

Greenfields

IRRIGATION DISTRICT

On Thursday, January 20th, 2021, at 7:00 P.M. the Greenfields Irrigation District (GID) held its rescheduled Regular Monthly Board meeting. The following are the minutes taken from that meeting. Those in attendance were: Board President Tim Brunner, Commissioners Chase Brady, Dave Gulick and Pat Brosten. District Manager Erling Juel and Board Secretary Jenny Gulick were also present, along with GID employees Cory Copenhaver and Eric Mayer. Water Users Spencer Pearson, Holten Pearson, Larry Johnston, and Michael Konen were also in attendance. Attending via teleconference was Water User Bill Pearson.

The meeting was called to order by President Tim Brunner at 7:04 P.M.

Public Comment: President Brunner reminded those in attendance that during the Parties Presenting Issues portion of the meeting, that all public comment would be limited to 5 minutes.

Approve Meeting Minutes and Monthly Warrants: The first item of business was to approve the minutes from the December 9th Executive Session Meeting, as well as the December 16th Regular and Executive Session Minutes. The first set up for discussion was the Regular Board Minutes. There were no discrepancies. Commissioner Brosten moved to approve the minutes and Commissioner Brady seconded. All in favor and the minutes were approved. Next up were the Executive Session Minutes from December 9th's Meeting. There were no discrepancies and Commissioner Brosten moved to approve the minutes with Commissioner Brady seconding. All were in favor and the minutes were approved. The last set up minutes to approve were the Executive Session minutes from December 16th. No discrepancies were found. Commissioner Brosten moved to approve the minutes and Commissioner Brady seconded. All in favor and the minutes were approved. The Board then briefly discussed December's Monthly Warrant List and some clarification was given by Manager Juel on a few of the warrants. Commissioner Brady moved to approve the warrants and Commissioner Gulick seconded. All in favor and the warrants were approved.

Parties Presenting Issues: None.

Contacts to Execute: New Hydro Bank Account signature card to be signed by the commissioners.

The next item of business was the Manger's Report:

Reservoir and River Operations: See M.R. for full details. Gibson is 14% full, which is 50% of normal for a 30-year average. Inflows have varied quite a bit, being 140-180, with outflows at around 123 CFS due to runoff. President Brunner asked that we hold releases back for the next 2 weeks. Willow Creek is 95% of normal. Snowpack levels are at 107% of normal. National Climate Prediction February through April will see below normal temperatures and above normal precipitation, while May through July is expected to see normal temps with well-below normal precipitation.

Water Rights: A link to the website listing objections regarding the Preliminary Decree Baskin 41K (Sun River) was forwarded to the GID Board. See the M.R. for further details.

GID Staff Updates: See M.R. for details. Commissioners Brosten and Brady assisted Manager Juel with interviews for the new O&M Foreman this afternoon. Term negotiations will begin next week with the preferred candidate. GID started advertising and interviewing for 2 more ditch riders and have extended an offer letter to one employee who will begin work on January 31st.

GIS Mapping, Plats, Database & Certification Updates: Manager Juel was interviewed by the Human Rights Bureau investigator Monday regarding the marital status discrimination complaint against GID involving the 960-acre limitation policy. The Board will need to go into Executive Session if there are further details to be discussed. Office Manager Gulick and GIS Specialist Fry have been working with GID's data base programmer on Phase 2.

Farm Unit Operations: A Drain Season Work Session has been scheduled for Tuesday, January 25th from 2 to 4 P.M. at the Community Hall. Water Master Sand has put together a preliminary plan and will present it there, as well as take any public comments. See the M.R. for further details.

Monthly Financials & 2022 Budget: See M.R. for details. Warrants List and Account Receivables for December provided. 2022 Budget was provided for the Board's review.

Office Improvements & General Administration: Mark Biegler's trial rescheduled for March 28th, 2022.

GID Vehicles & Heavy Equipment: See M.R. for Short-Term and Long-Term Goals and Strategies. Order has been placed for 2 new ditch rider trucks.

DNRC State Land WSCs: Manager Juel is sending a Thank You note to Lt. Governor. He is also looking to draft a summary letter to those producers to explain the results and what to expect.

Willow Creek Feeder Canal Maintenance & Lawsuit: GID has filed our response to Plaintiff's complaint filed in Federal court and are expecting to see BOR's acceptance of service soon in the federal lawsuit.

Hydro Updates: Manager Juel is still working with SREC to secure transmission easements. Arnold Coulee LOPP: Manager Juel had a meeting with Sorenson Engineering this morning and they promised to resume progress on construction drawings. He has resumed negotiations on the turbine-generator and is looking at securing 2 sets and saving costs on manufacturing engineering. Juel submitted application for ARPA funds on January 14th and is hoping to get \$500K. He is still working with local banker to work up a loan offer to see if the bank can come up with a competitive offer. The next segment of transmission line is under construction. Pishkun Inlet Hydro: Manager Juel submitted an application for another \$2M WEEG WaterSmart grant to Reclamation on November 4th, as well as an application for ARPA funds for \$500K. He is requesting a \$15K planning grant so that we can then go after \$125K RRGL award from DNRC. Gibson Hydro: FERC license to expire soon and the USBR has said that they would not issue an extension since their terms and conditions are now over 12 years old. Federal legislation was introduced to amend the authorization for the Sun River Project to include power generation. This will eliminate the FERC process and puts Reclamation in the driver's seat.

GID Infrastructure Projects: For Current and Planned, see the M.R. SRS 71 Check Replacement and Reregulation: We are still awaiting the \$125K DNRC grant to start construction next Fall. J-Wasteway: The fully executed grant agreement for \$125K from DNRC has been received. Work needs to be completed by the Spring of 2022. Manager Juel will check with Pacific Steel for fiberglass options, in place of steel. Tunnel #3 Roof Collapse: GID submitted an application for ARPA funds and is hoping to get \$500K. We are also looking at long-term Reclamation funding for the Tunnel project.

Title Transfer: See the M.R. for details.

GID O&M Projects: See O&M Foreman's List for this month, provided. Manager Juel is now working on the \$75K WaterSmart grant to fix the lower GSC lining issue in the Fall of 2022. Manager Juel also submitted a 310 permit to repair bank erosion on Big Coulee that is impacting the Beale Canal.

GID Grazing Lease Program: Office Manager Gulick sent out revised contracts for the next 5 years specifically addressing the ownership of livestock. Co-leasing is to be extended through 2022 but will end in 2023. 2 Grazing Pastures have been given up and we will begin advertising that we will be accepting sealed bids for both in the near future.

