

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on March 7, 2022. 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, via phone    |
| David GIORGI      | Director                |
| Dennis ACCIARI    | Director                |
| Robert BRYAN      | General Manager         |
| Gordon DePAOLI    | Legal Counsel, via zoom |
| Jessica HALTERMAN | Secretary               |
| Sandy NEVILLE     | Water Rights Specialist |

**Public Present:**

|                    |                         |                      |
|--------------------|-------------------------|----------------------|
| Mark Mahan         | Criz Mahan              | Carlie Henneman, WBC |
| Peter Stanton, WBC | Wyatt Fereday, NDWR     | AJ Jensby, NDWR      |
| Ed Ryan, MV/SVCD   | Joanne Sarkisian, USBWC | Carole O'Banion      |

**Public Present via Zoom:**

|                                 |                          |               |
|---------------------------------|--------------------------|---------------|
| Tom Renner                      | Sir Mark Jones           | Shawn Stavang |
| Isaac Metcalf, NDOW             | Angela Bezzone, MBK      | Gary Godde    |
| Antonio Fuentes<br>760-310-3262 | Nickole Robinson Carroll | Don Smith     |

**1. Public Comment**

None presented.

**2. Roll Call**

All members were present.

**3. Consideration of Minutes of the February 7, 2022 Regular Meeting**

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

**4. Water Master's Report**

Joanne SARKISIAN reported Bridgeport was at 18,760 acre-feet (44%) and Topaz was at 33,330 acre-feet (56%). The decree was on Full for 1 day, is currently at 1880 and tomorrow will be 1877 for the West, Main & Tunnel and 1875 for the East. Joanne is currently delivering 183 acre feet of decree water. She reported that a little water was lost from the reservoirs over the weekend so the decree will be dropped to make up the

difference. Work is being done to get the SCADA system running and everything is moving along.

There was an issue at the Rosaschi Ranch. Joanne received a phone call that there was someone building a structure in the river. She found a contractor from Trout Unlimited securing beaver dams to backup the water because fish like warm water. The contractor stated they were also going to be putting diversions in the river along with two weirs. Joanne told the contractor to stop the project and to remove the structure which he did. The purpose of the project is to back water up so it would go into the flood plains and move sediment out of the river and to regenerate the aquifer. The Rosaschi decree is an 1861 and the .07 cfs of water is reserved by WRID. No one has a water right to move water into the flood plain. Joanne is working with attorneys on where to go from here. She was told there are other structures in the river but it is unknown where they are located. Joanne provided a picture of ponding that was taken 24 hours after the structure was removed. Joanne contacted Trout Unlimited in Truckee and the lady stated there are multiple agencies involved in the project- NDEP/Army Corps gave them the permit, State Lands, USFS, and NFWF were all aware. Peter Stanton clarified that he represents Walker Basin Conservancy and it was the first he was hearing of the project. Joanne stated the lady in Truckee was surprised that the Conservancy did not know what was going on. Joanne will be looking for the other structures and will have a drone fly the entire river. President SNYDER asked if there were other projects planned for the basin; GM BRYAN stated Gary Garms gave Joanne a link that showed pictures of other projects and some of the pictures were credited to be on the Walker River. Vice President MASINI stated Trout Unlimited has contacted him regarding the Cottonwood Ranch so there is someone local who knows about the projects.

**5. Staff Reports:**

**A. Treasurer’s Report**

Treasurer NUTI reported as of February 28, 2022:

|                      |                |
|----------------------|----------------|
| Cash in Checking     | \$ 243,566.19  |
| Cash in Money Market | \$ 857,456.85  |
| Cash in CDs          | \$ 757,568.24  |
| Total                | \$1,858,591.28 |

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

***February 2022 Bills & Payroll***

| <u>Check</u><br><u>Number</u> | <u>Effective</u><br><u>Date</u> | <u>Vendor Name</u> | <u>Check</u><br><u>Amount</u> |
|-------------------------------|---------------------------------|--------------------|-------------------------------|
| 122418                        | 2/7/2022                        | Champion Chevrolet | \$ 44,641.25                  |
| 122419                        | 2/14/2022                       | AT&T               | \$ 152.35                     |

