

Minutes of the Board Meeting of the  
TRUCKEE-CARSON IRRIGATION DISTRICT  
Regular Session  
**MAY 7, 2012**

The Board of Directors of the Truckee-Carson Irrigation District, in the Counties of Churchill and Lyon, State of Nevada, met in regular session at the offices of the District, 2666 Harrigan Road, Fallon, Nevada on **Monday, May 7, 2012.**

**Call to Order, Roll Call, Pledge of Allegiance**

President, Ernest C. Schank called the meeting to order at 9:12 a.m. in compliance with NRS Chapter 241. The following Directors were present constituting a quorum:

|          |                  |                   |
|----------|------------------|-------------------|
| Present: | Ernest C. Schank | President         |
|          | Ray Peterson     | Secretary         |
|          | Dave Stix, Jr.   | Director          |
|          | Eric Olsen       | Director          |
|          | Lester deBraga   | Treasurer-Excused |
|          | Bob Oakden       | Director          |

|                 |               |                                     |
|-----------------|---------------|-------------------------------------|
| Others Present: | Rusty Jardine | Project Manager, General Counsel    |
|                 | Walter Winder | O&M Foreman, Deputy Project Manager |
|                 | Mark Solinski | Hydro Foreman                       |
|                 | Kate Rutan    | Office Manager                      |
|                 | Paula Utter   | Board Secretary                     |

| <b>Guests</b>     | <b>Representing</b>         |
|-------------------|-----------------------------|
| Dwight Orton      | FHTC                        |
| Rod Windle        | FHTC                        |
| Roy Edington      | City of Fernley             |
| Tim Jones         | City of Fernley             |
| Dennis Zubieta    | Perry Subdivision           |
| Mike Lowery       | Water User                  |
| Carl Lunderstadt  | USFWS                       |
| Bill Shepard      | Water User                  |
| Ed & Regina Brush | Fernley Farmers/Water Users |
| Jim Perazzo       | Water User                  |

**CALL TO ORDER**

The **Pledge of Allegiance** was led by Ray Peterson.

## **Approval of Agenda**

A **motion** was made by **Director Bob Oakden** to approve the agenda with the exception of removing Item No. 2, seconded by **Director Joe Gomes**, and the motion was unanimously approved.

## **General Public Comment**

**Dwight Orton** asked about the old TC8 and whether or not it would be closed or removing the line. Walter stated that the line will be removed and it will be filled in.

## **Approval of Minutes of Prior Meeting(s)**

A **motion** was made by **Director Bob Oakden** to approve the Special Session Meeting Minutes of March 20, 2012 seconded by **Director Dave Stix**, board requested public comment, and the motion was approved by a vote of 4-2 with the two abstentions by **Director Wade Workman** and **Director Joe Gomes** who were not Board members at the time of the meeting.

A **motion** was made by **Director Dave Stix** to approve the Regular Session Meeting Minutes of April 9, 2012 seconded by **Director Bob Oakden**, and the motion was approved by a vote of 4-2 with the two abstentions by **Director Wade Workman** and **Director Joe Gomes** who were not Board members at the time of the meeting.

A **motion** was made by **Director Bob Oakden** to approve the Special Session Meeting Minutes of April 16, 2012 seconded by **Director Dave Stix**, and the motion was approved by a vote of 4-2 with the two abstentions by **Director Wade Workman** and **Director Joe Gomes** who were not Board members at the time of the meeting.

## **Consideration/Possible Action – Treasurer’s Report - 2012 Monthly Disbursements**

**Director Eric Olsen** gave the Treasurer’s Report. The total of all accounts is now \$2.2 million, at large, there will be approximately \$300k-\$400k that will be added to that amount as some money had been used toward the Truckee Canal project. The legal obligations have been reduced to a \$140,000 remaining balance with this month’s legal bill to Hanson Bridgett of \$19,017. TROA is slated to go to court in September or October of this year and there will be further legal expenses relating to that case.

