

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on March 7, 2023. The meeting was called to order at 10:00 AM at the District Board Room, 410 N. Main St, Yerington, Nevada by President SNYDER.

Present:

Jim SNYDER	President
Marcus MASINI	Vice President
Richard NUTI	Treasurer
David GIORGI	Director
Robert BRYAN	General Manager
Counsel DePAOLI	Legal Counsel
Counsel FERGUSON	Legal Counsel
Jessica HALTERMAN	Secretary
Sandy NEVILLE	Water Rights Specialist

Public Present:

Joanne Sarkisian, USBWC	AJ Jensby, NDWR	Angela Bezzone, MBK
Peter Stanton, WBC	Carlie Henneman, WBC	Jon Snyder
Elmer Bull		

Public Present via Zoom:

Isaac Metcalf, NDOW	Tim Bardsley, NOAA	Scott Parker
Shawn Stavang	775-721-3271	

1. Public Comment

None presented.

2. Roll Call and Determination of Quorum

Director ACCIARI intended to phone into the meeting but was unable due to cellular service unreliability.

3. Consideration of Minutes of the February 7, 2023 Regular Meeting

Director GIORGI made a motion to approve the minutes; Treasurer NUTI offered a second. The vote was called for and passed.

4. Water Master's Report

Joanne SARKISIAN reported the Topaz release was increased to 300cfs at the reservoir and Hoye is running at 380cfs. The Bridgeport release is currently at 192cfs but will be increased another 125cfs around noon when it is safe for Joe to make the changes. Joanne anticipates flood water shortly as she is waiting for a letter from the State Engineer. The US Board has an opening for the District 6 vacancy. The application process closed on February 28th and there were 4 applications. The 4 applicants will be interviewed on March 17th and a consideration will be made to the Judge. Joanne hopes to have someone appointed by the end of March. President Snyder asked who the applicants are; Joanne stated she probably should not say. Bert stated he does not know what the 52 Rules say;

Joanne stated the rules do not say she can make the information public, but they also do not say she cannot.

President Snyder asked where the water was coming from between Topaz and Hoyo Canyon; Joanne stated it is coming down the natural channel on the backside of the diversion. Bert stated the water is coming through the fish ladder, Park’s properties, and two separate creeks. President SNYDER confirmed it was not because the reservoir was too full. Vice President MASINI asked if the entire river could be sent through the natural channel; GM BRYAN stated it can be, but it could flood some low lying farmland and cause problems.

5. Recess as Board of Directors and convene as Board of Corrections for corrections of assessments pursuant to NRS 539.680

The Board of Directors recessed and the Board of Corrections convened at 10:05am. President SNYDER called for any corrections to the assessments; none were presented.

6. Adjourn as Board of Corrections and reconvene as Board of Directors

The Board of Corrections adjourned and the Board of Directors reconvened at 10:06am.

7. Staff Reports:

A. Treasurer’s Report

Treasurer NUTI reported as of February 28, 2023:

Cash in Checking	\$ 52,033.57
Cash in Money Market	\$ 876,717.19
Cash in CDs	<u>\$ 757,568.24</u>
Total	\$1,686,319.00

B. Consideration of Bills and Payroll for payment

February 2023 Bills & Payroll

Payee	Check No.	Date	Amount
ABILA Dept 2145	100283	02/07/2023	\$205.77
Lyon County Recorder	100284	02/07/2023	\$14.00
NV Energy	100285	02/07/2023	\$374.46
O'Reilly Automotive, Inc.	100286	02/07/2023	\$322.08
Sierra Office Solutions	100287	02/07/2023	\$106.86
Woodburn & Wedge	100288	02/07/2023	\$1,105.00
Spaeth Technologies Inc.	300016	02/13/2023	\$65.00
Verizon Wireless	300017	02/13/2023	\$297.02
Briggs Manufacturing, Inc.	100290	02/13/2023	\$5,070.88

Management to discuss the incoming atmospheric river. Based on the current projections, the SWE is approaching new thresholds every day. The concern is that the SWE is rapidly approaching 2017 levels and there are more storms forecasted. In anticipation of the rising SWE, the reservoir releases are being monitored and increased based on the storage levels. There will be releases to test the system later on, but for now the levels are being ramped up to reach a comfortable pool level. Meetings with the RFC, MBK, NOAA/NWS and BIA will be occurring frequently to keep everyone on the same page.

