

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on July 7, 2020. The meeting was called to order at 10:00 AM at the District Board Room, 410 N. Main St, Yerington, Nevada by Vice President MASINI.

Present:

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

Public Present:

Joanne Sarkisian, USBWC Taylor Thomas, USBWC

1. Public Comment

None presented.

2. Roll Call and Determination of Quorum

President SNYDER was absent. Vice President MASINI, Director GIORGI, and Counsel DePAOLI were on the phone.

3. Consideration of Minutes of the June 8, 2020 Regular Meeting

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

4. Water Master's Report

Water Master SARKISIAN stated Bridgeport is currently at 22,170 acre-feet and Topaz is currently at 30,520 acre-feet. The decree dropped off severely over the night and there is only 99 cfs in Coleville. The East will be going to 1861 on Thursday and the West/Main/Tunnel will be 1864; Smith Valley will be affected the most. Today's delivery is 90 cfs of decree and 129 cfs of storage water. People are not ordering a lot of water, and the decree may not make it to the 15th so Joanne is concerned about getting storage or well water out. The river is backed up now and there is no sand bar at Goldfield; if it drops too much, Joanne will not be able to get anything out at the weir. Bridgeport was turned down this morning and will be backed down. Vice President MASINI asked if there was a concern of running out of water to deliver to the Tribe; Joanne stated that should not be a problem. She is concerned that once the water is not being put into the drains, she will need 30-35 at the weir instead of 20. The Tribe does shut off on September 23rd.

5. Staff Reports:

A. Treasurer's Report

Treasurer NUTI reported as of June 30, 2020:

Cash in Checking	\$ 213,656.91
Cash in Money Market	\$ 619,108.15
Cash in CDs	<u>\$1,082,598.12</u>
Total	\$1,915,363.18

Secretary HALTERMAN has spoken with NFWF and the reimbursement request needed clarifications, so the payment did not make the June 15th check cut but is set to be issued on/before July 15th. Secretary HALTERMAN is working on getting the money directly deposited. Included in the board packet is a list of all the outstanding receivables. There is currently \$658,543 outstanding among grants, ditch companies and well water. Vice President MASINI inquired what is being done with the past due balances; Secretary HALTERMAN stated monthly reminders are mailed and, if it is a ditch company, the President and/or secretary/bookkeeper is notified as well. There currently is no policy for overdue penalties or interest.

B. Consideration of Bills and Payroll for payment
June 2020 Bills & Payroll

<u>Check Number</u>	<u>Effective Date</u>	<u>Vendor Name</u>	<u>Check Amount</u>
121486	6/8/2020	Ameritas Life Insurance Corp	\$ 907.60
121487	6/8/2020	ABILA	\$ 186.64
121488	6/8/2020	Sticks and Stones Buildings	\$ 52.89
121489	6/8/2020	AT&T Mobility	\$ 117.55
121490	6/8/2020	Municipal Treatment	\$ 67,899.00
121491	6/8/2020	True Value	\$ 79.54
121492	6/8/2020	Public Employees' Benefits	\$ 870.23
121493	6/8/2020	Purchase Power / Pitney	\$ 506.35
121494	6/8/2020	Quill	\$ 425.38
121495	6/8/2020	Jim Menesini Petroleum	\$ 142.00
121496	6/8/2020	NV Energy	\$ 6,372.45
121497	6/8/2020	Southwest Gas Corporation	\$ 58.77
121498	6/8/2020	Yerington Ready Mix	\$ 1,739.30
121499		<i>PRINTING ERROR</i>	VOID
121500	6/12/2020	AT&T	\$ 153.78
121501	6/12/2020	John Deere Credit	\$ 65.88
121502	6/12/2020	Mason Valley Quicknet	\$ 300.00
121503	6/12/2020	O'Reilly Automotive, Inc.	\$ 189.88
121504	6/12/2020	Quill	\$ 245.19
121505	6/12/2020	NV Energy	\$ 36.53
121506	6/12/2020	Wells Fargo Card Services	\$ 4,710.34

