

Greenfields

IRRIGATION DISTRICT



On Thursday, February 13th, 2024, at 8:00 A.M. the Greenfields Irrigation District (GID) held its 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. Vice President Bill Norris was absent. District Manager Erling Juel and Board Secretary Jenny Gulick were also present. Also, in attendance were: GID employees Eric Mayer, Cory Copenhaver, Steve Lettengarver and Chaz Keller. Chris Ostberg, Seth Woodhouse and Allen Beck, Advisory Board Members and SRWG Coordinator, Tracy Wendt were also present; along with water users Spencer Pearson, Jay Ratliff, Taylor Ratliff, Tom Accacia, Ben Freeman, Mark and Greg McInerney, Dustin Paddock, Cordell Ostberg, Ryan McInerney. Brian Colesworth the Teton County Planner was also in attendance to present a proposal to the Board.

The meeting was called to order by President Brunner at 8:05 A.M. President Brunner reminded the group that public comment would be accepted but held to a maximum of 5 minutes per individual.

Approve Meeting Minutes and Monthly Warrants: The first item of business was to approve the minutes from the January 16th Regular Meeting and the Union negotiations minutes. There were no discrepancies found in the Regular Minutes, or the Union negotiations and Commissioner Gulick made a motion to approve the minutes and Commissioner Brady seconded the motion. All in favor and the Minutes were approved. The Board then reviewed the January warrants list and Manager Juel gave a brief overview of the pipe purchased for Arnold Coulee and explained that unfortunately we will not be able to use it for Pishkun Inlet due to the BABA restrictions and we don't have any way of knowing where the pipe was made. He also explained that the \$4.3M grant is still active, but the executive order that President Trump ordered has all funding draws, as well as future funding opportunities, temporarily paused. Commissioner Brosten made a motion to approve the warrants and Commissioner Brady seconded. All were in favor and the warrants were approved.

Contacts to Execute: None.

Parties Presenting Issues: Brian Colesworth, Teton County Planner, as well as the owner of Copper Creek Coffee was present to propose to the Board that they work with Cat Graphics to help Greenfields Irrigation District update their sign on Highway 89, as well as share the advertising space with Copper Creek Coffee, see handout provided. He explained that it would be 2- 2'x8' signs and would be printed on both sides so that it is visible coming from either way on the highway. He told the Board that Cat Graphics had quoted him roughly \$1,000 a piece to produce the signs. The Board decided that they would like to take a look at the current sign's condition and consider his proposal but would get back to him shortly.

The Board decided to postpone the Manager's Report until Agenda Item #1 is addressed.

Agenda:

- 1) Spencer Pearson is requesting the Board instruct him on how to certify his acres since he has recently purchased additional ground. He provided a handout and read it aloud. President Brunner explained to him that he had received instruction from GID's Attorney yesterday. The GID Board Policy regarding the 960-acre limitation requirement was then passed out among the Board members and the attendees. Spencer Pearson went on to provide clarification that the LLC he created, Greenhill Farms, is made up of him as the sole member and he benefits directly from it. President Brunner reminded Mr. Pearson that any negotiations between himself and the Board should be done with legal counsel present, beings as there is a pending lawsuit. Spencer explained that all he is after is trying to determine how he and his wife can be considered individual farming operations, and he has no desire to see the acre limitations amended, after Mark McInerney questioned him as to exactly what his intentions were. Allen Beck then asked the Board if GID is taking any steps to protect itself from these seemingly unavoidable legal expenses. Manager Juel explained that GID's Attorney is working with GID's current insurance provider to determine if they will provide coverage for legal expenses incurred, but currently it does not seem like they are acknowledging that they are liable. Allen then went on to inform Spencer that he should use his own legal counsel to draft how the new acres are owned, as well as his current acres will be split to comply with GID's 960-acre limitation policy. Manager Juel gave the group a brief overview of past communication the Board and management have had with Mr. Pearson regarding this dispute and explained also why the Board feels so strongly that this policy be adhered to so as to preserve the small family farm structure.

Manager's Report:

Reservoir and River Operations: See M.R. for full details. Reservoir and River Operations: Snowpack is currently 69-70% of normal, which is roughly 50% more than last year at this time. Willow Creek and Gibson Reservoirs are historically low, which is slightly troubling. The National Climate Prediction is well below normal temps and above normal precipitation for February through April, with May through July expected to see normal temps and below normal precipitation. Last year was the first time in a very, very long time that Gibson didn't fill completely.

Water Rights: No update.

GID Staff Updates: We are still waiting for a draft Labor Contract Agreement with the Union for GID's review. We will need to fill the open positions of Water Master and 1 Ditch Rider shortly. Manager Juel has a few employee evaluations to complete.

Office Improvements & General Administration: Several desk computers need to be replaced, but we will hold off a little longer.

GIS Mapping, Plats, Database & Certification Updates: Nancy and Jenny are gearing up for another water season by beginning the certification process in the next few weeks.

Farm Unit Operations: Request to split FU 507.1 and create a new FU 507.5, Ross Fitzgerald. A handout has been provided and will be discussed once the Board goes back into the Agenda portion of the meeting.

Monthly Financials & 2024 Budget: See the M.R. for further details regarding accounts receivable and payable for January. Manager Juel still needs to finalize the 2025 Budget for Board review and approval.

GID Vehicles & Heavy Equipment: O&M Foreman gave a brief overview of the mechanical issues with the Volvo and explained that we have been given a new loaner truck to use. We still need to replace our 3-axle lowboy transport trailer, which will cost around \$100k.

Spencer Pearson Human Rights Bureau Complaint: Topic previously discussed prior to the Manager's Report.

Willow Creek Feeder Canal Maintenance & Lawsuit: See the M.R. for further details. The trial date has been set for October 20th-31st. We still have a couple of motions pending in District Court regarding the insurance dec action.

