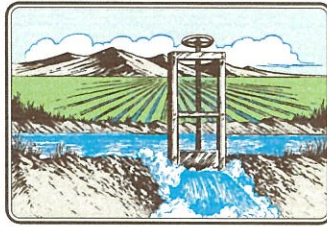


Reclamation District No. 1004



BOARD OF TRUSTEES BOARD MEETING
August 11th, 2021
1:30 p. m.
MINUTES

Board of Trustees present Ed Hulbert, Leanne Mord, Larry Borrelli, Hans Herkert and Travis Laviolette. Others present: District Manager Terry Bressler, Secretary to the Board of Trustees Barbara Sachs, Vanessa Padilla, Jack Baber, Chris Tocatlian with the White Mallard and Rod Behbood with Butte Lodge Outing Club. This was also a call in meeting.

Meeting was called to order at 1:30 p.m. by Chairman Hulbert.

Agenda:

M/S/C (Herkert, Laviolette) approve August 11th agenda.

Vote: Unanimous

Minutes:

M/S/C (Laviolette, Mord) approve July 14th Regular Board meeting minutes as revised.

Vote: Unanimous

Public Comment:

None

Financials:

Treasurer's Report:

M/S/C (Lavolette, Borrelli) approve Treasurer's report as presented.

Vote: Unanimous

Barbara Sachs presented the Cash report and designation of financial accounts.

M/S/C (Borrelli, Herkert) approve cash report and designation of financial accounts as submitted.

Vote: Unanimous

Interim transactions:

M/S/C (Herkert, Lavolette) approve interim transaction in the amount of \$975,267.41

Vote: Unanimous

Accounts Payable:

Barbara presented the accounts payable in the amount of \$197,517.27

M/S/C (Herkert, Lavolette) approve accounts payable as presented

Vote: Unanimous

Barbara presented the balance sheet, profit and loss and profit and loss to budget.

Barbara presented the accounts receivable.

Barbara requested a transfer from Fund One to Fund Three in the amount of \$10,000.

M/S/C (Borrelli, Lavolette) approve transfer from Fund One to Fund Three in the amount of \$10,000.

Vote: Unanimous

Barbara requested a transfer from Fund One to Umpqua Bank in the amount of \$150,000.00.

M/S/C (Borrelli, Laviolette) approve transfer from Fund One to Umpqua Bank in the amount of \$150,000.00

Vote: Unanimous

Barbara reported she attended the Colusa County Oversight Committee meeting. She said Dan Charter reported low interest rates on investments but did reiterate that he will remain very conservative. He said LAIF is beating the 5 year treasury and our portfolio is still performing.

Employee Sick and Vacation Leave:

No Comment

New Business:

a. Curtailment:

Chairman Hulbert said with the State Water Resource Control Board and environmental group actions regarding the drought, the Bureau of Reclamation continues to be our ally in this water short year. The Bureau said they're not going to implement curtailments on water during July, August and September. He said Districts wrote letters to SWCB and as of today does not affect Federal water contracts but it does affect Butte Creek. We can pump up to October 31st. Terry said the reason it affects Butte Creek is because Butte Creek isn't a natural flow of water.

b. Sacramento River Settlement Contractors:

Chairman Hulbert said there's new temperature control studies. The SRSC approved the studies but the cost will be percentaged out to all Districts. He requested the Board approve \$18,776 to be paid out of the 2021 water sale proceeds. He said it equals \$1.50 per acre foot of water.

M/S/C (Herkert, Mord) approve \$18,776 (\$1.50 per acre foot of water) additional fee to Sacramento River Settlement Contractors for the additional fish studies to be paid out of the 2021 water sale proceeds.