Eric reviewed the Kafoury Armstrong Accountant bill. He stated that if anything unusual comes up within the audit process the bill would increase due to more hours, this is in the contract. As the District exceeds the hours Kafoury indicated that they would contact the TCID District Manager to inform him of the increase. There is an audit and a review. Once the audit is completed there will be no further review as long as TCID maintains internal control. A system has now been set up that can be verified by the bank that TCID has good financial controls. James Johnson will be attending the next regular session Board meeting to discuss the next financial audit.

There will be a detailed report on the finances of the Truckee Canal project at the June Board meeting.

A **motion** was made by **Director Eric Olsen** to approve the Treasurer's report and transfer \$386,152.72 from the TCID "B" account into the checking account to cover bills, Kafoury Armstrong, and approve check numbers 30095-30219 seconded by **Director Bob Oakden**, board requested public comment, and the motion was unanimously approved.

### **Review of District Matters with District Manager and Supervisors**

- **Rusty D. Jardine, Esq., District Manager**

Rusty stated that he has received word from Paul Winkelman, Shaw Engineering that the Truckee Canal Rehabilitation Project is "on schedule." This is great news and TCID will meet the target completion date.

The Bureau requires that the District provide to them a re-watering plan. TCID must also provide a document that will verify substantial completion of the project by having the District engineer provide acceptance of the project. That requirement is part of construction projects of any kind. The District will also afford acceptance of the construction project. Rusty is pleased that the Bureau has extended to the District, deference in this process. TCID is the one responsible for creating the project and sign off that is safe, good and complete, once this is done the Bureau will then accept it into its inventory of owned structures within the project. The engineer will provide inspections and through affirmation will tell the District that he has preformed the necessary inspections upon which he can make his completion and acceptance document possible. TCID must continue with the rodent control program, with the intent of no longer being saddled with that category 1 recommendation. TCID's effort to get water back into the canal will commence upon completion of the project.

TCID will be responsible for 24-hour watches on the Truckee Canal anytime it is re-watered. There will be a continual two-week watch. After that, inspections will occur on a daily basis. The duties will include noting any seeps in the area of the conduit replacements. Should there be a discovery of seeps a determination will be made as to the form of the seep. The District also has an emergency action plan and will continue to keep it updated.

**Walter** stated that an RO&M tour has been performed within the Truckee Division and the Bureau was satisfied with the exception of some cleaning. There are a few structures off the end of the new TC6 &7 structure and plans have been approved with excavation beginning tomorrow. There are also approved plans for the structure on the end of the TC7 that will connect to the bridge that goes on to the Farm District Road, also beginning to be excavated tomorrow. The drawings for the stock water line box have been submitted and are awaiting approval. All issues associated with a gas line that was unfortunately placed by the gas company and causing interference with the project have been addressed. There are two manholes located at TC-T8 and TC-T10.

**Mike Adams** gave a brief review of the status that is provided via the TCID website on a daily basis through photographic evidence. It is a history of the project and will be archived into the history section of the website.

**Paul Winkelman** gave a brief report on the status of the project. The last report, dated April 20, 2012 due to it being the original cut-off date, this date then became May 7, 2012 with much work being accomplished during this short period of time. A&K has been working on the last two weekends, between 4 and 5 crews. They are allowed to work on the weekends only to place cobble and do any excavation work. This is work that does not require inspection. Every day is a new day and he is cautiously optimistic that they will meet the May 18<sup>th</sup> contract timeline will be met by A&K. Each of the sites has a walkthrough done as they are completed and a list of any remaining items that need to be done is made. There have been several change orders having to do money and with Bureau approval of the most current set of drawings. Since then, the change orders have been very minimal items due to having to pay extra for work and have also gotten credit back for work done.

TCID purchased the pipe and had it delivered to the site. When A&K handled the pipe, they dropped or damaged 8 sticks. The manufacturer examined the pipe and four of them were not able to be repaired but could be replaced. The other four were able to be repaired. The compaction of the Zone II materials has been a challenge from day one. It is very clean sand being used in the sand chimney. Any water that goes through the wet side (Zone I) of the canal it will be collected in Zone II and that minute amount of water will be discharged out the canal safely. ID Nos. 22 and 25 have been completely re-done as the Zone II sand had not been acceptable. A second inspector has been placed on the canal due to this issue and to monitor A&K's procedure in an effort to overcome this issue. In compaction, the target is 70-80% with only a window of 3-lbs. per cubic foot to work with and that slight variation in the Zone II sand and the gradation impact the ability to get the density and the frequency of the vibration of the compactors also has an effect as well as how they apply the water. There are a whole variety of variables that seem to have an effect and it becomes a big challenge, also on the test results.