Miscellaneous: SRWG Board meeting is next Wednesday. GID will award 2 AG scholarships to area seniors, again this year. MWRA's Annual Conference is the 1st week of February. Manager Juel is planning to attend and asked if any of the Board members had an interest in attending, as well. A Commissioner's Election is to occur by mail-in ballot, as two candidates have filed for Precinct #5.


Short and Long-Term To-Do Lists: See the M.R. for details. Brief discussion was had on the turbine/generator purchase.

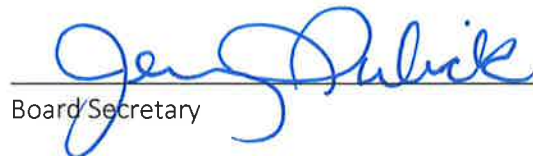
Agenda:

- 1) Review Draft Drain Season Policy Notes. A brief discussion was had on the upcoming Work Session planned for next week, at which time, Water Master Sand will provide his numerical findings, as well as provide a draft policy. Public Comment will then be allowed to encourage a mutually beneficial policy is put into place. No decision is to be made at tonight's meeting.

Public Comment: No public comment, but Tracy Wendt with SRWG provided a handout to update the Board on the Group's recent activities.

Commissioner Brosten moved to adjourn the meeting and Commissioner Brady seconded. All in favor and the meeting is adjourned at 8:05 P.M.


Board President


Board Secretary



AGENDA FOR: Regular Board Meeting on Thursday, January 20th at 7 P.M.

CALL TO ORDER: Meeting called to order by Board President, Tim Brunner.

Public Comment: Prior to each agenda item...limited to 5 minutes...any Board action necessary will be addressed at the next regular meeting.

APPROVE MINUTES: December 16th Regular Meeting Minutes and December 16th's Executive Session Board Meeting Minutes.

REVIEW AND APPROVE BILLS FOR PAYMENT—Approve December warrants and recap list.

PARTIES PRESENTING ISSUES:

CONTRACTS TO EXECUTE: First Bank of Montana Hydro Account, Signatures Needed on New Account

MANAGER's REPORT

AGENDA ITEMS:

- 1) Review Draft Drain Season Policy Notes, Work Session Planned for Tuesday, January 25th 2-4 P.M.

PUBLIC COMMENT

- Alan Rollo
- SRWG, Tracy Wendt
- Lee Signalness

8:20 AM

01/07/22

Accrual Basis

GREENFIELDS IRRIGATION DISTRICT

Monthly Warrant List

December 2021

Date	Num	Name	Memo	Amount
Dec 21				
12/01/2021	32934	TB - MPERA	Retirement	-5,754.47
12/01/2021	32935	TB - 941	81-6001490	-7,867.02
12/01/2021	32936	TB - SWT	4052635002wth	-1,539.00
12/07/2021	32937	Miller's Trucking, Inc.	haul poles	-2,895.00
12/13/2021	33003	Employee Michelle Lauver	Emp reimb \$16.98	-16.98
12/13/2021	33004	TB - MPERA	Retirement	-5,623.85
12/13/2021	33005	TB - 941	81-6001490	-7,476.56
12/13/2021	33006	TB - SWT	4052635002wth	-1,488.00
12/15/2021	33008	Teamster's Local #2	union dues	-774.00
12/15/2021	33009	Hot Dang Ninja	Deposit on Christmas Party	-352.00
12/20/2021	33032	TB - 941	81-6001490	-394.02
12/20/2021	33033	BlueCross BlueShield of Montana	247191	-6,534.60
12/20/2021	33034	Advanced Drainage System	18"	-14,633.05
12/20/2021	33035	Montana Water Resources Association	annual meeting	-160.00
12/20/2021	33036	Hot Dang Ninja	Christmas Dinner	-883.00
12/20/2021	33037	NorthWestern Energy	utilities	-2,434.49
12/29/2021	33056	Employee Michelle Lauver	cleaning supplies	-9.86
12/29/2021	33057	TB - MPERA	Retirement	-5,875.04
12/29/2021	33058	TB - 941	81-6001490	-7,295.58
12/29/2021	33059	TB - SWT	4052635002wth	-1,459.00
12/29/2021	33060	Harvest Hills Golf Course	CHRISTMAS PARTY- THANKS!	-391.50
12/31/2021	33062	MT Teamsters Employers Trust	February	-20,880.00
12/31/2021	33063	Aflac	insurance	-244.98
12/31/2021	33064	3 Rivers Communication	phone and internet	-592.50
12/31/2021	33065	A & I Distributors	shop supplies	-2,090.63
12/31/2021	33066	Augusta Gas Station, Inc.	fuel/oil	-52.80
12/31/2021	33067	Battery Warehouse	repairs	-237.90
12/31/2021	33068	Big Sky Sawmill	lumber	-162.00
12/31/2021	33069	Breen Oil and Tire Company	propane	-319.77
12/31/2021	33070	Builders FirstSource	shop supplies	-25.98
12/31/2021	33071	Choteau Ace	repairs	-19.14
12/31/2021	33072	Edge Marketing + Design, LLC	monthly website hosting/maintenance	-75.00
12/31/2021	33073	Enviro Tech Watershed Consultant	contract work	-312.50
12/31/2021	33074	Estop Business License	UST License	-216.00
12/31/2021	33075	Fairfield Drug, Inc	Christmas party	-21.51
12/31/2021	33076	Fairfield Sun Times	ad	-52.00
12/31/2021	33077	General Distributing Co	welding	-199.41
12/31/2021	33078	Heartland Ag Systems	weed control	-420.92

