

Minutes of the Board Meeting of the  
TRUCKEE-CARSON IRRIGATION DISTRICT  
Regular Session  
**September 7, 2007**

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 Friday, September 7, 2007.

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

President, Ernest C. Schank called the meeting to order at 9:03 a.m. in compliance with NRS Chapter 241. The following Directors were present constituting a quorum:

Present:	Ernest C. Schank	President
	Richard Harriman	Vice President
	Ray Peterson	Secretary
	Larry Miller	Director
	Lester deBraga	Treasurer
	Don Travis	Director
Others Present:	Dave Overvold	Project Manager
	Lyman McConnell	Legal Counsel

The meeting opened with the Pledge of Allegiance led by Kate Rutan.

In an announcement to the Board, **President Ernie Schank** informed them that one of the Board members, **Director Jerry Blodgett** had passed away earlier in the morning after a long battle with cancer. He will be sorely missed.

An advertisement for the open position on the Truckee Carson Irrigation District Board of Directors will be placed in the Fernley Leader Courier and Lahontan Valley Newspapers. **President Ernie Schank** indicated that he had spoken with Mr. Dave Stix, retired Mayor of Fernley, about applying for the open seat at the next election.

There was also an announcement by **Director Richard Harriman** informing the Board of the National Water Resources Conference which will be held November 7<sup>th</sup>-9<sup>th</sup>, 2007. Reservations need to be confirmed prior to October 25, 2007. Those on the Board currently planning to attend are **Directors Ray Peterson, Richard Harriman, Ernie Schank, and Dave Overvold and President Ernie Schank.**

**Supervisors Reports**

**Kelly Cecil, Hydro Foreman**

Kelly reported on the hydro department readings as follows:

Location	KWs
26' Drop	710 KW (maxed)
New Power Plant	2,280 KW
Old Power Plant	940 KW
<b>TOTAL:</b>	<b>3,930 KW</b>

Kelly reported that the power plants were putting out approximately 4 mega watts of power. Lahontan is low allowing the hydro team to begin work on the bolts that need work on the maintenance part of the dam. New handrails and lighting have been installed on the forebay of the 26' Drop. They also

widened the walkways bringing it up to code. The trash racks and traveling screens are working great to remove much moss out of the canal.

**Director Don Travis** asked Kelly about the accumulation of debris and was told that Jack Norcutt of the O&M crew comes out once per week and cleans the debris and moss from the traveling screens.

**John Baker, Water Master**

John reported the following water storage levels data:

Lahontan Elevation	4,133.37	Feet
Lahontan Storage	86,490	Acre Feet
Lahontan Out Flow	691	CFS
Carson River Flow At Fort Churchill	12	CFS
Truckee River Flow At Vista	357	CFS
Truckee Canal Flow At Wadsworth	192	CFS
Truckee Canal At Hazen (Bango)	106	CFS
Truckee River Below Derby Dam	73	CFS
Spilling At Gilpin Approximately	Ø	CFS

Diverted Last Month	<u>46,125 AF</u>
Delivered Last Month:	<u>33,435 AF</u>
Efficiency Last Month:	<u>72.5%</u>
Year To Date Diverted:	<u>223,904</u>
Year To Date Delivered:	<u>140,446 AF</u>
Year To Date Efficiency:	<u>62.7%</u>

John reported that beginning this weekend there will be only two ditchriders on the job for the night shifts, one for each district. John and the other supervisors are also working on putting together the winter work schedule.

**Walter Winder, O&M Foreman**

The long and short reaches are idle. One drott is currently being used for water measurement work digging out stilling wells and the other is at the T6. Walter has one crew stripping forms on the L1-10 structure which was poured yesterday and another crew is working on the repair of structures, stilling wells and meters. There are several trucks out at the rock pit and will then begin work on the road at Harmon Reservoir. The drain on the highway side will be worked on next week.

**Director Larry Miller** asked Walter if the work the county is doing on Rice Road was in anyway interfering with the workings of the T-Line. Walter assured him that there is no interference at all. The county has gone underneath most of the District works.

**Ted Renfroe, Shop Foreman**

Ted reported that the welders have been out working on handrails and on the Truckee Canal installing doors on three of the automation buildings. They will return next week and begin working on the metal roofs.

The shop has been working on 10-wheelers and other equipment. The backhoe extend-a-hoe broke down yesterday and is in the shop. The boom on the dipper had broken three quarters of the way through and has been welded back together. The crew has begun changing out the 1-ton truck that Ted purchased from the state. They are removing the bed and installing a utility bed so that it can be used as a carpenter truck. They are preparing vehicle #326, F-350 utility truck, to be sold. Mike Adams is working on the boxes for the Truckee Canal automation of the three structures.