Hydro Updates: General: See the M.R for details. Regarding GID's fight with NWE's intent to update the QF-1 Tariffs, it is now in the hands of the Public Service Commission. Arnold Coulee LOPP: Little has occurred regarding the construction of the transmission leg since last September. The contractor is expected to resume work soon after April 1st. Power Purchase Agreement: A meeting with NWE and WAPA via ZOOM is scheduled for tomorrow. Construction: We are pushing to get the turbines set on draft tubes because if we must wait and pay Canadian tariffs it will add another roughly \$250,000k. We don't have the equipment to pick them up so there can't be any potential to store them here. Next week GID crew will visit the site again and talk with our crane guy. Pishkun Inlet: Commissioner Brady went to Helena in support of our \$1.5M low interest loan since we didn't use it in the last 2 years. We are in the final stages of NEPA compliance and can then begin using the loan money to start building the transmission line.

GID Infrastructure Projects: For Current and Planned, see the M.R. Mary Taylor Facility: We are having the PER (preliminary engineering report) finalized through a \$30,000 grant. Willow Creek Spillway: We need to wrap up that project. Reclamation is feuding with GID over the final bill. Sun River Bridge: A preconstruction meeting is planned for March 5th at 11 A.M. Construction will span 2025-2026. We are still trying to get the historical designation removed from the old bridge. Tunnel #3 Rehab: We finally received the Categorical Exclusion designation regarding the NEPA process. This will free up the BIL loan for finalization. J-Wasteway Final Phase: Manager Juel went to Helena on the 24th of January to speak on behalf of the project. Pishkun Outlet Replacement: There will be a design charette scheduled for the week of April 7th, 2025.

Title Transfer: Nothing new to report.

GID Grazing Lease Program: GID Range Rider Wilson was not present.

FCA Efforts to Modernize GID Infrastructure: We received a \$30,000 grant from DNRC to enhance some existing SCADA/canal measurement locations and create more. This will support control and overall flow monitoring. Nothing new on the Greenfields Bench Groundwater Study. A kick-off scoping meeting was held in January.

Miscellaneous: Manager Juel attended a status meeting with BOR in Billings on December 16th and 17th to discuss GID's long range plans and was concerned about several issues, such as our lack of reserves and the lack of progress made on their suggestions for improvement on the Reservoir and Dam sites. MWRA Conference in Helena on February 11th and 12th, so we will need to reschedule February's Board Meeting. We will have it on Thursday, February 13th at 8 A.M.

Short and Long-Term To-Do Lists: See the M.R. for details.

Agenda:

- 2) Ross Fitzgerald is requesting to split FU 507.1 and create a new FU 507.5, see handout. Manager Juel gave a brief overview. Jay Ratliff farms the ground and is present to confirm that he has no issues with the split. Commissioner Brosten moved to approve the request and Commissioner Brady seconded the motion. All in favor and the motion carried.

Public Comment: Tracy Wendt with SRWG gave a brief overview and had a handout to provide. She highlighted important SRWG accomplishments for 2024. She explained that she worked with DNRC to get a new stream gauge installed at Elk Creek, as well as working with GID to apply for a Ground Water Investigation Program study of the Greenfields Bench. SRWG is holding a Water Quality workshop aimed at irrigation producers on February 28th at the Community Hall. She then explained that most of SRWG's funding is Federal, and it has been frozen temporarily for review.

Commissioner Brosten moved to adjourn the meeting and Commissioner Brady seconded. All in favor and the meeting is adjourned at 9:13 A.M.



Board President



Board Secretary

Board Action Recap:

- Board voted to approve the request to split FU 507.1 and create new FU 507.5.



AGENDA FOR: Regular Board Meeting on Thursday, February 13th at 8 A.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: January 16th Regular Meeting Minutes and Union Negotiations Minutes

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

PARTIES PRESENTING: Brian Colesworthy, Teton County Planner, to address the Board regarding updating GID's sign on Hwy 89 adjacent to Main Street.

CONTRACTS TO EXECUTE: None

MANAGER's REPORT

AGENDA ITEMS:

- 1) Spencer Pearson's request that the Board instruct him how to certify acres on newly purchased ground, handout to be provided by him.

PUBLIC COMMENT

- SRWG, Tracy Wendt to give the Board a brief update.

