

June 6, 2016

A regular meeting of the Walker River Irrigation District (WRID) Board of Directors was held on June 6, 2016. 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 were:

Jim SNYDER	President
David GIORGI	Vice President
Richard NUTI	Treasurer
Dennis ACCIARI	Director
Jessica SMITH	Bookkeeper
Robert BRYAN	General Manager
Robert MARTINEZ	Water Master
Dale FERGUSON	Legal Counsel

Public Present

Jeff Dengel	Steve Tomac	Steve Fulstone
Donette Huselton	Ed Ryan	

Public Comment

Donette Huselton spoke regarding last month’s email from Jason King. During a meeting, Jason realized Reed Cozens had applied for the RCPP grant when he wrote the email. Jason was to send an email to Bert explaining the confusion. President SNYDER requested to know if WRID is partners on the grant (RCPP); GM BRYAN advised WRID was partners as well as other agencies.

Roll Call

All members present except Director LITTLE.

Approval of the Minutes for the May 6, 2016 Regular Board Meeting

Treasurer NUTI made a motion to accept the minutes as written. Vice President GIORGI seconded the motion. The vote was called for and passed unanimously.

Water Master Report

Water Master Rob MARTINEZ advised there is a new River Rider on the West to replace Bob Sturgill; James Smith started on June 1, 2016. MARTINEZ thanked Mr. Sturgill for his time and effort. MARTINEZ asked that everyone work with and communicate Jim as he learns. Status flows are full decree since May 11, 2016 on the East and West forks. Hopefully that can be maintained for a few more weeks, but it will depend on the demands and the flows. Temperatures are still maintaining. The flows on the canals and ditches are now generating moss, MARTINEZ asked that appropriate actions to de-moss so the delivery flows and measurements are not affected. Storage for Topaz is at 60% (36,900 acre feet) and Bridgeport is 36 % (16,380 acre feet). Per the handouts, precipitation update from NRCS states May precipitation for East Walker was above average due to the rains during the middle of the month. Water year to date is ahead of the average basin wide. West Walker is ahead of the East Walker; West is at 98% and East is at 60%. Overall, NRCS SNOTEL precipitation report shows there is still snow in the higher elevations;

Leavitt Lake is showing 110% SWE as of June 1, 2016. MARTINEZ reported his office, as well as WRID, was contacted and advised of changes in the US Drought monitor. Primarily most of the Walker River water shed is now in D2/D4; it has moved from extreme drought to severe drought for the entire water shed. Long range outlook is that temperatures are going to go up next month and there is equal chance of normal precipitation. MARTINEZ advised he has filed a change application with the State Engineer's Office on the East Fork for a change of point of diversion of a portion of claim 17 application 86203. President SNYDER inquired what property the change application referred to; MARTINEZ advised it is the small users Walker River Land Corp between Santa Margarita and Pitchfork Ranches. They want to move the point of diversion downstream from their river takeout to their pump to alleviate loss in the ditch.

Staff Reports

Treasurer's Report

Cash in Checking	\$ 803,724.35
Cash in Money Market	\$1,321,635.08
Cash in CD's	<u>\$1,239,333.42</u>
Total Cash & Cash Equivalents	\$3,364,692.85

Approval of Bills and Payroll

<u>Check Number</u>	<u>Effective Date</u>	<u>Vendor Name</u>	<u>Check Amount</u>
118836	5/5/2016	Quill	16.05
118837	5/5/2016	Southwest Gas Corporation	58.11
118838	5/5/2016	Xerox Corporation	240.85
118839	5/6/2016	AT&T Mobility	156.30
118840	5/6/2016	Les Schwab Tire Center	356.47
118841	5/6/2016	PEBS	792.65
118842	5/6/2016	Quill	335.39
118843	5/6/2016	California Dept. of Water	11,164.00
118844	5/6/2016	NV Energy	3,842.37
118845	5/6/2016	Alhambra	9.95
118846	5/6/2016	Wells Fargo Card Services	1,491.47
118847	5/6/2016	Yerington Ready Mix	301.28
118849	5/12/2016	AFLAC	293.36
118850	5/12/2016	Ameritas Life Insurance Corp	632.10
118851	5/12/2016	Ferguson Enterprises, Inc.	1,792.32
118852	5/12/2016	Artistic Fence	466.90
118853	5/12/2016	Giomj, Inc.	199.45
118854	5/12/2016	High Desert Internet	174.95
118855	5/12/2016	NAPA AUTO & TRUCK PARTS	58.23
118856	5/12/2016	Les Schwab Tire Center	802.82
118857	5/12/2016	Lyon County Recorder	30.04
118858	5/12/2016	MF Barcellos	2,131.04
118859	5/12/2016	O'Reilly Automotive, Inc.	96.65
118860	5/12/2016	Quill	380.17