Ted has asked Walter for the use of two of his carpenters for work on the Old River Ditch House. They will be working on the ceiling and hallway. Dave Overvold told Ted that it looks like the District would be keeping possession of the Lahontan Ditch House. Ted has decided re-roof it, as it is in bad condition. It should cost approximately \$3,500-\$4,000.

#### **Review/Approve August 2007 Disbursements**

A **motion** was made by **Director Richard Harriman** to approve the August 2007 disbursements for the New Lahontan Hydro Power Plant paid prior to Board approval and unpaid seconded by **Director Ray Peterson** and unanimously approved.

#### **Board's Request for Public Comment**

No Comments.

There was some discussion regarding the attorney's bill research being done on the Donner Lake case. **President Schank** explained that the research was necessary because it was found that there were too many gaps in the federal water master's and TCID's records. Also, Hiskett & Sons, which Walter explained was mostly for the concrete meter boxes.

A **motion** was made by **Director Lester deBraga** to approve the August 2007 general disbursements paid prior to Board approval and to pay the unpaid bills seconded by **Director Richard Harriman** and unanimously approved.

#### **Board's Request for Public Comment**

No Comments.

**Supervisors were excused at 10:00 a.m.**

#### **United States Fish & Wildlife Service**

Mr. Mike Goddard handed out the wetland acreage report to the Board and as of August 10, 2007 there were 2,820 acres in the closed to hunting area. There were 4,800 acres of wetlands in the open to hunting area. The open area has actually increased to a little over 5,000 acres and he anticipates it going up even further through the months of September, October and November.

The water fowl count is showing a total 39,000 birds. Mr. Bill Henry told Mr. Goddard that he has seen many pintails coming into the area. It is the time of year when male birds loose the bright feathers and go through a molting process and then later they will begin putting on new feathers again going back into the nuptial plumage. Mr. Norman Saake, who does the USFWS wildlife counts, will be doing a new count next week.

Mr. Goddard informed the Board that he has been following the correspondence between the Bureau the District and the Tribe regarding the eligible acreage anticipated to be irrigated. He has put together a letter that was mailed yesterday to the Bureau expressing the USFWS concerns about the interpretation of the March 1<sup>st</sup> deadline. In that letter he expressed to Elizabeth Rieke that the USFWS concerns that if water rights without valid state engineer permits as of March 1<sup>st</sup> are not included in the MAD (Maximum Allowable Diversions) then you will end up with a lower MAD. If enough acres fall into this category and the MAD is significantly lowered, the wetlands could end up getting shorted at the end of the year. The USFWS has asked the Bureau to explore any options to include permits as they are approved if they are going to go by that March 1<sup>st</sup> deadline date.

Mike also went back to look at their Navy water permit and in three of the last four years the USFWS has never made an internal decision to apply for a permit until **after** March 1<sup>st</sup>. In 2004 they did apply for the permit in early February but did not receive it until April. If transfer applications come after the March 1<sup>st</sup> deadline date, they do not count in the MAD.

Mr. Goddard said that Deputy Kevin Roberts has transferred to the desert game range in Las Vegas. Mike is in the process of trying to hire a new deputy for early this fall in the Fallon office.

**Director Lester deBraga** asked Mike about the recent activity around Stillwater Mountains. **Mike** indicated that they are finishing the other half of the tour loop. This will run from the Stillwater Point outlet following the east canal down to Ducks Pond coming out at Hunter Road where the Canvas Back takeout is located. Last year under the federal highways contract the USFWS had built the first three and one half miles of the tour road. Money ran low and rather than wait for additional funding, the USFWS has been borrowing equipment from another refuge for processing gravel at the pit just on the other side of Stillwater Point in order to complete the project. They should be finished by the end of November. There is also a barbed wired fence being built along the BLM land line boundary.

**Dave Overvold, Project Manager** informed Mr. Goddard that John Carrington will be starting to place orders on the Canvas Back East side. Mr. Goddard indicated that if Dave advised him when Mr. Carrington places an order and there are drain flows he will pass them through the refuge. Mike will need about 15 CFS coming into the refuge to be able to pass the 10 CFS along that is ordered.

**Dave** also asked if all of the USFWS transfers are in and if there were going to be any more water temporary transfers. Mike does not believe there will be any more. Dave also informed the Board that Nevada Water Fowl has won their full water duty transfer request before the State Engineer.

Mike spoke with **Merliza Curtis** last week straightening out a mix up on charges to a wrong serial number. 400 AF was supposed to come out of Serial Number 970-C but had been charged to Serial Number 975, which is the state account. The District corrected the problem by moving the water out of 970-C and back into 975.