Currently completed sites are as follows: 3, 8, 17, 19, 20, 21, 22, 23, 24, 24 new, 25 and 26. Clean up seems to be the largest task that remains. Paul remains to be developing what work was done over the weekend. Tomorrow he believes that another 5-6 sites will have walk through done on them. Dave Stix asked about the possibility of the punch could be completed during the re-watering of the canal and if he foresees that this will be the way it will be working or if there will be some sort of hold up with some items continuing to be fixed and brought up to standard. Paul stated that there is nothing on the punch list that could prevent the re-watering of the canal.

Dave also stated that there had been a comment made at the Fernley water users meeting regarding a "secret" meeting. Dave wanted to make it clear that TCID requested that meeting with the Bureau to find out if there were any up and coming surprises that the District needed to know about as we lead up to the day of re-watering the canal. The Bureau's response required some discussion and, in deed, the Bureau does need to provide a letter to the District approving the re-watering of the canal.

**Rod Windle, FHTC**, asked about the contents of the District's re-watering plan. Rusty stated that it requires providing proof of project completion, an engineers' acceptance and District acceptance. Proof of an inspection and affirmation from the District Engineer is also required. Rodent control is also part of the plan and a duty to provide notice of 48 hours to re-water. There is also a ramping grade. Rusty included in the re-watering plan that increases and/or decreases in the water levels

shall be no more than one-foot per day. Water orders will begin to be taken on May 15, 2012 and Tim will begin to schedule the water for delivery. Walter will work the ramp up and build up of the bays around the orders received. All of the take-outs, with the exception of one or two, were raised in height. Walter stated that the District engineer has given his approval of the completed sites but is not required to certify the work until it has all been completed. Mr. Windle also requested the use of the wonderful TCID traveling museum for July 4<sup>th</sup> weekend, in Fernley.

**Mike Lowery** stated that the matter in which the Fernley water users receive their water must be changed. Irreparable harm has been done since 2009. He believes that he is speaking for 80% of the users in the Truckee Division when he says they are measured to death, the ditches are boarded up and the water starts and stops. Improvements need to be made once the water begins to flow again. They own this water and they are asking that the Board make improvements.

**Ernie** suggested that the Federal Water Master be invited to be part of the re-watering of the canal by receiving the daily reports indicating where TCID is and what they are doing, and maybe help TCID to make sure the Truckee Division water users are receiving their decreed rights throughout the season and that proper measuring techniques are being utilized by the District. We all hope that some of the issues will be taken care of due to the current project. Walter stated that within the next few years there will be state of the art metering being used.

**Director Stix** stated that he has been asked why TCID is doing so much measuring. It is partly due to making sure that people get the water they are entitled, this is based on TCID's history of not being measured properly. Walter stated that the policy is to measure at the point closest to the point of delivery. The new meters will be located fairly close to the structures making it a more accurate reading.

• **Kate Rutan, Office Manager**

**Kate** reported on the approval of the WaterSmart Grant in the amount of \$203,000.00 with TCID's matching funds to be \$203,000.00. This money will used for the automation of the V-Line Canal. This will make the automation of every check structure in the V-Line to be automated. The District has two-years to complete the work.

The District is working to upgrade and update the water program so that the information can be utilized by the water users on the website. The Bureau will also be able to use it to receive reporting required by the District.

Kate thanked Ida and Diane for putting together today's luncheon.

