

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
APRIL 9, 2009**

President Winchester called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Other Directors present were Lowe, Woods, Bordsen, and Wheeler. Also in attendance were Manager Cotter and Clerk Powell.

Minutes: The Minutes of the March 26, 2009 Regular Board Meeting were approved as corrected on a motion by Director Lowe, seconded by Director Woods. All ayes, motion passed. Motion passed.

Public Forum:

- o Dave Pietz addressed the Board regarding the capacity at Collins Lake. No action taken.
- o Harry Jones of the Church of Latter Day Saints to request an increase from 1 miner's inch to 3 miner's inches. Due to current Drought Program, request cannot be accepted.

Collins Lake Drought Update: Discussion only, no action taken.

Finance Committee Report: Directors Wheeler & Winchester reported that they had reviewed the March financial records and found everything to be in order. Director Wheeler, seconded by Director Woods, moved to approve the March Financial records. All ayes, motion passed.

Adopting the Updated District Rules & Regulations: Item tabled, no action taken.

Manager's Report:

Collins Lake:

Current elevation is 1,170.0 ft, which is 13.0 ft below spill. The Generator is running at 360 Kw with releases of 58.2 cfs. This amounts to 75% of storage with 37,000 Acre Feet of usable supplies. Last year on this date the elevation was 1,166.8 ft, which is 16.2 ft below spill. The Generator was running at 420 Kw with releases of 66.0 cfs.

Staff Activities:

ACWA JPIA has made a determination that Leroy Mossi's shoulder injury was not work related and therefore is not covered under workers compensation. This means that the needed surgery will be covered through his health insurance. This leaves the District short of manpower for the entire irrigation season.

Conserved Water Transfer:

As a result of the Governor's Drought Emergency, we have applied for a CEQA categorical exemption for the 2009 Conserved Water Transfer to Santa Clara.

Saddleback Ranch:

Saddleback Ranch is proposing a pond that would be located just down slope and adjacent to the Pumpline canal. This pond will be up to 8 acres in size and will act as a pass-through of Pumpline water. In order for this to work, two full services (with water meters) will be required to account for water (evaporation and leakage) losses in the pond.

Saddleback Lift Pump:

Most of the concrete has been poured, the pump has been set, the crossing is installed and the riprap placed. The pipeline construction will begin next week and should go smoothly.

Meetings:

Past:

- 03-27-09 I met with Ed Craddock (Resource Conservation District) concerning possible grant funding for both water meters at the head of the many pipelines and a conservation project to pipeline the Mahle back to the Browns Valley Main ditch.
- 03-27-09 Director Bordsen and I met with Erik Johnson to look at the property corners on the East side of Collins Lake.
- 03-30-09 Director Winchester and I attended the Member Unit meeting at YCWA.
- 03-30-09 Director Winchester and I met briefly with Paul Bartkiewicz to discuss the liability details of the BVID/Pumpers Agreement.
- 03-31-09 I participated in a conference call with Ryan Bezerra (Bartkiewicz) and Gary Kienlen (MBK) concerning long term CEQA for Conserved Water transfers.
- 04-01-09 I participated in a conference call with the ACWA Region 2 Legislative Sub Committee.
- 04-01-09 I attended the LAFCO Board meeting in Marysville.
- 04-02-09 I participated in a conference call with NCWA Strategic Communications Committee.
- 04-02-09 Directors Lowe, Winchester and I attended the Memorial services for Doug Beeler in Marysville.
- 04-03-09 I attended the ACWA Region 2, Spring Conference Region Issues Forum planning meeting at Western Canal WD.
- 04-07-09 The Pipeline Committee (Directors Winchester and Bordsen) met with Landerman ditch/pipeline water users to discuss the transfer of that system to BVID.

- 04-08-09 Director Winchester attended the ACWA Groundwater Committee meeting in Sacramento.
- 04-09-09 I attended the Drought Water Bank (sellers group) meeting via conference call.
- 04-09-09 The Finance Committee (Directors Winchester and Wheeler) met to review the March bills.

Future Meetings:

- 04-10-09 YCWA Member Unit meeting in Marysville.
- 04-14-09 Yuba County Integrated Regional Water Management Plan meeting at YCWA.
- 04-22-09 Ag Water Management Council meeting in Sacramento.
- May 19th through 22nd ACWA Conference in Sacramento

Projects:

Past:

1. Installed three services on the Peoria Phase 1A pipeline and one service on the Pumpline canal.
2. Completed a list of reconnects per Carey.
3. Reset the timers on the District small pumps including; Bonanza, Marcia, and Redhill.
4. Installed an owner supplied culvert in the Harding canal.
5. Continued with the weed abatement program on Thousand Trails and Sicard ditches.
6. Finished the installation of the DD canal gate on the Pumpline canal.
7. Removed three fallen trees from the Sicard ditch.
8. Replaced the water pump on the flatbed and replaced the thermostat and idler bearings on truck #2.
9. Completed the annual powerhouse maintenance.
10. Completed the 90 day B.I.T. inspection on the dump truck.
11. Had the annual fire extinguisher servicing completed.

Future:

1. Rebuild another crossing over a side spill on the Sicard ditch.
2. Continue the Valley of Eagles/Monument Trail intertie conditions permitting.
3. Finish the new lift station at Saddleback Ranch.
4. Continue weed abatement.

Pipeline Committee Report: Directors Bordsen, seconded by Director Lowe, moved:

- The BVID proceed with the process of taking into their maintained water delivery system the ditch and pipeline commonly called the Landerman Ditch.
- Final acceptance of the ditch is subject to a R/W in favor of BVID for the entire ditch as it exist today.
- All existing users along the ditch as of today will be accepted into the system as pipeline/water users and given full credit for the hookups as existing.
- Any future users along the system will be required to pay full connection fees in place at the time of connection.
- Present users along the ditch have stated they will clear the open ditch section on the east side of Marysville Road within the next few weeks and will still be responsible for the clearing as proposed.
- BVID will start operating the system immediately prior to final acceptance of said system so that proper metering of services can be established and enforced.

Ayes: Directors Wheeler, Woods, Bordsen, Lowe

Noes: Director Winchester

Motion passed.

Consider Request for Discount on Water Rate for Water Used for Fire-Fighting:

Discussion only, no action taken.

Consider a Request for Additional Water from an Existing Service: Discussion only, no action taken.

Amendment to the Lower Yuba River Accord Agreement for the Conjunctive Use of Surface and Groundwater Supplies: Director Bordsen, seconded by Director Wheeler, moved to approve the Amendment to the Lower Yuba River Accord Agreement for the Conjunctive Use of Surface and Groundwater Supplies as presented. All ayes, motion passed.

Updated Agreement Between Browns Valley Irrigation District and its Landowners for Groundwater Pumping During 2009-2016 (Yuba River Accord via the Conjunctive Use Agreement): Director Bordsen, seconded by Director Wheeler, moved to approve the Updated Agreement Between Browns Valley Irrigation District and its Landowners for Groundwater Pumping During 2009-2016 (Yuba River Accord via the Conjunctive Use Agreement). All ayes, motion passed.

Correspondence:

- email from Jim Kinkel regarding discount.
- email from Mike Howard requesting additional inches.

Closed Session: President Winchester announced that the meeting would go into Closed Session to have a conference call with legal counsel regarding existing litigation as well

as conference call with District real property negotiators. Any reportable action taken in Closed Session would be reported when the meeting reconvened into Open Session.

Open Session: President Winchester reconvened the meeting into Open Session and reported that there was no reportable action taken in Closed Session.

Adjournment: There being no further business before the Board, President Winchester adjourned the meeting