The USFSW will be working with Ducks Unlimited to installing measuring gauges internally by November or December. They had been speaking with NDOW about a similar project for Carson Lake Pasture and NDOW is in possession of the proposal and will be approaching the Bureau for help with funding.

**President Ernie Schank** inquired on the status of the conservation lease with the Canvas Back Gun Club. Mr. Goddard informed that there had been no movement on it in approximately 6-7 months. The list of approved projects is with the Secretary of the Interior awaiting final approval.

**Review/Approve August 2007 Director's Compensation**

Ernest C. Schank	\$397.60
Richard Harriman	\$270.00
Ray Peterson	\$160.00
Larry Miller	\$80.00
Jerry Blodgett	\$106.97
Lester deBraga	\$80.00
Don Travis	\$160.00

A **motion** was made by **Director Ray Peterson** to pay the August 2007 Directors Compensation seconded by **Director Lester deBraga** and unanimously approved.

**Board's Request for Public Comment**

No Comments.

**Review/Approve O&M Committee Recommendations**

Director Ray Peterson reported the following:

<p>1. <b><u>Review Accidents Incidents Reports and Damage Claims</u></b></p>	<p>There were no damage claims this month. The following incidents were reviewed at the end of the meeting.</p> <p>An accident reported by Kelly Herwick on 8/10/07 when he backed into a wasteway box and dented the body of truck #26.</p> <p>An incident reported by Keith Gray that happened 8/8/07 while he worked on painting a handrail at the 26 Foot Drop lost his cell phone.</p> <p>An incident reported by Jeremy Dixon on 8/5/07 when his truck, #28, got stuck in the sand and in the process of pulling him out damage was sustained to bumper.</p> <p>An incident reported by Steve Shipwart on 8/5/07 when the lock and chain on a TC6 was removed by someone. This caused flooding on Jessica Lane and to one house. No damage claim was filed.</p> <p>An incident reported by Manny Demillo on 7/27/07 when water was sent to the V4-T10 as stated on the water order and found that the water was suppose to go to the V4-T14 so a ditch washed out and flooded a road. No Damage was reported but the O&amp;M crew spent some time repairing a ditch bank and road. The takeout had changed but was not reflected in the water database. The takeout has since been changed in the database.</p> <p>Incident reported by Lito Illumin on 7/26/07 when he found an open gate that was not supposed to be open. He closed the TC5-T1A. It was unknown who opened the gate.</p>
<p>2. <b><u>Review Method of Charging Water at G-T4</u></b></p> <p>The committee recommends to the Board that the policy be clear on when the district can change the way water is charged and not have to wait until the next water season. The method of water charging should be able to change with the changes to the facilities that provide more accurate technologies.</p> <p>The committee would also like to receive input from the Board of Directors in the decision to allow Mr. Dodge to charge water the way he has been for the last several years or to change mid-season by charging water using the meters for the G-T4 and the A12.</p> <p>Mr. Dodge was notified of the meeting but did not attend.</p>	<p>Dave Overvold provided some background information to the committee about Mr. Dodge regarding the change that would occur to the method of charging water for Mr. Dodge at the G-T4. The water would be charged at the meter minus 2 cfs loss instead of using the information provided by Mr. Dodge with the times that he used the water as it was removed from a reservoir. The letter sent to Mr. Dodge was answered by his attorney Laura Shroeder asking that this action not take place and to allow Mr. Dodge an opportunity to challenge the decision.</p> <p>Ms. Shroeder was in attendance at the meeting to present to the committee information that supports their belief that the reason for the change was based on the observation by Dave that Mr. Dodge had not used but one third of his yearly allocation with half of the season gone. This observation was based on a discrepancy in the water usage report and water cards for Mr. Dodge. Ms. Schroeder had Mr. Robert Achurra develop spread sheets that demonstrated that the water usage report Mr. Overvold had was in error but the water cards were correct and the spread sheets support the information on the water cards. Mr. Dodge felt that the reason Mr. Overvold wanted to use the meter at the G-T4 rather than continue with the way the water was always measured was based on this faulty information. Ms. Schroeder stated that according to TCID policy when there is a change in the point of delivery that it is measured and tested but not used till the</p>

following season. That changes in water measurement are not changed mid-season as they did for Mr. Dodge on both the G-T4 and the A12.

Ms. Schroeder expressed that what she would like to accomplish is to have measurements continue at the new point of delivery but continue to charge from the old point through this water season. Then there would be a meeting where Dave and Mr. Dodge would work out an agreement as to how the water would be measured for the next season. To keep things at status quo would be consistent with TCID policy and until the Board reaches a decision the method of charging water should not be changed.