121507		<i>PRINTING ERROR</i>	VOID
121508		<i>PRINTING ERROR</i>	VOID
121509		<i>PRINTING ERROR</i>	VOID
121510	6/12/2020	Giomi, Inc.	\$ 238.70
121511	6/12/2020	City of Yerington	\$ 130.25
121512	6/12/2020	Desert Research Institute	\$ 15,370.12
121513	6/12/2020	Sierra Office Solutions	\$ 126.90
121514	6/12/2020	PERS Administrative Fund	\$ 7,421.29
121515	6/29/2020	NAPA AUTO & TRUCK PARTS	\$ 146.72
121516	6/29/2020	Lee's Pest Control	\$ 160.00
121517	6/29/2020	Lyon County Recorder	\$ 24.65
121518	6/29/2020	MBK Engineers	\$ 4,256.50
121519	6/29/2020	MF Barcellos	\$ 2,484.85
121520	6/29/2020	PDM Steel Service Centers,	\$ 5,637.70
121521	6/29/2020	Power Plan	\$ 8,861.59
121522	6/29/2020	Quill	\$ 22.80
121523	6/29/2020	NV Energy	\$ 5,726.96
121524	6/29/2020	Alhambra	\$ 317.30
121525	6/29/2020	Verizon Wireless	\$ 491.39
121526	6/29/2020	Woodburn & Wedge	\$ 32,134.50
121527	6/29/2020	Xerox Financial Services	\$ 139.44
121528	6/29/2020	Charter Communications	\$ 209.23
121529		<i>PRINTING ERROR</i>	VOID
121530	6/29/2020	Wells Fargo Card Services	\$ 2,205.60
121531	6/29/2020	Mason Valley Heating &	\$ 164.00
121532	6/29/2020	PERS Administrative Fund	\$ 8,140.94
PAYROLL		PAYROLL	\$ 37,821.92
Total Bills & Payroll			\$ 217,292.65

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

C. Manager's Report

GM BRYAN advised Topaz is at 51% and Bridgeport is at 52% capacity. Based on the current storage totals of allocation and well water, Bridgeport has 12,732.9299 acre-feet and Topaz has 16,225.2125 acre-feet yet to service. With evaporation and transportation loss, we are at a net positive for Topaz but there is no wiggle room for Bridgeport. The well lottery was drawn for only a part of July as it is unknown if the decree will hold out for the rest of the month. For the time being, the well is still running, but it will be shut down soon.

The shop crew has been continuing repair and maintenance on the Drains. Five beaver dams were removed from the West Drain between the Stanley Ranch and the Railroad Crossing. We did receive the new 250 John Deere Excavator and it is working on the West Drain near Silverado Road. We now have three active and working excavators. Work will continue on the drains for the next couple of weeks. Once water goes off, crews will begin working on the Colony and Saroni.

The Conservation District has completed spraying on the Saroni Canal and are nearly complete on the Colony Ditch. Once they are done with the Colony, they are going to focus on the Drains.

There is a flyer in the packet regarding SNOFACS. The USDA is funding a study to get a better feel for how the Walker River works with climate change. They are contacting farmers/ranchers and have interviewed GM BRYAN. There is a link to the study on our website. Once the quarantine restrictions are lifted, an in person presentation will be scheduled.

Douglas County has applied for a grant-funded opportunity through the US Fish & Wildlife Service to do improvements on their boat access area. They are proposing a break water to the west of the existing boat ramp on the northwest side of the reservoir. They are going to put in a buoy setup to mitigate boating problems. The project will not affect reservoir operations. The District has until Friday to submit comments so please let GM BRYAN know if there are any.

The State Engineer's Office held a hearing on proposed regulations for Smith and Mason Valleys. They are taking comments until July 14th. During the workshop there were comments from FACO and Steve Fulstone regarding reporting times and methods. FACO would like to have the reporting only 4 times per year. There is a link to listen to the full hearing on water.nv.gov.

Director GIORGI asked Joanne SARKISIAN if there were any plans to shut off the water in Antelope Valley; Joanne stated once the decree goes to Tribe only, the water will be shut off.

D. Legal Counsel's Report

Counsel DePAOLI stated he was hoping for a chance to have an in-person meeting soon, but a telephonic lawyer/client information session is needed. Regarding the Tribe and United States claims for more water for the Walker River Reservation, that litigation is now in a pre-trial preparation stage that will continue until January 21, 2022 for discovery, expert reports, motions, etc. We have more specifics about the exact claims they are making related to a surface right for Weber and ground water rights for irrigation for domestic, commercial, industrial, and municipal. Treasurer NUTI confirmed the date is set for January 2022; Counsel DePAOLI advised that is when discovery closes. After that is dependent on what happens in between now and then. There will be opportunities for motions to disclose of some or part of the claims. After that, it will likely be set for a trial.

The issue related to the start date for the Tribe's 26.25 cfs right became an issue this year during the US Board's plan for distribution. The Judge has set up a schedule. If the issue is not resolved by agreement, she set up a schedule that the Tribe would have to file a motion by August 31st then the US Board and others interested would have until September to respond. It is an importation issue for everyone as it is a question on who gets to decide the start date of the 180 days and who has input on it. In this kind of year the date has many impacts upstream. Counsel DePAOLI and Counsel for the US Board will have a conversation with the Tribe and United States on how to come up with an agreement.

The California State Board filed its report on the temporary changes to implement Year 2 of the Store Water Program and we have filed a petition with the District Court to get that approved. So far there has only been one response that was not objecting to anything. That will be moving along and will potentially get through the process to see if it can be implemented in 2021.