|                                  |           |                              |                      |
|----------------------------------|-----------|------------------------------|----------------------|
| 122420                           | 2/14/2022 | NAPA AUTO & TRUCK PARTS      | \$ 180.66            |
| 122421                           | 2/14/2022 | Lyon County Recorder         | \$ 32.66             |
| 122422                           | 2/14/2022 | MBK Engineers                | \$ 737.75            |
| 122423                           | 2/14/2022 | O'Reilly Automotive, Inc.    | \$ 100.11            |
| 122424                           | 2/14/2022 | PDM Steel Service Centers,   | \$ 2,647.66          |
| 122425                           | 2/14/2022 | Public Employees' Benefits   | \$ 1,740.46          |
| 122426                           | 2/14/2022 | Purchase Power / Pitney      | \$ 100.00            |
| 122427                           | 2/14/2022 | Quill                        | \$ 206.46            |
| 122428                           | 2/14/2022 | Jim Menesini Petroleum       | \$ 33.12             |
| 122429                           | 2/14/2022 | Cal Poly Corporation / ITRC  | \$ 66,246.55         |
| 122430                           | 2/14/2022 | NV Energy                    | \$ 365.96            |
| 122431                           | 2/14/2022 | Alhambra                     | \$ 103.87            |
| 122432                           | 2/14/2022 | Southwest Gas Corporation    | \$ 507.78            |
| 122433                           | 2/14/2022 | City of Yerington            | \$ 122.91            |
| 122434                           | 2/14/2022 | Reno Gazette Journal         | \$ 2,121.60          |
| 122435                           | 2/14/2022 | Sierra Office Solutions      | \$ 32.99             |
| 122436                           | 2/14/2022 | Xerox Corporation            | \$ 220.91            |
| 122437                           | 2/14/2022 | Yerington Ready Mix          | \$ 90.00             |
| 122438                           | 2/14/2022 | John Deere Credit            | \$ 481.98            |
| 122439                           | 2/14/2022 | MF Barcellos                 | \$ 2,824.77          |
| 122440                           | 2/14/2022 | Wells Fargo Card Services    | \$ 2,086.12          |
| 122441                           | 2/14/2022 | Woodburn & Wedge             | \$ 34,932.50         |
| 122442                           | 2/23/2022 | USBWC                        | \$ 116,169.46        |
| 122443                           | 2/24/2022 | Ameritas Life Insurance Corp | \$ 1,027.80          |
| 122444                           | 2/24/2022 | Sticks and Stones Buildings  | \$ 657.93            |
| 122445                           | 2/24/2022 | Quill                        | \$ 330.18            |
| 122446                           | 2/24/2022 | Standard Insurance Company   | \$ 241.03            |
| 122447                           | 2/24/2022 | Vision Service Plan - Nevada | \$ 372.10            |
| 122448                           | 2/24/2022 | Woodburn & Wedge             | \$ 36,874.47         |
| 122449                           | 2/24/2022 | Xerox Financial Services     | \$ 60.44             |
| 122450                           | 2/24/2022 | Desert Research Institute    | \$ 16,716.14         |
| 122451                           | 2/24/2022 | Mammoth Times                | \$ 1,601.00          |
| 122452                           | 2/24/2022 | Yerington Ready Mix          | \$ 2,854.22          |
| 122453                           | 2/24/2022 | PERS Administrative Fund     | \$ 8,557.47          |
| 122454                           | 2/24/2022 | PERS Administrative Fund     | \$ 8,289.45          |
| PAYROLL                          | 2/28/2022 | FEBRUARY PAYROLL             | \$ 31,578.35         |
| <b>Total Bills &amp; Payroll</b> |           |                              | <b>\$ 386,040.46</b> |

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

### C. Manager's Report

GM BRYAN reported Topaz is at 33,330 acre-feet (56%) and Bridgeport is at 18,760 acre-feet (44%). The Green Creek and Robinson Creek USGS gages are back and hopefully Buckeye and Virginia Creek will be soon to follow. The gages will keep running as USBWC is funding them.

The shop crew is performing repairs and maintenance on the drains and will be burning on the Saroni tomorrow.

Next month Adam Sullivan, State Engineer, will be giving a presentation as a test run for the two public presentations later in the month. One presentation will be in Smith Valley and one will be in Mason Valley to discuss the groundwater and water year conditions. There will be discussion on domestic wells as Wyatt and Adam have received many calls regarding that topic. The days and locations will be finalized soon and GM BRYAN will send out a notice to all board members as well as post it in town, in the office and on the WRID website.

On March 2<sup>nd</sup>, GM BRYAN and Joanne received the phone call about the Rosaschi Ranch river project. They are gathering more information and will be looking at the different projects. Last year, the Lahontan Cutthroat Trout group made a presentation about putting in fish ladders and rock dams, but it is unknown if the two projects are related.

GM BRYAN is trying to setup a meeting with DCNR to discuss multiple issues, and the Trout Unlimited project will be discussed. As further details are available, GM BRYAN will inform the Board.