118861	5/12/2016	NV Energy	36.52
118862	5/12/2016	Valley Tire and Auto Service	97.56
118863	5/12/2016	Yerington, City of	83.00
118864	5/12/2016	R & T Enterprises	560.00
118865	5/12/2016	Momentum Technology Group	1,509.38
118866	5/12/2016	Courson Equipment Co., Inc.	858.15
118867	5/12/2016	Desert Research Institute	9,433.79
118868	5/12/2016	Yerington Ready Mix	650.72
118869	5/12/2016	Edney Tree Service	700.00
118870	5/26/2016	ABILA	1,032.00
118871	5/26/2016	Arigoni, Robert	1,685.00
118872	5/26/2016	AT&T	114.83
118873	5/26/2016	Lyon Co. Sheriff Department	624.62
118874	5/26/2016	Quill	89.09
118875	5/26/2016	Alhambra	9.95
118876	5/26/2016	Standard Insurance Company	168.70
118878	5/26/2016	USBWC	26,990.09
118879	5/26/2016	Verizon Wireless	538.78
118880	5/26/2016	Vision Service Plan - Nevada	120.47
118881	5/26/2016	Four Point	200.00
118882	5/26/2016	HomeTown Health	4,100.79
118883	5/26/2016	Momentum Technology Group	1,403.13
118884	5/26/2016	Cruz, Maria	350.00
118885	5/26/2016	Desert Engineering	2,557.68
118886	5/26/2016	Omar Cortes	88.12
118887	5/26/2016	(SCaDU)	631.00
118888	5/26/2016	(SCaDU)	110.00
118889	5/26/2016	PERS Administrative Fund	4,394.55
118890	5/26/2016	(SCaDU)	426.92
4422	5/13/2016	Bridget Banta	916.95
4423	5/13/2016	Jesus Cervantes	1,229.88
4424	5/13/2016	Oscar Cortez	1,131.02
4425	5/13/2016	Damian Diaz Alvarado	722.97
4426	5/13/2016	Jessica Smith	1,054.79
4427	5/31/2016	Robert Arigoni	1,281.42
4429	5/31/2016	Omar Cortes	1,262.17
4430	5/31/2016	Oscar Cortez	1,355.71
4431	5/31/2016	Damian Diaz Alvarado	761.76
4432	5/31/2016	Joseph Huggans	776.07
4433	5/31/2016	Jason Milligan	1,847.92
4434	5/31/2016	Ronald Murray	1,239.20
4435	5/31/2016	Donald Swan	645.32
4437	5/31/2016	Bridget Banta	1,009.92
4438	5/31/2016	Robert Bryan	4,623.67

4439	5/31/2016	Jessica Smith	1,236.52
4440	5/31/2016	Jesus Cervantes	1,433.41
EFTPS	5/10/2016	Internal Revenue Service	14.68
EFTPS	5/11/2016	Internal Revenue Service	2,862.35
EFTPS	5/26/2016	Internal Revenue Service	<u>3,614.93</u>
Total			114,408.42

Vice President GIORGI made a motion to pay the bills with a second from Director ACCIARI. The vote was called for and passed unanimously.