8:20 AM
01/07/22
Accrual Basis

GREENFIELDS IRRIGATION DISTRICT
Monthly Warrant List
December 2021

Date	Num	Name	Memo	Amount
12/31/2021	33079	K's Auto Parts	repairs	-217.95
12/31/2021	33080	K's Auto Parts - Choteau	repairs	-370.69
12/31/2021	33081	MDS Supply	repairs	-826.53
12/31/2021	33082	Miller's Trucking, Inc.	Arnold Coulee Project	-1,460.00
12/31/2021	33083	Mills Motor, Co.	repairs/supplies	-45.90
12/31/2021	33084	National Laundry	rugs/supply	-93.90
12/31/2021	33085	North 40	repairs supplies	-658.41
12/31/2021	33086	O Reilly Auto Parts	repairs	-463.42
12/31/2021	33087	Pacific Steel	pipe/stores/arnold coulee	-2,157.60
12/31/2021	33088	RB Jacobson Inc	Arnold Coulee	-34,787.50
12/31/2021	33089	Rubicon Systems America, Inc	Mill Coulee/GM100 Headworks	-1,000.00
12/31/2021	33090	Sorenson Engineering	Arnold Coulee	-75,000.00
12/31/2021	33091	Staples Credit Plan	office/computer	-347.17
12/31/2021	33092	Teton Lumber, Co	Spring Coulee	-66.57
12/31/2021	33093	Tire Rama Service Center	tires	-531.30
12/31/2021	33094	Titan Machinery	repair	-104.08
12/31/2021	33095	TNT Truck Parts	repair/shop supplies	-4,345.00
12/31/2021	33096	Tool Box, Inc	shop supplies	-115.20
12/31/2021	33097	Town of Fairfield	utilities	-233.00
12/31/2021	33098	True Value	shop/office supplies	-154.63
12/31/2021	33099	United Materials of Great Falls, Inc	cement	-970.58
12/31/2021	33100	Teamster's Local #2	union dues	-774.00
12/31/2021	33101	Western Conference of Teamsters Pension	pension	-1,633.25
Dec 21				<u><u>-226,136.74</u></u>

Recap of December 2021 warrants:

Regular warrants \$226,136.74
December 2021 payroll \$ 72,466.99
Total \$298,603.73
Less employee reimbursable \$ 16.98
TOTAL \$298,586.75

Approved by 
President Date

Submitted by 
Bookkeeper Date

To: GID Commissioners
Jenny Gulick, GID Board Secretary
From: Erling A. Juel, P.E., District Manager
Subject: Manager's Report 01/20/21

1) RESERVOIR & RIVER OPERATIONS AND PROJECTIONS AS OF 01/20/22

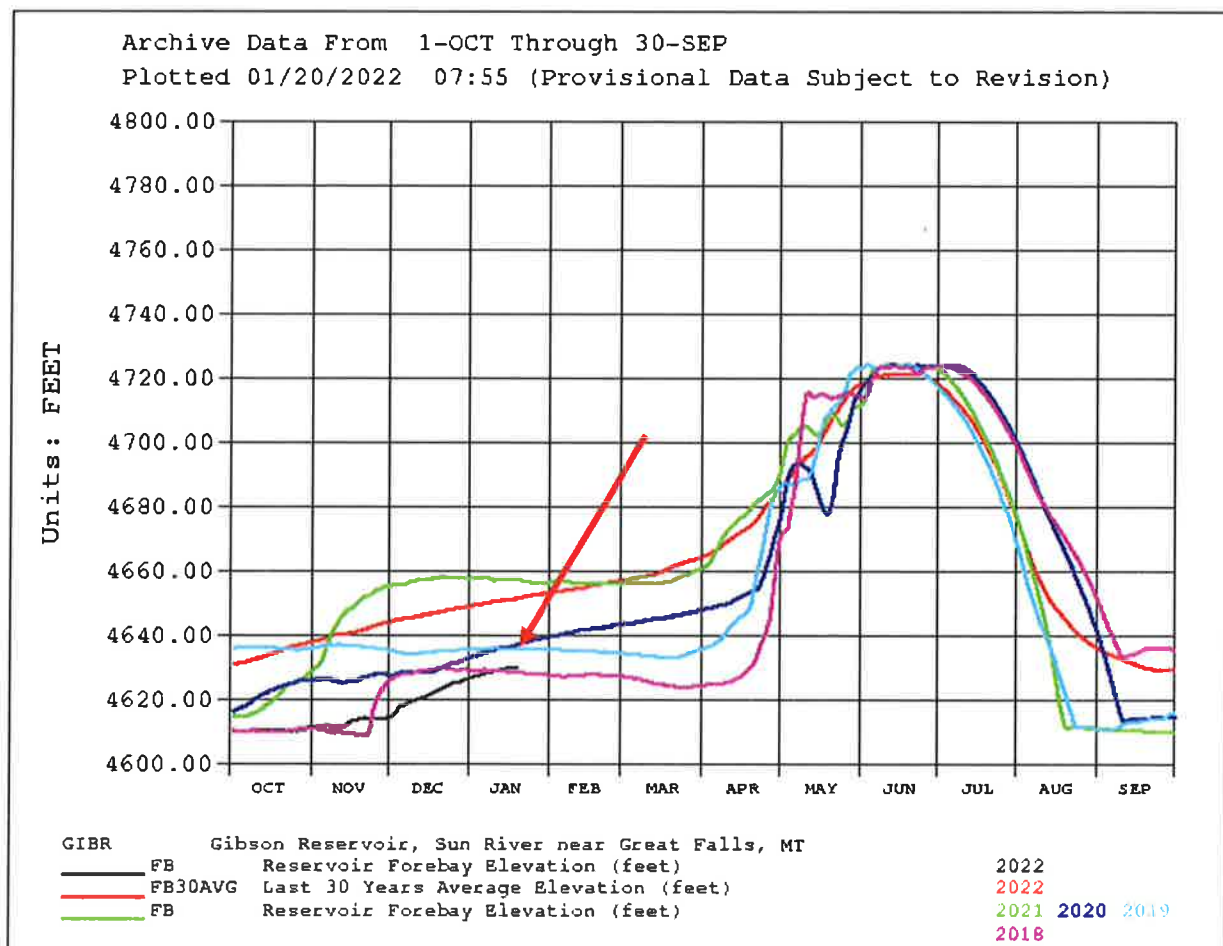
A. Reservoir operations and levels over the last 5 days were:

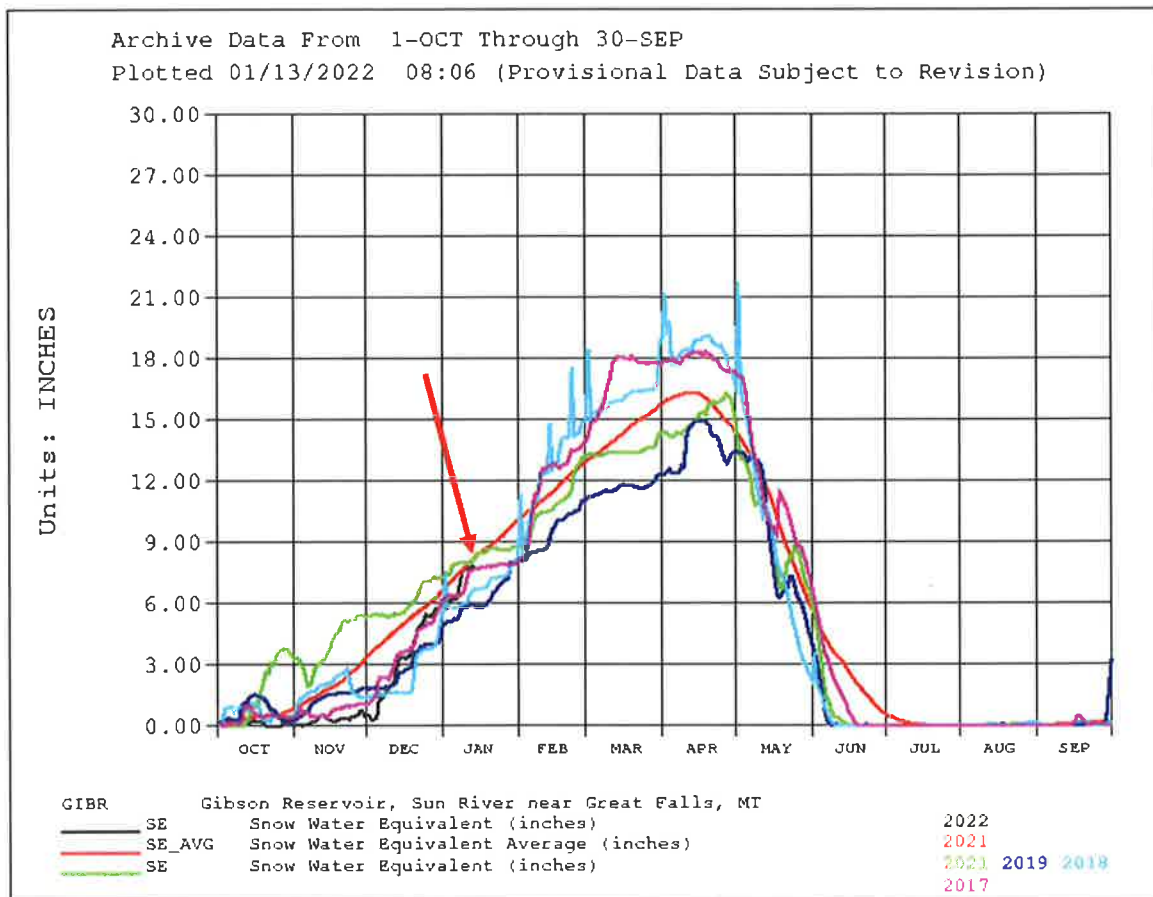
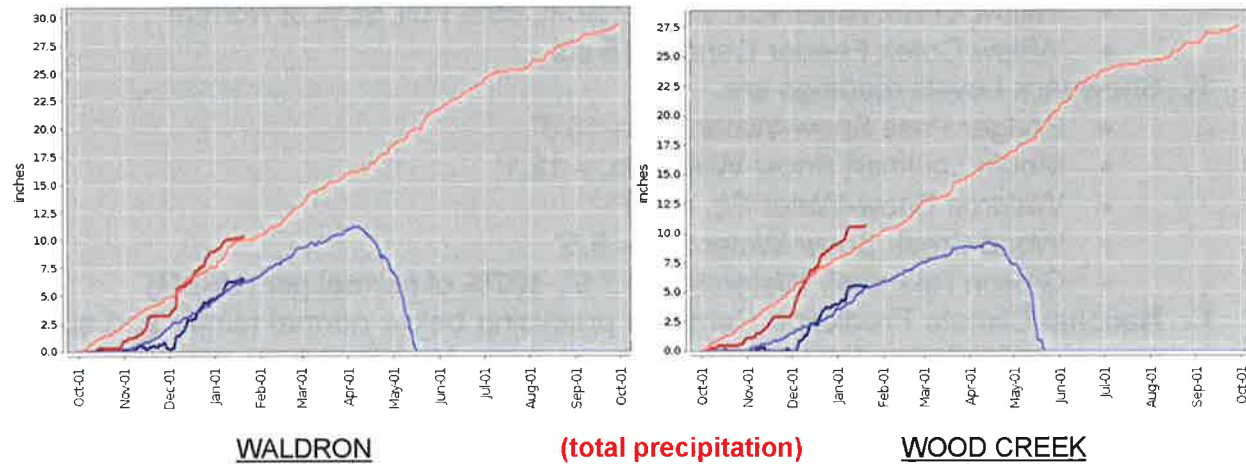
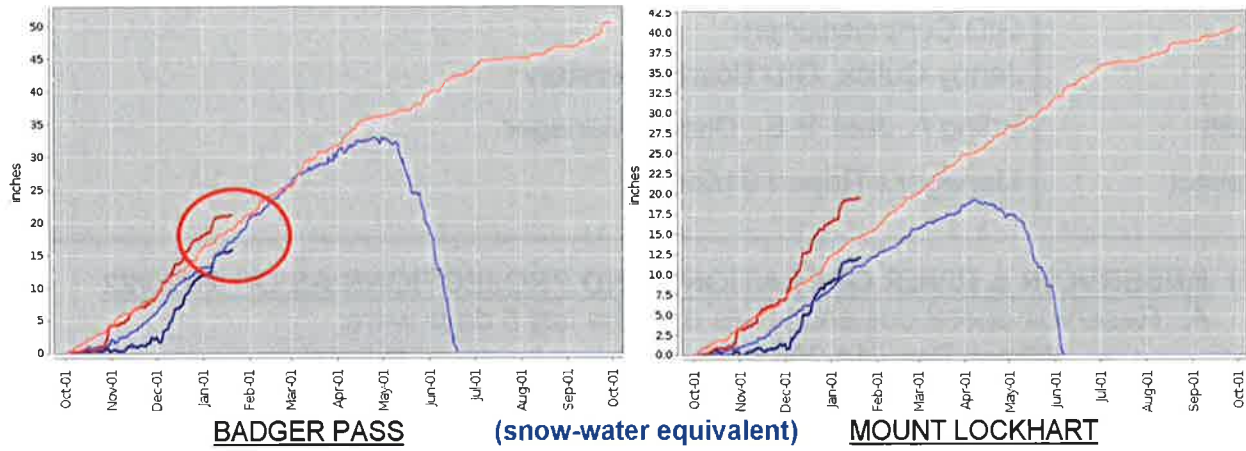
- Gibson Res.: 14,200 Ac-ft, 14% Full & 54% of Normal,
- Gibson Inflows: varying from 140 to 175 cfs, 85 to 110% of Normal,
- Gibson Outflows: 123 cfs, slightly storing water
- Willow Creek Reservoir: 21,700 Ac-ft, 68% Full, 95% of Normal
- Willow Creek Feeder Canal: <15 cfs

