

Minutes of the Board Meeting of the  
TRUCKEE-CARSON IRRIGATION DISTRICT  
Regular Session  
**AUGUST 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 Churchill County Commissioners Chambers, 155 N. Taylor Street, Fallon, Nevada, **Tuesday, August 7, 2012.**

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

President, Ernest C. Schank called the meeting to order at 9:07 a.m. in compliance with NRS Chapter 241. The following Directors were present constituting a quorum:

Present:	Ernest C. Schank Dave Stix, Jr. Bob Oakden Lester deBraga Eric Olsen Joe Gomes Wade Workman	President Vice President/Director Secretary/Director Treasurer/Director Director-Arrives at 9:39 a.m. Director Director
Others Present:	Rusty Jardine Walter Winder Mark Solinski Kate Rutan Paula Utter Mike Adams	District Manager, General Counsel O&M Foreman, Deputy District Manager Hydro Foreman Assistant Secretary/Office Manager Board Secretary IT/Security

Guests	Representing
Terri Edwards	US Bureau of Reclamation
Lee Berget	US Bureau of Reclamation
Bob Edwards	US Bureau of Reclamation
Harvey Edwards	US Bureau of Reclamation
Rob Scanland	US Bureau of Reclamation
Bryce White	US Bureau of Reclamation
Caryn Hunt DeCarlo	US Bureau of Reclamation
James Lively	US Bureau of Reclamation
Tim Jones	Self
Dennis Zubieta	Perry Subdivision
Steve Puterski	Lahontan Valley News
Rick Whimple	CCCE
Michael Whimple	Boy Scouts of America
Rod Windle	Friends of the Historic Truckee Canal
Dwight Orton	Friends of the Historic Truckee Canal

The following Agenda items are not necessarily in the order they were heard or decided but in the order as approved on the agenda.

## CALL TO ORDER

### Pledge of Allegiance

#### General Public Comment

- **President Schank** began by thanking the Churchill County Commission for allowing TCID to use their Chambers for today's meeting.
- **President Schank** called Michael Whimple, Eagle Scout, and his father Mr. Rich Whimple to the podium. He stated that the Board would like to recognize Michael Whimple for including TCID in the completion of his Eagle Scout project by burning of slash piles on federal public land. He was presented with a certificate of recognition and a TCID Carson Minted Centennial Silver Coin.
- **Kathy Mort, Weishaupt Family Trust**, addressed the Board with a grievance and two questions. She stated that she believes preferential treatment is being given to male ranchers in the region. She has told TCID on several occasions that their delivery of water is adversely affecting their efficiency in irrigating her fields. The allotted time and the amount of water are very important in order to receive as many irrigations as other users within the District. They are receiving water but the bays are not built up enough to accumulate the pressure necessary to irrigate. She believes that this is due to other ranchers putting boards in and controlling the bays instead of the TCID ditch riders. According to TCID policy, no one is allowed to control the flow of water except the TCID ditch riders, most of which are not adequately trained or given the authority necessary to carry out the responsibilities. There are no consequences to the ranchers when rules have been violated. She also stated that the scheduler continues to schedule other irrigators before them knowing that there is not enough water and that they are not waiting to irrigate. Both District Managers refused to return calls when they are experiencing these problems. Their concerns are dismissed. Walter Winder has allowed prominent male ranchers to take water from their water order and when told that Ron Lawrence put boards 12 or more hours before his order, hence cutting of their water supply, Walter Winder did nothing. Other irrigators are allowed to shut off until more water is available but they are told not to or they will lose their turn, forcing them to keep the water at such low levels that it is damaging their fields. They the District considers their grievance as they deserve the same treatment as other ranchers within the District and will continue to pursue other avenues for resolution, if necessary.

**Rusty Jardine** informed Mrs. Mort that her grievance would best be addressed, initially, with the O&M Committee which will have its next meeting on August 16, 2012, should she wish to pursue the issue.