Mr. Achurra spoke next and explained the spread sheets that he made to support the information on the water cards using the records provided by Mr. Dodge. The handouts provided by the Dodge group are Attachment 1 to these minutes. Ray asked Dave how the water usage had been calculated in the past. Dave explained that TCID has been using Carlon's time and the flow rate that is recorded on the meter.

Mr. Dodge spoke next and felt that there had been an agreement made in 2002 by Ray Peterson, Jerry Blodget, Chuck Vincent, Shelby Cecil, and the ditchrider Chuck Richards. That agreement would be to use the time that Mr. Dodge tracked on the farm takeout and the flows that were measured at the meter at the G-T4 to calculate the water usage. Mr. Dodge felt that the pond was an asset to the district and said that Dave had felt the same way back then. The pond would be available if another facility failed rather than losing the water down a drain.

The pond also enables Mr. Dodge to maintain his head rather than being subject to the water fluctuations that happen in a bay over a nine day irrigation time. Mr. Dodge feels that he would lose one irrigation per year if measurements are taken at the G-T4.

Dave admits that there was a mistake on the water usage report that did not show on the water cards. The error missed about 1900 af of water that was stated on the water cards. Mr. Dodge talked to Dave and said there was an error and that he had actually used 55% of his water rather than 35% like the water usage reported.

Dave justified his decision to change the point of delivery to the G-T4 in the interest of fairness and equality to all the water users. All other water users are charged from the takeout to their property. Granted not all water users have a pond to fill, but the ones that do are charged as the pond is filled not from the farm takeout from the pond. Looking at the data the losses that occur at the pond should not be paid by the District. Dave feels that the pond is more of a liability rather than a benefit to the District.

While Mr. Dodge did not put the pond in nor is the pond on his property he has benefited the most from its use. Not all water taken from the pond is accounted for in Mr. Dodge's paperwork. Mr. Dodge said that he fills the ditch to provide stock water to the cattle he grazes on the ditch. The cattle in turn keep the ditches clean for the District.

The argument revolves around the policy to not change the method of charging during the water season. Dave believes

<p>that policy changed allowing the district to charge from a water meter as soon as it is operational. It was the intent of the policy change to allow a change during the water season but not to change the losses often but keep it the same for the water season unless for a good reason.</p> <p>Dave agreed to let Mr. Dodge return to the old way of charging water and then to change for the next water year. Mr. Dodge disagreed to using the new way even for next year.</p> <p>After all the discussion Lyman suggested that TCID not change the method of charging water usage for Mr. Dodge for the G-T4 and the A12, to stay with the old way. Mr. Dodge can apply for a stock water permit and receive an allocation for the water he uses for his cattle. An adjustment of 65 af for the this year will need to be done for both the G-T4 and the A12. Richard made a motion to keep things the same for both of them. Dave explained that as the meters are put in that water charging will be changed to use the meters and the policy should read as such.</p>
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### **Public Hearing: Plug and Fill T-C-T29**

There was no public in attendance at this hearing. **Dave Overvold, Project Manager** indicated that this is an old takeout and all water rights have been stripped off of this land and this takeout is no longer necessary. TCID would like to abandon the takeout.

A **motion** was made by **Director Richard Harriman** to release the TCID easement, plug and fill the T-C-T29 upon clarification of the Bureau's approval seconded by **Director Lester deBraga** and unanimously approved.

### **Board's Request for Public Comment.**

No Comments.

### **Discussion Continued**

**Dave Overvold** confirmed that there was policy in place that stated one year would be waited until the District began charging off the new meter. It was not a written policy but general practice and was voiced to Mr. Dodge by one of the water masters. Dave had sent several letters to Mr. Dodge with information stating that several measurements had been taken and had come up with a 2 CFS loss. He also stated that there was an agreement in place regarding how TCID would charge on the G-T4, which was use the meter for the flow rate, minus the 2 CFS loss, times the hours that come out of the reservoir. Dave indicated that this was significant benefit to Mr. Dodge.

**President Ernie Schank** stated that if it was unfair and if the water is used by an individual they should be charged for it just like everyone else. He knows that there has been an unwritten policy that TCID did not generally charge for one year, but this was prior to perfecting the use of the meters. He said that when TCID installed the meter on his water, he was charged off the meter immediately. He believes, in his case, that the use of the meter worked in his favor in comparison to the old way of being charged for his water. **Director Richard Harriman** also mentioned that he has benefited from being charged off a meter. If the flow drops, the meter will record it.