Manager's Report

GM BRYAN advised the office staff has been working with Sierra Office Solutions regarding a new Xerox machine. The old machine is not compatible with new network technology and there have been some issues with networking and the toner supply company. We found a machine that fits better with the system and offers a better setup with the toner as we would purchase it when we need it instead of purchasing in bulk. Sierra Office Solutions is willing to purchase up to \$850 of toner cartridges from us and we have spoken to Joan regarding selling the remaining toner cartridges on EBay so there is a bidding process. There is a quote on the new machine in the packets and over time, we would save approximately \$1000 per year and it will work better with our system. The shop crew is currently de-mossing the Saroni and it is scheduled to be sprayed for weeds by RT (Tim Ichord) later today on the bank. We had a Saroni Advisory Board meeting last week and they agreed to use 6 barrels. The canal will be completely mossed and sprayed today. The shop crew is also working on a replogle flume measuring device off of the Greenwood on the Freitas turnout. The finish floor has been poured and the walls are being framed and hopefully poured by the end of the week. GM BRYAN offered a reminder about the Legislative Commission Subcommittee meeting scheduled for tomorrow (June 7, 2016) in Fish Lake Valley/Dyer. GM BRYAN and Gordon DePaoli will be attending; President SNYDER advised he would like to go as well. GM BRYAN advised schedules were posted in the front office and could be distributed if interested. WRID received an invitation from the California State Water Control Board for a meeting held in Los Angeles (last week) and Sacramento (this week) regarding a potential program to address mercury impaired reservoirs in California. A list was provided of California reservoirs on the 303D list and the District did have one on the list- Topaz Reservoir. GM BRYAN will be attending the Sacramento meeting on Thursday to get firsthand information on what State of California is proposing. GM BRYAN contacted NDEP regarding the water quality and they stated there is no water quality problem; the mercury impairment stems from the fish. NDEP directed GM BRYAN to NDOW Pat Solinberger who works with the fishery staff. Solinberger advised they had done the testing. The Food and Drug Administration has lowered the acceptable level of mercury from 1 part per million (ppm) to .3 ppm. The first study was on bass from Topaz Reservoir and they tested at .33 ppm; just over the limit. Recent testing was done in January 2016 on trout in Topaz Reservoir and the results were .22 ppm, but since the bass testing was over the standard, the reservoir was put on the list. Nevada does not have a program set up at this point. NDOW advised there really isn't anything the District can do with the mercury in the fish; once it is there it is there. There isn't a need to panic as the levels are not that far above the limit. Treasurer NUTI questioned the source of the mercury; GM BRYAN advised composites have made the way to the ground and the fish eat it. GM BRYAN advised he would follow up with an update at the next meeting.

In regards to the RCPP grant, all partners have met the first benchmark with the preproposal request. There will be subsequent meetings where WRID can get involved in the planning part of the RCPP. There is a meeting scheduled with Jeff from NFWF and the consultant from Washington DC, Lisa Moore, for June 17, 2016. GM BRYAN will follow up with an update at next month's meeting.

California Safety Dams will be coming to do the annual dam safety inspections will be done June 22, 2016.

The open position for Receptionist/Data Entry Clerk has been posted; a few applications have been received and the interviewing process will hopefully begin next week. There won't be a hire until at least July 1, 2016 but GM BRYAN will keep the Board informed.

Legal Counsel Report

Counsel FERGUSON advised the only change since the last legal counsel report is that the US and Tribe filed a motion to, once again, bump the date to file their opening brief in the appeal from that part of the Judge Jones order that dismissed their case. Their opening brief is now due in the next circuit on June 15, 2016.

Review and Approval of Monthly Transfers (For possible action)

Vice President GIORGI made a motion to approve the transfers. Treasurer NUTI seconded the motion. Treasurer NUTI confirmed there were no transfers between rivers; GM BRYAN confirmed. A vote was called for and passed unanimously.

NFWF Update

Jeff Dengel reported the RCPP Preproposal was submitted on time with everyone still on board. NFWF is expecting to hear whether the proposal will make it to the next stage on/about July 18, 2016. Dengel advised there have been amendment requests made to fund near and off farm work. Lisa Moore, consultant from Washington DC, will be here on June 17th to hear what wants and desires are expected of the program. Dengel advised a Water Conservation Manager position has been approved to assist him in managing the RCPP; if anyone knows of a good candidate please let him know.

Steve Tomac reported the WBC has all but one seasonal position filled. The seasonal workers are working on weed control and drip irrigation systems. Weed control is being performed at the Smith Valley Sutter and Traitel properties. The Stanley Ranch has been sprayed. Focus is shifting to the river with a focus on white top, yellow star thistle, hemlock and other noxious weeds are being treated right now. Treasurer NUTI requested to know where yellow star thistle is being treated; Tomac advised the Pitchfork Ranch is being treated. Treasurer NUTI inquired whether the areas were being grazed off; Tomac advised it depends where because there has been fencing projects recently. Treasurer NUTI questioned whether livestock was being fed clean prior to moving them so the weeds are not transported to other locations. Tomac advised most of the areas where yellow star thistle has been found has been fenced off and there are conditions in the leases that take preventative steps in regards to noxious weed spread.

