

# Regular Meeting Minutes

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**Klamath Project Drought Response Agency  
Regular Board Meeting  
December 9, 2021  
2:00 pm**

## **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 Thursday, December 9, 2021, at 2:06 pm at KWUA boardroom at 2312 South Sixth Street and via the online conference platform called Zoom.

## **ROLL CALL**

Directors Present: Marc Staunton, Luther Horsley, Rob Unruh, Jerry Enman, and Mike McKoen  
Guests: Chelsea Shearer, Kyle Knutson, Gene Souza, Nathan Ratliff, Mike Neuman, Hannah Whitley, Marcy Anderson, Nick Grounds, and Pat Nue.

Media Presence: None

## Review Agenda

The Board was presented with the draft agenda. Paul Crawford suggested moving the Emergency board information prior to #6. It was also suggested that item #8 should directly follow #5.

Motion: To accept the agenda as modified with suggested changes to order.

Motion by: Paul Crawford                      Second: Rob Unruh

Roll Call Vote: Unanimous Aye

Motion Carried.

## Public Comment

No public comment

## Review Prior Meeting Minutes

No minutes to approve.

## Review/Approve Financial Statement, Payment of Outstanding Invoices

Nathan stated that there are no updates on the banking or statements, but the ledger is updated. CARES program checks are anticipated to mail out mid-next week. There were a lot of new applicants, which is requiring significant data input. There is no motion to accept the financials until account statements are available.

The board was presented with an outstanding invoice from Parks & Ratliff.

Motion: To pay the outstanding invoice to Parks & Ratliff

Motion by: Luther Horsley                      Second: Paul Crawford

Roll Call Vote: Unanimous Aye

Motion Carried.

## Other Programs, Funding, Emergency Board Update

Marc Staunton updated the board on the status of funding. There is currently a meeting scheduled for next week. There is \$4 million for drought management that will likely be earmarked for dry domestic wells. The Klamath County Commissioners will be working on how to administer the funds

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Paul Simmons stated that an additional \$4 million of the \$8 million that KWUA requested for district reimbursement was recommended to be administered to KPDR to then administer to the districts directly. He also indicated that the Governor did indeed recommend \$4 million for drought well mitigation. They are looking at adding a new line item that would include livestock wells. The goal of that would be to keep the cattle off the riverbanks. Potentially there will be statewide relief funding available for that issue to producers who fit their criteria. Paul then shared the spreadsheet that the Governor has based district reimbursement percentages on which would be reimbursed roughly one half of annual assessment amounts prorated by districts in Oregon (excluding TID).

## Receive No Irrigation Program Application Recommendations and Summary

Klye recommended reviewing the Cares program 1<sup>st</sup>. Chairman approves move.

## Receive CARES Act Assistance Program Application Summary

The Board was presented with applications that staff for approval and denials.

Application CA-424-02 was a KKD boundary issue. The board reviewed the property boundaries and approved the acres not included in KDD.

Chelsea Shearer recapped application CA-452 1-7 which was formally submitted late. KWUA has been helping some patrons' emails off applications as they have come into the office looking to submit them. This applicant has been into KWUA to submit the application and has also checked in a few times on the process. Chelsea informed applicant that she emailed the application off and if they had any questions they would call. She stated that on his last check in with her, she could not find his name on the list of submitted applications. Applicant brought his copy of the application in and she confirmed that she had seen this application prior to the deadline and has a note on the application that she directed him to write. Chelsea went on to state that she received this application prior to the deadline and believes she went to email it and then forgot to follow through with MBK of receipt. She stated that KWUA had been having issues with their scanner not sending and that day was busy with meetings. It was an unfortunate circumstance that led to the application not being submitted due to Chelsea overlooking the final send. She asks the board to accept the application as it was submitted to KWUA on time but not processed as a timely application.

Staff reviewed application and circumstances and recommended that 65 of the 79 acres be approved, acres less than applied due to mapping issues.

Motion: To approve Application CA-424-02, for 31 acres, partial reimbursement, and Approve CA-452 1-7, for 65 acres, partial reimbursement.

Motion by: Mike McKoen

*Discussion: it was suggested that the motion should include a reason for accepting CA-452 1-7 "late" application as it was submitted but not in the proper manner unbeknownst to the applicant.*

Amended Motion: To approve Application CA-424-02, for 31 acres, partial reimbursement, and Approve CA-452 1-7, for 65 acres, partial reimbursement, for the reason that the circumstances reviewed by the Board indicate that said application was more likely than not submitted prior to the applicable deadline.