Her first question was what affect does transferring water out of the project have the water users. **President Schank** stated that transfers do affect the District. This year the project has really been affected. The Tribe in conjunction with other parties upstream, asked for temporary transfers in the summer months. The Tribe calls on those waters for the temporary transfer process. Much of this is water quality water that has accumulated over the years. This year they have called for the water over a three-month period beginning with July. It has made it very difficult with barely enough water left to fulfill the water called upon by the Truckee Division having a very drastic effect. Some is water that was dedicated to Dodge Flats for agricultural has been changed by the State Engineer to fish water. There is water in Lake Tahoe that the District had hoped would make it possible for

the percentage to be raised but that is not possible due principally to the previously mentioned transfers.

Her second question was whether or not water orders for the USFWS were being filled through the Stillwater Slough with prime water not drain water. **Walter Winder** stated that he would do some research and contact Mrs. Mort with his findings.

**Director deBraga** addressed Mrs. Mort stating that this was not the case to his knowledge. Mrs. Mort stated that two years ago the USFWS was receiving water through Stillwater Slough. **Director deBraga** asked her where and she did not know. He stated that there is no way to get the water into Stillwater Slough. **Walter Winder** stated that the only way for water to get into the Stillwater Slough was through the Bruce Kent property. **Director deBraga** also asked Mrs. Mort if she has the same grievance every time they irrigate, she confirmed that, yes, it was every time. **Director deBraga** asked her how she has determined that others upstream of her were receiving preferential treatment. He stated that he is not aware of anyone who is receiving preference above them. In fact, upstream users are told that when downstream users are irrigating, they are to make adjustments to accommodate them. Mrs. Mort stated that she does not really know what is happening but the ditch riders that are hired do not know how to keep the bays high. The bay levels are moving up and down constantly. When they run two heads at one time it keeps the water level in the bays high. **Director deBraga** confirmed with Walter Winder that there is a District policy stating that no irrigator can run more than one head while other irrigators are watering. **Director deBraga** offered to visit them when they irrigate next.

This issue will be put on the August 16, 2012 O&M Committee Meeting Agenda, 9:00 a.m.

- **Dwight Orton, FHTC**, asked when the gates on the Truckee Canal in Fernley would be re-installed. Walter Winder stated that the gate issue will be addressed shortly. According to the Fernley City Attorney, extra law enforcement has been assigned to monitor the TCID easements behind residential areas. Electronic gates will be installed. At the TC5, Jersey Barriers have been installed to eliminate access to the area adjoining the Fernley City Yard. ATV traffic and vandalism continues to be an issue. **Rusty Jardine** stated that the priority in the Truckee Division is to get everyone connected to the stock water lines that use them. He also stated that there are ownership issues in connection with the easements and land adjacent to them that individual owners need to research and address. There is no public right to use the easements for a place of access unless the owners participate in granting that right. A number of things happen in and around the canal, but that does not mean there is a legal right to do it.
- **Director Dave Stix** stated that the issues at hand on the canal, such as gates, are issues that will be taken care of by the District as soon as there is time. The real priorities are the Truckee Canal seeps, pump permits, stock water lines and getting water to those who own and need it. Water is the main priority. Hearing all of the personal issues is somewhat disconcerting as there are so many other direct priorities happening. At the same time, TCID is trying to pay the bills and get by with as minimal a staff as possible. There is the issue of the Fernley ditch rider, who, with all the demands and complaints put upon him, is no longer the same man. These are the important issues. Everyone, at both ends of the District, should stop and consider what you have. The District has had to prioritize and unfortunately, gates are not at the top of that list. Getting water to the people who need it is the priority and this should be considered when everyone goes home to think about the current situation.

## Approval of Agenda

A **motion** was made by **Director Lester deBraga** to approve the agenda seconded by **Director Bob Oakden**, and the motion was unanimously approved.