The shop crew is currently doing repairs and maintenance. This morning they removed the rock diversions at the Nichol Merritt/Campbell and the Sprague. They are on their way to the East and will take out the rocks at the G&H. GM BRYAN is working to get approval from State Lands to remove the rock diversion at the Pitchfork. Right now, the diversion is pushing water into the High Ditch which needs repairs due to a breach. The park staff has been working with the District, but the authority to remove the diversion is needed from the Division of State Lands. GM BRYAN is hoping to receive authorization very soon. President SNYDER asked if State Parks has any facilities that would be threatened with high water; GM BRYAN stated their main hub is at the Pitchfork Ranch and could be threatened along with roads washing out. GM BRYAN is currently in communication with several people who advised he needed to get approval from higher up. Dustin with Lyon County Road Department is aware and will put the signs up if flooding occurs. Anyone entering that area will be doing so at their own risk. Treasurer NUTI asked what the repercussions would be if the Board directed GM BRYAN to remove the diversion; Peter STANTON stated he did not think anyone with local State Park staff would have an issue with that and no attorney is going to have opposition to protecting public safety. Treasurer NUTI asked if there was a prescribed easement; GM BRYAN stated there is a prescribed easement and he is concerned with the High Ditch. There is a lot of water that is coming soon and more can come down quickly. There are already problems arising in Smith Valley in the Desert Creek area and equipment and staff are needed there. Vice President MASINI asked Counsel if there is any liability on the District if the diversion is not removed; Counsel DePAOLI stated that the District is doing everything it can but when it comes to the High Ditch, the District has a prescriptive easement to repair it. GM BRYAN stated the High needs to be repaired but cannot be worked on until the rocks are removed. Vice President MASINI asked what the ramifications would be if the rocks were removed; GM BRYAN stated hurt feelings and lack of equipment to put the rocks back. Carlie asked what was going on with the MOU; GM BRYAN stated there have been 3 different directors for DCNR and that is the hold up. The projections that the River Forecast Center have presented indicate more than 300cfs need to be released from Bridgeport. Treasurer NUTI asked if the equipment is close to where the diversion needs to be removed; GM BRYAN stated the equipment is very close. Treasurer NUTI asked if a formal motion needs to be made to get the High fixed; Counsel DePAOLI stated if the High needs to be fixed then the District has to fix it. President SNYDER asked if it was feasible to go fix Smith Valley and then come back; GM BRYAN stated it is not feasible due to having to

coordinate with NDOT on going through the canyon and scheduling someone to transport the equipment. Counsel DePAOLI stated if there is a window to do the High Ditch then do it and if there is no authorization to do the Pitchfork, then move on. Counsel DePAOLI asked how long GM BRYAN can wait to do the Pitchfork diversion; GM BRYAN the water has not hit Strosnider yet, but it is coming. President SNYDER stated the diversions need to be removed and the work should just be done. Vice President MASINI stated GM BRYAN has the Board's support either way. Joanne stated the High Ditch needs to be fixed because the decree is set at full. GM BRYAN stated staff is going up to the High with boards to relieve some of the stress on the High Ditch and there is WRID and Lyon County equipment and staff are on standby in the area for as soon as authorization is given.

GM BRYAN and office staff have been participating in weekly calls with the Department of Emergency Management regarding the Wilson Canyon project. Last Thursday, the group advised that all the major material has been removed as well as the larger rocks that fell into the river during the slide. They are working on installing fencing and complying with the Army Corps of Engineers. There is still no definite date on when the canyon will be open without controls, but it is currently open Monday through Friday from 5-8am and 5-8pm with a pilot car. It has been open from 5am-8pm on the weekends with a couple of schedule alterations due to projects and/or weather.

GM BRYAN held meetings on February 14th and 15th with the Smith and Mason Valley well users. They discussed the next steps for the upcoming water year, legislative bills, and the upcoming meeting with NDWR.