The Division of Water Resources has made a proposal for administrative regulations. The most significant of which is an extension of time on proof of completion and proof of beneficial use. There was a workshop on June 24th and NDWR has since submitted their modified, proposed regulation to the Legislative Counsel Bureau. Counsel DePAOLI is not aware of what the modifications were. NDWR will have more workshops later this year. They do not intend to take any final action on the regulation until after the 2021 legislative session.

E. Review and Approval of the Monthly Storage Transfers.

Director GIORGI inquired whether all the NFWF water was assigned; GM BRYAN stated the office is still getting transfer requests. Director GIORGI stated his name is not on the transfer list. Director GIORGI made a motion to approve the storage transfers for June; Treasurer NUTI offered a second. The vote was called for and passed.

F. Storage Water Leasing Program Update

GM BRYAN reiterated Counsel DePAOLI's update. California sent over their approval. On June 18th, Counsel DePAOLI filed the petition for the approval with District Court.

G. FY 2019-2020 Audit Update

Secretary HALTERMAN advised Jim and San Dee from Sciarani & Company started and completed the pre-audit testing of receivables, disbursements, payroll, etc. They are now starting the single audit since we had over \$750,000 reimbursement from NFWF. They have indicated it is going well. Vice President MASINI questioned when they plan to complete the audit; Secretary HALTERMAN stated they hope to present at the September meeting if the open meeting restrictions are lifted. Vice President MASINI questioned if there were any findings; Secretary HALTERMAN stated there have been no findings, but they did

question why we did not submit for reimbursement from NRCS. I am still waiting on appropriate documentation from the consultants.

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

Wyatt FEREDAY emailed his update:

“...the latest Pumpage totals for June were: Smith = 11,071 AF Mason = 24,285 AF We also held the hearings for the Smith/Mason meter proposed reporting order today and public comments were all positive and in favor of the order. We would like to remind individuals that they have the opportunity to submit written comments pertaining to the proposed order to the division of water resources by July 14th.”

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

GM BRYAN stated he has not received an update from them. They did run their latest lease auction that closed at the end of June.

8. Review and discussion of limitations in addition to those approved on March 9, 2020 with respect to the District Well. The additions would provide that water must be called for during the month the well water was awarded, may not be used on non-water righted lands, and may not be transferred or exchanged.

GM BRYAN stated the current rules are in the packet. This year, the challenge was that there is not enough in the rules to state what needs to be done on a year to year basis and it made it difficult to enforce changes. The intent is to modify the rules so that on a year less than 75% of average, the District can enforce when the user must pay for the water, refuse the water, or use the water. In years like this, it makes it tough to deliver the well water in September when water was awarded in April. There has been a handful of users throughout the season that have not paid or decide to refuse the water late in the month. The policy is that the water cannot be added to the storage balance until the money is received in our office. Currently, the names are drawn on the last day of the month for the following month. They are supposed to pay by the 15th, but they are dragging their feet on payment therefore other users who will pay for and use the water immediately are losing out on the opportunity. Counsel DePAOLI suggested there be more specific language on payment dates and what happens if the payment is not received. GM BRYAN stated the drawing is based on what the well is pumping per day (approximately 7 acre-feet). Once the draw is made, the users are notified, the amounts are separated into East and West and it is confirmed with Joanne that the exchange can be made. GM BRYAN stated this year the office did implement getting written documentation on leases so we know who is leasing and can order water. Secretary HALTERMAN stated PayPal is now an option for payment but only two users utilized that option because there is a 2.9% credit card fee and a \$.30 transaction fee. Treasurer NUTI suggested drawing in the middle of the month and if the user has not paid by the 1st of the month, their water is given to the next person in the draw. Treasurer NUTI asked Counsel DePAOLI if a user who does not pay for the water can be

denied applying the following year: Counsel DePAOLI stated that can be added to the rules. Counsel DePAOLI advised to create a formal draft and bring it back to the Board for approval. Director ACCIARI stated two weeks is plenty of time to decide if the water can be used and to get payment to the office. GM BRYAN stated office staff has gone out of their way to go pick up payments if the user cannot get the money to the office. Director ACCIARI made a motion to put together a draft modification for the District Well rules and present it to the Board; Treasurer NUTI offered a second. The vote was called for and passed.

9. Director Comments

None presented.

10. Public Comment

None presented.

11. Adjournment

Director ACCIARI made a motion to adjourn the meeting; Director GIORGI offered a second. Meeting was adjourned at 10:55 AM.

ABSENT
Jim Snyder, President

Marcus Masini, Vice President

Richard Nuti, Treasurer

Dennis Acciari, Director

David Giorgi, Director