Consideration and possible action on request from Donald H. Lindberg on behalf of WWC Properties, LLC for permission to place a temporary culvert crossing (size 60" diameter) in the West Drain on APN 001-011-35 until the end of 2016 irrigation season, at which time the temporary culvert would be

removed. If appropriate rights-of-way can be obtained at no cost to the District, at the end of the 2016 irrigation season the West Drain would be relocated to go around the Greenfield Mobile Home Park which is APN 001-011-46. (For possible action)

GM BRYAN advised there were engineering maps for available for viewing during the discussion. There is a proposal from Don Lindberg (Wild West Chevrolet) requesting a temporary 60" culvert be placed in the drain so he can access both sides of his property. This will be a temporary inset until the end of the irrigation season. An authorization and agreements have been executed by Don and his people with the property owner to the direct north- Mitchell. The proposal is to put in the pipe culvert so that Lindberg can access the property and get it appraised; they would like to realign it but they know they cannot hinder a ditch company in the middle of an irrigation season. They have contacted the Nichol Merritt Ditch Company and they have agreed to realign their canal and then WRID will take over where their canal was. Nichol Merritt will come in on Mitchell's property and he has agreed to put together access agreements and easements. With approval of the proposal, WRID will avoid going under the mobile home park. At this time there is only a 24" pipe going under all of the homes and there is a huge liability if there is a rush of water as the pipe could not handle the surge. If the proposal is approved, the District will be involved in ensuring everything is done and the District would do the work on the drain. Lindberg advised there would be a bridge crossing that is rated to carry the weight of our equipment. Legal FERGUSON questioned if the culvert would stay after the end of the irrigation season; GM BRYAN advised the temporary culvert is scheduled to be removed on November 1st when the realignment project is started. Legal FERGUSON recalled there is an agreement template for culvert crossing and GM BRYAN advised he would find it and have it in place. Vice President GIORGI questioned whether the District would be given a right of way; GM BRYAN advised there is nothing but prescribed stuff there now, but with the realignment, it would all be surveyed and easements would be deeded. Treasurer NUTI questioned how one of WRID's drains would be put in this situation; GM BRYAN advised there is another drain within the District that is in the same situation. GM BRYAN advised he researched when the drain was put in and once the areas were surveyed and subdivided, the process was rushed through and things got overlooked. In the 90's, the District voted and approved that anything that goes through the city or county goes through the District for approval. Legal FERGUSON recalled there had been an ordinance change that required a jurat on any subdivision map or any other kind of map for the District to sign off on anything that would affect drains, ditches, etc. GM BRYAN advised when the pipe in question was placed, the ordinance had not been changed yet and the District did not sign off on it. Vice President GIORGI questioned whether there will be a fence between the mobile home park and the drain and GM BRYAN advised there is an existing fence. Treasurer NUTI made a motion to approve the realignment of the West Drain as prescribed in Item #7, with the contingency of an approved request for a temporary culvert crossing and easement agreement and the parties doing all necessary documentation; Vice President GIORGI seconded. The vote as called for and passed unanimously.

Consideration of authorizing General Manager and Legal Counsel to further investigate and undertake necessary actions to require removal of rock berms which may be located on District land at Topaz Reservoir, and some of which are below the current and future water levels in Topaz Reservoir. The rock berms appear to be associated with Lot 85 of the Topaz Subdivision, 1951 Comstock Driver, Douglas County, APN 1022-29-810-009. (For possible action)

Pictures of the lot were provided in the packet. The District has been notified the property owner of referenced Lot 85 is building a home. There is a lot of ground work occurring and the picture