GM BRYAN reported that a few weeks ago, NFWF approved an amendment for modernization at the Colony Ditch, Bridgeport Reservoir and a couple other locations. NFWF has been working with BOR to get an extension on the grant to October 2025 but will still work with BOR to figure out a longer extension. GM BRYAN will keep the Board updated on progress or changes.

GM BRYAN provided a packet of all the bills in Legislature. Digital and printed copies are available upon request.

On March 2nd, GM BRYAN met with Lyon Copper & Gold and Singatse Peak Services. They hold all of the rights in the Anaconda project. They have reached out to open a line of communication and have requested information from private ditch company board members as well as the State and Walker River Paiute Tribe. The initial plan, or hope, is to drain the Anaconda pit to mine the minerals under it. They would like to see the water used in the irrigation canals. They are still obtaining permits and GM BRYAN will keep the Board updated on progress. GM BRYAN also can have them do a presentation if requested. The site is still being overseen by NDEP and there are a lot of regulations they must comply with. President SNYDER asked how it would work from a water rights perspective; GM BRYAN stated they have to get approval from the state engineer's office and go

from there. Vice President MASINI asked if the water would go into the pool; GM BRYAN stated there is 42,000 acre-feet of water that they need to get rid of. They may consider places for reinjection, but they are hoping to spread the rest onto lands. Their preference is to apply it to land north of Mason Road and on the East side of the river. President SNYDER asked when they hope to be in operation; GM BRYAN stated their operation is different from a regular operation in that they are dealing just with the tailings, so it is not certain what their schedule is. President SNYDER stated that previously, the area was dewatered and the majority of wells were on the Hunewill property and asked if there were additional wells; GM BRYAN stated the level has come up slowly but they need to get it drained out to continue their mining operation. They will have to set up their own pumping system to drain it. President SNYDER asked if the previous wells were decommissioned; GM BRYAN stated they are having to work with NDEP and EPA now because of the cleanup efforts. President MASINI stated it will be interesting to see what the State's position is. It will be a huge void next to the river. President SNYDER asked if the water previously went into the river; Counsel DePAOLI stated it has been a long time since he looked at it, but he believed there was an agreement with the District at one time that the dewatering water was put into the ditches.

Tomorrow, GM BRYAN will be meeting with Hudbay and its stakeholders to talk about the Mason project. It is described as a large copper deposit mining project with a 27 year mine life. GM BRYAN will give an update next month. Vice President MASINI confirmed the two projects have nothing to do with Nevada Copper; GM BRYAN confirmed.

D. Legal Counsel's Report

Counsel DePAOLI stated AB90, which proposes a ten-year temporary permit, has not had any action. Senate Bill 176 was introduced by Senator Goicoechea and proposes establishing a fund to purchase retiring groundwater rights, but it has not had a hearing yet. Counsel DePAOLI believes the bill is possibly directed toward the issues in and around Eureka. A lot of the other bills do not deal with what the District would have direct interest in. There has been nothing on the bill draft related to the joint administration of surface and groundwater. President SNYDER asked how a bill would affect only Eureka and not the entire state; Counsel DePAOLI stated it would be in effect for the whole state, it just may affect Eureka a little more than other areas.

E. Storage Water Leasing Program Update

Angela BEZZONE reported that the petitions have been submitted to the California State Water Board. The comment period ended yesterday. There were two comments- one from the Conservancy in support of the program and one from California Department of Fish and Wildlife that Angela has not completely read through. Angela stated the comments were supposed to come to her directly, but it is possible that comments were submitted directly to the State Board and she may be given those at a later time. The application and letter will be mailed to all landowners after the meeting. Applications are due mid-May and final contracts

must be signed by the end of May. The release plan submittal will be submitted by mid-June. There will be a 30-day review period once the plan is submitted. Releases could begin in July, but Angela does not foresee them starting that early. In 2017, users were still calling for storage water in August, so it is expected the releases will begin sometime in late August. Vice President MASINI asked how it works if a 100% allocation is initially given and there is a re-allocation; GM BRYAN stated if the re-allocation is given before the cutoff date, users will have another opportunity to participate or add water, but if the re-allocation is after the cutoff, there will be no additions. Joanne stated the USBWC comments were submitted yesterday afternoon and went directly to the State.