**Dave** said that Mr. Dodge had been a receiving a 6 CFS loss on the A12 lateral. **Director Larry Miller** informed the Board that in past years before the automation came in on the A Line, the ditch riders used to have miss matched water that they needed to dump somewhere. The reservoir in question was used to dump much of this water but that has not happened for a number of years. It was water that was saved and reused. The delivery system is different today than it used to be and very little water is unable to be charged due to the efficiency of the automations. The meter has been installed

for a long enough period of time for TCID to know what is happening and he does not feel that the rest of the water users should be supporting the water loss into a reservoir that is tending to drown the land of the individuals out around it.

**President Ernie Schank** commented that the District is taking the entire loss on the G-T4. The reservoir there goes nearly dry in the winter months so the first irrigation of each water season means that TCID is re-filling the reservoir completely, as well as the evaporation between irrigations plus re-filling Mr. Dodge's stock water. He suggests that Mr. Dodge be told that until he gets a separate allocation for stock water, which was outlined in a previous meeting with Mr. Dodge, that he be required to call in and order for stock water like everyone else. He also suggests that if the District is going to begin this process as of now, they should go back and take the stock water used off the remaining balance that has been used. It must be understood an investigation is going on, problems have been found and it is the responsibility of the District to rectify.

**Dave Overvold** reviewed the wording on the policy for delivering water. He clarified the meaning of the language and said he did not believe that there should be a fluctuating canal loss during the season.

**President Schank** asked **Director Peterson** to put the reviewing of the installation of a box culvert or ADS pipe at the A12 on the O&M committee agenda and make a recommendation. It could be a valuable experiment for the District.

**Dave Overvold** will have the support of the Board upholding his decision stating the reasoning behind the policy in the letter that was sent to Mr. Dodge.

The language on #4 of the wording in the policy on "How Water is Charged" is changed to insert the word "calculated" to read "the **calculated** loss."

- **Motion to Review/Approve Clarification of Wording in Policy on "How Water is Charged and**
- **Motion to Review/Approve Agreement with Mr. Carlon Dodge to not change water charging in mid-season**

A **motion** was made by **Director Lester deBraga** to adopt the clarification of the protocol for the calculating seepage losses that was previously agreed to in July 2007 seconded by **Director Richard Harriman** and unanimously approved.

**Board's Request for Public Comments.**

No Comments.

The Board then reviewed two letters written by **Dave Overvold**. The first regarding losses on the A12 mentioning that the G-T4 would be changed. The second dealt with further calculations of losses.

A **motion** was made by **Director Lester deBraga** to uphold the letters written to Mr. Dodge by Dave Overvold, Project Manager seconded by **Director Don Travis** and unanimously approved.

**Board's Request for Public Comments.**

No Comments.

**O&M Committee Recommendations continued.....**

3. <b><u>Review Complaint of Flooding – Raul Santos</u></b>	Mr. Santos was present to ask the committee to resolve the problem with flooding to his field when Mr. Schank irrigates. He believes that the ditch that Mr. Schank uses is not
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The committee recommends that the Board approve the O&M department dump a couple of loads of material to try and seal off the drain for Mr. Santos.

**Board Action Taken:**

A motion was made by **Director Ray Peterson** to allow the O&M department to dump loads of material to try to plug L5 near T2 and remove the old box culvert and roots so road does not collapse seconded by **Director Richard Harriman** and unanimously approved.

**Board's Request for Public Comments.**

No Comments.

adequate for irrigation. Because it is a private ditch then Mr. Schank should not be allowed to irrigate. Another solution would be to install a drain to catch any leakage from Mr. Schank's leased field. However, Mr. Santos said that it is his property and he does not want to have a drain for someone else's field. The County owns the property that Mr. Schank leases. It is a private matter that Mr. Santos wants TCID to resolve the by not letting Mr. Schank irrigate till the ditch is fixed so Mr. Santos does not get wet. Ray stated that it is up to the County to void the lease if it causes a problem for his neighbor. Mr. Santos said that he would fill the drain. Mr. Winder asked the committee to allow the District to fill the drain and attempt to help with Mr. Santos with his problem.

**RECESS**

A motion was made by **Director Lester deBraga** to recess for lunch at 12:02 p.m. seconded by **Director Don Travis** and unanimously approved.

**The Board Reconvened at 1:28 p.m.**

**Donner Lake Water 2007**

A motion was made by **Director Ray Peterson** to use this year's Donner Lake Water to repay recoupment seconded by **Director Larry Miller** and unanimously approved.

**Board's Request for Public Comment**

No Comments.

