

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on June 7, 2019. The meeting was called to order at 10:00 AM at the District Board Room, 410 N. Main St, Yerington, Nevada by President Jim SNYDER.

**Present:**

Jim SNYDER	President
Marcus MASINI	Vice President
Richard NUTI	Treasurer
David GIORGI	Director
Dennis ACCIARI	Director
Robert BRYAN	General Manager
Jessica HALTERMAN	Secretary
Gordon DePAOLI	Legal Counsel

**Public Present:**

Kaitlin Constantine, Summit Engineering	Wyatt Fereday, NSE	Sarah Fichtner, NSE
Ed Ryan, SV/MVCD	Silas Adams, WBC	Don Smith
Taylor Thomas, USBWC	Joanne Sarkisian, USBWC	
Karen Pederson, Allison & MacKenzie		

**1. Public Comment:**

None presented.

**2. Roll Call and Determination of Quorum:**

All five directors present.

**3. Consideration of Minutes of the May 7, 2019 Regular Meeting.**

Treasurer NUTI noted three spelling corrections needed:

- Page 2 Item 8: 'Boar' to Board
- Page 6 Item 12: 'stated' to started
- Page 8 Item 17: 'increasing' to increased

Director GIORGI made a motion to accept the minutes with the corrections; Vice President MASINI offered a second. The vote was called for and passed unanimously.

**4. Consideration of Minutes of the May 30, 2019 Special Meeting.**

Vice President MASINI made a motion to accept the minutes; Director GIORGI offered a second. The vote was called for and passed unanimously.

**5. Water Master's Report:**

Water Master SARKISIAN advised 521 foot was being delivered. Current pool at Bridgeport is 27,040 acre feet (64%) and 42,260 acre feet is in Topaz (71%). All gates at Topaz are fully open at 4.0. The WRID crew is at Topaz moving the diversion to force water down the natural channel. SARKISIAN stated Bridgeport releases were increased to 650 feet this morning so there may be minor flooding in the upper East section. With the elevated flows, the hope is to keep the river below 2,000 feet through town. Bert talked to

the State this morning and advised the District may be going to flood mitigation water next week. If people can use it then that is fine, but don't order it just to dump it in the drains. SARKISIAN reported through yesterday, 105,000 acre feet of water has been delivered this season; 83,000 acre feet of decree, 1,200 acre feet of storage and 21,000 acre feet of flood.

**6. Staff Reports:**

**A. Treasurer's Report**

Treasurer NUTI gave the Treasurer's report as of May 31, 2019:

Cash in Checking:	\$ 457,412.52
Cash in Money Market	\$1,360,170.59
Cash in CDs	\$ 831,728.50
Total	\$2,649,311.61

Treasurer NUTI stated \$410,932.25 of the Money Market is the CD that will be reinvested.

Vice President MASINI recommended to contact Morgan Stanley to inquire about interest rates.

**B. Consideration of Bills and Payroll for payment.**

***MAY 2019 BILLS & PAYROLL***

<u>Check Number</u>	<u>Effective Date</u>	<u>Vendor Name</u>	<u>Check Amount</u>
120779	5/7/2019	Ameritas Life Insurance Corp	\$ 1,027.80
120781	5/7/2019	Ferguson Enterprises, Inc. 1423	\$ 9,135.00
120782	5/7/2019	Frontier	\$ 282.65
120783	5/7/2019	Sticks and Stones Buildings Material Inc	\$ 169.83
120784	5/7/2019	AT&T Mobility	\$ 151.16
120785	5/7/2019	BERKLEYNET	\$ 1,044.00
120786	5/7/2019	NAPA AUTO & TRUCK PARTS	\$ 518.09
120787	5/7/2019	Mason Valley Quicknet	\$ 410.00
120788	5/7/2019	MBK Engineers	\$ 3,101.50
120789	5/7/2019	Public Employees' Benefits Program	\$ 803.29
120790	5/7/2019	Quill	\$ 339.94
120791	5/7/2019	NV Energy	\$ 197.34
120792	5/7/2019	U.S. Geological Survey	\$ 9,642.67
120793	5/7/2019	Wells Fargo Card Services	\$ 3,147.50
120794	5/7/2019	White Cap Construction Supply	\$ 545.00
120795	5/7/2019	Woodburn & Wedge	\$ 33,802.35