To: GID Commissioners
Jenny Gulick, GID Board Secretary

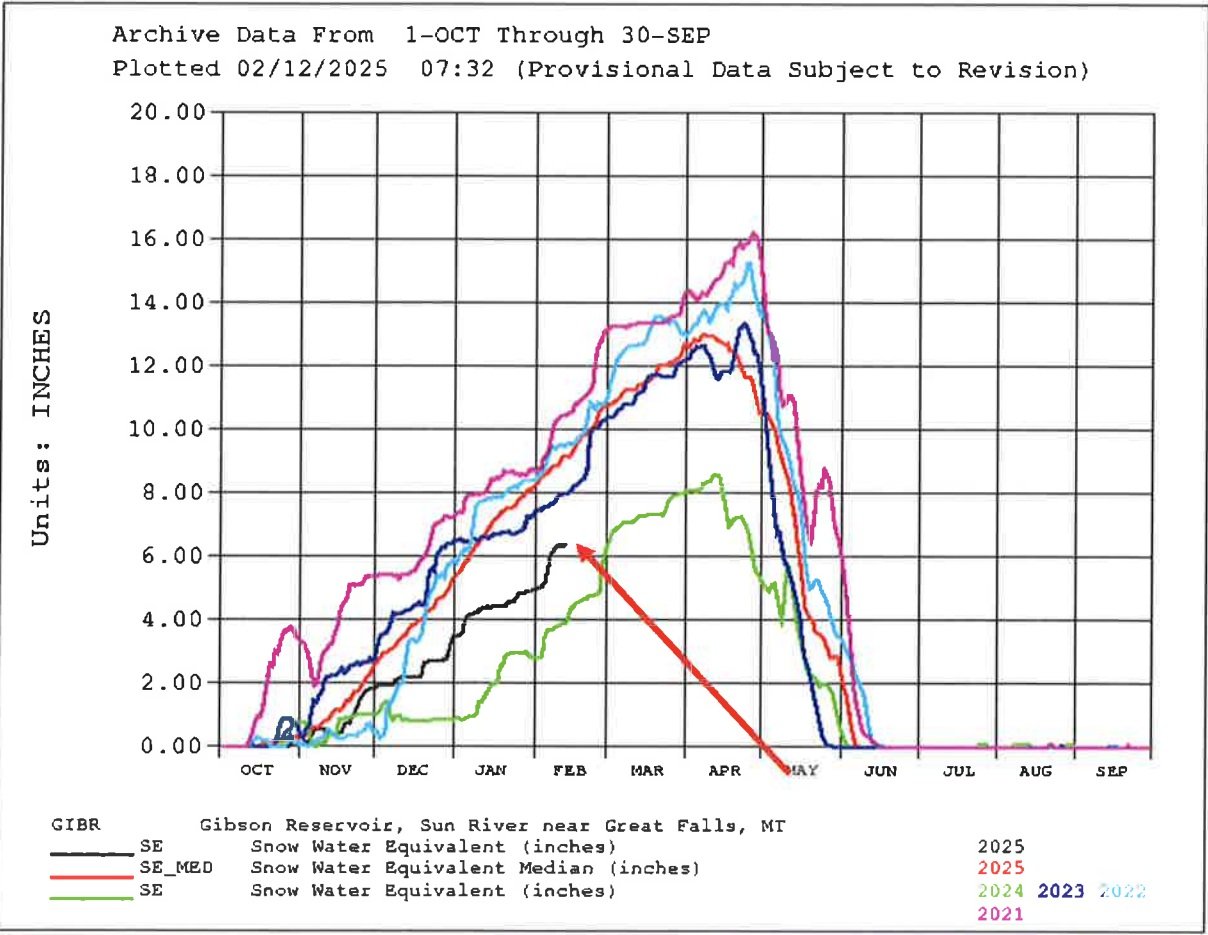
From: Erling A. Juel, P.E., District Manager

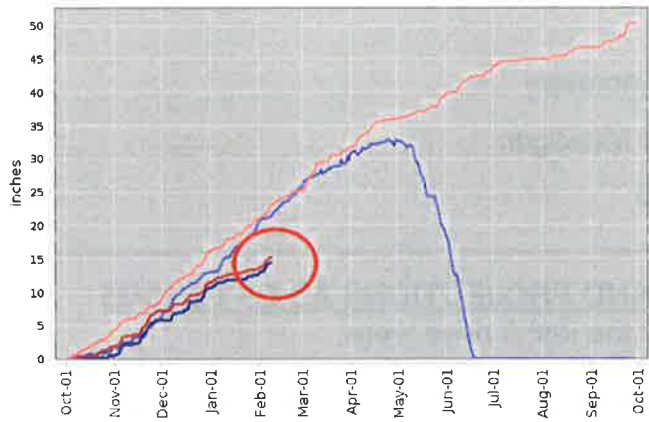
Subject: Manager's Report 02/13/25

1) RESERVOIR & RIVER OPERATIONS AND PROJECTIONS AS OF 02/13/25

- A. Reservoir operations and levels over the last 5 days were:
- Gibson Res: 4,830 Ac-ft, 4.9% Full & 19.4% of Normal,
 - Gibson Inflows: varying from 75 to 105 cfs, 45% to 70% of Normal,
 - Gibson Outflows: +/-100 cfs,
 - Willow Creek Reservoir: 13,265 Ac-ft, 41.6% Full, 58.6% of Normal
 - Willow Creek Inflows: <10 cfs
- B. Snowpack Levels readings are:
- Badger Pass Snow-Water Eq. = 14.3"
 - Mount Lockhart Snow-Water Eq. = 9.8"
 - Waldron Snow-Water Eq. = 5.2"
 - Wood Creek Snow-Water Eq. = 4.0"
 - Gibson Reservoir Watershed = 6.3", 69.5% of normal per (USBR)

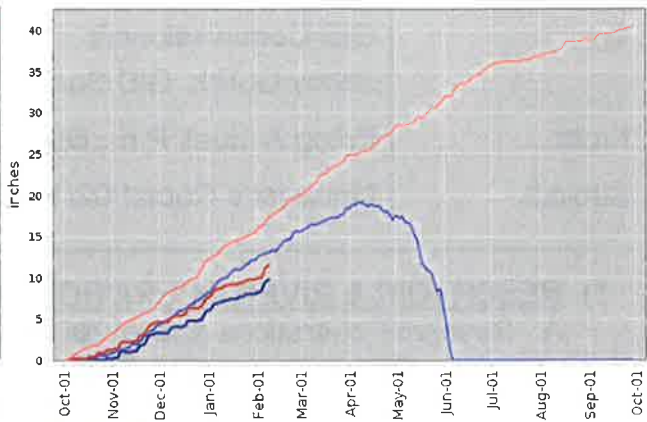
C. The National Climate Prediction Center is now predicting well-below normal temps and above normal precipitation for February through April. May to July is predicted to be normal temps and below normal precipitation.