## Approval of Prior Meeting(s) Minutes

- A **motion** was made by **Director Eric Olsen** to approve the Regular Session Meeting Minutes of July 9, 2012 with updates seconded by **Director Joe Gomes**, board requested public comment, and the motion was unanimously approved.
- A **motion** was made by **Director Eric Olsen** to approve the Special Session Meeting Minutes of August 1, 2012 with updates seconded by **Director Joe Gomes**, board requested public comment, and the motion was unanimously approved.

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

No report today.

## Review of District Matters with District Manager and Supervisors

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

**Rusty** reported that he had the opportunity to meet with staff from Congressman Amodei’s office. These meetings are greatly appreciated as the congressman is very responsive to the issues at hand with the District and is always willing to meet with TCID staff personally. The District has great respect for the congressman and his staff and their willingness to participate.

- **Kate Rutan, Office Manager**

**Kate** reported on the status of the improvement to the software for the water program. She puts in two hours per day towards the completion of the project this week. This will help in reporting to the Bureau.

- **Mark Solinski, Hydro Foreman**

Mark reported the following:

Location	KWs
26’ Drop	650
New Power Plant	2700
Old Power Plant	1100
<b>TOTAL:</b>	<b>4,450 KW</b>

Mark reported that he is releasing 760 AF out of the dam with a current level of approximately 88,000 AF at Lahontan Dam. There is approximately a 1,450 AF drop in elevation per day.

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

Walter reported the following water storage levels data:

Lahontan Elevation	4,133.78	Feet
Lahontan Storage	88,270	Acre Feet
Lahontan Out Flow	646	CFS
Carson River Flow At Fort Churchill	1.4	CFS
Truckee River Flow At Vista	296	CFS
Truckee Canal Flow At Wadsworth	134	CFS
Truckee Canal At Hazen (Bango)	19	CFS
Truckee River Below Derby Dam	147	CFS
Spilling At Gilpin Approximately	0	CFS

Diverted Last Month	<u>43,264</u>	AF
Delivered Last Month:	<u>30,284.83</u>	AF
Efficiency Last Month:	<u>65.1*</u>	%
Year To Date Diverted:	<u>156,674</u>	AF
Year To Date Delivered:	<u>101,969</u>	AF
Year To Date Efficiency:	<u>63.3</u>	%

- ★ Subject to Bureau of Reclamation review and adjustment.

The forecast indicates that on July 29, 2012 storage should have been 90,000 AF. We are actually a bit ahead of that at 93,500 AF. There was a question as to the absolute lowest level that the Lahontan Reservoir would be allowed to go. Walter Winder stated that he would not let the reservoir drain below 4,000 AF.

There is a long reach excavator working at the upstream end of Tunnel #3 on the Truckee Canal. Bentonite will be applied to deal with a seepage area. The Steam Pad seep has been successfully stopped. A weighted sand filter has been used with approximately 100 ft.-250 ft. of pit material used for the weight. Matheson Painting has treated approximately 400-feet of the Railroad seep with spray-on liner.

A proposal has been submitted in connection with GRIDUSA Geothermal and Gradient Resources addressing seepage in the area of their "Pumoa Site Project."

• **Mike Adams, IT/Security**

Mike reported that there are now security cameras at Diversion Dam, Lahontan Dam and Derby Dam. The Derby Dam cameras will be capable to scan the freeway and high side of the Dam by September 30, 2012.

1. **U.S. Fish & Wildlife Service Representative(s) - Wetlands Issues**

**Nancy Hoffman and Carl Lunderstadt** reported that things are going well on the refuge this year. They are in the process of planning for the upcoming hunt season and the youth waterfowl program.

The new bi-pass canal, which is 2.1 miles and carries 80 CFS, helps manage the Stillwater Point Reservoir both as a marsh and a reservoir. There is less evaporative loss, as well.

**Director deBraga** asked Carl if they currently receive any prime water deliveries to the Stillwater Slough through via the Kent property. Carl indicated that there was no way to receive prime water to that location.