120796	5/7/2019	D & S Waste Removal	\$	65.00
120797	5/6/2019	AFLAC	\$	35.70
120798	5/6/2019	MF Barcellos	\$	6,143.15
120799	5/6/2019	Nevada Employment Security Division	\$	236.55
120800	5/6/2019	Purchase Power / Pitney Bowes	\$	907.50
120801	5/13/2019	Giomi, Inc.	\$	224.88
120802	5/13/2019	Quill	\$	335.32
120803	5/13/2019	Jim Menesini Petroleum	\$	502.71
120804	5/13/2019	NV Energy	\$	37.26
120805	5/13/2019	Southwest Gas Corporation	\$	81.68
120806	5/13/2019	Valley Tire and Auto Service	\$	17.50
120807	5/13/2019	City of Yerington	\$	136.37
120808	5/13/2019	Sierra Office Solutions	\$	341.36
120809	5/14/2019	AT&T	\$	142.48
120810	5/14/2019	John Deere Credit	\$	694.08
120811	5/14/2019	Lyon County Recorder	\$	33.90
120812	5/14/2019	Nevada Energy Systems, Inc.	\$	539.53
120813	5/14/2019	Verizon Wireless	\$	452.23
120832	5/29/2019	AFLAC	\$	35.70
120833	5/29/2019	ABILA	\$	177.75
120834	5/29/2019	Frontier	\$	282.62
120835	5/29/2019	MBK Engineers	\$	8,572.00
120836	5/29/2019	Obermeyer Hydro, Inc.	\$	4,800.00
120837	5/29/2019	Pape' Machinery Exchange	\$	14,940.00
120838	5/29/2019	Power Plan	\$	3,422.92
120839	5/29/2019	Quill	\$	1,996.77
120840	5/29/2019	Schneider Electric USA, Inc.	\$	2,256.00
120841	5/29/2019	NV Energy	\$	2.81
120842	5/29/2019	Alhambra	\$	146.38
120843	5/29/2019	Standard Insurance Company	\$	242.47
120844	5/29/2019	Vision Service Plan - Nevada	\$	153.02
120845	5/29/2019	Wells Fargo Card Services	\$	1,971.45
120846	5/29/2019	Wild West Chevrolet	\$	77.37
120847	5/29/2019	Xerox Financial Services	\$	139.44
120848	5/29/2019	HomeTown Health	\$	5,348.53
120849	5/29/2019	Desert Research Institute	\$	11,388.12
120850	5/31/2019	PERS Administrative Fund	\$	6,353.21
PAYROLL		MAY PAYROLL	\$	40,639.92
		<b>TOTAL BILLS &amp; PAYROLL</b>	\$	178,191.80

President SNYDER inquired about the Pape bill; Secretary HALTERMAN advised it is for one month of the long reach excavator rental for flood mitigation. The amount will be included in the reimbursement request from Lyon County.

Vice President MASINI made a motion to pay the bills; Director GIORGI offered a second. The vote was called for and passed unanimously.

**C. Manager's Report**

GM BRYAN advised the current reservoir pools are:

Bridgeport	26,980 acre-feet (64% capacity)
Topaz	42,080 acre-feet (70% capacity)

USGS gages for the system are provided in the Board packet.

GM BRYAN reported there is 17,800 acre feet of space left at Topaz. The shop crew is making the change at the diversion this morning. The main objective is to force the majority of the inflows down the natural channel. Tim Bardsley with NOAA sent an email with expectations and 14 day flow prediction on the East and West Walker. Earlier this morning, GM BRYAN put in a call to Chad w/ NDWR to exercise flood mitigation effort soon; he requested an email when the flood mitigation effort starts. If anyone can use the extra water that is great, but don't order it just to put it in the drain. Due to the increasing runoff, the river flow is expected to double by Monday and hit monitor stage. The mitigation plan is to continue to clean out sand but also reroute equipment to clean debris from the river as needed. Jeff Anderson visited Leavitt Lake on Tuesday and the sensors are reading correctly; there is over 140" of inches of snow with approximately 80" of water within snowpack. At 40", there is an ice line.