• **Walter Winder, Deputy Project Manager/O&M Foreman**

Walter reported the following water storage levels data:

|                                     |          |           |
|-------------------------------------|----------|-----------|
| Lahontan Elevation                  | 4,153.21 | Feet      |
| Lahontan Storage                    | 210,000  | Acre Feet |
| Lahontan Out Flow                   | 611      | CFS       |
| Carson River Flow At Fort Churchill | 430      | CFS       |
| Truckee River Flow At Vista         | 623      | CFS       |

|                                  |     |     |
|----------------------------------|-----|-----|
| Truckee Canal Flow At Wadsworth  | ⊖   | CFS |
| Truckee Canal At Hazen (Bango)   | ⊖   | CFS |
| Truckee River Below Derby Dam    | 569 | CFS |
| Spilling At Gilpin Approximately | ⊖   | CFS |

|                          |                  |    |
|--------------------------|------------------|----|
| Diverted Last Month      | 33,061           | AF |
| Delivered Last Month:    | <u>17,104.11</u> | AF |
| Efficiency Last Month:   | <u>55.4★</u>     | %  |
| Year To Date Diverted:   | <u>33,061</u>    | AF |
| Year To Date Delivered:  | <u>17,104</u>    | AF |
| Year To Date Efficiency: | <u>51.7</u>      | %  |

- ★ Subject to Bureau of Reclamation review and adjustment.

Everything seems to be going well as far as the staff. Walter stated that storage a bit ahead of the forecast.

### **U.S. Fish and Wildlife Service Representative(s) – Wetlands Issues**

**Carl Lunderstadt** reported that Mike Goddard has officially retired and he is the acting Project Leader until a replacement for Mr. Goddard has been found in June or July. The person has been selected, Nancy Hoffman, from Alaska. She was previously a Sacramento Region Office employee.

Carl thanked Rusty for the Records Oversight Committee, unfortunately, the USFWS will not be able to participate and will send an official letter declining the invitation.

### **NEW BUSINESS**

#### **Consideration/Possible Action:**

#### 1) **Forgive O&M fees for NWPAs-Jamie Mills, Executive Director NWPAs**

It was recommended that, should NWPAs decide to sell the water rights, TCID be given the first right of refusal to purchase, or if it were sold to someone else, the O&M fees be paid upon transfer. Rusty is concerned about waiving any O&M fees. NWPAs has offered to do in-house work for TCID, but there is really nothing that TCID could not do. **Walter** would like to see the water out there being used rather than sitting in a holding account. The water right is not currently being used.

**President Schank** also suggested that the O&M fees remain on the books as a receivable and should the water right is ever sold TCID would expect to receive payment of those fees at the time of transfer.

**Director Stix** stated that a drop dead date be put on the payment of the O&M fees and should those fees not be paid by that date, TCID is to receive the water right.

A **motion** was made by **Director Eric Olsen** to deny forgiveness of the O&M fees owed by NWPAs which upon transfer through lease or sale of the water right the accumulated O&M fees must be

paid to the District in full and if there are any in-kind services that can be utilized by the District NWPA will approach TCID staff, with an expiration date of offer to be three years from today, May 7, 2015 seconded by **Director Bob Oakden**, and the motion was unanimously approved.

No public present for comment.

2) **RESOLUTION 2012-6 – Approving boundaries of Division #1 and Division #2**

This Resolution 2012-6 Authorizing the Board of Directors for a boundary line change to District One (1) Division of the Truckee-Carson Irrigation District (Fernley, Hazen and Swingle Bench), made pursuant to NRS 539.107, and providing related matters thereto.

A **motion** was made by **Director Dave Stix** to approve Resolution 2012-6 approving the boundary lines changes to Division #1 and Division #2 of the Truckee-Carson Irrigation District seconded by **Director Eric Olsen**, board requested public comment, and the motion was unanimously approved by 6 ayes, 0 nays, 0 abstentions and 1 absence.

3) **RESOLUTION 2012-8 – Acknowledging the Retirement of Ray Peterson from the TCID Board of Directors**

**President Ernie Schank** read RESOLUTION 2012-8 for the record with a copy being attached to and made part of these minutes.

A **motion** was made by **Director Dave Stix Jr.** to approve Resolution 2010-8 acknowledging the retirement of Ray Peterson from the TCID Board of Directors seconded by **Director Joe Gomes**, board requested public comment, and the motion was unanimously approved.