There will be a special election for the Colony Ditch Company on the formation of Local Improvement District No. 5 on Tuesday April 5, 2022. The polls will be open next to the firehouse on Day Lane from 7am to 7pm. Notices will be mailed out this week.

On March 2<sup>nd</sup>, GM BRYAN attended the Smith Valley Advisory Board meeting where Hudbay gave a presentation on their operation. There were approximately 300 community members present. The biggest issue was the effect on groundwater and contamination. This meeting was an introduction to the Smith Valley community members and to address questions and concerns. At this point there are no permits. They are waiting on the County for information on the Lands Bill. The footprint is roughly 32,000 acres of land. If they can move forward the size of the open pit is projected to be 1.2 miles wide x 1.2 miles long x .4 mile deep. They have acquired water rights from the Rightway Ranch at the north end of the valley in the amount of approximately 8,000 acre-feet. Those right still must get through the State Engineer's office and will be recalculated then converted to mining rights. GM BRYAN spoke with a gentleman from Hudbay who would like to visit the District to see how it works and how it will be part of the project. GM BRYAN will keep everyone informed on any changes or progress.

Over the past two weeks, GM BRYAN has received a request from the Marines and from the Navy requesting to use Topaz in their training. They will hover helicopters over the reservoirs and drop crews into boats and then pick them back up. GM BRYAN is working with Counsel DePAOLI to generate a response. If any Board member has input, please let GM BRYAN know.

Carson Pump has finished the acid test on the well and are patching the casing. As of the last update from them, the well will be up and running by April 1<sup>st</sup>.

The District was awarded the PIFR grant from NRCS. This study will be a more specific sediment study on the east corridor from Pitchfork to Hwy 208. The study includes identifying avenues to remove, maintain, and rehome sediment.

Dr. Styles will be running an ITRC water measurement class from April 26<sup>th</sup> through April 28<sup>th</sup>. There are flyers on the front counter and on the website. The charge is the same as prior classes- \$60 per person. Sign up with Sandy or Jessica.

**D. Legal Counsel's Report**

Counsel DePAOLI reported that the California State Board has approved the temporary change petitions to run the Stored Water Program this year. The next step is to get the District Court to approve them. There will be something filed soon.

**E. Storage Water Leasing Program Update**

Angela BEZZONE stated the approvals were obtained from the California State Water Control Board. In mid-February a letter went out informing landowners the program was planned for this year. The next mailing will include more information and the application. Before the program can start, the approval of the District Court and the Nevada State Engineer must be obtained. The final year of the program should be like last year but hopefully with a little more participation. There is nothing new or changing about program overall.

**F. FY2022-2023 Budget Update**

GM BRYAN stated a draft budget copy was provided for review prior to next month's agenda item. If there is any feedback, let GM BRYAN or Secretary HALTERMAN know. Treasurer NUTI asked if a fuel surcharge should be added to cover the extra fuel cost but taken off if the fuel prices decrease. President SNYDER asked if there was anything anticipating cloud seeding; GM BRYAN stated there is a \$31,000 line item that has been budgeted for 25+ years. President SNYDER stated he would like to see a number for cloud seeding. GM BRYAN stated the aerial seeding is around \$250,000; the \$31,000 covers the ground generators. President SNYDER asked what the timeline is for the aerial seeding; GM BRYAN stated the budget must be approved next month, but he is unsure what the timeline is for the seeding company. Vice President MASINI stated he would like the federal side to get involved in the funding of the aerial seeding as their assessment base is much larger.

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

The Board of Directors was adjourned at 10:30am. President SNYDER asked if there were any corrections; Secretary HALTERMAN stated no corrections were submitted.

**7. Adjourn as Board of Corrections and reconvene as Board of Directors.**

The Board of Corrections was adjourned and the Board of Directors was reconvened at 10:31am.