GM BRYAN advised the shop crew is continuing the cleaning efforts on the river corridor. They have been cleaning every day since March. The invert levels have been lowered at the weir, Lagomarsino, City Industrial Park and on several drains. If trash or debris is seen in the drains, please let the District know.

GM BRYAN reported the Army Base called about issues with the culvert on the East Drain at the Army railroad. The District took the excavator there with the Army engineers to come up with a plan. GM BRYAN stated he talked to Myrl and it was not replaced during his tenure so it pre-dates to the 60's or 70's. The water is flowing at full capacity, so nothing is harmed, but there is insert upon insert in the drain and a permanent upgrade is needed. The District will keep working with Army engineers and Stuart will be here to survey the location in two weeks. President SNYDER inquired if the Army owns up to Wabuska; GM BRYAN stated they own from Fort Churchill down, but they are a possible avenue to help with other railroad issues. The concern was brought up because there are two munitions deliveries coming in June and July that cannot stop.

GM BRYAN stated on Thursday May 9, 2019 he and Secretary HALTERMAN had a telephone call with NRCS regarding the Watershed Study. The procurement process and agreement were discussed. The hope is to have more information by next board meeting. The phone call for the 2<sup>nd</sup> WaterSMART grant is next Tuesday.

GM BRYAN reported Dr. Styles will be at the District during the week of June 17<sup>th</sup>. During that time, several surveying points on the Wabuska and East Drain will occur as well as other low laying projects. If there are any requests for surveying, let GM BRYAN know so he can work it into the schedule.

On May 30<sup>th</sup>, a special meeting workshop was held for prospective ditch companies interested in signing up for a local improvement district if the Board decides to go that route. A request for a list of steps in expressing interest was made; Counsel DePAOLI has compiled a list and it is available in the front office. As a result of the interest, GM BRYAN plans to put an agenda item on the July meeting asking the Board if they are interested in going that route.

GM BRYAN reported an update on Assembly and Senate Bills are included in the Board packet. An overview included:

- AB30 died
- AB51 died
- AB62 amended; passed; delivered to the Governor for signature
- AB95 amended; passed; signed by the Governor
- AB163 amended; passed; signed by the Governor
- AB233 amended; passed; signed by the Governor
- SB140 amended; passed; delivered to Governor for signature
- SB232 amended; passed; signed by the Governor
- SB236 amended; passed; delivered to Governor for signature
- SB350 amended; passed; delivered to Governor for signature
- SB499 died

Director GIORGI asked what bill was related to the domestic wells; GM BRYAN stated if it was passed, it would be in the packet.

GM BRYAN stated the District has received three requests (Applications 313106291, 167267-A, 167267-B) for permanent storage water transfers. GM BRYAN intends to post next week, and the process will follow all guidelines of Regulation 6-A. One application is the from the Frade Ranch and they are cleaning up supplemental storage tied to the decree. The other two are from Vlot; one is Newlands only and other is supplement but is a bit tricky and will need further discussion. All the maps and applications are available for public review in the front office. A link on the website will be added as well.

Treasurer NUTI requested clarification on when the river is expected to peak; GM BRYAN stated there is no definitive answer. The only report is that the river has

outperformed the models over the course of the last week; every day is over what was expected. Peak runoff flow is normally between midnight and 2 o'clock in the morning. This morning was projected to be 2700 cfs and there was 3200 cfs coming into Antelope Valley. It is known that the river is to come up, but it is not known when it will peak. Treasurer NUTI asked if there was a difference in Bridgeport and the West; GM BRYAN stated Bridgeport has been close to what the forecast is, but Topaz has been over the forecast. The last phone call from the river forecast center stated if the weather does not warm up, it is expected to surpass 2017 flows. The plan is to not put much more water in Topaz; the gates are wide open, and the bulk of the flow is going down the natural channel. Bridgeport will continue to store, but it is known that the reservoir can be drained. What is seen in the river today will be double by next week and will be high for three weeks to a month.