**Director Stix** told Ray that he has known him far before serving with him on the Board and that it was an honor to be able to serve with him. Dave reminded Ray of a saying by George Washington to John Adams “you’re fairly in and I’m fairly out, soon we will see who is the happiest.”

**Director Bob Oakden** stated that he has learned much from Ray, especially on the O&M committee. His knowledge of the District is remarkable.

**Director Eric Olsen** spoke about the appreciation about the number of years served by Ray. As a fairly new Board member, Eric’s appreciation is even larger.

**Director Joe Gomes**, a new Director, thanked Ray on behalf of himself and the water users, for the years Ray has served the District.

**Director Wade Workman**, although he did not serve with Ray, thanked Ray for his many years of service and knowledge shared with the water users.

**Walter Winder, Deputy District Manager**, said that he has been working very closely with Ray on the O&M committee. There have been many interesting tours and journeys along the way, and a

lot of laughs, especially when Ray drove away and left Bureau employees on the ditch bank. That may have been an accident, or not.

**Rusty Jardine, Esq., District Manager**, state that, with the exception of Walter Winder, Ray knows the project best. Ray's family, before him were similarly engaged in public service in Reno and Washoe County. Rusty also mentioned the woodworking talent of Ray and that there is still a framed commemorative metal, created by Ray.

**President Schank** read from the minutes of May 8, 1984, "the Secretary Treasurer administered the oath of office to incoming Directors Thomas W. Cook, David L. Mately and Raymond A. Peterson, Jr." Ernie told Ray that, he, personally, appreciates what Ray has done for the past 28 years, in particularly, what Ray has done to help Ernie in the time that he has been on the Board. Ray has always supported Ernie, in dark times and fun and glorious times, and it has been very important to him. Ernie also read a card sent by Director Lester deBraga who could not be hear today but wanted to honor Ray, his friendship and service.

**President Schank** presented Ray with Resolution 2012-8 in honor of Ray's retirement. Ray thanked everyone on the Board for the good and bad times, with the good outnumbering the bad. His main concern has always been the water users and making sure that they all got the water that was coming to them. He has enjoyed working with this crew. When Ray was in the lumber business, TCID would put out a bid for redwood to all three lumber yards. Ray quoted for all three and in the end he delivered the lumber to TCID, kind of ironic. He has enjoyed every minute of his 28 years of service. Ray was also presented with metal art made by Mark Solinski, TCID Hydro Foreman, for his retirement from the Board.

4) **RESOLUTION 2012-9 – Celebrating the Life and Service of Director/Vice-President Richard F. Harriman**

Carolyn Harriman attended the meeting at the invitation of the Board at 11:20 a.m.

**President Ernie Schank** read RESOLUTION 2012-9 for the record with a copy being attached to and made part of these minutes.

A **motion** was made by **Director Dave Stix** to approve Resolution 2012-9 memorializing the late Richard Fenn Harriman seconded by **Director Bob Oakden**, and the motion was unanimously approved.

Carolyn Harriman was presented with a framed original of Resolution 2012-9, signed by the Board of Directors. She was also given Richard's name plate and thanked her for his twenty years of service. A TCID centennial coin was also presented along with a plaque commemorating his service and friendship.

**Director Dave Stix** knew Richard and he was a delight to be with in the time that Dave knew him. He was a great guy, all around. Most of the Board members were present at the gravesite the other day and Dave had a close friend in Fernley pass the same day and the same hour as Richard and chose not to attend either service. He wanted Carolyn to pass on to Richie that his thoughts are



with all of them. There are very few longtime names left in Fernley but the name Harriman predates the Newlands Project. Dave received a gift sometime ago, "Turn This Water Into Gold" book, and the Harriman name is mentioned in that book. There is a mention in the book about the Harriman family selling hay for the teams of horses to pull the ore up in the Comstock at \$150 per ton.

**Director Bob Oakden** told Carolyn that he has learned much from Richard. They were close in age at school. He made several trips to California with Richard and told of the trips, they were interesting and fun.

**Director Eric Olsen** stated that he had known Richard prior to coming to the Board, but only in passing. Since then, he has considered Richard a friend. Richard was always honest and straight forward. In dealing with lawyers and Bureau, Richard really helped Eric in understanding what was going on and was going to happen.