**Bureau of Reclamation**

Mr. Locke Hahne addressed security issues at Lahontan Dam and Derby Dam. Locke said a letter had been sent to APEX, the contractor installing the barriers. The work will begin sometime in October and the a web based construction schedule will be posted on the internet when it is available. The Bureau would like to coordinate the work to be done with TCID on the crane base and operators installation.

**Director Ray Peterson** inquired about the workings of the new barriers. Locke informed that the barrier will come up out of the ground using a jack screw. The jack screws will be housed in a rigid conduit pipe on top of the dam. Locke is concerned about the control system and the access control system. There will a controller at each unit, at the gate house and at two other locations. Intruder detection will also be installed at the gate house. The contract will also include one year of maintenance on those units. The sandbox barrier at the south end will be removed. If there are any problems with access for TCID or contractors, they will first go through the Carson City Bureau office.

The next management meeting with the Bureau will be held on October 2, 2007.

**Director Peterson** also inquired about the operators at Derby Dam. Locke state that the Bureau is working on getting the cranes available to use and the contract to do the fixing of the operators is in the procurement process.

**Dave Overvold, Project Manager** mentioned that Mr. Glen Couch has his railroad car down to the north side of his property running north and south. He is waiting for the next step from Bureau to be decided. Locke stated that the Bureau is trying to get everything needed in one packet to send to Mr. Couch. His application, at this time, is not in a situation in which the Bureau can review it. Mr. Couch

will be told by the Bureau what they require and he can meet these requests or not.

**Locke** also said that Elizabeth Rieke had mentioned that the District was having a problem with looking at the bridge that goes across the Sheckler inlet. **Dave** stated that if Mr. Glen Couch would like to do that, it would be at his own cost.

**O&M Committee Recommendations continued.....**

<p>4. <b><u>Review Release of Easement for the L4-1-1 – Dave Tilley and Richard Wroblewski</u></b></p> <p>Richard made the motion to recommend to the Board to approve a public hearing to release the easement of the L4-1-1.</p> <p><b>Board Action Taken:</b></p> <p>Since a public hearing will need to be held, Kate Rutan has informed the individuals requesting the release of the easement of the process and all those individuals who will be affected will also be notified.</p>	<p>Mr. Tilley and Mr. Wroblewski were present to ask the committee to consider the release of the easement of the L4-1-1. Dave stated that in the past it was thought that the L4-1-1 could be used in the event of an emergency. However, due to the long neglect of the L4-1-1, it would be more labor intensive to bring the L4-1-1 back on line than it would be to deal with the emergency. Mr. Tilley and Mr. Wroblewski were told the process that they would have to initiate before the easement could be released, including approval of the BOR. Mr. Wroblewski stated that he had talked to the BOR and they had said approval would only be if the District approved.</p>
<p>5. <b><u>Review Crossing of TC4 – Shadow Hawk Subdivision</u></b></p> <p>No Board action required.</p>	<p>Dave stated that the developer was in favor of putting in a box culvert and would correct the drawing to reflect that change.</p>
<p>6. <b><u>Review Crossing Extension by NDOT on Sheckler Road – Rob Potter</u></b></p> <p>No Board action required.</p>	<p>Rob Potter and Jay Pool were present from NDOT to explain what they have been trying to do. The guardrail has been damaged several times a year by wide pieces of farm equipment. The best solution would be to widen the bridge. Because there are check structures on the south side of the bridge modifications are planned on the north side of the bridge. The plan is to extend the box culvert about 28 feet to the north side of the bridge. Construction will begin at the end of the water season. A construction permit will be issued after BOR approval.</p>
<p>7. <b><u>Review Planned Construction in Easement of R Line – Indian Health Service</u></b></p> <p>No Board action required.</p>	<p>Mr. Kevin Bingley representing the Indian Health Service was present to answer any questions that the committee may have about the plans to install a vault in the easement of the R Line at the Intersection of Graham Lane and Stillwater Road. The present water line will be replaced and a water meter and a radio controlled valve will be installed in the vault. Mr. Bingley has been in contact with the BOR. A construction permit will be issued when a letter from the BOR has been received.</p>
<p>8. <b><u>Review Issue Regarding Harmon Reservoir – Kathy Mort</u></b></p> <p>No Board action required.</p>	<p>Kathy Mort and Candy Peck were present to explain their issues with the lack of water in Harmon Reservoir. Ms. Mort ordered water on July 18<sup>th</sup> and lost their head because there was no water in Harmon Reservoir. When she called the Water Master, John Baker, he explained that there were a lot of water orders and was unable to keep water in Harmon. She ordered again on August 17<sup>th</sup> and again had to wait because there were a lot of water orders and no water in Harmon. Did not get a call that day and never did get a call without her calling first.</p> <p>They are concerned that because the Fish &amp; Wildlife have bought water rights all over the valley but received all their water from the Harmon Reservoir that the farmers in the Stillwater area will suffer. They have been told that the Fish &amp;</p>

Wildlife get their water first and they have a continuous water order. Harmon Reservoir will never be full.