**Walter** stated that the District would begin planning for the end of the irrigation season in the September and October Board meetings. **Director Olsen** indicated that the last water for most of the corn crops in the area would be around the last week in August.

## 2. Bureau of Reclamation – Lahontan Basin Area Office Representative(s) – General Updates

**Terri** Edwards reported that the Bureau will be hosting a facilitator led “Post Project Review” meeting on August 29, 2012 at the Grand Sierra Resort in Reno, Nevada. This will be in regards to the Truckee Canal Conduit Rehabilitation Project. Among those attending will be the Bureau of Reclamation, A&K Earthmovers, Paul Winkelman of Shaw Engineering, Truckee-Carson Irrigation District and others invited guests.

**Director Stix** stated that some of the water users in Fernley still were not receiving their water. He asked when they might expect to be able to use their pumps for yard and garden purposes. **Lee Berget** stated that the pump submittal is currently in review and possible action may be taken by the end of August.

## 3. Pyramid Lake Paiute Tribe – Regional Water Law Issues

**Rusty Jardine** began by thanking the Tribe for attending the meeting today. Recently, Rusty attended a counsel meeting in Nixon, Nevada. It has been a privilege to work with Chairman, Wayne Burke, and his willingness to meet with the District on a united front. A number of important issues have been identified that are important to all in the region. A litigation strategy associated with resolving issues is not always successful. The District would like to see what can be done together to resolve important regional questions.

**Chairman Wayne Burke, PLPT**, approached the Board and introduced himself to each member. He then introduced himself and gave the Board a brief history of his education and life experiences leading up to his appointment as Chairman of the Pyramid Lake Paiute Tribe.

Today, Mr. Burke is here to show the Tribe’s aspiration to work together with the District and the possibilities of coming together in 2012 for efficient smart planning for water delivery systems for the future. After receiving a letter from Rusty Jardine last year, he was able to meet with Rusty and Walter Winder to discuss their plans for the future of TCID. He was impressed and enthused at the manner in which Rusty presented the concerns of the District. He wants the TCID Board to understand that he believes Rusty has done an amazing job with his ability to talk with people in a way that they can understand the business and needs of the District. With that, Mr. Burke feels very comfortable sitting down with TCID and the Board in addressing concerns.

Mr. Burke has spent much time researching the past water wars between the State and the Tribe in hopes of learning from the past. Mistakes and poor planning of the past can be used as steps to move forward together. Both the Tribe and the District have spent millions of dollars on litigation and it does not seem that anyone is in any better condition as they were 10-15 years, plus, ago. That is disheartening. There are more commonalities than there are differences; children, farmers, agriculture and communities that need water to survive and sustain for the future. The Tribe is not about taking anyone's water but what can be done sustain and ensure that TCID and users along the Truckee River get what is rightfully and lawfully theirs. That is why the Tribe is here today, to present the TROA Agreement articles and objectives of the Tribe. We are all now in a place to stop fighting the ongoing war and spend time coming to an agreement with both the Tribe and TCID bringing what they can to the table for the future. We both have the same regional water issues impacting the water users.

Mr. Burke introduced his Vice Chairman, Mervin Wright, Jr., and Ali Sharoody, Water Consultant, Stetson Engineering, Chris Mixson, Tribal Water Attorney and John Mosley, Environmental Director. **President Schank** introduced the Interim Churchill County Manager, Bjorn "BJ" Selinder, and Terri Pereira and Craig Mindy, Churchill County Planning and thanked them for attending today.