**Director Joe Gomes** did not have an opportunity to serve on the Board with Richard but has heard nothing but good about him for many years. Joe hopes to be able to contribute close to what Richard contributed as a Board member.

**Kate Rutan** added that she has worked with Richard on the O&M Committee and the Carson Lake and Pasture Committee. He was a wonderful man and a true gentleman. She enjoyed working with him when she was the interim Project Manager, he was very helpful and always on her side. Richard made the best pies for Board meetings and a dutch oven cinnamon roll that can't be beat.

**Bill Shepard** stated that Richard was one great cook and made better cream cheese cake than anyone. He was an awesome person and Bill loved serving on the Board with him.

**President Ernie Schank** stated that his greatest memory of Richard was that after serving on the Board for several years before Ernie returned to serve on the Board, that several of the then current Board members ask that Ernie return to serve on the Board. Richard was so gracious to help Ernie fulfill that responsibility. Ernie called Richard many times late at night during a crisis and Richard was always very reassuring. Ernie never say Richard exhibit a temper in public and he was always very poised, calm, collected and professional in all that he did.

When Ernie and Richard were trying to get the TCID yard transferred to TCID ownership, they had to show good reason for the United States to turn this over to TCID at no cost. They started an accounting process confirming that over the years the water users have actually repaid all of the construction costs to build the Newlands Project and that TCID was not given some of the benefits that it should have been given. In that process, TCID was eventually given an invitation by the Bureau's regional director to visit Sacramento to view all of the financial records the Bureau had from the earliest days of the project. It was a cold snowy day when Richard and Ernie picked up a Bureau member in Carson City to go on the trip with them. As they went into the elevator to go down to the car, the elevator got stuck. Richard used the phone in the elevator to call and tell the others of their dilemma only to find out that the person he was talking to was in Denver, Colorado. The closest mechanic was in Reno. They needed ventilation. Finally, Betsy Rieke asked someone to wedge the door open so they could get some air then sat down and waited about an hour and a half. The elevator actually moved and the door opened. No one was around so they just left. Ernie

will always remember that. He will miss Richard. It is the roses of June, or in this case the memories of Richard's life that will help us get through the Decembers of our lives.

**District Manager, Rusty D. Jardine** said that although he has been accused of being a nice guy, he can still show some teeth. He appreciated Richard's influence and ability to calm him down. Richard was greatly appreciated and was Rusty's favorite Board member.

**Walter Winder** shared that he has been friends with the Harriman family ever since he was a little boy. He treasures those friendships and hopes that Richard was aware of that.

5) **Swearing in of Division #1 Director (Truckee Division)**

**Secretary Bob Oakden** swore in **Director/Vice President Dave Stix**.

**RECESS**

A **motion** was made by **Director Eric Olsen** to recess for lunch in honor of Ray Peterson and remembrance of Richard Harriman at 11:57 a.m. seconded by **Director Bob Oakden** and the motion was unanimously approved.

**The Board Reconvened at 12:55 p.m.**

**General Public Comments**

**Regina Brush**, wife of **Ed Brush** who worked for TCID for many years as a ditch rider. She thanked the Board for inviting them to this wonderful occasion honoring Ray Peterson and Richard Harriman. **President Schank** thanked them for attending and for their support of TCID.

**OLD BUSINESS**

1) **Consideration/Possible Action: Closed Session Litigation Meeting**

- 2) **Consideration/Possible Action: Authorization by the Board of Directors directing legal counsel, for the Truckee-Carson Irrigation District (District) to do or assert, or to make application for, or to do or perform such other act or acts, duty or duties, as is/are/or may be necessary, as to any/all lawsuits now pending or threatened in which the District is or may be a party, in the Courts of the State of Nevada, or of the United States of America, consisting of the advancement, cessation, or dismissal, or settlement thereof, any/all case(s), claim(s), defenses(s), immunity(ies), remedy(ies) at law or in equity, entitlement(s), negotiations(s), protection(s), right(s) or the waiver(s) thereof, resolution(s), or dismissal(s), existing under, or accruing from, applicable state or federal rule or law, in any such pending or threatened litigation, including, without limitation, the breach of the Truckee Canal at Fernley, Nevada, in January, 2008.**

**Possible Recess to Convene Attorney/Client Consultation**

3) **Re-Evaluate Water Allocations**

This item will be addressed when sufficient information is available.