**D. Legal Counsel's Report:**

Counsel DePAOLI advised he did not have anything to report.

**E. 2019 Flood Mitigation Update**

Secretary HALTERMAN reported the County was billed April expenses of approximately \$29,000 and May charges of \$33,500; \$87,500 is left for further expenses.

**F. Review and approval of Monthly Storage Transfers.**

GM BRYAN stated April and May transfers are in the packet. They are lists of temporary transfers. Vice President MASINI made a motion to approve the April and May transfers; Treasurer NUTI offered a second. President SNYDER requested a summary on the Vlot transfers; GM BRYAN stated he owns the water on several subdivided lots and transfers the water each year to where his fields are. The vote was called for and passed unanimously.

**G. Storage Water Leasing Program Update**

GM BRYAN stated the enrollment period closed on May 15<sup>th</sup>; the total balance of water is 17,664.4836 acre feet. Approximately 7,772 acre feet from Topaz and 9,892 acre feet from Bridgeport will be released. GM BRYAN stated he filed the temporary transfers with the State Engineers Office on Wednesday. The District has been working with MBK to develop a distribution plan to submit to the California Water Control Board by June 14<sup>th</sup>. Once the approval is obtained from Nevada and California, the plan is to start releasing the water on August 1. The releases will be as presented by Angela Bezzone. Treasurer NUTI requested to know if there was a breakdown on how much water was enrolled in each valley; GM BRYAN stated it is not broken down into valleys, but 2,977 acre feet from the Main section, 8,899 acre feet from the East section and 5,787 acre feet from the West section.

**7. Update from the Division of Water Resources regarding groundwater pumping and upcoming field work schedules.**

Wyatt FEREDAY reported that most wells are not pumping; supplemental wells should not be pumping. He and Kerry were out reading wells in Mason and Smith Valleys last week and approximately 5-6 wells were pumping in each valley. Total pumping through early May resulted in 1,255 acre feet in Smith Valley and 2,276 acre feet in Mason Valley. The water level comparison from 2018 to 2019 indicated the Smith Valley aquifer has risen .2 feet and the Mason Valley aquifer has risen 2.3 feet. Since the drought, Smith Valley is down approximately 4 feet on average but has recovered greatly; Mason Valley has fully recovered and is above where it was pre-drought.

FEREDAY stated he is starting to track the Storage Water Program participants. FEREDAY has assigned a parcel number to each user according to their card number. He and Sarah have been researching those who have supplemental wells. If a user leases his/her storage water, the supplemental well can only be used to the extent assuming the storage water has been delivered. Vice President MASINI asked how the process would work; GM BRYAN stated the Program water will be logged as being delivered and against the 4.0 duty. FEREDAY stated it gets tricky when a supplemental well is associated to two parcels and only one parcel has leased out the water. So far, most of the participants do not have a supplemental ground water right. Those who do have a supplemental well will be watched closely.

FEREDAY stated the office has been uploading the surface deliveries along with the well usage and the web map is now live as of yesterday. The web map has a layer to view the surface deliveries and is color coded according to how much water is available. President SNYDER asked if the web map is updated monthly; FEREDAY stated the well measurements are taken during the first week of the month and are updated once the data is compiled. The storage deliveries are sent to the office at the end of the month.

Treasurer NUTI inquired on when the Stored Water Participants would receive payment; GM BRYAN stated a check will be sent at the end of the program in October.

Director GIORGI asked how the shrink would be calculated for the Program; GM BRYAN stated no shrink would be calculated- the enrolled amount is the full amount that will show as delivered.