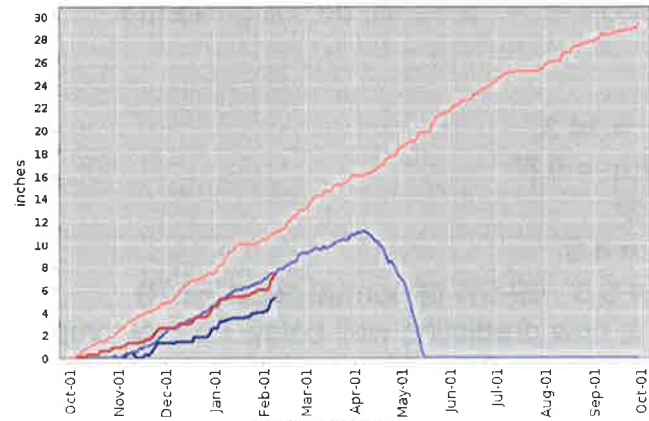


BADGER PASS

(snow-water equivalent)

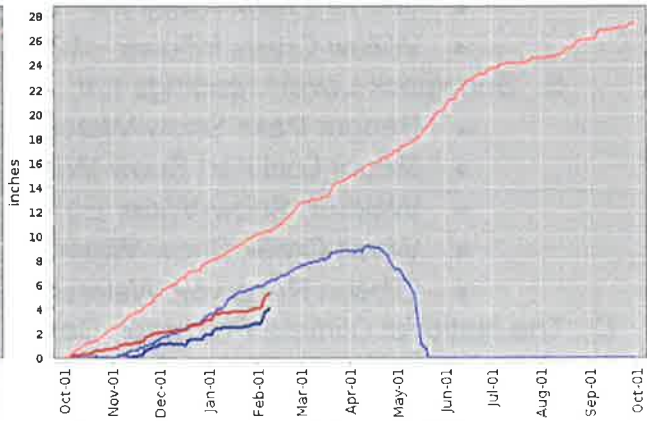


MOUNT LOCKHART

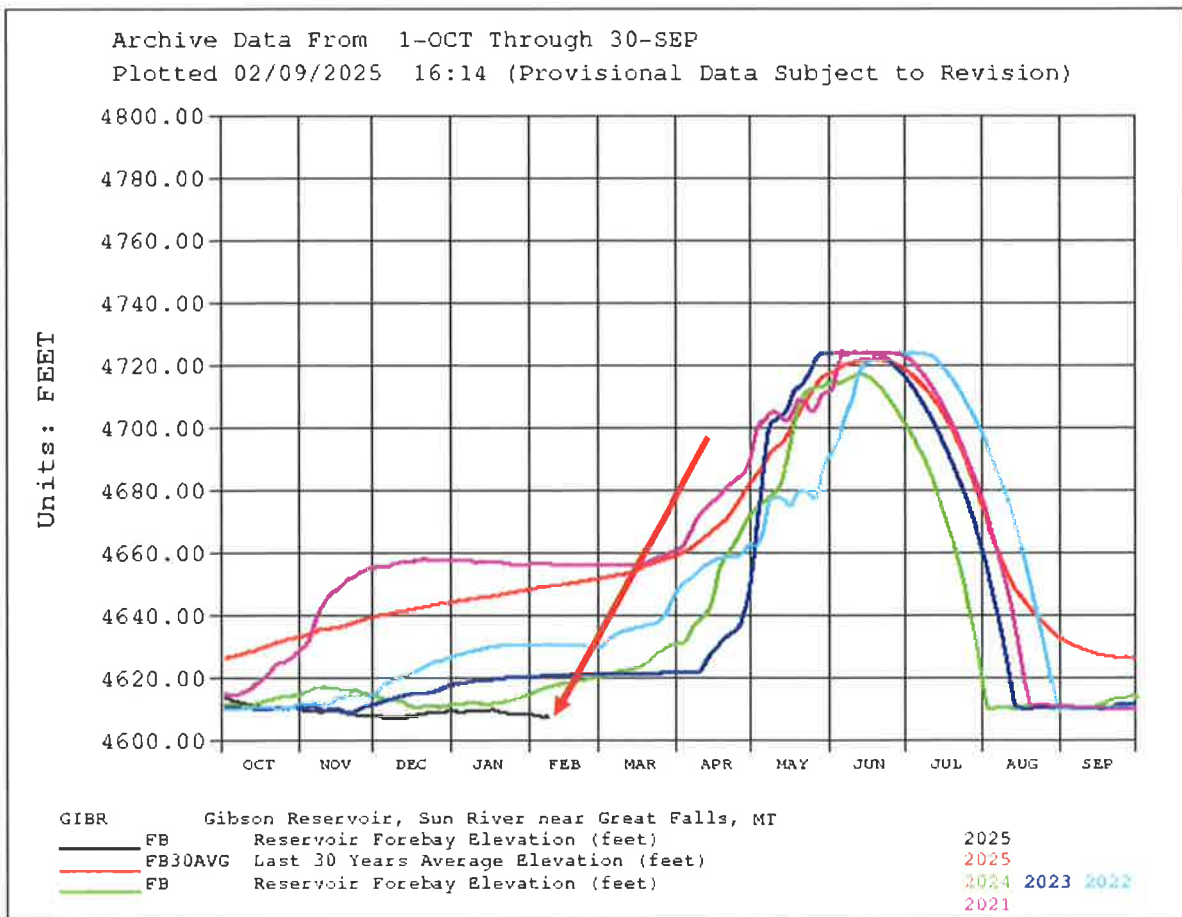