**Consideration/Possible Action: APRIL, 2012 Director’s Compensation**

|                  |                  |
|------------------|------------------|
| Ernest C. Schank | \$615.38         |
| Richard Harriman | \$80.00          |
| Ray Peterson     | \$360.00 (April) |
| Dave Stix        | \$194.00         |
| Eric Olsen       | \$140.00         |
| Lester deBraga   |                  |
| Bob Oakden       | \$240.00         |

A **motion** was made by **Director Dave Stix** to approve payment of the Directors Compensation for **Mr. Ray Peterson** for the month of April, 2012, seconded by **Director Bob Oakden**, board requested public comment, and the motion was unanimously approved.

A **motion** was made by **Director Joe Gomes** to approve payment of the Directors Compensation for the month of April, 2012 seconded by **Director Eric Olsen**, board requested public comment, and the motion was unanimously approved.

**Committee Reports**

**O&M Committee Recommendations**

**Director Dave Stix, Committee Chair**, reported the following:

USFWS was represented by Carl Lunderstadt. Carl asked if Mike Chapman has had his ditch cleaned out and if we had billed them for the pipe that was ordered. Walter stated that a machine was working on the Chapman ditch that very morning and that the pipe had been billed to the USFWS.

**No Board Action Required**

|  |   |
|--|---|
| 1. <b><u>Review Accident/Incident Reports and Damage Claims</u></b><br><br><b>No Board Action Required.</b>            | There were no accidents or incidents reported.  |
| 2. <b><u>Review Conservation Work Orders Balance Sheets for March 2012</u></b><br><br><b>No Board Action Required.</b> | The committee reviewed the Conservation Work Orders report for the month of March. We have used 95.07% of the Conservation budget and we have almost completed the work for the new meters. |
| 3. <b><u>Review and consider for action application of District Subdivision Policy – Bob Doty</u></b>                  | This issue was put on the agenda as the solution that was determined at the last O&M Meeting was not fair in that the other side of the equation (Bonnie York and Jessie                    |

|  |  |
|--|--|
| <p>Walter <b><u>motions</u></b> to have Mr. Doty notify TCID when he cuts his hay and have a window of seven days where no water will be delivered. Davy <b><u>seconded</u></b> the motion and Walter amended the motion to add that this issue will be looked at on April 1<sup>st</sup> to verify that the leaky boxes have been fixed. Bob <b><u>seconded</u></b> the amended motion and it was approved by all. The vote on the original motion was approved by all.</p> <p><b>No Board Action Required.</b></p> | <p>Hernandez) was not heard from. Bob Doty, Thomas and Virginia Darrow, Bonnie York and Jessie Hernandez were all present to come together with an agreement to make irrigating all affected parcels work for all the affected parties. There was much discussion about what went wrong, what was said or not said, and who is at fault. It was finally agreed that the ditch needs to be maintained by both parties even though it is on Mr. Darrow's property. Bonnie York agreed to help with the cost of repairing the leaky boxes. She agreed to pay for half of them. Mr. Darrow did not seem to be happy with that solution as he felt that she should pay more than half as she waters more acreage with that ditch than he does. That is a long term solution. The short term solution would be that Mr. Doty would notify the District when he was going to cut his hay. That would start the countdown on a window of seven days that Jessie and Bonnie could not have any water delivered. That would give Doty seven days to cut, bale and remove the bales from the field.</p> |
| <p>4. <b><u>Review and consider for action for gate permit variance – Nancy Magnesson</u></b></p> <p><b>No Board Action Required.</b></p> <p>Davy Stix Jr. left the meeting at this point.</p>   | <p>This item was tabled on advice of counsel.</p>  |
| <p>5. <b><u>Review and consider Subdivision #5267 Issues – Boyd and Raymond Taylor</u></b></p> <p>Bob made a <b><u>motion</u></b> that the subdivision be broken up for a trial period of one year to see if it will work. The committee will revisit the split again in April of next year. Rusty <b><u>seconded</u></b> the motion and it was approved by all.</p> <p><b>No Board Action Required.</b></p>   | <p>Boyd and Raymond Taylor are present to ask to be removed from the Subdivision. They have been watering at different times and ordering their water separately because the other two parcels are leased to the same individual. Walter stated that he was hesitant to break up Subdivisions as if we do it for one every time there is a problem on a Subdivision somebody will ask to get out, and there are always problems with subdivisions. The committee felt that it would not be difficult to separate the subdivision but felt that the District could try it this year and look at it again next year to see if there are any problems.</p>  |
| <p>6. <b><u>Review and consider for action letter regarding delivery to 31 Corp – James Sloan</u></b></p> <p><b>No Board Action Required.</b></p>  | <p>The District received a letter from Jim Sloan (31 Corp) regarding his inability to irrigate because Indian Lakes is not full enough. He was worried about losing crops. Walter stated that they have been sending water to Indian Lakes from the D Line and expect that Mr. Sloan will be able to receive the water he requires on his recent order. The delivery system to 31 Corp is the most inefficient in the Project.</p>   |
| <p>7. <b><u>Review and consider for action variance to subdivision policy – Ralph Mills</u></b></p> <p><b>No Board Action Required.</b></p>  | <p>Mr. Mills was not present but the variance is a renewal to his variance for another year or until a parcel is sold in the Subdivision. The committee approved the variance for another year.</p>  |