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

Wyatt FEREDAY stated he and AJ were out getting the spring to spring water levels a few weeks ago. Mason Valley was down an average of 3.1 feet and Smith Valley was down an average of 6.85 feet. It was not quite as bad as the Fall 2020 to Fall 2021 numbers, but compared to the Spring 2021 to Spring 2022, it looked bad. Adam will be in person or on the phone to give a presentation next month on the condition of the aquifer. Treasurer NUTI asked if the State has talked to the County about issuing housing permits as every time a hole is punched in the ground, the aquifer is affected; Wyatt stated the County is required to check with the State. Water is dedicated for each domestic well and each county's statutes or bylaw stating that water must be dedicated to create a parcel. That means anytime a parcel is subdivided, 2 acre-feet must be relinquished from a stand alone primary right. Wyatt agreed that it is concerning as there is a lot of paper water and as more and more subdivisions pop up, and the water is coming from primarily unpumped wells, it is more use of the aquifer. Mark Mahan questioned if there is any idea on the size of the aquifer; Wyatt stated Mason Valley is a larger aquifer than Smith Valley, but the primary difference is the recharge from the river. Mason Valley has far more river miles and ditch miles than Smith Valley does. Wyatt explained the 30% transportation loss is factored into the allocation because of the amount of ditch miles there are in the valleys. Mark asked if the 30% transportation loss was allocated to housing; Wyatt stated the houses are based on groundwater so the transportation loss of surface water is not related. President SNYDER asked if there is a correlation between the 3.1 foot decline in the aquifer and the pumping amount; Wyatt stated the average was 3.1 foot decline with 50-60 wells running and 111,000 acre feet pumped. President SNYDER asked if the ratio is constant; Wyatt stated it is not a constant ratio. Wyatt stated 2014 had a higher pumping amount but was a similar decline. Wyatt is working on following the trends.

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

Carlie HENNEMAN stated the Conservancy had an application for an instream transfer approved; it was the one the District signed the stipulation for in August. The transfer request will now go to the Decree Court. They are working on a temporary exchange with NDOW and hope it will be approve soon then it will also go to Decree Court. Since the last meeting, the Conservancy completed a disposition of land on the Wild Rye property.

Peter and Carlie will be speaking at the Chamber of Commerce luncheon next Wednesday. Bryce Boland is the new outreach community engagement manager and will be attending events.

**10. Discussion and consideration of storage water allocation for the 2022 irrigation season.**

GM BRYAN stated the allocation sheets are in the packet that show the maximum and minimum pool levels, transportation loss, evaporation loss, etc. The trans evaporation rates were increased from 25% to 30% this year based on working with MBK and analyzing the impacts on the East last year. GM BRYAN recommended a 26% allocation on the East and a 34% allocation on the West. President SNYDER asked if last year's 25% loss rate was short; GM BRYAN stated it was just right. Not all the storage rights are taken, so that amount is kept for the following year and that helps with the losses. GM BRYAN asked that if the numbers are approved, that the Board allow him to figure a reallocation if needed. President SNYDER questioned if it is necessary to increase the trans evaporation rate; GM BRYAN stated he spoke to engineers and 25% is decent, but it does cut it close. GM BRYAN stated the East was losing 3% last week. The trans evaporation rate of 30% puts the allocation in a more comfortable place. The water year is at 74% of average for the day and there is 97" snow on Leavitt with 38" of water; mid-level sites are below 30" of snow and less than 10" of water. One good thing is that the soil moisture is good. The only thing that could be a setback is a freeze/thaw period. President SNYDER asked if GM BRYAN had looked at the evaporation rates for the last 5 years; GM BRYAN stated the 25% worked but going into year 3 of the drought was a good time to increase the rate.

Treasurer NUTI made a motion to set the allocation as 26% on the East and 34% on the West and to allow the General Manager to reallocate without a special meeting; Director ACCIARI offered a second. The vote was called for and passed.

**11. Discussion and determination of the season for delivery of storage water in 2022 as provided in Section 9.3 of District Regulation No. 9.**

GM BRYAN stated the historical start date has been April 1<sup>st</sup>. He has not received significant number of requests to move the start date up. Director GIORGI asked when the tribe is starting; GM BRYAN stated the tribe has indicated they would like to start on March 15<sup>th</sup>. Historically, they have started on April 1<sup>st</sup> or 15<sup>th</sup>, but given the water year and the low amount in Weber, they may start sooner. Vice President MASINI confirmed last year started right away; GM BRYAN stated it can start as soon as March 8<sup>th</sup>.

Vice President MASINI made a motion to make April 1<sup>st</sup> the first delivery date for 2022; Treasurer NUTI offered a second. The vote was called for and passed.

**12. 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 stated this is a year to year decision. Historically, if it is an above average or better year, there is no issue with the transfers; it gets trickier when it is a below average year. There has not been a lot of interest from both sides and if both reservoirs were above

50% it would be okay. Director GIORGI asked if the Board must allow the transfers; GM BRYAN stated it is up to the Board. Vice President MASINI asked if there are large transfer requests; GM BRYAN stated users in Mason Valley tend to have properties on all parts of the river, but the problem comes when there are a handful of 100+ acre-feet transfers and all of them total in the thousands. President SNYDER asked if GM BRYAN would be comfortable with an April 1<sup>st</sup> deadline; GM BRYAN stated that would be fine. Vice President MASINI stated it would be good to give flexibility to the farmers.