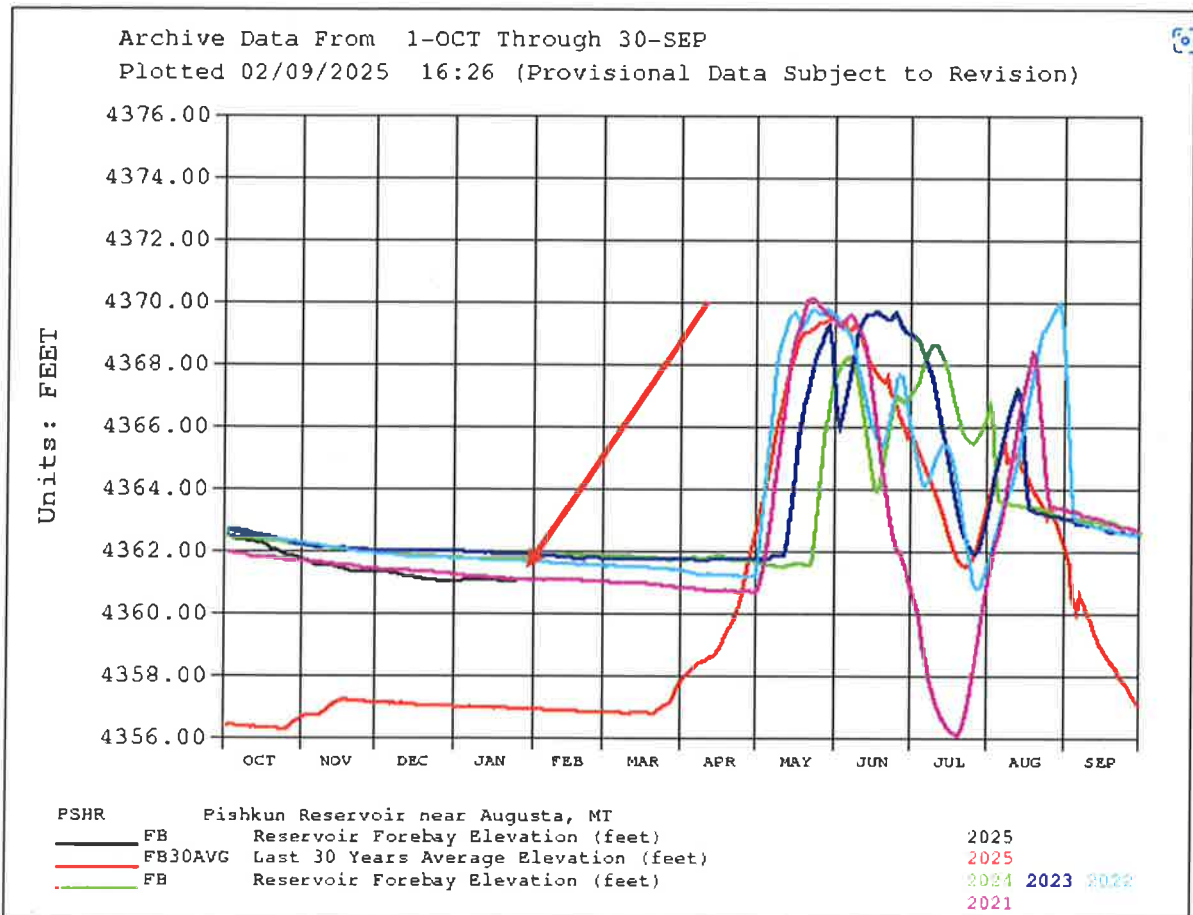
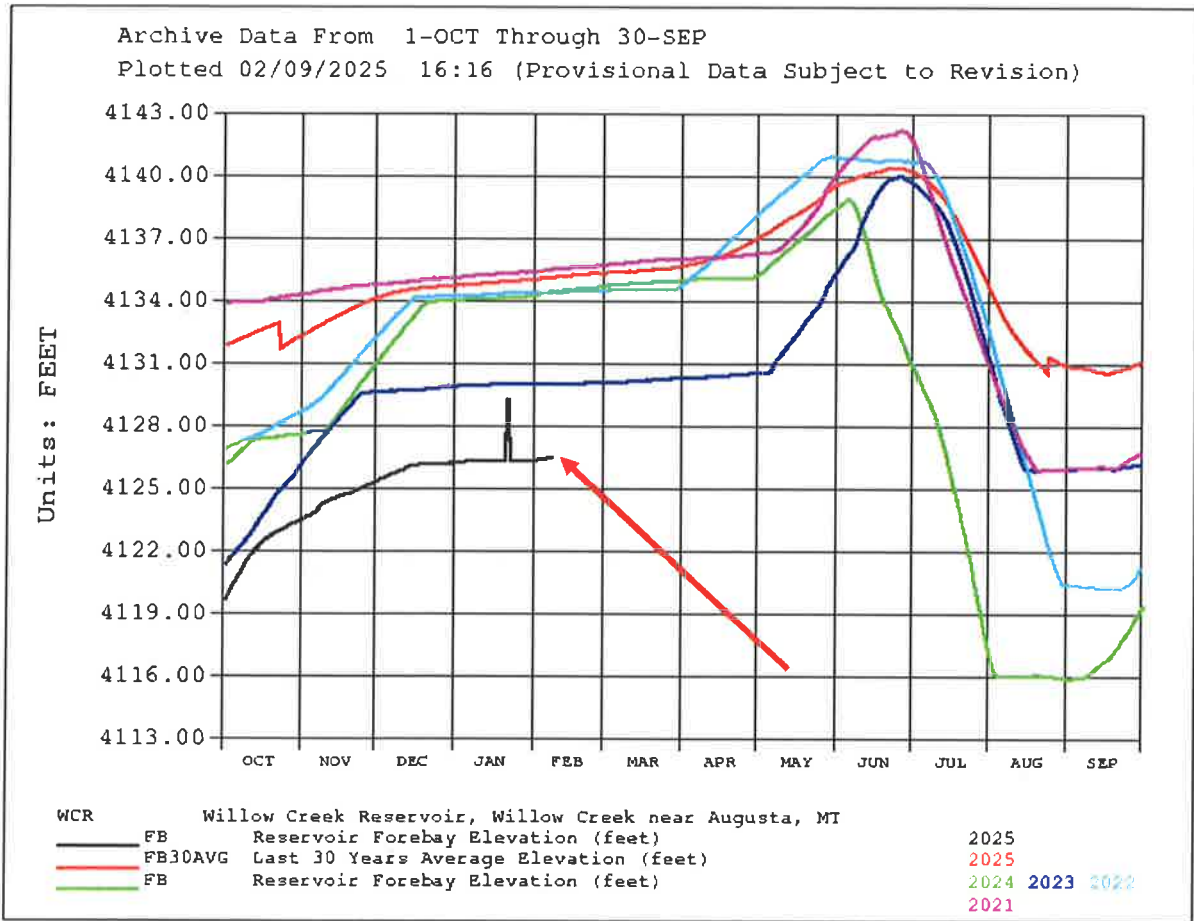
WALDRON

(total precipitation)



WOOD CREEK





In summary.....