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| <p>8. <b><u>Review Application for new takeout on V1 – Robert Brigham</u></b></p> <p><b>No Board Action Required.</b></p>   | <p>Mr. Brigham was not present. Walter explained what was going on with this application. They have applied with NRCS for a new cement ditch and replacement takeout. Reclamation requested that they be notified before construction starts so that the process is followed. Walter stated that he would keep Reclamation informed.</p>  |
| <p>9. <b><u>Review Issue of leaky boxes on L4-1 – Russ Taylor</u></b></p>   | <p>Mr. Russ Taylor came in asking the District to write a letter to James Pearl and ask him to fix his leaky boxes so that Mr. Taylor can irrigate.</p>   |
| <p>10. <b><u>Review and consider issue regarding a private ditch with TCID easement that is going to be lined – Chris Gomes</u></b></p> <p><b>No Board Action Required</b></p>  | <p>Kate explained that Chris Gomes is doing a cost share with NRCS to concrete line a private ditch on his property but requires a letter from the District because the ditch is in our easement. Reclamation reminds us that the District does not own the easement. All easements are owned by the United States. Therefore, Mr. Gomes should contact Reclamation. Walter stated that he would talk to Chris to figure out which ditch is Reclamation’s easement.</p> |
| <p><b><u>Related Matters</u></b></p> <p>Rusty made the comment that a lot of the committee’s time is spent dealing with neighbors fighting. Pete stated that maybe there should be another forum to deal with these subdivision issues outside of the O&amp;M Committee. Rusty feels that maybe the Policy Committee should look at the Subdivision Policy to provide some guidance in these un-neighborly squabbles. It was suggested to add this to the Policy Committee agenda.</p> <p><b>No Board Action Required.</b> No Public was present.</p> <p><b><u>In the Field</u></b></p> <p>The committee did not go into the field today.</p> |   |

**Director Dave Stix** will select a member of his committee to attend the weed abatement meetings.

**Public Relations Committee:**

There will be an event set up at the completion of the Truckee Canal Conduit Rehabilitation Project.

Southwest gas will be coming in to re-locate a gas line, TCID made several smaller excavations in the area as to be able to continue work while SW Gas does their work.

Tim Ballard, Fernley ditchrider, is working on preparations to clear the banks and re-water the Truckee Canal.

**General Public Comment**

**ADJOURN**

A **motion** was made by **Director Dave Stix** to adjourn the meeting at 2:11 p.m. subject to the call of the chair seconded by **Director Joe Gomes**, and the motion was unanimously approved.

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Ernest C. Schank, President

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Bob Oakden, Secretary

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June 7, 2012

Date