Vice President MASINI made a motion to allow reservoir to reservoir transfers with a cutoff date of April 1<sup>st</sup>; Director GIORGI offered a second. The vote was called for and passed.

**13. 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 beginning April 1, 2022.**

GM BRYAN reminded everyone that the permit allows for the well to run from April 1<sup>st</sup> through September 30<sup>th</sup>. The well should be back together and ready to go by April 1<sup>st</sup>. The lottery list is long. The regulations stipulate that the decision needs to be made to run the well program each year.

Treasurer NUTI made a motion to run the District Well program; Vice President MASINI offered a second. The vote was called for and passed.

Director GIORGI asked if the well will be test pumped; GM BRYAN stated they will do everything they normally do for the farmer wells. John Lee recommended to shut the well down for a day each month, so it will be shut down the last day of each month. GM BRYAN will work closely with Joanne to ensure the exchange can be done. Also, there is a price increase to \$20 per acre-foot this year to cover power and maintenance costs.

**14. Introduction for review and future consideration pursuant to Walker River Irrigation District Regulation No. 6A Sections 6A.6 and 6A.7 of Application No. 171-101521 of Dennis Acciari, of Smith Valley, Nevada, made for permission to permanently change the place of use of 14.4457 acre-feet of stored water from Topaz Reservoir heretofore apportioned by the Walker River Irrigation District to 19 acres within S ½ of the NW ¼ of the SW ¼ of Section 25, T. 12 N., R. 23 E., MDB & M. After release from Topaz Reservoir, water will continue to be diverted from the West Walker River through the Colony Ditch to the new place of use APN 10-111-42.**

GM BRYAN stated this request must be formally introduced in a meeting. The notice has begun publishing in the local newspaper and will continue for four consecutive weeks. The packet is available for review in the front office. The request will be brought back to a future meeting to vote on. The request is to move supplemental storage as the decree has already been moved.

**15. Consideration of whether the District is willing to consider sale of 0.69 acres of land from Douglas County Assessor Parcel 1022-29-201-002 to NV Energy for Topaz Substation upgrades and also an easement for a distribution powerline occupying .24**



**acres if an acceptable purchase and sale agreement can be negotiated, including but not limited to an acceptable purchase price.**

Counsel DePAOLI stated there is a request from NV Energy on whether the District absolutely opposes to the sale and easement or if the Board would like to continue negotiation on selling the land. If the Board is not absolutely opposed, work will continue toward an acceptable purchase agreement. Counsel DePAOLI has reviewed a draft, but things would need to be changed. Statute requires unanimous approval from the Board on any sale of District land. If there is anyone on the Board who thinks that under no circumstances the District would sell land, NV Energy would like to know so that they can pursue other opportunities. GM BRYAN stated the easement and land purchase proposal is the same as a couple months ago. NV Energy is looking to purchase 0.69 acres to expand their substation and to enter into an easement agreement to put in a power line. GM BRYAN stated the District has reached out to Sam Ward for an appraisal and we have not heard anything back. President SNYDER asked if we could tell NV Energy they would need to put it underground; Counsel DePAOLI stated he has not had that conversation with them but it would become expensive. President SNYDER asked GM BRYAN his recommendation; GM BRYAN stated he would recommend not selling any more property around the reservoir given the problems with the past sales.

Treasurer NUTI made a motion to work on a tentative agreement to continue to work with NV Energy on the possible sale of the piece of ground; Vice President MASINI offered a second. The vote was called for and passed.

**16. Director Comments**

Director ACCIARI heard that the County may be doing work on the land bill tomorrow. He thanked GM BRYAN for attending the Hudbay meeting in Smith Valley. The five guys on the board were impressed with GM BRYAN and Director ACCIARI wants the Board to realize what he does for the District when his evaluation comes. Director ACCIARI stated GM BRYAN gave a great explanation of the water situation.

Vice President MASINI asked Secretary HALTERMAN if a 5 year breakdown and actual invoices could be provided each month like the cash flow statement in the packets.

Treasurer NUTI reminded everyone that every acre-foot that leaves the valleys does nothing to recharge the underground aquifer.

**17. Public Comment**

None presented.

**18. Adjournment**

Director ACCIARI made a motion to adjourn; Vice President MASINI offered a second. The vote was called for and passed. The meeting was adjourned at 11:31am.

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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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