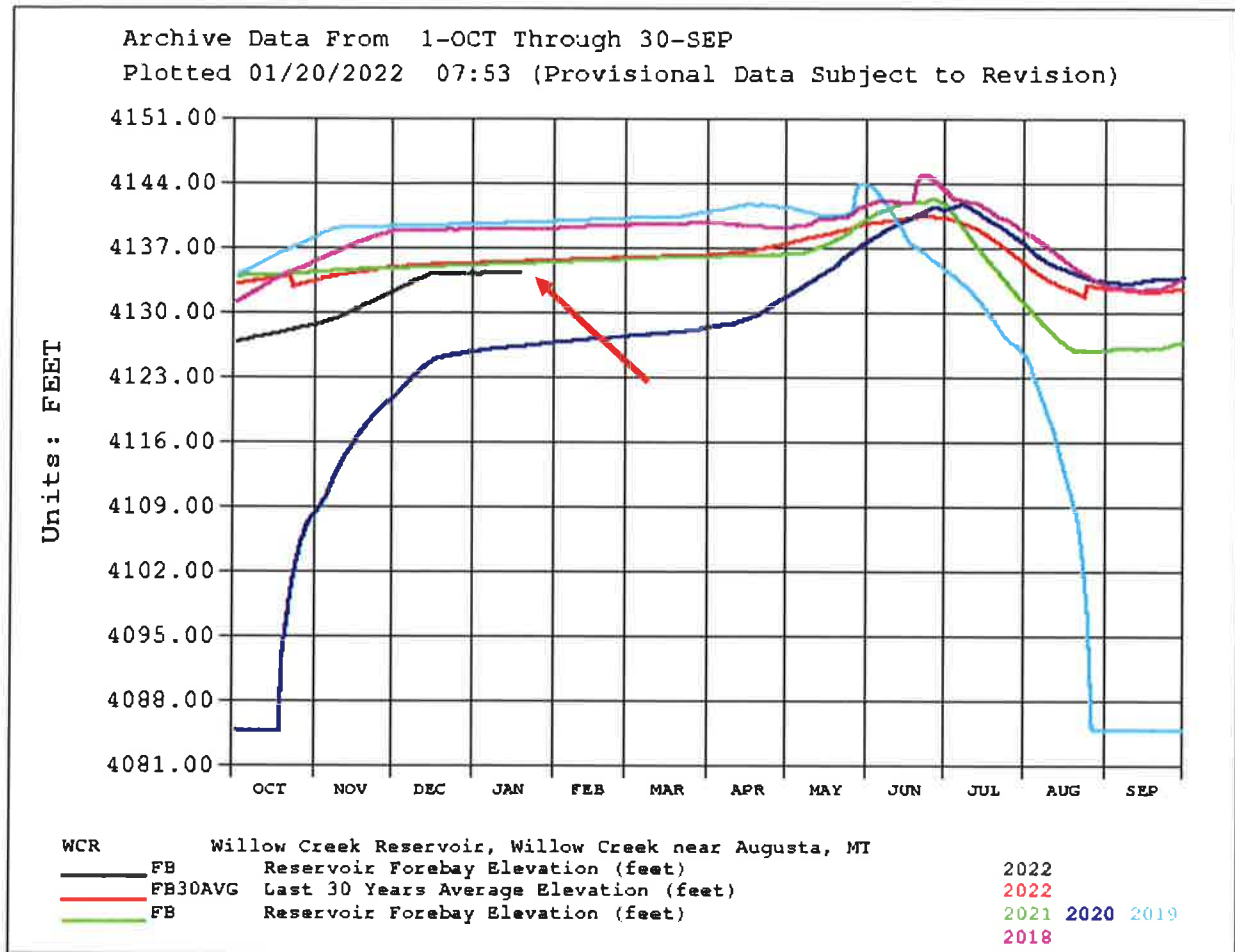
B. Snowpack Levels readings are:

- Badger Pass Snow-Water Eq. = 15.6"
- Mount Lockhart Snow-Water Eq. = 12.1"
- Waldron Snow-Water Eq. = 6.4"
- Wood Creek Snow-Water Eq. = 5.5"
- Gibson Reservoir Watershed = 7.9", 107% of normal per (USBR)

C. National Climate Prediction Center is predicting below normal temps and above normal precipitation for February through April. May to July is predicted to be normal temps and well-below normal precipitation.







D. In Summary.....

1. What a difference a month makes.....snowpacks looking good, bumping releases from Gison to maintain volume for Spring run-off.

2) **GID WATER RIGHT ISSUES**

- A. Link to a website listing Objections regarding the Preliminary Decree for Basin 41K (Sun River) was forwarded to the GID Board.
- B. After the Notice of Intent to Appear (NOIA) deadlines pass, the court will consolidate the objections and start setting deadlines for GID to submit documents to resolve our objections. That could be either within a few months or more than a year.
- C. The NOIA deadline is for water users who want to participate in a claim but didn't want to object. The deadline to file those has now been set for March.

3) **STAFF UPDATES**

- A. Commissioners Brosten and Brady assisted the Manager with interviews for the new O&M Foreman held this afternoon proceeding this GID Board meeting. Three folks have expressed interest. The plan is to begin negotiations with the preferred candidate.
- B. Started advertising and interviewing for 2 more ditch riders. Extended an offer letter to one employee already and that person would start January 31st.
- C. Finished employee evaluations.

4) GIS MAPPING, PLATS, DATA BASE, CERTIFICATION, & ASSESSMENTS

- A. The Manger was interviewed by the Human Rights Bureau investigator on Monday the 10th regarding the marital status discrimination complaint against GID involving the 960-acre limitation policies. GID received an unfavorable ruling on the initial investigation where the Bureau of Human Rights found cause for Plaintiff's complaint. The Conciliatory Phase now begins. Need to go into Executive Session to discuss details of this case.
- B. Nancy continues to work on updating the infrastructure and turnout maps.
- C. Nancy and Jenny working with Data Base programmer to make improvements and to integrate the data base and the GIS mapping functions.

5) FARM UNIT OPERATIONS

- A. **No Changes to Farm Unit Operations this Month**
- B. Water Master Sand is spear-heading this effort. Jenny has secured the backroom at the Fairfield Community Hall, and she has advertised the meeting in both local papers and flyers around Town.