**Vice Chariman Mervin Wright** stated that the Tribe is looking at this opportunity to meet with the District, politics aside, as water users, just as TCID is here representing their constituency, to present their intensions with TROA. They expect the delivery of their water rights to their head gates as individuals elsewhere in the project. This is probably the most common facet of what they cherish as the principals of the foundation of their community. It is their intension to describe today, the assurance of TROA that everyone will be dependent upon, with respect to that delivery of their water. For the purpose of what the Tribe would be advocating today, with respect to TROA, is that the entitlement that the Tribe, as a water right holder, is that TROA and the operating system of TROA is what the water users need to place reliance upon. It is the Tribe's intension, as a water right holder, to maximize the use of their water. And they expect the same of every other water right holder on the river system.

**Mr. Sharoody** gave an informative PowerPoint presentation for discussion on TROA and current operations. He stated that a concern of the District, in a recent discussion, is whether or not the District would be protected under TROA and other measures in place that might do that. He hopes that today's presentation might help in a better understanding of TROA. A copy of this presentation is available for viewing at the District office.

**Director Stix** stated that there have been comments made in recent Tribal council meetings of a new indictment against TCID. **Chairman Burke** stated that there are currently no active criminal charges against TCID and that the Tribe is only interested in efficient operation of the canal. The Tribe would like to know if the Bureau of Reclamation and TCID want the Truckee Canal to remain open.

**President Schank** made it clear that it the intention of TCID to keep the Truckee Canal open. He also stated that he would like to meet with the Tribe again at a later date regarding more detailed issues. He discussed the Dodge Flat claims have allowed for water to be taken in 3-4 month period. The Board would like to work with the Tribe on this issue of timing and the use of temporary transfers. Another issue the Board would like to address at a future meeting with the Tribe is upstream storage protection for the District.

**Rusty Jardine, District Manager**, wanted the Tribe to know that the District records regarding water usage and delivery are open to them for review.

**Director deBraga** asked should TCID give its blessing for TROA, would the Tribe see any difficulty in coming to an end regarding TROA litigation. The Tribe responded that they only want to see everyone get what they are rightfully and lawfully entitled to.

**Director Bob Oakden** thanked the Tribe for attending today. **Director Eric Olsen** would like to see each of the parties concerns in a written form in order to better address the issues at hand.

In closing, both parties will aggressively work to resolve the regional water issues. Today, the door has been kicked wide open to resolve between the parties. The Board was asked to direct any written comments regarding TROA to Rusty Jardine, District Manager.

## **NEW BUSINESS**

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

#### 1. **Churchill County Museum Assoc. Loan Agreement**

To be addressed after an inventory of District items is taken at the museum.

## **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: Director’s Compensation**

Ernest C. Schank	\$200.00
Dave Stix	\$234.00
Bob Oakden	\$160.00
Lester deBraga	\$130.00
Eric Olsen	\$100.00
Joe Gomes	
Wade Workman	\$80.00

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

**O&M Committee Recommendations  
Dave Stix, Committee Chair Reported**

USFWS was represented at this meeting by Nancy Hoffman the new Project Leader for the Stillwater Wildlife Refuge. She made her introduction and was introduced to the committee members. She had nothing to report but was interested in the process and asked about the water order process for the Refuge. She asked Walter about a tour of the facilities.

1. **Review Accident/Incident Reports and Damage Claims**

**Board Action Required.** Walter motioned to bring this claim to the Board at the next meeting and recommend to the Board to pay \$14,450.05 on the Damage Claim. Joe Gomes seconded the motion and it was approved by all. Mr. Stands asked that the committee act sooner than the regular Board meeting on Aug. 7<sup>th</sup>. Joe stated that a Special Meeting could be called by the President Ernie Schank and that they would ask Ernie to call a Special Meeting and their Damage Claim would be on the agenda.

**Damage Claim** by Ray and Rulan Stands on May 13, 2012 when the R11-T2 blew out because of too much water being put in the ditch. The Stands were not home at the time and didn’t know about the flood until they arrived home, Sunday, the next day. A damage claim was filed in our office on June 4<sup>th</sup> and then reported to our insurance carrier. Hank Bryant with Frontier Adjusters went out to the Stands property and assessed the claimed damages. He asked Mr. Stands for an itemized list of property that was damaged that requires replacement. He made an estimate for the damage to the outbuildings. The items came to \$9,460.58 and the repairs to the outbuildings plus the labor for cleanup came to \$4,989.47 for a total cost of damages to be \$14,450.05.

