

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on October 7, 2021. 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
Gordon DePAOLI	Legal Counsel, via phone
Jessica HALTERMAN	Secretary
Sandy NEVILLE	Water Rights Specialist

**Public Present:**

Taylor Thomas, USBWC	Silas Adams, WBC	Carlene Henneman, WBC
Peter Stanton, WBC	Ed Ryan, MV/SVCD	Ron Mellen, MV/SVCD
Wyatt Fereday, NDWR	Mike Scott, NDWR	Joanne Sarkisian, USBWC

**Public Present via phone:**

Wes Walker, MBK	Don Smith	Steven Fulstone
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**1. Public Comment**

None presented.

**2. Roll Call**

Director Acciari was absent.

**3. Consideration of Minutes of the September 7, 2021 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 Tribe went off on September 28<sup>th</sup> and the current decree is 1861 on the East and 1862 on the West, Tunnel and Main. Joanne is delivering .64 cfs decree on the Tunnel and 4.48 cfs on the East. To date, 67,108 acre-feet decree and 11,104 acre-feet of storage has been delivered. There is still a little bit of storage being delivered, but not much. There is currently 4,175 acre-feet (10% capacity) in Bridgeport and 4,675 acre-feet (8% capacity) in Topaz. Joanne wanted to give a heads up that there probably will be no stock water this season as she does not believe she can get it out of the river and will not increase flows in effort to store as much water as possible. The flows will be decreased to 20cfs from Bridgeport and 2-3 cfs from Topaz. Joanne suggested other means of stock water be considered.

5. **Staff Reports:**

**A. Treasurer's Report**

Treasurer NUTI reported as of September 30, 2021:

Cash in Checking	\$ 69,934.47
Cash in Money Market	\$1,023,723.99
Cash in CDs	\$ 749,661.39
Total	<u>\$1,843,319.85</u>

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

***September 2021 Bills & Payroll***

<u>Check Number</u>	<u>Effective Date</u>	<u>Vendor Name</u>	<u>Check Amount</u>
122172	9/7/2021	Ameritas Life Insurance	\$ 1,027.80
122173	9/7/2021	NAPA AUTO & TRUCK	\$ 23.94
122174	9/7/2021	MBK Engineers	\$ 4,066.75
122175	9/7/2021	True Value	\$ 52.96
122176	9/7/2021	NWRA	\$ 640.00
122177	9/7/2021	Public Employees' Benefits	\$ 870.23
122178	9/7/2021	Purchase Power / Pitney	\$ 453.00
122179	9/7/2021	NV Energy	\$ 319.12
122180	9/7/2021	Southwest Gas	\$ 39.58
122181	9/7/2021	Wells Fargo Card Services	\$ 1,496.21
122182	9/7/2021	CT Corp.	\$ 398.00
122183	9/13/2021	PERS Administrative Fund	\$ 8,610.94
122184	9/13/2021	AT&T	\$ 154.88
122185	9/13/2021	John Deere Credit	\$ 55.77
122186	9/13/2021	Xerox Financial Services	\$ 171.13
122187	9/14/2021	Alhambra	\$ 87.38
122188	9/14/2021	U.S. Geological Survey	\$ 14,612.00
122189	9/14/2021	Verizon Wireless	\$ 272.38
122190	9/28/2021	Petty Cash	\$ 494.92
122191	9/28/2021	AFLAC	\$ 35.70
122192	9/28/2021	ABILA Dept 3303	\$ 195.98
122193	9/28/2021	MF Barcellos	\$ 4,046.61
122194	9/28/2021	O'Reilly Automotive, Inc.	\$ 195.76

122195	9/28/2021	Pitney Bowes Global	\$	213.42
122196	9/28/2021	Quill	\$	531.70
122197	9/28/2021	Schneider Electric USA,	\$	3,767.04
122198	9/28/2021	NV Energy	\$	39.79
122199	9/28/2021	Standard Insurance	\$	241.03
122200	9/28/2021	HomeTown Health	\$	7,421.23
122201	9/28/2021	Desert Engineering	\$	824.98
122202	9/28/2021	Desert Research Institute	\$	33,321.84
PAYROLL	9/30/2021	SEPTEMBER PAYROLL	\$	41,827.01
<b>TOTAL BILLS &amp; PAYROLL</b>			<b>\$</b>	<b>126,509.08</b>

Director GIORGI inquired about the USGS bill; GM BRYAN stated it was part of the annual gage monitoring agreement.

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

**C. Manager's Report**

GM BRYAN reported Topaz is at 4,615 acre-feet (8%) and Bridgeport is at 4,194 acre-feet (10%). The shop crew finished the repairs and maintenance on the PD drain. They have started work on the Saroni WaterSmart grant #2. The crew started on the Wedertz #5 gate and measuring device and will continue to the Cardone and Straub. The crew had to break away earlier this week for the repairs and maintenance on the Bridgeport Gatehouse. The crews exposed the issue at the siphon then plated and sealed the area with a temporary patch. MBK Engineers and representatives from California Safety Dams were on scene and the repair will be satisfactory while a permanent replacement report is being completed. It is looking like a whole new concrete wall on the outside will be needed. Upon further inspection there is no concern in jeopardizing the structure.