Dave explained that it only takes 3 days to get water from Lahontan to Stillwater. Harmon Reservoir does not need to be full in order to take delivery. Harmon Reservoir should only be used as a spill or to take mismatched water. It was not intended to be the only delivery point for irrigators in Stillwater. There is no excuse for Ms. Mort not to get her water in a timely manner. She should also receive a phone call to tell her when to expect her water.

### **Request for Public Comment**

Mr. Peterson asked if there was any public comment and there was one person present that had not already spoken. Jennie Yost was present to comment before the committee asking if TCID can do anything to prevent Mr. Candee from removing a drain that drains there field. There is no TCID easement but there is an easement on a recorded map between Mr. Candee and Mr. Humphrey's property. However, Mr. Candee states that the drain and the easement has been abandoned and will be filled in and a French drain will be installed to drain Mr. Candee and Mr. Humphrey's property.

Mr. Candee has also denied the Yost's access to the head gate to irrigate by placing a piece of farm equipment in the easement of the canal.

Ms. Yost would like TCID to maintain their drain like they did for Mr. Candee. Dave stated that since it is not a TCID easement there is nothing TCID can do about the drain. As for the easement along the ditch it is an easement to TCID not to the public and the property owner has a right to deny access to others. The committee will look at the area in the field and talk to Mr. Candee to see how this can be resolved.

### **Board's Request for Public Comment**

No Comments.

### **Review/Approve August 2007 Regular Session Board Minutes**

The August 7, 2007 Regular Session Board Minutes will be on the September Board Meeting Agenda for review and approval.

### **Board's Request for Public Comment**

No Comments.

### **Open Discussion: Open Seat on the Board of Directors**

**President Ernie Schank** spoke about the process of filling the open seat on the Board. A new Board member to replace **Director Jerry Blodgett** will need to be chosen at the next regular session Board meeting which will be held on October 8, 2007. If the Board, by a majority, does not appoint the successor the Board president will make the appointment.

The Board would like to advertise in the local newspapers to inform the public of the opening.

**President Schank** also requested that the Policy committee look into the district's director's boundaries. The Board will then review the boundaries to determine if there is a need to realign the districts.

### **O&M Committee Assignment**

**President Schank** would like to ask the O&M committee if go throughout the District and inventory the drain ditches and determine what kind of flows are in them to see if there should be additional pump stations erected.

**Project Manager’s Report**

**Dave Overvold, Project Manager** reported on the following:

<p>1. <b><u>Bureau of Reclamation</u></b></p> <p><b>No Board Action Required.</b></p>	<ul style="list-style-type: none"><li>a) Letter received 9-4-07 regarding the Water Measurement Program.</li><li>b) Email received 8-30-07 from Dr. Burt containing a Memo sent to Ms. Rieke, with the letter Dr. Burt mailed to IRTC. All were in regards to the Water Measurement Program and the Water Management Plan.</li></ul>
<p>2. <b><u>Litigation</u></b></p> <p><b>Board Action Taken:</b></p> <p>A <b><u>motion</u></b> was made by <b>Director Ray Peterson</b> to protest these two applications and have Dave Overvold look into the protesting seconded by <b>Director Lester deBraga</b> and unanimously approved.</p>	<ul style="list-style-type: none"><li>a) Letter received 9-4-07 from MVZ regarding two Churchill Valley Groundwater Applications that should be protested.</li><li>b) Letter received 9-4-07 containing authorization forms to allow Laura Schroeder to review and copy water user files for three serial numbers.</li><li>c) Note of Electronic Filing of Case Closed for (2181) Petition for Judicial Review.</li><li>d) Notice received 9-4-07 as a <u>Substitution of Attorneys</u> with Laura Schroeder for Richard Campbell.</li><li>e) Letter received 9-4-07 from Laura Schroeder regarding the outcome of the August 23<sup>rd</sup> O&amp;M Committee meeting with Mr. Carlon Dodge.</li></ul>
<p>3. <b><u>Project Manager</u></b></p> <p><b>No Board Action Required.</b></p>	<ul style="list-style-type: none"><li>a) a. Letter mailed 8-28-07 to Mr. Mike Story regarding Notification of Proposed Suspension for Abuse of Sick Leave. An answer from Mr. Story was faxed and received 9-4-07.</li><li>b) Email received 9-4-07 from SPPC asking for a maintenance schedule for each of our generating facilities under contract to NPC or SPPC.</li></ul>
<p>4. <b><u>Notices and Agenda</u></b></p> <p><b>No Board Action Required.</b></p>	<ul style="list-style-type: none"><li>a) Notice of public hearing by Churchill County Planning on 9-12-07 at 7:00 pm.</li><li>b) Agenda and registration information regarding the National Water Resources Association 76<sup>th</sup> Annual Conference being held on November 7-9, 2007. Please talk to Ernie or Kate if you would like to attend.</li></ul>