**Damage Claim** by DaNielle Guazzini for damages to her field over several years because of two leaking gates. The S6-T17 is not as bad as the S6-T16, where the water has drowned out the bottom of the field. She is asking for \$3,000 that includes damages over the long term and the short term. She stated that the committee had gone out in the field and looked at her fields before but nothing was done to fix the issues with the leaking gates. Walter stated that the District did fix one of the gates but the T16 is just one of those gates that leak as it is right off the S6 into a piped culvert then onto a lower field of about an acre. Ms. Guazzini

<p><b>No Board Action Required.</b> Joe motions to pay \$1500 for damages and if she has further damages she needs to come to the committee within the year the damages are sustained. Rusty seconded the motion and it was approved by all. There was no public comment when solicited</p> <p><b>No Board Action Required.</b> Joe motions to pay \$1500 in damages and to lock the gate. Walter seconded the motion and it was approved by all. There was no public comment when solicited.</p>	<p>has leased the field to Wadsworth and the corn they have planted will not grow on that section of the field.</p> <p>Bob felt the damage claim should be split between the two issues or damages from previous years and damages sustained this year. The committee can not rule on damages that have been sustained over years and that if she felt that she had sustained damages during the water season that she needed to file during that water season. DaNielle argued that she had come before the committee before and didn't file damages because she had been told by the committee that the problem would be fixed. She did not want the money as much as she wanted the problem fixed. The Damage Claim, she felt, was her only recourse. Mr. Gomes asked how much the Wadsworths were paying for the lease because he felt that they should be the one asking for damages if they were not getting the yields that they had paid for.</p> <p>The committee asked DaNielle if she would accept \$1500 for damages sustained in previous years as that is the amount that the committee is authorized to pay. Anything more and they would have to get Board Approval. She stated that she would accept that.</p> <p><b>Damage Claim</b> by Gary Busboom for damages sustained by flooding to his field. He could not cut his hay for 9 days longer than he wanted because the field was too wet to get his equipment in. This lowered the quality and quantity of his hay. He was asking \$2000 in damages. He claimed that the gate had been adjusted and the ditch over topped into his field. Joe asked if the District is liable if another water user adjusted the gate to put more water in the ditch. Gary argued that the ditch should be able to hold the amount of water it takes to water a field. If the ditch can not then fix the ditch or lock the gate so it can't be adjusted to an amount higher than the ditch is capable of. The committee asked if Mr. Busboom would accept \$1500 now or did he want to take the Damage Claim to Board of Directors. Mr. Busboom said that he would accept the \$1500 now, but only if the gate is locked from now on.</p>
<p>2. <b><u>Review Conservation Work Orders Balance Sheets for May 2012</u></b></p> <p><b>No Board Action Required.</b></p>	<p>The committee reviewed the Conservation Work Orders report for the month of May. We have depleted the Conservation Fund and used \$18,683 more than the Fund has.</p>
<p>3. <b><u>Review flooding caused by neighbor -</u></b></p>	<p>Mr. Davis was present with pictures of the flooding</p>

