

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on June 7, 2018. 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:

Jim SNYDER	President
Richard NUTI	Treasurer
Dennis ACCIARI	Director
Marcus MASINI	Director
Bridget BANTA	Secretary
Robert BRYAN	Manager
Gordon DEPAOLI	Legal Counsel
Jessica SMITH	Bookkeeper

Public Present:

James Dabrouch	Ed Ryan	Bryan Masini	Joy Morris
Chad Walling	Sarah Overton	Donette Huselton	

1. Public Comment:

None presented.

2. Roll Call and Determination of Quorum:

Vice President GIORGI is absent.

3. Consideration of Minutes of the May 7, 2018 Regular Meeting.

Director MASINI made a motion to approve the minutes. Treasurer NUTI seconded the motion. The motion was voted on and passed unanimously.

4. Water Master's Report:

Water Master Joanne SARKISIAN advised there is just over 57,700-acre foot in Topaz and just over 41,200-acre foot in Bridgeport. She advised there is not much room left in the reservoirs, so she is keeping the decree at full and permit. The prediction for decree is tribe only by August 1. The snowpack is gone. She stated over 100,000 cfs has been delivered this season. Treasurer NUTI asked about losing capacity of the reservoirs from silt. GM BRYAN advised that is up for debate and he does not think it is a constraint for the actual capacity. He is being cautious about filling to the tip top of the reservoirs to stay away from costly repairs for the district.

5. Staff Reports including, but not limited to, those items listed:

A. Treasurer's Report:

Treasurer NUTI gave the Treasurer's Report as of May 31, 2018.

Cash in Checking	\$105,346.39
Cash in Money Market	\$1,252,248.63
Cash in CDs	\$1,241,595.13
Total	\$2,599,190.15

B. Consideration of Bills and Payroll for payment.**May 2018 Bills & Payroll**

<u>Check Number</u>	<u>Effective Date</u>	<u>Vendor Name</u>	<u>Check Amount</u>
120201	5/14/2018	AFLAC	\$265.93
120202	5/14/2018	Ameritas Life Insurance Corp	\$1,791.40
120203	5/14/2018	ABILA	\$1,533.00
120204	5/14/2018	Frontier	\$280.81
120205	5/14/2018	Giomi, Inc.	\$226.33
120206	5/14/2018	AT&T Mobility	\$182.72
120207	5/14/2018	John Deere Credit	\$472.26
120208	5/14/2018	The Paul Laxalt Group	\$6,500.00
120209	5/14/2018	NAPA AUTO & TRUCK PARTS	\$92.90
120210	5/14/2018	Lyon County Recorder	\$34.75
120211	5/14/2018	MBK Engineers	\$4,771.00
120212	5/14/2018	O'Reilly Automotive, Inc.	\$17.97
120213	5/14/2018	Pitney Bowes Global Financial Services LLC	VOID
120214	5/14/2018	Purchase Power / Pitney Bowes	\$301.50
120215	5/14/2018	Quill	\$509.92
120216	5/14/2018	Jim Menesini Petroleum	\$243.54
120217	5/14/2018	NV Energy	\$251.15
120218	5/14/2018	Southwest Gas Corporation	\$75.19
120219	5/14/2018	Verizon Wireless	\$270.94
120220	5/14/2018	City of Yerington	\$105.91
120221	5/14/2018	Desert Research Institute	\$32,566.00
120222	5/14/2018	Chaparral Auto Body	\$494.95
120223	5/14/2018	Sierra Office Solutions	\$125.31
120224	5/17/2018	USBWC	\$83,849.36
120225	5/29/2018	AT&T	\$134.17
120226	5/29/2018	The Paul Laxalt Group	\$6,500.00
120227	5/29/2018	Mason Valley Quicknet	\$410.00
120228	5/29/2018	Pitney Bowes Global Financial Services LLC	VOID

120229	5/29/2018	NV Energy	\$2,497.72
120230	5/29/2018	Alhambra	\$463.14
120231	5/29/2018	Vision Service Plan - Nevada	\$283.20
120232	5/29/2018	Xerox Financial Services	\$139.44
120233	5/29/2018	PERS Administrative Fund	\$5,926.72
120234	5/30/2018	AFLAC	\$265.93
120235	5/30/2018	Frontier	\$285.04
120236	5/30/2018	Mason Valley Quicknet	\$642.50
120237	5/30/2018	Quill	\$288.14
120238	5/30/2018	Wells Fargo Card Services	\$2,255.27
120239	5/7/2018	MBK Engineers	\$123.75
120240	5/7/2018	MF Barcellos	\$1,955.68
120241	5/7/2018	True Value	\$42.75
120242	5/7/2018	HomeTown Health	\$2,980.08
PAYROLL		MAY 2018 PAYROLL	\$31,162.50
Total Bills & Payroll			\$191,318.87

Treasurer NUTI made a motion to pay the bills. Director ACCIARI seconded the motion. The motion was voted on and passed unanimously.