**Review/Approve Personnel Matters**

**Dave Overvold** presented a request from Margaret Clifford regarding her upcoming retirement. Margaret must retire by November 1, 2008 in order to remain eligible to receive retirement from the District. She has proposed that the District “buy back” the retirement she has already taken out in the amount of approximately \$26,000, she would leave her position as soon as she has trained a replacement. She has also offered to remain available to come in and help, should it be needed. This would prevent the District from having to continue to pay the interest that would accumulate each month if she stayed on the District plan. She would be willing to pay that interest herself should the District decide to “buy out.”

Dave would like to have someone with an accounting degree fill the position. **President Schank** thought that someone who has been trained in accounting in the past and would easily pick up on the duties would be sufficient as we already have an accountant who is hired for tax and audit purposes. Also, should someone with an accounting degree be hired, they would require a higher pay scale.

**Dave** would like the approval of the Board to advertise for Margaret's position. **Director Don Travis** suggested the language of the ad to include someone who is trained in accounting up to or including a CPA.

A **motion** was made by **Director Don Travis** to give **Dave Overvold** permission to advertise for Margaret's position seconded by **Director Lester deBraga** and unanimously approved.

**President Schank** asked **Director Lester deBraga, Finance Committee Chair** to schedule a committee meeting and pencil out costs regarding Margaret's proposal.

**Board's Request for Public Comment**

No Comments.

**Review/Approve Washington D.C. Trip for TCID Board President Ernest Schank**

A **motion** was made by **Director Richard Harriman** to approve the trip to Washington D.C. for Board President Ernest Schank seconded by **Director Ray Peterson** and unanimously approve.

**Board's Request for Public Comment**

No Comments.

**Committee Reports**

<ul style="list-style-type: none"><li>• <b>Carson Lake Pasture:</b> <b>Richard Harriman</b></li></ul>	There was a committee meeting held. Everything will remain the same except the dates for the hunting season opening. They received \$15,391 from the Greenhead Hunt Club for the Carson Lake Pasture portion of sales from hunting permits.
<ul style="list-style-type: none"><li>• <b>Lahontan Valley Environmental Alliance:</b> <b>Richard Harriman</b></li></ul>	A meeting was held regarding the Blue Butterfly and the nature trail at Sand Mountain. The BLM changed the boundary lines because there were ATV approaches interfering with the nature trail. Several million will be spent to fence off the trail.

**Open Discussion**

**Director Richard Harriman** informed the Board on the Mid-Pacific Water Conference. There will be a presentation by TCID on the agenda. There will be a field trip to the Car Museum or Derby Dam, he is not sure which it will be. The date of the conference is January 23<sup>rd</sup> – 25<sup>th</sup>. There will be a presentation honoring Kurt Rogers, who has retired.

The organizational conference is dated October 5, 2007.

**President Schank** suggested that the Board do something in honor of **Director Jerry Blodgett** at the next Board meeting and invite anyone in his family who wishes to attend.

**Dave Overvold** reported on Lahontan Storage. The District will be diverting continually in the month of September and will be below the targets. By October 31<sup>st</sup> there will be new targets that will be established by the Bureau because they will probably change the Carson Division Demand enough to change the current numbers.

**Personnel Matters continued.....**

**Director Larry Miller** had some comments regarding Colton Ross, ditch rider. He has concerns about Colton wasting water and has spoken to both of the water masters about his concerns. **President Schank** indicated that his experience with Colton over the past year has improved. **Dave** has agreed to speak with the water master about Colton.

A **motion** was made by **Director Lester deBraga** to concur with recommendations for the performance evaluations completed by management seconded by **Director Ray Peterson** and was approved by a vote of 5-0. **Director Larry Miller** abstained from the vote.

**Adjourn**

A **motion** was made by **Director Don Travis** to adjourn the meeting at 3:15 p.m. seconded by **Director Ray Peterson** and unanimously approved.

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Ernest C. Schank, President

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Ray Peterson, Secretary

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Date