<p><b><u>William Davis</u></b></p> <p><b>No Board Action Required.</b></p>	<p>that happens every time the neighbor irrigates. Walter stated that the order is based on time for the water but that hasn't helped the flooding issue because the ditch is a private ditch. The District can give notice to fix the ditch to the water users or the water will be turned off. The offending water users are Gretchen Beausoleil and Patrick Sullivan. Rusty stated that the only remedy would be for the District to impose a water restriction until the ditch is fixed. Rusty will write a letter to both parties.</p>
<p>4. <b><u>Review request to fix S26 Flume and install water meter – Sandy Weishaupt</u></b></p> <p><b>No Board Action Required.</b></p>	<p>Sandy Weishaupt was present to request that the committee commit to fixing the S26 flume. The consequences of not fixing the flume would be to lose the ability to irrigate 126 acres that belong to Maureen Weishaupt, Sandy's mother, also, Stillwater Farms irrigates through the flume. Sandy was also requesting a water meter so that her deliveries could be accounted for. She was told that they would get an adjustment of 2 hours but it doesn't always happen for each delivery. She also would like Dana and Karl to receive a certified letter warning them not to take water while Sandy is irrigating. The committee will take a look at the area where they could put in a water meter while they are in the field.</p>
<p>5. <b><u>Review project to repave and widen shoulders on US-95 for conflicts - NDOT</u></b></p> <p><b>No Board Action Required.</b></p>	<p>Mr. Dan Bigrigg and Carrie Byron were present from NDOT to start the wheels turning on this project. They have submitted applications to Reclamation for the extension of the culvert on the US 95 for the T Line Canal. The District has no issues with the plans of NDOT. They understand that construction on the box culvert has to be done in the winter months during the off season. Pete stated that even though the State has a road easement Reclamation is the underlying property owner and they have a process that must be followed. They had a deed from the District giving them a road easement over the T Line back in 1957 but Pete pointed out that the District does not own the project; the United States does, so the document holds no bearing on ownership because the US did not sign it. Construction is scheduled to begin in 2013.</p>
<p>6. <b><u>Review Application for Reduction of Easement on Fernley #1 Drain - Shaw</u></b></p>	<p>Nobody was present from Shaw Engineering to explain the requested adjustment. Pete stated that Shaw has been in contact with Reclamation and the Bureau. Walter didn't feel that the reduction would be a problem but he would like it look at the area in question. A concurrence letter will be sent to Reclamation after a Walter determines what affect, if any, the reduction will have on the District.</p>
<p>7. <b><u>Review Adjustment Denial – Shirley Siri</u></b></p> <p><b>No Board Action Required.</b></p>	<p>Shirley Siri was present to discuss her adjustment on her charges from her water card. Ms. Siri stated that the canal cannot hold more than 20cfs and have been charged upwards of 25cfs. Walter said that the District will be putting in a new measurement</p>

	device that will be closer to their takeout. The Siri's believe that they should be charged what they have been charged the last 20 years of 20cfs. After the new meter is installed then the District will be able to ensure that the measurement is accurate. If the meter shows that there is 20cfs then there water orders will be adjusted accordingly.
<p>8. <b><u>Review Release of Easement of old section of TC8 Lateral – TCID</u></b></p> <p><b>No Board Action Required.</b></p>	The District would like to have Reclamation release the old section of the TC8. Pete said that the property owner would have to submit an application to Reclamation, not the District.
<p><b><u>Related Matters</u></b></p> <p><b><u>In the Field</u></b>  The committee viewed the following structures or areas in the field.</p> <ul style="list-style-type: none"> <li>• DaNeille Guazini field S6-T16 and T17</li> <li>• S26 Flume</li> </ul>	

**Committee Reports**

It was reported that the August 17, 2012 Finance Committee Meeting has been rescheduled for August 24, 2012, 9:00a.m.

**Director Bob Oakden** reported that there will be a conference call at the end of the month in preparation for the Annual Mid-Pacific Water Users Conference.

**Director Eric Olsen** reported that he was interviewed by Erin Breen of Channel 2 News today prior to the meeting regarding current drought conditions.

**General Public Comment**

**ADJOURN**

A **motion** was made by **Director Dave Stix** to adjourn the meeting at 12:18 p.m. subject to the call of the chair seconded by **Director Eric Olsen**, and the motion was unanimously approved.

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Ernest C. Schank, President

\_\_\_\_\_  
Bob Oakden, Secretary

\_\_\_\_\_  
September 7, 2012  
Date