F. 2023 Election Update

Secretary HALTERMAN reported nominations close on March 15th. There is currently 1 nomination for District 3 and 1 nomination for District 4; District 2 still has no nominations. Registration closes on March 21st. Per statute, a registration day will be held on March 15th from 7am to 7pm with Jessica at the Smith Valley Courthouse and Sandy at the District office. If there is any opposition in any district, the election will be held on April 4th.

8. Opening and consideration of written bids to lease District land at Bridgeport Reservoir for grazing purposes and possible award of lease.

Secretary HALTERMAN advised one bid was submitted. President SNYDER opened the sealed bid. Gansberg Ranch submitted a bid for \$57.1/AUM, \$34,260/annum. President SNYDER asked how the bid compared to the last lease; Secretary HALTERMAN stated it is a \$9,000/year increase. Treasurer NUTI asked if there were more inquiries; Secretary HALTERMAN stated there were a handful of other inquiries and the bid criteria was provided to each of them, but no bid was submitted. President SNYDER confirmed Gansberg Ranch was the last lease holder; Secretary HALTERMAN confirmed. Secretary HALTERMAN stated the lease is a two year lease with a three year renewal option. President SNYDER asked if there is less grazing area if the pool is high; GM BRYAN stated there is a less area around the reservoir, but there is a large portion of the area that is not affected. Director GIORGI asked how many grazing acres were part of the lease; GM BRYAN stated it is a lot, but the exact number would have to be looked up.

Director GIORGI made a motion to award the bid to Gansberg Ranch; Vice President MASINI offered a second. The vote was called for and passed.

9. Update from the Division of Water Resources regarding groundwater pumping and upcoming fieldwork schedules.

AJ JENSBY reported that he was recently promoted to Walker Basin Engineer position. The emergency flood water operation will closely follow the 2017 operations. When flood water is being offered in effort to protect public health and safety, it will not be counted against the duty. The Smith/Mason Valley community meetings will likely be held toward the end of March; there is still some data to be analyzed before getting a meeting scheduled. Director GIORGI asked if the spring measurements have been completed; AJ stated they had been and they are down an average of 3-5'. AJ stated that amount is expected and the

recharge will be seen next year as the pumping will be less this year. Treasurer NUTI asked if the State would mind if the supplemental wells are pumped to fill spray trucks and water tanks; AJ stated that will not be a problem as they are probably not going to be 100% pumped.

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

Peter STANTON reported the tribe is releasing approximately 80 feet from Weber. He anticipates this is going to be a good year for Walker Lake. NDOW had an instream 1 year change approved for 2.5cfs of decree rights over the weir so the Conservancy now has 20cfs at Wabuska.

11. Presentation by Tim Bardsley and Chris Smallcomb with NOAA regarding the current year weather and water outlook for 2023 irrigation season.

Tim Bardsley presented on the 2023 irrigation season weather and water outlook. Highlights included:

- Flows are expected to ramp up approximately 200-300cfs on the West Walker
- 240% of median snowpack for the Walker Basin
- Almost all sites are record or second highest for snowpack.
- There is a greater than 10% chance of exceeding the 2017 peak.
- There is a significant amount of low elevation snow that is not well measured.
- The SWE at Leavitt Meadows is 325% of median peak.
- The SWE at Leavitt Lake is 175% of median but lower than 2017.
- The soil moisture is below 2017 but above 2019 levels.
- The April-July water supply outlook estimates 363kaf on the West Walker (228% of mean) and 189kaf on the East Walker (307% of mean).
- There is a high probability of minor/nuisance flooding on the West Walker below Little Walker, the East Walker, and Walker River near Mason. There is a moderate probability of moderate to major flooding in the East Walker, Walker River near Mason and Mono County small streams.
- There is a very high probability of minor/nuisance flooding of Mono County small streams.
- Freakout scenarios include:
 - o A very strong and warm Spring atmospheric river with prolonged elevated rain/snow lines and efficient spillover.
 - o Continue to add significant snowpack through March and into April followed by prolonged heatwave in May, June or early July.
 - o Significant multi-day rain event in April or May after snowmelt has been initiated.
- Goldilocks scenarios include:
 - o Warm and dry early spring weather slowly eliminating low elevation snowpack and starting to eat away at mid elevation snowpack.
 - o No big spring rain events.