C. Manager's Report:

GM Bert BRYAN advised Topaz is currently at 96% and Bridgeport is at 97% of capacity. The shop crew has been busy on drains including burning and spraying at the west drain by the dealership, Napa and the trailer park by the tribe. The trailer park has several trailers encroaching on the ditch and makes it difficult to burn in that area. The Saroni was de-mossed last week and will be scheduled to de-moss again in late July or early August. The Plymouth is working on scheduling a de-mossing day soon. GM BRYAN advised the California Safety of Dams is reviewing to finalize our Emergency Action Plan. It can take up to 45 days. He is keeping Nevada apprised of the progress as California completes the review. The District's well has remained off since we have been on the District's certificated water rights. The pump was shut off May 1. On May 16, GM BRYAN attended a Son-tech training with a new employee. They learned how to measure water with cross sections and used the flow tracker. On May 18, GM BRYAN gave a presentation in Hawthorne to the legislative committee on public lands. He went over the flood event from last year including the challenges before, during and after the event. GM BRYAN advised he met with NDOT May 30, regarding the mudslide event in Topaz. He advised there was some sediment that made it into the reservoir. Nevada Creek was re-routed outside of its natural channel due to the mudslide. It created a new channel. The District does hold the rights to that creek because it flows into the reservoir. The creek is now back in its natural channel.

WRID is willing to work with NDOT on WRID's property. GM BRYAN advised he gave a tour to TCID on June 6. He took them to the different SCADA sites throughout the system. He advised there will be a Community workshop, June 20, at 5:30 PM at the Yerington High School Multi-Purpose Room. There will be a presentation regarding the different types of water rights and how they all coexist. He advised the state will be giving a presentation along with the water master and WRID.

D. Legal Counsel's Report:

Counsel DEPAOLI advised the 3 appeals have come back from the 9th circuit.

1. NFWF's first change application. The Nevada State Engineer approved the change application pursuant to a stipulation. It also approved the state of California's temporary transfer of water for implementing the storage leasing program. The District Court denied the application. The 9th Circuit advised the District Court did not give proper deference to the State Engineer and the state of California. They concluded paragraph 14 did not prohibit the purposeful delivery of water to be sent to Walker Lake. They approved NFWF's change and the District's Temporary Change. This will go back to the District Court. All Walker River matters will be assigned to a new judge. The orders will be approved and at some point, the changes can be implemented. Since this process was started, NFWF has acquired substantial additional water rights.
2. The US vs Walker River. Additional water for the Walker River Indian Reservoir including recognition of a water right to Weber Reservoir and other interests within the Walker River Basin. The District Court decided to treat the claims as new actions. The 9th Circuit decision concludes that paragraph 14 of the decree gives the District Court jurisdiction over claims of additional water and it was a mistake to treat the claim as if they were a new action. They reversed the District Court's decision and sent it back to the District Court to be assigned to a different District Judge. The counter claims will go back to the District Court and will be taken by whomever the case is assigned to. Counsel DEPAOLI expects it to take some time to be sorted out.
3. Mineral County's claim that the Walker River decree needs to be modified to preserve minimum flows and levels in Walker Lake based on the public trust doctrine. The District Court determined Mineral County did not have standing for the claim and found it would be a taking of people's property under the US Constitution and Nevada Constitution. The 9th Circuit found that Mineral County did have standing to bring the claim. The 9th Circuit also certified the questions of Nevada law to the Nevada Supreme Court. Does the public trust doctrine apply to rights already adjudicated under the doctrine of prior appropriation; and if so, to what extent? The order has been filed with the Nevada Supreme Court. They will have the choice to accept the question or not. Counsel DEPAOLI believes the Nevada Supreme Court will accept the question. Unknown how long this will take. Counsel DEPAOLI advised whatever the Nevada Supreme Court decides, the 9th Circuit will honor the decision from the Supreme Court. Bryan Masini suggested to meet up with all involved and see if we can make a deal with the other parties. Masini suggested

to meet up with the Federal Water Board. Treasurer NUTI stated he would like to meet with the USBWC to discuss and work together. President SNYDER advised WRID did try to negotiate and suggested to try again. Masini suggested both boards to work together instead of against each other. Counsel DEPAOLI advised WRID did start negotiating up until Judge Jones came out with the decision.