1. Gibson inflows continue to be well below normal.
2. Snowpack development has improved in the last couple days, well ahead of last year, but is still behind the 30-year average.

2) GID WATER RIGHT ISSUES

- A. Water Rights Adjudication for Basin 41K continues. **No update.**

3) STAFF UPDATES

- A. Still waiting for a draft Labor Contract Agreement with the Union for GID's review.
- B. We have several applicants for both the Water Master and Ditch Rider positions. Need to make a decision.
- C. Still need to finish employee evaluations.

4) OFFICE IMPROVEMENTS & GENERAL ADMINISTRATION

- A. Still holding off on the purchase of desk computers.

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

- A. Nancy is working on maps and the database.

6) FARM UNIT OPERATIONS

A. Request to Split FU 507.1 and Create another FU 507.5.

1. The landowner of FU 507.1 is splitting a portion of the FU for sale.
2. Other than the FU split and ownership change, there will be no change in irrigation practice nor coverage and no change in number of assessed acres.
3. **Review handout and address during Agenda portion.**

7) MONTHLY FINANCIALS & 2025 BUDGET

- A. The receivables for January totaled \$900.
- B. Accounts payable for January totaled \$336,502 for the warrants as well as \$57,000 in salaries comprising two pay periods.
- C. Need to finalize 2025 Budget for Board review and approval.

8) GID VEHICLES & HEAVY EQUIPMENT

- A. Still looking to replace our 3-axle, lowboy transport trailer, +/- \$100k.
- B. One of our new Volvo tractor-trailer combos is still at the Dealer trying to get repaired. We were given a loaner truck to use. Eric to give a detailed update.

9) PEARSON LAWSUIT Ver 2.0

- A. Nothing new from the Human Rights Bureau.
- B. Insurance carriers are still denying defense coverage.
- C. Mr. Pearson is asking how to certify his land this year. Will reach out to our attorney.

10) WILLOW CREEK FEEDER CANAL & LAWSUIT

- A. Trial date – October 20th the 31st.
- B. Still have a couple of motions pending in District Court regarding the insurance decision.

11) HYDRO UPDATES

- A. General – Regarding GID’s fight with NWE’s intent to update the QF-1 Tariffs.
1. It’s in the hands of the Public Service Commission.
- B. Arnold Coulee LOPP – Still hoping to be on-line Spring of 2026.
1. **Transmission Design & Construction** –
 - Little has occurred regarding the construction of the Arnold Coulee transmission leg since last September. The Contractor is expected to resume soon after April 1st.
 2. **Transmission Easements** –
 - A switchyard easement W of Jackson’s Corner is still pending.
 3. **SREC Interconnection & Transmission Agreements** – Nothing new regarding this work. Awaiting finalization of the PPA.
 4. **Power Purchase Agreement** – Negotiations with NWE and WAPA are still going slow, but some progress is happening. See the latest response to NWE from GID. Next meeting with NWE is scheduled for Feb. 14th.
 5. **WEEG WaterSmart Grant** – Nothing new.
 6. **Construction** – Site construction has stalled due to weather.
 - The foundation block is still 18 inches from interior finished floor elevation.
 - Need to finish backfilling around the perimeter.
 - May not be able to pour the interior floor slab until April.
 - Hoping to set turbines on the draft tubes as soon as weather conditions allow. Concerns linger regarding the pending 25% tariffs on Canadian imports.
- C. Pishkun Inlet Hydro – **NEPA and NHPA are the critical paths.**
1. **Funding** – Commissioner Brady went to Helena to provide support for reauthorization of our \$1.5M low interest, DNRC-RRG loan since we did not use it in the last 2 years.
 2. **WEEG WaterSmart Grant** – The White House has frozen our WaterSMART grants.
 3. **LOPP** – Reclamation to initiate the Final LOPP for this site soon after the Arnold Coulee site kicks loose. This includes the NEPA & NHPA process.
 4. **Transmission Easements** –
 - A follow-up Cultural Resource field visit and an amended report need to be completed to reflect the final transmission alignment. Waiting for the snow cover to clear before the field work can be completed.
 - SREC will initiate the ROW agreement request from BLM. This will kick-start finalization of the NEPA process.
 5. **Transmission Design & Construction** – Design mostly done, construction has yet to start.
 6. **Power Purchase Agreement** – **Have not started this task.**
 7. **Design Drawings** – Received updated preliminary drawings.
 8. **Turbine-Generator Fabrication** – In Progress.
- D. Johnson Drop – **Nothing new.**
- E. A-Drop – **Nothing new.**
- F. Gibson Hydro – **Nothing new.**

12) GID INFRASTRUCTURE PROJECTS- Current or Planned

- A. Mary Taylor Facility –
 - 1. Finalizing the PER (preliminary engineering report).
 - 2. Need to update hydropower feasibility analysis. Getting a quote from CHC for the turbine-generator.
 - 3. Working under a \$30k planning grant.
- B. Hwy 89 Ditch Crossings – Nothing new.
- C. Willow Creek Spillway Repair –
 - 1. The hauling of riprap is done. The remaining items include dressing up the haul road, fixing fence, repairing/replacing cattle guards, and such.
 - 2. BOR is still working to scope a multimillion-dollar, replacement spillway.
- D. Sun River Bridge Replacement
 - 1. Projected Schedule – Still on schedule
 - Pre-Construction Meeting set for March 5th in Great Falls at 11am.
 - Construction will span 2025 and 2026
 - 2. Status of Old Bridge – BOR and the FHWA will still work on getting the historical designation removed so the old bridge can be demo 'ed. Next meeting is February 20th.
- E. Tunnel #3 Rehabilitation –
 - 1. WWC is performing inspection. On track.
 - 2. Starting to erect side walls.
 - 3. Finally received the Categorical Exclusion (CE) designation regarding the NEPA process. This will free up the BIL Loan for finalization.
- F. J-Waste Way Facility, Spring Coulee Headworks –
 - 1. Went to Helena on Friday the 24th to speak on behalf of the project and provide support for GID's \$125K RRG grant application.
- G. SRS 71 Check Replacement and Reregulation, Phase 2– SRS Main Check
 - 1. Went to Helena on Friday the 24th to speak on behalf of the project and provide support for GID's \$125K RRG grant application.
- H. Pishkun Outlet Replacement –
 - 1. Our funding application for \$19,054,209 was awarded was BOR. This represents financial assistance regarding extraordinary maintenance work through the Aging Infrastructure Account via the Bipartisan Infrastructure Law (BIL).
 - 2. There will be a design charette and it is scheduled for the week of April 7th, 2025.