6) MONTHLY FINANCIALS & 2022 BUDGET

- A. Total of the account receivables for December was \$175,230.
- B. Accounts payable (warrants) for December totaled \$226,137 and \$72,467 for three payroll periods.
- C. 2022 Budget was prepared by Board review. **See Handout.**

7) OFFICE IMPROVEMENTS & GENERAL ADMINISTRATION

- A. Mark Biegler's trial has been rescheduled (again) for March 28th of next year. Both Jenny and have been subpoenaed to testify.

8) GID VEHICLES & HEAVY EQUIPMENT

- A. Short-Term Goals
 - 1. 2 ditch rider pick-ups. Update from Mr. Lewis is that our order is a go.
 - 2. Still selling 1941 Farmall tractor. Asking \$1,800. Posted on Craig's list.
 - 3. Still looking to replace over-sized bucket on JD excavator with smaller version having a thumb.
- B. Long-Term Strategy
 - 1. Need to replace 2 dump trucks; (within 5 years)
 - 2. Large excavator (within 3 years)
 - 3. Another New Dozer (within 4 years)

9) DNRC STATE LAND WSCs

- A. Sending a Thank-You note to the Lt. Governor. **Looking at sending a summary letter to those producers to explain the results and what to expect.**

10) WILLOW CREEK FEEDER CANAL MAINTENANCE & LAWSUIT

- A. Filed our responds to Plaintiffs' complaint filed in Federal court. We are expecting to see BOR's acceptance of service soon in the federal lawsuit.

11) HYDRO UPDATES

- A. Hydro Power Development Strategy –
 - 1. Still working with SREC to secure transmission easements.

2. Still aggressively lobbying the Montana PSC's regarding NWE's actions that could have impacts small QFs.
- B. Arnold Coulee LOPP –
1. Had a meeting with Sorenson Engineering this morning and they promised to resume progress on the construction drawings.
 2. Amended and resubmitted the FERC 556 Form, Self-Certification.
 3. Finalized the geotechnical investigation and provided recommendations to Sorenson Eng.
 4. Resume negotiations on the turbine-generator. Looking at securing 2 sets and saving costs on manufacturing engineering.
 5. Still no grant agreement from BOR. Sent supporting documentation to USBR yesterday.
 6. Submitted application for ARPA funds on January 14th. Hope to get \$500k.
 7. Nothing new on INTERCAP Loan. Waiting for other conditions to be satisfied.
 8. Still working with local banker to work up a loan offer to GID and to see if he can offer a competitive offer.
 9. Archaeological clearance documents completed. No cultural resource issues were identified. Report sent to USBR for their concurrence.
 10. So far, we have hauled 18 of 36 reels.
 11. Next segment of transmission line is under construction. SREC had to hire an engineer to design the river crossing. SREC contracted with local company to clear trees and brush from the alignment. GID will have to pay for both expenditures.
- C. Pishkun Inlet Hydro –
1. Nothing new on application submitted for another \$2M WEEG WaterSmart grant from Reclamation on Nov. 4th.
 2. Submitted application for ARPA funds on Jan. 14th. Hope to get \$500k.
 3. Requesting a \$15k planning grant so that we can then go after a \$125k RRGL award from DNRC.
- D. Gibson Hydro –
1. The first deadline condition of our current FERC Permit expired on Wednesday January 12th. i.e., we failed to start construction by this date. USBR said they would not issue an extension since their 4(e) terms and conditions are now over 12 years old. I believe our relationship with Toll House Energy also expires without an active FERC license and without a project.
 2. Introduced Federal legislation to amend the authorization for the Sun River Project include power generation. This will eliminate the FERC process and puts Reclamation in the driver's seat.
- E. Johnson Drop –
1. **Nothing new.**

12) GID INFRASTRUCTURE PROJECTS- Current or Planned

- A. Hwy 89 Ditch Crossings
1. **Nothing new.**
- B. Willow Creek Spillway Repair –
1. **Nothing new.** No word on Reclamation's site visit and recommendations. Hopefully, this will be a SOD issue and GID will not have to pay, but in fact, get paid to do work.

- C. Sun River Bridge Replacement –
 - 1. **Nothing new.** Again, we requested approximately \$9.2M to compliment the FLTP award of \$1.77 million already awarded.
- D. SRS 71 Check Replacement and Reregulation –
 - 1. **Nothing new.** Awaiting the \$125,000 DNRC grant to start construction for next Fall. Requesting permission to rescope the project based on reduced funding received. Looking at simply replacing the SRS-71 check with a SmartCheck and reconfiguring the downstream turnouts.
- E. J-Waste Way Facility –
 - 1. The fully executed grant agreement for the \$125,000 DNRC RRG grant has been received.
 - 2. Construction drawings have been completed. Now ordering the rebar package.
 - 3. Need to get power extended and installed.
 - 4. The Rubicon gates are on order.
 - 5. Need to be completed by Spring of 2022.
- F. Tunnel #3 Roof Collapse –
 - 1. Submitted application for ARPA funds. Hope to get \$500k Also, looking at long-term Reclamation funding for the Tunnel.
 - 2. On the plus, side the temporary repair looks very good and do not feel risky about going another year. Need to reinspect after the winter.

13) TITLE TRANSFER

- A. Received a Preliminary Options from Reclamation for us to consider. I still need to review and provide my comments.

14) GID O&M PROJECTS

- A. See O&M Foreman's list for this month.
- B. Working with Raymaker to crush gravel at cemetery pit. Need to generate some more Crushed Base Course (road mix) and drainage aggregate. Should get going after new year.
- C. Crews working on clearing of trees along the SRS Main Canal.
- D. Now working the \$75K WaterSmart grant to fix the lower GSC lining issue. The rehabilitation will hopefully take place in Fall of 2022.
- E. Submitted 310 Permit to repair bank erosion on Big Coulee that is impacting the Beale Canal.

15) GID GRAZING LEASE PROGRAM

- A. Sent out revised Contracts for next 5 years specifically addressing the ownership of livestock.
- B. Several pasture leases being forfeited. What's the Board 's pleasure?

16) MISCELLANEOUS

- A. SRWG Board meeting on Jan. 26th at TDH Board Room. Open to the Public.
- B. Scholarships?
- C. MWRA Annual Conference 1st week of February.

17) SHORT-TERM TO DO LIST – FEBRUARY

- Review preliminary drawings of Arnold Coulee layout from Sorenson Engineering.
- Finalize Spring Coulee Headworks rebar package.
- Select new O&M Foreman.

- Secure WEEG Grant agreement.