E. Review and Approval of Monthly Storage Transfers.

Treasurer NUTI made a motion to approve the monthly storage transfers. Director ACCIARI seconded the motion. The motion was voted on and passed unanimously.

F. 2017-2018 FY Audit Update

Bookkeeper Jessica SMITH advised Jim and Wade were in the office to start the audit testing. They tested payroll and advised everything is looking good. As soon as school is out, they will be here to look at accounts receivable.

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

Chad Walling advised they will be in the field to obtain readings. He mentioned the discussion panel workshop on June 20. He advised there will be a couple more people within his office to give a presentation. Walling will talk about different water rights and how they all work together. Director MASINI asked about the pumpage numbers. Walling advised 6,000-acre feet cumulative. 2200-acre feet in Smith Valley and around 4000-acre feet for Mason Valley.

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

Joy Morris advised they will be in touch with GM BRYAN and Counsel DEPAOLI regarding the water acquired. She advised NFWF and WBC were never a part of the negotiations previously talked about. The water leased a couple months ago went for \$35/acre foot. They are going to lease 2000-acre feet more at \$35/ace ft. It will be 1300-acre feet out of Bridgeport and 700-acre feet out of Topaz. They are in discussion in trying to acquire more water. There are two YCC crews. One out of Hawthorne and one out of Yerington.

8. Update by Bridgeport Ranchers Organization (BRO) on activities related to the Bridgeport Watershed Approach.

None presented.

9. **Discussion and consideration for further operation and delivering well water for the District Well under Nevada State Engineer Permit No. 25813, Certificate No. 8861 to lands within the District for the remainder of irrigation season 2018.**

This item was moved to #10. GM BRYAN recommended to leave the well off from this point forward with the re-allocation. Director ACCIARI made a motion to leave the well off for now and re-evaluate at the next meeting. Director MASINI suggested to turn the well on as soon as permit water turns off. He advised there are users who are strictly Newland water right holders and rely on the District's well draw. Treasurer NUTI advised to call the people who drew for May and were unable to obtain the well water and see if they still want the water when permit water goes off. Director ACCIARI made a motion to turn the well on as soon as the permit water turns off. Director MASINI seconded the motion. President SNYDER suggested to set parameters on the well and when it is on or off throughout the water season. GM BRYAN advised the well is historically on when the water year is under 100%. The motion was voted on and passed unanimously.

10. **Discussion and consideration of storage water reallocation for the 2018 irrigation season.**

GM BRYAN went over the storage usage to date: 1982.29-acre feet from the West and 867.33-acre feet on the east. He went over evaporation percentages and the prediction of river flow decreasing tremendously from the middle of July to August. The tribe's right will continue through October as it started April 15. GM BRYAN advised he recommends 10-15% re-allocation. He believes anything over that would be a risk. The board asked for GM BRYAN's recommendation. GM BRYAN advised he is comfortable with 15-20% on the east and the west. He is most concerned about August-October. He provided the board with handouts with 3 different evaporation percentages; 15%, 20% and 25%. He also provided probability trends for the reservoirs with different percentages of humidity throughout the rest of the season. GM BRYAN advised the weather service has predicted the peak run-off as now and will start to fall off in the middle of June. Treasurer NUTI asked what percentage GM BRYAN is comfortable with 10-15% to have water available through October 31. Director MASINI asked if there is a possibility for another re-allocation if necessary. GM BRYAN advised they can re-allocate as many times as the Board wants. Director ACCIARI made a motion to re-allocate 15% on the east and the west and re-evaluate later in the season to re-allocate again if the water is available. Treasurer NUTI seconded the motion. The motion was voted on and passed unanimously.

11. **Director Comments:**

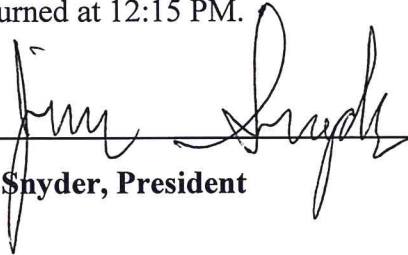
None presented.

12. **Public Comment:**

Wendy and Bentley from Mono County advised they are working with NFWF regarding a water transaction program. They have received a grant. She advised Mono County will be represented more at the meetings from their local government.

13. Adjournment:


Director ACCIARI made a motion to adjourn the meeting at 12:15. Director MASINI seconded the motion. The motion was voted on and passed unanimously. Meeting adjourned at 12:15 PM.



Jim Snyder, President

Absent


David Giorgi, Vice President



Richard Nuti, Treasurer



Dennis Acciari, Director



Marcus Masini, Director