13) TITLE TRANSFER

- A. **Nothing new.** Initially I thought that if we enter into a repayment contract for either the Tunnel #3 or Pishkun Inlet LOPP, we could not move forward with Title Transfer. BOR said there is a work-around and now BOR is encouraging GID to assume ownership of everything downstream of the Diversion Dam.

14) MISC GID O&M PROJECTS

- A. Eric will provide a brief verbal update.

15) GID GRAZING LEASE PROGRAM

- A. Ron can provide an update if he is present.

16) DISTRICT MODERIZATION EFFORT WITH FCA

- A. Continuing with bi-weekly meetings with FCA.
- B. Received a \$30,000 grant from DNRC to enhance some existing SCADA/canal measurement locations and create more. This will support overall flow monitoring and control and will eventually support future canal reevaluation sites especially when they get networked together.
- C. Nothing new on the Greenfields Bench Groundwater Study selected by the Montana Bureau of Mines and Geology. Kick-off, scoping meeting was scheduled for January.
- D.

17) MISCELLANEOUS

- Attended the MWRA Conference earlier this week.
- A. Still no update on the historic Muddy Creek gravel pit closeout. GID received a notification of violation from MT DEQ. Sent an update to DEQ.

18) SHORT-TERM TO DO LIST – FEBRUARY

- Make progress on Arnold Coulee PPA. Set turbines at the end of February.
- Closeout Willow Creek Spillway IRRM project.
- Finish employee evaluations
- Hire a water master and or ditch rider

19) LONG-TERM TO DO LIST – MARCH & ON

- Work on another Water SMART grant application.
- Finalize a Systems Improvement Plan (SIP) with FCA

NEXT GID BOARD MEETING MARCH 11th @ 8:30AM

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Monthly Warrant List
GREENFIELDS IRRIGATION DISTRICT
January 2025

Date	Num	Vendor	Amount
01/06/2025	37363	TB - 941	-8,217.22
01/06/2025	37364	TB - SWT	-802.00
01/06/2025	37365	TB - MPERA	-6,534.47
01/16/2025	37366	Quinci Neuman	-750.00
01/21/2025	37367	Shumaker Trucking & Excavating, Inc	-33,095.10
01/21/2025	37369	MWRA	-160.00
01/21/2025	37370	Gary Kasper & Company, Inc.	-1,255.25
01/21/2025	37371	Northwest Parts & Equipment	-410.00
01/21/2025	37372	Choteau Ace	-45.96
01/21/2025	37373	Pacific Steel	-975.00
01/21/2025	37374	Choteau Acantha	-14.00
01/21/2025	37375	True Value	-180.96
01/21/2025	37376	A&I Distributors	-1,586.57
01/21/2025	37377	Mountain View Co-Op	-281.43
01/21/2025	37378	Breen Oil and Tire Company	-1,864.05
01/21/2025	37379	DEQ Open Cut Mining Program	-67.50
01/21/2025	37380	FAGENSTROM	-3,471.00
01/21/2025	37381	Rootin' Tootin' Poopers	-260.00
01/21/2025	37382	Fairfield Drug, Inc	-3.48
01/21/2025	37383	3 Rivers Communication	-623.60
01/21/2025	37384	Republic Services	-139.45
01/21/2025	37385	GM Financial	-846.48
01/21/2025	37386	Mills Motor, Co.	-172.94
01/21/2025	37387	Tractor & Equipment	-281.72
01/21/2025	37423	Visa	-3,151.29
01/22/2025	37389	MWRA	-160.00
01/22/2025	37411	TB - 941	-8,854.42
01/22/2025	37412	TB - SWT	-864.00
01/22/2025	37413	TB - UI Tax	-977.96
01/22/2025	37414	TB - MPERA	-6,898.05
01/27/2025	37420	Town of Fairfield	-35.00
01/29/2025	37425	Old West Lumber, Inc	-2,611.07
01/30/2025	37424	General Distributing Co	-268.91
01/31/2025	37450	3 Rivers Communication	-633.60
01/31/2025	37451	Aflac	-106.20
01/31/2025	37452	Anaconda Foundry Fabrication Company	-81,450.00
01/31/2025	37453	Apgar Engineering, PLLC	-22,274.00
01/31/2025	37454	B.A. Fischer Sales Co., LLC	-708.42