18) LONG-TERM TO DO LIST – MARCH & ON

- Finish delivery of wire reels.
- Finalize turbine/generator purchase.
- Work on Hydro Study
- Develop a 5yr/10yr Strategic Plan (Conservation & Management Plan)

NEXT GID BOARD MEETING JANUARY 11th @ 7PM

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SRWG Update to GID

January 20, 2022

- SRWG's next board meeting will be January 26 at 1 pm at the TD&H Offices in Great Falls, The meeting is open to the public. Please contact Tracy for a copy of the agenda. Zoom option is available.
- SRWG is working with Teton Conservation District and WWC Engineering to apply for an RRGL grant that would fund a study at Broken O's Floweree intake. The study will look at options for improving water delivery reliability with less maintenance at the "push up" dam site, and explore options for installing an automated head gate. This project has been long recommended by the Sun River Water Management Working Group to improve flows and water quality on the Sun River. Hopefully when I see you all in February I'll have more information.
- SRWG received the Special Use permit from Reclamation that will enable us to re-install the upper Muddy Creek stream gage. New gage site will be downstream from Power at a more stable location. Installation will occur prior to the irrigation season.
- Muddy Creek master plan is still underway. SRWG recently applied for a \$1.7M WaterSMART grant that would fund GID's expansion of J-Wasteway and stream restoration on three miles of the most damaged (actively eroding) stream banks on lower Muddy Creek. I'll have more information at the February meeting.
- SRWG learned of an ice jam on the Sun River at the Adobe Creek avulsion site. Flooding has been occurring around this jam similar to the flooding that occurred in May. SRWG is working with Cascade County and Cascade Conservation District to try and get emergency funding and permitting to address this issue ASAP. SRWG is also working with the Conservation District to hire an engineering team to create a long-term strategy for this area. In addition to the flooding, we are concerned that the changes to the river could affect water delivery to Sun River Valley Ditch Company. This will be addressed in the emergency and long-term plans.

Coming Events:

- | | |
|-----------------|---|
| Jan. 26 | SRWG Water Board Meeting (1 pm)
TD&H Engineering Meeting Room |
| Feb. 19 | SRWG and Missouri River Flyfishers "Winter RiverFest" (4 pm)
The Newberry, Great Falls – Tickets on sale now at Newberry box office and online |
| April 6 | Suds for the Sun – Pint night (4 pm)
Black Eagle Brewery - \$1 from every pint sold all day will go to SRWG; SRWG will be at location from 4pm until closing. |
| July 9 | Weed Whacker Rodeo
Sun Canyon |
| July 28 | 2nd Annual BBQ at the Ballpark with SRWG (7 pm)
Voyagers vs Chukars. More info to come |
| August 1 | Suds for the Sun – Pint night (5 pm)
Mighty Mo Brewery - \$1 from every pint sold from 5-8 pm will go to SRWG |

Job Completed

- 1) poured 2 Sump Bots
- 2) poured 1 more sump Bot
- 3) unloaded Last pipe at Pishkun.
- 4) poured main canal turn out for a water user out west
- 5) poured 4 sets of Cattle guard Footings
- 6) poured 6 18" Farm slide
- 7) made 6 sumps (metal)
- 8) serviced the J.D. Excavator
- 9) poured more turn outs for stock
- 10) Logging more trees on the main canal up by Pishkun.
- 11) Hard surfaced the Digging bucket & Cleaning bucket on the New 313 Excavator

GID BOARD
PLEASE GIVE ME YOUR
COMMENTS

December 2, 2021

Name
Address
Address

Dear Water User;

This letter summarizes the conclusion of the 7-year long legal battle between the Greenfields Irrigation District (GID) and the Montana Department of Natural Resources Conservation (DNRC) regarding the Water Service Contracts (WSCs) on State Trust land within the District boundaries.

If you recall,

- 1) In 2014, the GID Board decided to terminate all WSCs effective December 31st, 2014. WSCs were short-term contracts to sell excess water when such water was deemed seasonally available by GID. The WSCs, acquired by the GID producer, allow the use of GID water on ground within District boundaries that was not originally identified to receive GID water. The WSCs were terminated based on advice from Reclamation.
- 2) The State Land was not originally identified to receive GID water at the request of the State itself. When the District was being formed in 1926, the State agreed to sign the petition as a landowner representing nearly 19,000 acres but asked to not be included in the District operations or be charged for the annual O&M costs, until the said land was sold or under contract to be sold from state ownership.
- 3) As State land was sold to private individuals, eligible land was assigned assessment and the landowners enjoyed all rights and privileges. Over the last 95 years, the State sold-off most of their land.
- 4) WSCs were obtained by GID landowners over time to irrigate land not originally identified as being able to be irrigated with GID water; whether physically or legally (as with State ground). The biggest driving force for WSCs was electricity, pumps, and pivots. In the case of the State land, the lessee approached GID and acquired the WSC, not the State officials. When lessees changed, GID elected to honor the original WSC with the new lessee and issued a new WSC.
- 5) In 2014, the GID Board established the opportunity for the holder of the WSC to convert the acreage listed in the WSC to permanent assessment with all rights and privileges going forward. The fee for this conversion was \$500 per acre and was established by the GID Board after much discussion and consideration. All privately owned land chose to exercise this option and readily converted their WSC to permanent assessment.
- 6) In the State's case, GID extended this conversion offer to the State since the assessment would be assigned to the State's land. At this time, the State had approximately 644 acres of their land being irrigated by WSCs in the names of their lessees.

- 7). The State declined the offer and sued GID, claiming the State had a right to the water, since it was being used on State ground. In essence, the State claimed partial ownership of GID's water rights and believed the WSC conversion fee established by the GID Board did not apply to State land.
- 8) In 2019, the State enjoyed a favorable ruling from a District judge based in Helena and GID appealed to the State Supreme Court.
- 9) In 2021, the Governor's office reviewed the facts of the case and elected to mediate a mutually beneficial settlement.
- 10) On _____ all parties agreed to a settlement ending the legal dispute. The salient terms of the agreement are as follows:
 1. The acreage listed on the individual WSCs serving state land will be converted to permanent assessment and will be assigned to the State land parcels.
 2. The State land and its irrigation privilege (assessment) will be treated no differently than other GID landowners or their assessment. The permanency of the State's irrigation privilege is subject to the terms and conditions of the GID Board Policies, just as with any other GID water user.
 3. Since collection of annual O&M fees through the local County Tax Assessor's office is not possible for State Trust lands; GID will submit invoices to the State's lessees for the annual O&M costs.
 4. The State will pay GID \$500 per acre for the WSC conversion.