**8. Update by Walker Basin Conservancy on activities related to the Walker Basin Restoration Program, including Acquisitions and Conservation and Stewardship Activities.**

Silas ADAMS stated he had no updates to report.

**9. Consideration for making available and delivering well water for the District Well under Nevada State Engineer Permit No. 25813, Certification No. 8861 to lands within the District.**

Secretary HALTERMAN stated the District had only received a handful of interested calls and, in total, only 75 acre-feet would be pumped; GM BRYAN stated the flood mitigation water is going to start soon and there would be plenty of water. President SNYDER asked if Newlands users were more apt to want the well water in August; Treasurer NUTI stated

yes, if their 4.0 duty allows them. GM BRYAN recommended leaving the item on the agenda for next month.

**10. Discussion and consideration of resolution authorizing District General Manager, with the assistance of District legal counsel, to negotiate an agreement with the United Stated Forest Service to bring Walker River Irrigation District Assessments for Lyon County APN 010-861-05 current over a period of time, subject to the requirement that any such agreement be approved by the District Board at a properly noticed Board Meeting.**

GM BRYAN stated there was an email chain in the Board Packet regarding the US Forest Service assessments. The contact the District had is no longer with the Forest Service and the assessment bill has not been paid since 2014. The USFS does call for water on the Rosaschi Ranch on the East, but they are current with USBWC assessments. Counsel DePAOLI advised this happened in 2010 and they paid to become current at that time. Because they are behind again, Counsel DePAOLI sent a letter to the the supervisor in December and contacted a lawyer in Salt Lake City. At the time, not counting penalties, the USFS was behind approximately \$66,000. In March, Counsel DePAOLI received a letter from someone in the Sparks office requesting the District allow them to catch up by paying what they currently owe over a period of time- approximately a third at a time. He also indicated he had ideas on how they could work this so it does not happen again. Counsel DePAOLI has not followed up on what the contact has in mind to avoid it happening again and at the same time seeing what could be worked out. The assessment amount owed and penalties, which are added in as if the property tax bill were not paid based on NRS, amount to approximately \$97,000. Counsel DePAOLI advised he and GM BRYAN want to talk to the USFS to see what they have in mind on how to avoid this and to repay what is owed then come back to the board on what they propose. Counsel DePAOLI advised one part of the problem is that they have a large bill that is not part of their budget, but if they get something in place in their budget, they could become current and avoid this situation in the future. Counsel DePAOLI advised he thought it was a good idea to have on an agenda in case the Board is not interested in collecting over a period of time, or not interest in collecting the full amount. Director GIORGI inquired how many acres were on the ranch; Counsel DePAOLI advised they have 635 water righted acres. President SNYDER confirmed there is no resistance from USFS right now; GM BRYAN stated the resistance is only that they did not have the money in the budget. Counsel DePAOLI suggests the bill be taken off the Lyon County roll and billed straight from the District so there is no confusion with County taxes. Director GIORGI asked if they lease the pastures; GM BRYAN stated he is unsure. President SNYDER inquired if there is a way to work it so the bill comes from the District and does not give up the ability to foreclose or collect; GM BRYAN stated Counsel DePAOLI could put an assessment agreement together that would allow the District to take the water if they do not pay. Counsel DePAOLI advised they are a bigger problem than what the District has with private individuals regarding taking the water, but he thinks there is a way to get the problem straightened out. President SNYDER asked if it is the same instance with the Conservancy; Counsel DePAOLI advised it is a different situation with NFWF. When the ownership of the land and water becomes different, the District would enter into an agreement with NFWF that they would be obligated to pay assessments via a deed of trust,

if they did not pay, the recourse would be to foreclose on the deed of trust. With the Government, Counsel DePAOLI advised he is not certain they are subject to parts of the Irrigation Act that allows the County Treasurer to hold an assessment sale.

Treasurer NUTI made a motion to allow the District Manager and Legal Counsel to negotiate a settlement on the amount owed- including interest; Vice President MASINI offered a second. The vote was called for and approved unanimously.

