

CALL TO ORDER

At 5:00 PM President Bailey called the November 12, 2024 Special Board Meeting of the Moses Lake Irrigation and Rehabilitation District to order. The purpose of the Special Board Meeting was for the Board of Directors to equalize the 2025 Irrigation and Rehabilitation Assessment Rolls and Schedule of Rates. The MLIRD Directors present were President Bailey, Vice President Teals, Director Perry, and Director Ketterer. Legal Counsel Brian Iller and General Manager Sam Castro was also in attendance. The record shows the Pledge of Allegiance was recited. The record indicates this meeting was recorded.

DISCUSSION OF AGENDA ITEM(S)

President Bailey called for discussion on any agenda items, and Lloyd Petersen asked to be added to the agenda.

APPROVAL OF THE AGENDA

President Bailey called on the board members to approve the agenda. Vice President Teals made a motion to approve the agenda. Director Perry seconded the motion. The motion carried unanimously.

EQUALIZATION HEARING FOR THE 2025 IRRIGATION AND REHABILITATION ASSESSMENT ROLLS AND SCHEDULE OF RATES

General Manager Sam Castro stated with the changes that were made to the 2025 assessment methodology compared to the 2024 assessment methodology, there were quite a few benefits for both the irrigation and the rehabilitation assessments.

President Bailey called on Lloyd Petersen. Lloyd Petersen asked if the \$200 irrigation assessments would be discussed. General Manager Sam Castro said for the year 2024, Mr. Petersen's particular parcel that he is referring to was assessed a \$200 irrigation assessment. With the changes to the 2025 assessment methodology, Mr. Petersen's parcel that is less than half and acre will only be assessed \$100 for the irrigation assessment for the year.

Lloyd Petersen said he protested the irrigation assessment for the year 2024 and that after the Board reviewed his protest, he was still obligated to pay the 2024 irrigation assessment. He stated that he spoke with the Quincy Irrigation District who told him that if you live in their District and do not use the water, you do not have to pay for the water. However, he stated that it is the opposite with MLIRD. Mr. Petersen said he designed his property so he would not have to use any irrigation water, but yet he still has to pay the irrigation assessment. He believes that it is not constitutionally right for a property owner who does not want the water to still have to pay the irrigation assessment.

General Manager Sam Castro stated MLIRD received an email from an MLIRD ratepayer, Glen Zuger with a photo attached taken from his shore on September 30, 2024 showing that he believes the lake quality resulted in the inability of waterfront property owners to access the water from their property. He also states in the email that he objects to the waterfront property owners being assessed a higher point value than non-waterfront property owners. Director Perry mentioned that the photo only shows a portion of the lake and on his waterfront property there are situations where the wind will blow the algae in; however farther out from that the water quality is good.

General Manager Sam Castro stated there were no other correspondence received by the MLIRD Office.

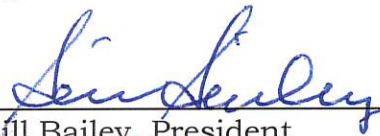
President Bailey noted that these comments and protests would be added into the record and be reflected in the minutes and can be addressed next year during the review of the process and methodology of assessing.

Legal Counsel Brian Iller asked to address the comment made regarding the constitutionality of assessing. He stated there is a court case that he believed was in 1923 with Otis Orchards that assessments are permissible in statutes and under the constitution even if water users or property owners choose not to use the water. The water is available for the property owner to use and if they decide not to use it, under MLIRD statutes 87.03 and 87.84 that were approved by the State Supreme Court as constitutional, making it permissible for an irrigation district to assess for the availability of the irrigation water, even if the property owner chooses not to use it. Mr Petersen asked where Legal Counsel Brian Iller heard the constitutionality of assessing water rights so he can further review the case. Legal Counsel Brian Iller stated he presumed it would be included in the minutes and also stated he would get a citation for Mr. Petersen after the Board Meeting.

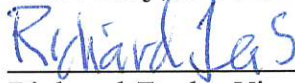
Director Ketterer made a motion to equalize the 2025 Irrigation and Rehabilitation Assessment Rolls and Schedule of Rates. Vice President Teals seconded the motion. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 5:14 PM.



Bill Bailey, President



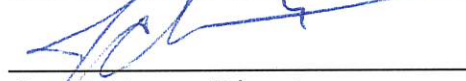
Richard Teals, Vice President




Chuck Perry, Director



Kris Dexter, Director



Joe Ketterer, Director

By: 

Secretary to the Board of Directors
Sam Castro