Motion by: Mike McKoen                      Second: Paul Crawford

Roll Call Vote: Unanimous Aye

Motion Carried

Motion: to deny late application CA453-01, 02, 03

Motion by: Mike McKoen                      Second: Jerry Enman

Roll Call Vote: Unanimous Aye

Motion Carried

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## Receive No Irrigation Program Application Recommendations and Summary

Staff presented the 2021 Klamath Project Drought Response Agency No-Irrigation Program

**Application Summary:**

Categories	Applications	Acreage	
		Applied	Approved
1 Partial Reimbursement	409	23,962.4	21,789.3
2 Full Reimbursement	274	16,197.8	16,197.8
3 Withdrawn-Duplicate	13	1,096.8	0.0
4 Pending Verification	0	0.0	0.0
5 Outside of Project	11	332.9	0.0
6 District Denied	2	25.5	0.0
7 Received Late	10	371.8	0.0
8 Less Than 5 Acres	9	39.6	0.0
9 Outside of Districts	0	0.0	0.0
10 Located in Ineligible District	4	275.0	0.0
11 Federal Lease Land	2	848.0	0.0
Total	734	43,149.8	37,987.1

1. Partial Reimbursement – Application recommended for approval for some amount less than applied
2. Full Reimbursement – Application recommended for approval for entirety of acreage applied
3. Withdrawn – Application voluntarily withdrawn from program by applicant
4. Pending – under review
5. Outside Project (Outside FOD & Exceptions) – Parcel located outside of Final Order of Determination and not identified in an exception filed thereto
6. District Denied – upon review by overlying District, application recommended for denial because water was applied
7. Received Late – Application submitted after 07/30/2021
8. 8A Requested Less than 5 acres – identified less than 5 acres on the application;  
8B Mapped Less than 5 Acres – mapping resulted in irrigable acres less than 5 acres
9. Outside of Districts – category used during mapping process to identify those outside of districts
10. In-Eligible District – Parcel located within in-eligible district determined by BOR (KDD, HID, LVID)
11. Located within Federal Lease Land – Parcel located within Federal Leaseland

Pat Nue reviewed with the board all the categories.

Marc Staunton voiced his opinion on Category 7. He stated that he believes that KPDR board's hands are tied and that they need to deny the late applications. He feels that it was wrong on how they handled the late applications. He feels that they should have reopened to the program when they received the late applications, but they didn't. He continued that he they should have made exceptions, but it is too late now. Mike McKoen agrees with his sentiments but stated that the board did the best they could in trying to get money on the ground. No one knew it would take this long.

Motion: To Approve Categories 1 and 2 No Irrigation Applications in accordance with staff recommendation and summary presented.

Motion by: Mike McKoen                      Second: Paul Crawford

Roll Call Vote:

Luther: Aye

Marc: Aye

Jerry: Aye

Paul: Aye

Rob: Aye

Mike: Aye

Motion Carried

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Motion: To Deny No Irrigation Program Applications in Categories 3 through 11 in accordance with staff recommendation and summary presented.

Motion by: Paul Crawford      Second: Mike McKoen

Roll Call Vote:

Marc: Abstain

Luther: Recuses self and Abstains

Jerry: Aye

Paul: Aye

Rob: Aye

Mike: Aye

Motion Carried

The board discussed in depth the expenditure of funding per acre on the No Irrigation Program. Pat reviews a spreadsheet that he has created to help see what the pricing will allow. Nathan Ratliff stated that it shows \$15 million as the extra \$5 million has not been designated for use at this time. Nathan stated that the board can save the \$5 million until KPDRRA knows about the state funding for domestic wells. Whatever the board chooses to do, it must be tied to 2021. Another option would be to use the \$5 million as an incentive to those who idled in 2021 to agree to idle in 2022. The agreement expires October 20, 2022, and the payments must be out by then. The consensus is that the board would like to leave the funds for unforeseen issues. If no issues arise then they will consider an additional payment. This will then allow funds for a well mitigation program if the state funds fall through.

Motion to authorize payment of approved 2021 No Irrigation program applicants at \$450 per acre and direction that any grant funds that remain unspent as required by the terms of the grant agreement be used to make a supplemental payment to approved applicants, and that no grant funds be returned as unspent.

Motion by: Paul Crawford      Second: Luther Horsely

Roll Call Vote:

Marc: Aye

Luther: Aye

Jerry: Aye

Paul: Aye

Rob: Aye

Motion Carried

Being no further business, the meeting was adjourned the meeting at 5:05 pm.

Motion: To adjourn the meeting.

Motion by: Rob Unruh      Second: Paul Crawford

Motion Carried.

The next meeting will be at a time to be determined.

Minutes prepared by Chelsea Shearer

Approved: Marc Staunton  \_\_\_\_\_, President

Approved: Rob Unruh  \_\_\_\_\_, Secretary