with BOR, they were not allowed to take the 6,000 acre-feet of water. Therefore the water they took would be deducted from the project supply, and were asked to stop immediately. They have yet to comply. Sam Henzel stated that KDD is in receipt of the letter, and he suggested the board move on from the topic.

Mike Neuman stated that there is 9.95 million in the Ominous funding dedicated to Klamath, not 8 million as previously known. So that is a total of 19.95 Million in total to work with.

Paul Simmons leaves the meeting, and Moss Driscoll joins the meeting via board request at 12:00 pm.

Moss is asked to give a supply update to determine if there is a need for a partial season idle. She stated that KDD is planning to take about 20 TAF. TID is front loading on groundwater and saving their use of lake supply. It has not been determined at this time if there will be a second round of irrigation with lake supplies. The lake has only dropped 2/10 of an inch since irrigation began. KWUA is pushing hard on the language in the Ops Plan regarding the 4130 elevation. He stated that BOR may split the additional extra water, but it is unknown until the end of the season. The projected ending lake elevation is 4138.6, which would give a project supply of 69TAF. He does expect that KID will do a 2nd irrigation, and if they do, the supply may last till the end of July.

The Klamath Tribes litigation is coming into play and it seems that the lake will be able to hit the mid-July lake levels unless there is a run on water. He continued that it was not an ideal year to grow crops and gave a large Kudos to Gene, Brad, and Scott for doing what they do as district managers.

Review and Approve Contracting Policy

Nathan reviewed the changes he and Bill Ganong suggested be made to the Personal Services Contracting Policy. Mike McKoen stated that he has read over it a few times and sees no issues with the changes made. He motions to accept the policy.

Motion: To approve the policy as presented.

Motion by: Mike McKoen Second: Paul Crawford

Roll Call: Unanimous

Motion Carried Unanimously

Sam Leaves the meeting at 12:19 pm and the quorum is lost.

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Marc Staunton calls the meeting into Executive Session per ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Gene Souza, Allen Heck, and Mike Neuman leave the meeting. Legal counsel is ok with Pat Neu and Kyle Knutson staying.

The next meeting will be on July 13, 2022, at 10 am in the KWUA boardroom. Being no further business, the meeting was adjourned the meeting at 12:30 pm.

Motion: To adjourn the meeting.

Motion by: Ryan Hartman Second: Paul Crawford

Motion Carried Unanimously.

Minutes prepared by Chelsea Shearer

Approved: Marc Staunton  , President

Approved: Rob Unruh  , Secretary