In summary, the terms and conditions of the settlement reached are essentially no different from those initially sought by GID in 2014.

What does this mean to you, the State lessee? You will be invoiced annually for the O&M fees on a per acre basis. You will be treated no differently than privately-owned landowners. You are required to know and follow the GID Board Policies.

If you have any questions, please contact the GID office.

Respectfully,
Greenfields Irrigation District

Erling A. Juel, P.E.
District Manager

C: GID Board
Eric Enoboe, DNRC



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA, MONTANA 59626

January 10, 2022

Regulatory Branch
Montana State Program
Corps No. **NWO-2021-01317-MTH**

Subject: Greenfields Irrigation District - Willow Creek Feeder Canal Phase 1 - Willow Creek (Lewis & Clark County)

Erling Juel
Greenfields Irrigation District
PO Box 157
Fairfield, Montana 59436

Dear Mr. Juel:

We are responding to your request for regarding the above-referenced project. Specifically, you are proposing Canal cleaning and stabilizing the banks along several locations on the Willow Creek Feeder Canal which is used to fill storage reservoirs for irrigation purposes. The project is located near Latitude 47.5622°, Longitude - 112.51866°, within Section 21, Township 21 N, Range 7 W, Montana Principal Meridian, Lewis and Clark County, Montana.

This project has been reviewed in accordance with Section 404 of the Clean Water Act. Under the authority of Section 404, Department of the Army (DA) permits are required for the discharge of fill material into waters of the U.S. Waters of the U.S. include the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters. Isolated waters and wetlands, as well as man-made channels, may be waters of the U.S. in certain circumstances, which must be determined on a case-by-case basis.

Based on the information you have provided on September 20, 2021 and December 1, 2021 of site specific locations, we have determined that the proposed work is exempt from regulation under the Section 404(f) exemption found at 33 CFR Part 323.4(a):

(3) Construction or maintenance of farm or stock ponds or irrigation ditches, or the maintenance (but not construction) of drainage ditches. Discharges associated with siphons, pumps, headgates, wingwalls, weirs, diversion structures, and such other facilities as are appurtenant and functionally related to irrigation ditches are included in this exemption.

Although a Department of the Army permit will not be required for this activity, this does not eliminate the requirements that other applicable federal, state, tribal, and local permits are obtained if needed. Please be advised that deviations from the original plans and specifications of this project could require additional authorization from this office.

Please refer to identification number NWO-2021-01317-MTH in any correspondence concerning this project. If you have any questions, please contact Timothy McNew at Helena Regulatory Office 10 West 15 Street, Suite 2200 Helena, Montana 59626, by email at *Timothy.M.McNew@usace.army.mil*, or telephone at (406) 441-1375.

Sincerely,

Tim McNew Digitally signed by Tim McNew
Date: 2022.01.10 15:35:21 -07'00'

Timothy M. McNew
Senior Regulatory Project Manager

From: Sizemore, Joshua (Daines) <Joshua_Sizemore@daines.senate.gov>
Sent: Monday, January 10, 2022 2:02 PM
To: Erling Juel
Subject: FW: Daines, Tester, Rosendale Introduce Bill to Support Hydropower at Gibson Dam

FYI introduced today and we will be asking questions about it tomorrow. ill send you the video tomorrow afternoon.
Thanks for all your help on this.

From: Press (Daines) <Press_@daines.senate.gov>
Sent: Monday, January 10, 2022 3:53 PM
To: Press (Daines) <Press_@daines.senate.gov>
Subject: Daines, Tester, Rosendale Introduce Bill to Support Hydropower at Gibson Dam



FOR IMMEDIATE RELEASE
January 10th, 2022

Daines, Tester, Rosendale Introduce Bill to Support Hydropower at Gibson Dam

U.S. SENATE — U.S. Senators Steve Daines and Jon Tester and Congressman Matt Rosendale today introduced a bill to authorize hydropower in the Bureau of Reclamation's Sun River Project, including at the Gibson Dam.

"Hydropower provides safe, reliable, and affordable energy to Montanans across the state. The Sun River Project and Gibson Dam have the potential to increase hydropower production and bring jobs and revenue to the community. This is a win-win and I look forward to this bill becoming law, so we can continue work on this critical project," **Daines said.**

"The Gibson Dam has needed an update for years, and this legislation will finally make it happen by cutting red tape and authorizing the project for hydropower generation," **Tester said.** *"This project will bring new energy opportunities to Northern Montana, and bring new revenue and jobs into the community. It's a great deal for irrigators and energy production, and I'm looking forward to working with Senator Daines and my colleagues on both sides of the aisle to get it passed."*

"The Gibson Dam in Northwest Montana was built with hydropower generation in mind. But the generation of clean, reliable power through the Bureau of Reclamation has not been possible for nearly a century because of

the project's current authorization," Rosendale said. "I'm proud to introduce the 'Sun River Hydropower Authorization Act' in the House to enable Greenfields Irrigation District to harness the benefits of hydropower generation, while protecting access for irrigators."

Read the bill text [HERE](#).

[In 2018](#), Daines', Tester's and Gianforte's bill to provide an extension of the Federal Energy Regulatory Commission (FERC) license for the dam became law. The license will soon expire, so the delegation is working to ensure the Gibson Dam has the necessary authorizations for hydropower development.

Montanans are sharing their support:

"The governing Board of the Greenfields Irrigation District, who represent over 750 landowners and water users, would appreciate your congressional assistance to amend Reclamation's Authorization for the Sun River Project to include hydropower development by GID as that is what was intended when Gibson Dam was designed and built." – [Erling Juel, District Manager, Greenfields Irrigation District](#)

"I overwhelmingly support the permanent authorization under the United States Bureau of Reclamation (USBR) license for the Gibson Dam Hydro Project near Augusta, Montana. A positive decision supporting the authorizing of hydropower for the Sun River Project is a high priority of House District 17 and all of Montana." – [Representative Ross Fitzgerald, Montana House District 17](#)

"I would like to enthusiastically endorse our Montana congressional delegation to work hard and quickly on a bill to achieve permanent authorization of hydropower under USBR referred to in the Sun River Hydropower Authorization Act. This permanent authorization will result in a real boost to a rural area that works very hard to produce high quality feed and food resources for urban consumers. Thank you to our Congressional Delegation for their continued efforts on Montana's behalf." – **State Senator Bruce "Butch" Gillespie**

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Contact: [Katherine McKeogh](#), [Katie Schoettler](#)