**11. Annual Review on the performance of the Walker River Irrigation District General Manager Robert C. Bryan and consideration of possible adjustment in compensation.**

Counsel DePAOLI advised he sent an evaluation form to all of the Directors and have received all of them back.

A summary was prepared based on the reports received with the following rating criteria:  
5= Excellent, performs all tasks in an exceptional manner, requires little or no supervision, consistently exceeds expectations, goes above and beyond the call of duty the majority of the time

4= Good, performs many tasks well and other tasks adequately, requires little or no supervision, meets all standards and frequently exceeds expectations

3= Satisfactory, performs all tasks satisfactorily, requires normal supervision, meets standards by performing what is expected the way it is expected to be done, occasionally falls below standard but lapses are offset by occasionally exceeding expectations

2= Fair, performs tasks satisfactorily although not all, requires more than normal supervision, meets standards much of the time but there are occasional lapses where performances fall below standards, lacks consistency in meeting standards

1= Unsatisfactory, fails to perform many tasks well, requires close and constant supervision, fails to meet standards much of the time, frequent coaching and supervision is required

Areas of Performance with comments:

- Job Knowledge- 4.8/5; ‘through continuous research and investigation is gaining more understanding and knowledge of this job’, ‘is willing and able to learn what is needed to get the job done no matter what the assignment’
- Interactions & Communications- 4.6/5; ‘he is always engaged, professional, informed and helpful’
- Decision Making- 5/5; ‘manager understands the situation he is presented with and is confident in making decisions’
- Planning & Organizing- 4.8/5; ‘he is able to supervise multiple projects well, but if the District’s activities expand, a field supervisor may be needed’
- Public Relations- 5/5; ‘continues to have good relationships with District constituents and agencies whom he works with’
- Work Environment & Safety- 4.8/5; ‘good, but care needs to be taken to ensure staff members are well aware of and capable of dealing with potentially dangerous or hazardous conditions of where or under which they may be working’

- Overall Performance- 4.8/5; ‘manager’s performance is excellent; he is truly an asset to the District’

Action Plan:

- Major Strengths- intelligent, hardworking, efficient, knowledgeable, willing to learn
- Areas of Improvement- provide better balance of construction projects and general maintenance, both need to be done and attention to one should not distract attention from the other. There is a concern that replacing ditch companies with Local Improvement Districts will exacerbate the problem making it more difficult to get done what needs to be done. Consideration needs to be given to increasing the salaries of District personnel.
- Goals- continue modernization of the system, more communication with Board Directors
- Salary Increase Recommendation- recommended from 5-15%; average was 9.7% effective 5/2/2019

Director ACCIARI stated he thinks GM BRYAN has done great job and would hate to see the District replace him. He goes above and beyond and if he leaves, it would cost the District a lot of money. Treasurer NUTI stated last year he proposed to raise the GM salary to the nearly \$125,000 over a 3-4 year period and get the salary closer to other Districts. Treasurer NUTI made a motion to give GM BRYAN a 15% raise effective 5/2/2019; Director ACCIARI offered a second. The vote was called for and passed unanimously.

**12. Director Comments:**

None presented.

**13. Public Comment:**

Don Smith asked if the bills in the packet were now the law; Counsel DePAOLI stated each bill will say what the effective date is after the Governor signs it; if it does not say anything, it will go into effect on October 1<sup>st</sup>. Treasurer NUTI inquired what it meant that the bills were delivered to the Governor and not yet signed; Counsel DePAOLI advised the bills had passed the Assembly and Senate and the Governor has a certain amount of days to sign them into law or veto them. The Governor has a 10-day post-legislation limit (not counting Sundays) to sign or veto the bill.

**14. Adjournment:**

Treasurer NUTI made a motion to adjourn the meeting; Director GIORGI offered a second. The motion was voted on and passed unanimously. Meeting was adjourned at 11:20 AM.

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Jim Snyder, President

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Marcus Masini, Vice President

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Richard Nuti, Treasurer

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Dennis Acciari, Director

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David Giorgi, Director

DRAFT