looks off to the NE of the reservoir and shows the rocks are bermed up to and below the water. The District owns up to the high water mark and either 30 or 50 feet above the high water mark. GM BRYAN has been advised people are doing these berms to keep vehicles from driving through the properties. The concern is that there is liability from someone getting hurt due to the debris building up and does not allow for emergency vehicle access if there is an emergency. GM BRYAN advised he is asking the Board for advice on how to proceed. Vice President GIORGI requested to see a Douglas County map of the lot; GM BRYAN presented a map of the subdivision and explained the location of Lot 85 and the berm. Treasurer NUTI asked whether there were stipulations or specifications in place when the lots are sold; GM BRYAN advised the lots were auctioned off. Legal FERGUSON advised he needs to look into whether the roads were dedicated to Douglas County or not, and need to look at the berms below the high water mark and below the current water level. GM BRYAN advised the main concern at this time is the what is below the water; is the District liable if there is an accident? Legal FERGUSON advised a motion just needs to be made to allow him and GM BRYAN to further investigate the berms and the District property and what can be done. Vice President GIORGI requested to know whether the property owner has been notified; Legal Ferguson advised no notification has been done yet as they are trying to find out facts before contacting anyone. GM BRYAN advised what is found in this situation will be used for further instances. Huselton had two questions for legal counsel. She requested to know if there were boundary markers in place letting the public know where District property begins and what the opinion was about the liability going to the property owner if there was an accident. Legal FERGUSON advised he did not know if there are monuments or markers in place for surveying purpose. He advised Huselton's second question required legal research into Chapter 41 NRS as it is fact specific. Legal FERGUSON advised he has done prior research but would need to update it. Treasurer NUTI inquired whether it would be wise to notify/remind property owners of the property boundaries and to place markers; Legal FERGUSON advised the topic would be best agendized for future discussion. Steve Fulstone offered a historical perspective and advised there have been issues on Topaz for 40-50 years regarding encroachment, parties, and trash. There have been signs in the past. Fulstone advised the District does not want to be involved in the policing business and the topic could open a can of worms so the District needs to be careful on approaching this topic. Legal FERGUSON advised there has been problems on the north end of the park that has caused neighbors to complain. Douglas County does not always have officers available for policing the park, and the District does not have authority to police the parties, etc. The road has been graded so there is a berm keeping recreationalists from accessing the area, but there have been attempts to remove it. GM BRYAN advised some of the property owners have placed boulders in effort to keep people out and this topic may come back in the future. Treasurer NUTI questioned if signs were posted stating no trespassing/property of WRID and the signs were torn down, could it be beneficial for the District if it were to end up in court; Legal FERGUSON advised the statutes would have to be reviewed, but in some cases it is better protection not to post anything. Legal FERGUSON advised to keep this situation specific to Lot 85 and the rock berms at this point. Treasurer NUTI made a motion for Legal Counsel and GM BRYAN to pursue what is necessary to rectify the rock berm situation at Lot 85 at Topaz Reservoir; Director ACCIARI seconded the motion. The vote was called for and passed unanimously.

Consideration of adjustment to storage water allocations for 2016 or, in the alternative, to authorize General Manager to adjust storage water allocations at a later time if conditions warrant such an adjustment. (For possible action)

GM BRYAN advised he done calculating and has visited with the Water Master regarding what is in both reservoirs and has numbers for possible reallocation. President SNYDER requested to hear the numbers. As of today, Topaz is at 36,750 acre feet and Bridgeport is at 16,330 acre feet and we are currently storing in both reservoirs. GM BRYAN is recommending to set a reallocation of 30% on the West and a reallocation of 5% on the East based on where we started in the pools minus the actual pan evaporation for the past three months, what has been allocated and what has been won with the District Well Water. The total amount is continuing with 25% transportation, minimum pool or dead pool in Bridgeport and a summation of pan evaporation throughout now and the end of the irrigation season. Those number could go up more since water is currently being stored. Bridgeport is starting to yield a bit more; storage was approximately 100 acre feet daily and is now approximately a couple hundred acre feet daily. The peak period is right about now, but the trends are staying consistent. GM BRYAN advised once the District is done storing, another reallocation could be considered if the Board gives authorization. Treasurer NUTI made a motion to reallocation Topaz Reservoir by 30% and Bridgeport Reservoir by 5% and give the General Manager the authorization to reallocate once the runoff is done; Director ACCIARI offered a second. The vote was called for and passed unanimously.

Director's Comments

None

Public Comment

Donette Huselton stated her foundation met with Jason King, State Engineer to discuss his management plan. Mr. King stated currently legislative bills advise there is a 'use it or lose it' stipulation with certain people; he wants to make it all the same for everyone so that no one loses their water if they don't use it. Another topic was water reduction orders. Mr. King advised he would like to see domestic wells included in the orders which may regulate use of grey water. Huselton questioned how livestock would be affected and Mr. King had not considered that but will look into it. The next topic was regarding wells placed too close to rivers. Mr. King is seeing that the domestic wells are pulling water from the river and the downstream ranchers are not getting the water they need. There will be further research into the topic and Huselton will keep the Board informed. Community meetings are being scheduled to come up with a plan on how to identify whether domestic wells are affecting the downstream users. Huselton advised she will attend meetings and will keep the Board informed.

Adjournment

Vice President GIORGI made a motion to adjourn the meeting with a second from Treasurer NUTI. The motion was voted on and passed unanimously. The meeting was adjourned at 11:03 pm.

Jim Snyder, President

David Giorgi, Vice President

Richard Nuti, Treasurer

Dennis Acciari, Director

ABSENT

David Little, Director

DRAFT