01/31/2025	37455	Breen Oil and Tire Company	-10.00
01/31/2025	37456	Central Montana Lock & Safe, LLC	-90.00
01/31/2025	37457	Choteau Ace	-33.16
01/31/2025	37458	Cintas First Aid & Safety	-157.40
01/31/2025	37459	Esri Inc.	-460.00
01/31/2025	37460	Fairfield Sun Times	-234.00
01/31/2025	37461	Fastenal Company	-206.07
01/31/2025	37462	Fisher's Technology	-822.00
01/31/2025	37463	GM Financial	-846.48
01/31/2025	37464	Great Falls Redi-Mix Inc	-3,885.93
01/31/2025	37465	International Pipe & Supply	-50,000.00
01/31/2025	37466	J & V Restaurant Supply	-547.00
01/31/2025	37467	K's Auto Parts - Choteau	-88.35
01/31/2025	37468	MCI	-143.27
01/31/2025	37469	MDS Supply	-1,120.50
01/31/2025	37470	MT Teamsters Employers Trust	-23,632.00
01/31/2025	37471	National Laundry	-134.04
01/31/2025	37472	Normont Equipment	-144.79
01/31/2025	37473	Northern Hydraulics, Inc.	-327.12
01/31/2025	37474	NorthWestern Energy	-2,129.41
01/31/2025	37475	Pacific Steel	-13,362.09
01/31/2025	37476	Smith Oblander & Meade & Mitcham, P.C.	-2,107.39
01/31/2025	37477	TD&H Engineering	-437.50
01/31/2025	37478	Town of Fairfield	-141.00
01/31/2025	37479	True Value	-37.96
01/31/2025	37480	Uda Law Firm	-33,509.53
01/31/2025	37481	Victory Insurance Company	-2,571.00
01/31/2025	37482	Visa	-2,597.57
01/31/2025	37483	Western Conference of Teamsters Pension	-2,419.00
01/31/2025	37484	Western Water Consultants, Inc.	-3,276.75
			<u>-\$336,502.41</u>

Recap of January 2025 warrants:
Regular warrants
January 2025 payroll
Total

\$336,502.41
\$ 57,000.43
\$393,502.84

Approved by 
President Date

Submitted by 
Bookkeeper Date

that they own for the purpose of correlating to the actual on-the-field irrigation practice. Coordination with the local County Tax Assessor may be required to legally combine separate tax parcels.

- 6) With the approval of the Board, a new Farm Unit may be created for the purpose of utilizing District water. The newly created Farm Unit must be situated within the boundaries of the District. The new Farm Unit may have assessed acres assigned to it under Policy 3.A.3 above or may have no assessed acres yet irrigated with District water under the Net Accounting of Assessed Acres described under Policy 3.A.2 above.
- 7) Board approval for the redistribution of assessed acres as well as the splitting, combining or creation of farm units is contingent upon a recommendation from GID Management following the evaluation of certain criteria such as delivery points, potential impact to GID's infrastructure and other Water Users, and location within the District.
- 8) A Farm Unit cannot have more assessed acres assigned to it than its actual, physical size.

B. Acreage Limitations

- 1) The Greenfields Irrigation District recognizes that acreage limitations are critically important to the longevity and sovereignty of the District and to ensure that the Public benefits of the District continue in perpetuity.
- 2) The Board adopts into Board policy the applicable federal rules, regulations and definitions interpreting the Reclamation Reform Act of 1982 (96 Stat. 1269), Public Law 97-293, as they pertain to acreage limitations. In addition, the Board adopts the provisions of State Law MCA 85-7-1837 into its policies as it pertains to acreage limitations. The Board may from time to time modify its policy to include all or portions of any future changes in Federal policy and State law which pertain to acreage limitations or may formulate its own policy related to acreage limitations.
- 3) On November 8, 1995 (Amended on May 12, 1999), the Board adopted a resolution limiting the total number of assessed acres upon which a Qualified Recipient, i.e., farm operation may receive District irrigation water.
- 4) The number of assessed acres owned, and the number of assessed acres leased by a Qualified Recipient that receives District water is limited as follows:
 - a. The maximum total number of assessed acres irrigated by a Qualified Recipient using District water shall be limited to a combined total of 960 acres. This total shall be owned, leased, or any combination thereof.
- 5) The Board may, at its discretion and without obligation to continue to do so, choose to deliver District water to Qualified Recipients with land in excess of the acreage limitations. If so, the Board shall impose additional charges for water delivered to these lands.
 - a. When the acreage limitations are exceeded, the Qualified Recipient/Producer must designate prior to the beginning of the water season which assessed acres up to 960 acres, owned and/or leased will receive District water and

which acres will not. There shall be no refund or credit for acres in excess of the 960-acre limitation because they do not receive GID project water.

- b. At the request of the Qualified Recipient, and subject to the prior approval of the GID Board, District water may be delivered to assessed land in excess of the acreage limitations. If so, an additional charge of five times the current regular assessment will be levied by the District against those acres designated as excess. This charge is in addition to the regular assessment. Excess lands designated to receive District water will be allotted an amount of water equal to the regular allotment for that given year as established by the GID Board.
 - c. If excess water is permitted by the GID Board, a charge of one half of six times (3 times) the current regular assessment will be levied against each acre-foot of District water delivered to excess lands.
 - d. The Board's receptiveness to the possibility of delivering District water to Qualified Recipients' land in excess of the 960-acre limitation is meant to be a temporary solution to a temporary problem. It is not a guarantee and Board approval is subject to the details of the request. If granted, the Board's approval is for one irrigation season only and the Qualified Recipient must request Board approval annually.
- 6) All Qualified Recipients, Landowners, and Producers shall certify their landholdings, whether leased or owned, annually with the District and such current certifications shall be kept on file by the District.
 - 7) In addition to ownership and leasing limitations, the percentages of Qualified Recipients comprising the partnerships, corporations, and trusts shall be summarized and reviewed along with their assessment held outside of the partnerships, corporations, and trusts as it pertains to the acreage limitations. Qualified Recipients comprising the entity shall be reported to the District as well as their percentage of ownership for the purpose of certifying acreage limitations.
 - 8) The District may require a copy of any signed and dated lease of assessed acres as well as Contract for Deeds or Board approved legal documents as a substitute to verify the certification process.
 - 9) Qualified Recipients must notify the District of any changes to leasing and ownership of Farm Units that occurred following the certification process as described in Item 3.C below.
 - 10) The number of eligible ballots per Qualified Recipient shall be subject to the provisions of acre limitations.
 - 11) The Board shall not change the maximum number of acres defining the acreage limitation without the majority approval of the Qualified Recipients as described in MCA §85-7-1837.

C. Landowner and Producer Certification

- 1) Each Spring and prior to the water season, each Qualified Recipient/Producer requesting District water, whether Landowner or Lessee, must demonstrate and