

**TRUCKEE-CARSON IRRIGATION DISTRICT
O & M COMMITTEE**

2666 Harrigan Road, Fallon, Nevada
August 23, 2007
9:00 a.m.

Members Present:

Ray Peterson
Walter Winder

Kate Rutan
Dave Overvold

Jerry Blodgett was absent and Richard Harriman arrived at 9:15 am.

1. **Review Accidents Incidents Reports and Damage Claims**

There were no damage claims this month. The following incidents were reviewed at the end of the meeting.

An accident reported by Kelly Herwick on 8/10/07 when he backed into a wasteway box and dented the body of truck #26.

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.

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.

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.

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&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.

Incident reported by Lito Ilumin 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.

2. **Review Method of Charging Water at G-T4**

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.

Ms. Schroeder 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 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 a 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 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.

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.

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.

The committee recommends to the Board that the policy be clear on when the district can change the way water is charged and not be have to wait till 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.

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.

3. **Review Complaint of Flooding – Raul Santos**

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 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.

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.

4. **Review Release of Easement for the L4-1-1 – Dave Tilley and Richard Wroblewski**

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.

Richard made the motion to recommend to the Board to approve a public hearing to release the easement of the L4-1-1.

5. **Review Crossing of TC4 – Shadow Hawk Subdivision**

Dave stated that the developer was in favor of putting in a box culvert and would correct the drawing to reflect that change.

No Board action required.

6. **Review Crossing Extension by NDOT on Sheckler Road – Rob Potter**

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.

No Board action required.

7. **Review Planned Construction in Easement of R Line – Indian Health Service**

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.

No Board action required.

8. **Review Issue Regarding Harmon Reservoir – Kathy Mort**

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 18th 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 17th 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.

They are concerned that because the Fish & 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 & 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.

No Board action required.

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.

No Board action required.

The committee meeting recessed at 12:00 p.m. for lunch.

In the field the committee visited the following sites.

- ◆ Drove along the Bottom Road side of the V Line.
- ◆ The new V5 ramp.
- ◆ Looked at the area in conflict between Yost and Candee. The committee observed that the drain was being filled in and there was a piece of farm equipment blocking the

easement but were able to walk around it. It appears that the Yost-Candee feud may have started when the Yost's changed the fence between their property and Candee's. The fence line now goes down the center of a road that Mr. Candee had been using to access the back side of his property. Not sure how this issue can be resolved, except that TCID can't help in any official capacity.

The committee returned to the office and at that time reviewed the Accident Incident reports. Refer to item number one.

The committee also discussed bridges and gates on canal easements. Dave realized that Mr. Yohey still doesn't have a permit to use the Lewis Spill Bridge. A letter should be written to remind Mr. Yohey that he needs a permit.

The O&M Committee meeting adjourned at 4:10 pm.

Ray Peterson, Chairman

Date