- No prolonged heat waves in late April through June with a few days of warm followed by cool days.

12. Discussion and consideration of storage water allocation for the 2023 irrigation season

Angela BEZZONE presented a slide show discussing the current and expected water supply. Highlights included:

- The 50% exceedance forecast for East Walker near Bridgeport is 179kaf and the 10% forecast is 220kaf. For comparison- the observed flow in 2017 was 208kaf.
- The 50% exceedance forecast for West Walker below Little Walker near Coleville is 354kaf and the 10% exceedance forecast is 408kaf. For comparison- the observed flow in 2017 was 406kaf.
- The 50% exceedance forecast is almost a certainty, but the 10% exceedance forecast is a real possibility given the current circumstances and the probability that the snowpack will continue to grow with the anticipated storms.
- The Seasonal April-July historical flow for Bridgeport is in line with 2011 and has exceeded 2011 on the West Walker.
- In 2017, the inflows to Bridgeport peaked and fell due to warming and cooling trends. The 50% exceedance forecast indicates the flows will be on the lower end of the flows seen in 2017, but the 10% exceedance forecast is near the top and is extended when compared to the 2017 flows.
- Based on the 50% exceedance, the operation plan for Bridgeport is to keep the capacity below 42kaf so the siphons do not kick on and no water is spilled. Operations to lower the pool are currently occurring with the releases increased to 300cfs yesterday and going up to 500cfs mid-month. The hope is to run releases at 675cfs April through May. The reservoir is expected to begin filling at the end of May but keeping the releases at 675cfs should shave off the peak flows.
- In 2017, the inflows to Topaz followed the same trend as Bridgeport due to the warming and cooling trends. The 50% exceedance forecast indicates the inflows will be in the middle of the 2017 trend but the 10% exceedance forecast indicates the flows will be higher and extend further than 2017.
- Based on the 50% exceedance, the operation plan for Topaz is to keep the pool below 59kaf. Topaz has a spillway, but also has a long diversion that can be changed to allow more or less water to go down the natural channel. Currently, 300cfs is being released and the hope is to increase that amount. The releases at Topaz must be considered in addition to water that is added to the system between the discharge and the Hoye gage. It is anticipated that the West Walker flows will reach 1,650cfs during peak flows.
- In 2017, the Mason gage peaked at 2,620cfs. The combined flow for the Main section of Walker River is expected to reach 2,325cfs if no water is taken out of the system.

Peter STANTON asked if the total discharge figures reflected the forecast or what is actually in the mountains; Angela stated the figures reflect the snowpack and considers the projected 10-day forecast.

BREAK FROM 11:30am to 11:40am

GM BRYAN recommended, based on the snowpack and current reservoir levels, the allocation be set at 100% and he be given the authority to give a re-allocation if/when the

time comes. GM BRYAN also stated that if storage water is not used, a re-allocation opportunity may not be applicable. In 2017, the District ran flood water until August. There is a hierarchy in the ditch- decree, storage, then flood water.

Treasurer NUTI asked if the flood water counts toward the duty; AJ stated right now it does, but once the State Engineer issues a letter stating the flood water is protecting public health and safety, it will not be counted against the duty. GM BRYAN stated a notice will be put up in the office, on the website, and on the usage statements when the emergency flood water is in effect. Joanne stated if the flows are below 2000cfs, the flood water is used against the duty, if the flows are more than 2000cfs big 'F' water does not count against the duty; Treasurer NUTI stated different terms need to be created when it comes the type of flood waters.

Treasurer NUTI made a motion to set the storage allocation at 100% and to allow the General Manager to make a determination on a re-allocation; Vice President MASINI offered a second. The vote was called for and passed.