GM BRYAN stated he reported last month that there are some issues with District well. It is down to pumping as low as 6 ½ cfs when it should be pumping around 9 cfs. John Lee suggested we complete a water sample testing, the samples were taken and analyzed and the results indicated there is a deposit buildup. Two quotes to fix the deposit came in over \$100,000 each. Because of the cost, the District asked Carson Pump to pull the well apart and send a camera down to verify the problem. Carson Pump will be working on taking the well apart this week. John Lee stated the District can continue to operate as is, but it will not pump at the full capacity and, eventually, the District may need to drill a new well. Once the video is done and a report is given back to the District, GM BRYAN will forward it to the Board.

GM BRYAN received a call from David Peri who requested GM BRYAN bring up to the Board and investigate the costs and benefits of aerial cloud seeding. Right

now, DRI does ground generator seeding, but no aerial seeding is being done. Mr. Peri suggested funding could come from private sources or a generalized assessment from all users. GM BRYAN has contacted Rick Stone with RHS consultants and he will be preparing a quote. GM BRYAN will also reach out to DRI and see if there are other avenues for funding. In the past years, a huge portion of cloud seeding- both ground and aerial- was grant funded. The State has not approved cloud seeding in their budget and the airplane seeding is very expensive. GM BRYAN stated the Board approved \$30,000 to go directly to ground generators that DRI controls. Treasurer NUTI asked if there is any data showing the increased benefit from aerial seeding versus ground seeding; GM BRYAN stated Frank from DRI reported the aerial seeding results in an additional 500-1000 acre feet added to water shed because the solution can be dropped exactly where it is needed. He also advised the generators are nice, but the prime location is on Yosemite. The government does not allow for a ground generator to be on Yosemite, but the airplane is not restricted and can seed clouds in that area. GM BRYAN stated Rick Stone currently flies for Stanislaus Valley on the other side of the Sierras. GM BRYAN will be working on getting more information and will keep the Board informed.

GM BRYAN had a meeting last week with the committee to study water adjudications. The committee is still seeking ways to give recommendations to the Chief Justice and Nevada Supreme Court on how to deal with water law cases. GM BRYAN will keep the Board informed on any changes.

Next month the weather service will be giving a presentation on the upcoming winter forecast.

**D. Legal Counsel's Report**

Counsel DePAOLI had nothing to report.

**E. Review and approval of monthly storage transfers.**

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

**F. Storage Water Leasing Program Update**

Wes WALKER stated there is not much to report, but MBK is working on the reports that are due to the California State Water Resources Control Board. The report will be distributed to all interested parties. The report is due within 90 days, but it will be completed by the end of the month. The mandatory post-program meeting will be held later this year. The filings and petitions are started for the next program year. The process will be the same and will not lock us into running the program next year, but it will allow for a jump start if the conditions are right.

**G. FY2020-2021 Audit Update**

Secretary HALTERMAN advised she spoke with Sciarani & Company and the audit is progressing. They had deadlines for the school districts and counties this month, so the report may be ready for next month.

**H. Current Drought Conditions for WY 2021 Presented by MBK Engineers**

Wes WALKER stated there will be a little bit of precipitation over the next few days. Hopefully this will be the start of snow and rain in the mountains. Longer range forecast is average to below average temperatures. There does not look to be much precipitation in the near future after this week. The long range forecast is for a weak La Nina, no strong correlation with a wet or dry forecast. Wes put together a storage forecast to give an outlook on the reservoir levels and will forward the document to Bert for distribution.

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

Wyatt FEREDAY stated there was not much to report. Preliminary pumping numbers through October 1<sup>st</sup>, are 68,000 acre-feet in Mason Valley and 24,000 acre-feet in Smith Valley. There are a few users in both basins who have not reported for September, but most of the big users have submitted their readings. Wyatt and Mike will be in the field in November & December checking water levels and doing meter checks on wells with less than 5 acre feet and meters that have not been reported. Director GIORGI asked if there has been over pumping; Wyatt stated there have been a few over pumping occurrences and he has sent letters to the users. There are not as many over pumping occurrences this year compared to last year. Director GIORGI asked if there were fines for over pumping; Wyatt stated there are no fines at this time, but if it is a pattern, they can open an Alleged Violation case. Wyatt stated they want to work with the users to make them aware of the over pumping and to assist with transferring water to the wells.

GM BRYAN asked Wyatt what to tell users who cannot get stock water this year; Wyatt stated those who have water left on their permit could turn their well on.