13. Discussion and determination of the season for delivery of storage water in 2023 as provided in Section 9.3 of District Regulation No. 9

GM BRYAN stated the season has historically started on April 1st. Even if the season opens before then, it is unlikely that anyone will call for water.

Director GIORGI made a motion to open the season on April 1st; Treasurer NUTI offered a second. The vote was called for and passed.

14. Discussion and determination of the last date to allow irrigation season changes in place of use of storage water from reservoir to reservoir as provided in and required by Section 6.1 of District Regulation No. 6

GM BRYAN advised that if the reservoir to reservoir transfers are allowed, a cutoff date should still be set. With the current reservoir operations it is hard to say when or if it will be hard to fill the requests; GM BRYAN does not anticipate any problems, though. Historically, May 31st has been the latest that the transfers are allowed. Vice President MASINI asked what is usually done; GM BRYAN stated usually it is an early cutoff date, but that is when there is not much water. President SNYDER asked if there was a problem with allowing transfers up to May 31st; GM BRYAN stated there is no problem with that date and Angela stated it is in line with the final commitment for the Leasing Program.

Vice President MASINI made a motion to allow reservoir to reservoir transfers up to May 31st; Treasurer NUTI offered a second. The vote was called for and passed.

15. Consideration for making available and delivering well water for the District Well under Nevada State Engineer Permit No. 25813, Certificate No. 8861 to lands within the District beginning April 1, 2023

GM BRYAN suggested not running the District well this year due to there being an ample amount of storage water. Not running

16. Review and discussion of an Addendum to the City of Yerington Lease agreement for the area on the northwest corner of the WRID property to allow for the construction, maintenance, and repair of landscaping, an irrigation system, seating, waste receptacles and decorative lighting.

GM BRYAN stated the City of Yerington is trying to beautify Main Street. GM BRYAN reported that the fire department has approached the District with plans to install a bench and trash can as well as landscaping around the electronic sign. There is currently power that is supplied by the City but there is no water service. They are requesting to tie into the District's water line with an irrigation setup and they have verbally agreed to give a break on the water bill. One concern is the posting of signs on the District fence. GM BRYAN stated there are regulations for posting and the entity must come into the District office to sign a paper with their contact information. The City has indicated that they do not want physical signs rather they would like us to refer people to use the electronic reader board. GM BRYAN stated he is okay with the addendum if the Board agrees. Vice President MASINI asked if there was negotiation on adding a curb and gutter along Goldfield; GM BRYAN stated that they are out of funds on the water & sewer project, so it is unknown what is going to happen. GM BRYAN would like to see curb and gutter on the Goldfield side especially since they have routed the drainage toward the District property. Treasurer NUTI asked if the sign would stay the same; GM BRYAN stated the sign will stay the same. The City has requested slats be put in the fence to hide some of the equipment and that will be done at their cost. Secretary HALTERMAN clarified that the project is a City of Yerington project, and the fire department is not affiliated with it. The beautification is fully funded by the City and the committee is comprised of Scott and Anna Draper, Debbie Douglas and a couple other ladies who maintain the planters on Main Street.

Treasurer NUTI made a motion to approve the addendum to City of Yerington lease agreement; Vice President MASINI offered a second. The vote was called for and passed.

17. Director Comments

Vice President MASINI asked what the price was for the Stored Water Leasing Program; GM BRYAN stated it is \$147 per acre-foot.

Treasurer NUTI stated a prayer should be said that the water comes off of the hills in a way that can be managed. There is a lot of water with a lot of potential for negative things if the wrong storm hits at the wrong time. Carlie stated GM BRYAN did a good job in 2017.

GM BRYAN stated he did receive authorization to remove the diversion on the Pitchfork so he and Counsel DePAOLI will be working on an agreement.

18. Public Comment

None presented.

19. Adjournment

Treasurer NUTI made a motion to adjourn; Vice President MASINI offered a second. The vote was called for and passed. The meeting adjourned at 12:10pm.

Jim Snyder, President

Marcus Masini, Vice President

Richard Nuti, Treasurer

Dennis Acciari, Director

David Giorgi, Director

DRAFT