Vice President MASINI asked if a certain meter was recommended; Mike and Wyatt stated they do not require a certain meter, but they recommend an old school analog Micrometer. The Micrometer does not use electricity so it tends to be the most accurate. To be the most accurate, it is recommended to put the meter on a straight piece of pipe not close to any bends.

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

Peter Stanton introduced himself as the new Executive Director of Walker Basin Conservancy. Peter plans to be more involved in water acquisitions as well as administering water rights in a way that protects water users in the Basin. He would like to connect with the Board and is excited to build better relationships in the valley.

Silas ADAMS introduced Carlene Henneman, Water Program Associate Director. She will be helping Silas on the water side. The Conservancy closed an acquisition in Smith Valley and gained 2.6 cfs in decree and 545 acre-feet in storage. Silas reminded everyone about the storage water estimator that is available on the website.

**8. Discussion and Review to implement draft controls for Board consideration, policies, enforceable by regulation or otherwise, concerning fees for services provided to ditch companies, such as payroll services, moderation and taking minutes of minutes, for water card revisions, late fees and/or interest charges for past due invoices, and delinquent reserved water rights assessments, prepayment requirements for projects and material purchases and other revenue sources, such as copy charges.**

GM BRYAN stated the internal control draft policies have been introduced in prior meetings and have been available on the website for a few months. Secretary HALTERMAN stated there are three topics to discuss in this item at this time rather. Secretary HALTERMAN stated the audit referenced the project prepayment, late fees & charges, and the payroll agreement were mentioned the most over the past few audits, and that is what is presented today.

Secretary HALTERMAN stated the proposed Advanced Payment Policy requires a 50% deposit on projects over an undetermined amount. GM BRYAN stated he spoke with Counsel DePAOLI and there will be a payment agreement included with all projects to ensure payment. Vice President MASINI requested the policy be effective for all projects regardless of the amount. Treasurer NUTI asked if a payment plan would be in lieu of a deposit; GM BRYAN stated it could be if that is what is agreed to in the payment agreement. Treasurer NUTI made a motion to approve the Advanced Payment Policy with a 50% deposit being required on all projects; Vice President MASINI offered a second. The vote was called for and approved.

The Overdue Payment Policy is being proposed in attempt to mitigate the problem of invoices not being paid in a timely manner and taking advantage of the District essentially being a 'bank'. The policy proposes a monthly late fee of \$5 and monthly interest fee of 1.25% (15% annually). The policy also explains when overdue notices will be mailed, and when payments must be submitted to avoid late fees and interest charges. Vice President MASINI asked if interest fees would be charged on payment plans; Secretary HALTERMAN stated the interest would be charged but a late fee would not be if the customer pays on time according to the plan. Vice President MASINI made a motion to approve the Overdue Payment Policy; Treasurer NUTI offered a second. The vote was called for and passed.

The Payroll Service Agreement is to protect the District and the ditch companies by explaining what is expected and provided by both parties. The proposed agreement does not include any new charges for WRID services but does outline what is currently being billed and what services are being provided. President SNYDER asked what the worker's comp charge was for; Secretary HALTERMAN stated that since the District handles the payroll, it must include the ditch rider on the worker's comp plan. Secretary HALTERMAN stated the prompt for the agreement was not only because of the audit

recommendation, but there have been questions from ditch companies on charges such as quarterly taxes, end of year tax forms & filing, and miscellaneous charges. Secretary HALTERMAN stated in the early 90s there were agreements with each ditch company each year, but there have not been any recently. Vice President MASINI made a motion to approve the Payroll Service Agreement; Treasurer NUTI offered a second. The vote was called for and passed.

Treasurer NUTI asked if the policies could be revisited and modified if needed; Secretary HALTERMAN confirmed that all policies can be changed and the benefit of not putting the polices into the regulation is that they can be revisited at any time.

**9. Consideration of authorization of District counsel to execute, deliver and file Conditional Stipulation to Resolve District Protest Regarding Application No 90690. (Note: Pursuant to N.R.S. 241.01(2)(b)(2), the Board may interrupt the open meeting for purposes of receiving information from legal counsel concerning and to deliberate toward a decision on the Conditional Stipulation).**

Counsel DePAOLI stated the agenda item relates to the recent change application filed by the Walker Basin Conservancy. A conditional protest was filed on behalf of the District to be able to participate if there were more protests and a hearing; there were no more hearings. The application involves a water right under the decree claim 154 which is diverted at the weir. The stipulation requires the change be approved under the same terms and conditions as Permit 80700 in accordance with the Nevada State Engineer's decision in respect to that permit. Director GIORGI made a motion to authorize District counsel to execute, deliver and file the Conditional Stipulation to Resolve District Protest Regarding Application 90690; Vice President MASINI offered a second. The vote was called for and passed.

**10. Director Comments**

None presented.

**11. Public Comment**

None presented.

**12. Adjournment**

Director GIORGI made a motion to adjourn; Treasurer NUTI offered a second. The vote was called for and passed. The meeting was adjourned at 11:05am.

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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

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