Vote: Unanimous

- c. Value Planning: Chairman Hulbert said the District performed three years of wheeling water for the Bureau of Reclamation to the Sutter Wildlife Refuge. He said Bureau representatives will be here in a few weeks to look at the site because a decision has to be made by September 30th if the Bureau is going to use RD1004 to wheel water for the Bureau. Chairman Hulbert said we needed to look into our current project costs in the District now as they will be higher before deciding a fee.
- d. Chairman Hulbert said the District received a Notice of Violation on the Districts water right contracts (A000027, S020961, S020960, S020167) from the State Water Resource Control Board. Barbara said she'd sent the notice on A000027 to Gary Kienlan and Judi Perez with MBK Engineers as they've already received S020961, S020960 and S020167 directly. She was informed that Angela Bezzone of MBK Engineers had received a lot of notices for other Districts as well and MBK Engineers had contacted the State Water Resource Control Board to inquire into this violation. Angela will keep the Districts updated.

Manager's report:

Terry said by running wells he'll be able to finish delivering water to water users. He recommended charging \$125.00 per acre foot of water if a water user needs extra water or the water user will have to buy it from another grower. Jeff Moresco asked if the deadline for decomp was October 31st and Terry replied yes. Terry said he would like a letter sent to all water users regarding the October 31st deadline and request them to flood up early.

M/S/C (Herkert, Borrelli) approve District water price to be \$125.00 per acre foot of water as available for District water users beginning October 31st.

Vote: Unanimous

Terry said he had approximately 1,000 acre feet of water that could be sold to Orland Artois Water District at \$350 per acre foot and the District would pay the Bureau fees. After further discussion regarding the delivery of water in the District and transfer water to SLDMWA and the fees the District will absorb to sell the water to Orland Artois Water District the Board agreed.

M/S/C (Herkert, Borrelli) approve selling up to 1,000 acre feet of project water to Orland Artois Water District for \$350.00 per acre foot and District will absorb Bureau costs.

Vote: Unanimous

Terry said Orland Artois Water District would like to have a conversation in the future with the Board of Trustees for a long term non critical year (full water year) water sale purchase.

Terry said the Princeton well lost a motor for 5 days so he purchased a new motor and has two motors in being rewound.

He said the new District well lost a coupler but's it's been repaired.

e. **Bureau of Reclamation Accounting Methodology:**

Terry reported the following:

1. If the District doesn't use 65% of its base supply of water, they will not be required to pay rescheduling fees. Terry said this is for base supply only.
2. If the District uses more than 65% it will be required to pay for rescheduling fees.
3. Terry reported if the District doesn't use the project water, we will not be required to pay for it. He requested the Board to approve the Bureau of Reclamation accounting methodology and give permission to Chairman Hulbert to sign the terms under the Bureau of Reclamation letter.

M/S/C (Herkert/Laviolette) approve Chairman Hulbert to sign Bureau of Reclamation accounting methodology letter (2021 Sacramento River Settlement Contractor Water Accounting Methodology) and accept Bureau terms.

Vote: Unanimous

Terry will supply Barbara with the rescheduling numbers to be presented along with the signed letter to the Bureau of Reclamation.

4. Terry said he's delivered 29,000 acre feet of water out of the 42,000 acre feet allotment. Princeton Pumping Facility has a ½ pump running, Butte Creek ½ pump, Pearl Well and two grower wells are running.
5. Terry said he wanted to propose a project in the District to save water. It would entail moving a delivery pipe between Butler Road and Terhel Dryer involving Field 8 owned by the Shore Ranch, Field 23 owned by the Hawkins Trust and Field 25A owned by Green Valley Corporation. Trustee Laviolette said it would also make the ditch higher and involve fields owned by Harris Landowning and the Hawkins Trust. He said he's been talking to Jeff Caswell who farms the Hawkins Trust fields and he's concerned about moving equipment in and out and leaks to the Cadek Property. He said he would also lose some acreage. Terry said the current ditch has a lot of problems and it has a lot of ditch loss. He recommended bringing in a surveyor

to see what could be worked out at a cost between \$1200 and \$1500. Trustee Laviolette said he would speak to Jeff Caswell to discuss the plans further and report back to the Board.

After further discussion, the Board directed Terry to hire a surveyor and report the findings to the Board at their next Board meeting.

f. **Biological Diversity Lawsuit:**

Chairman Hulbert said with the Boards permission, he would like to request signing the letter Paul Minasian wrote to Ms Lubian-Williams with the Bureau of Reclamation regarding the District not being a part of the Winn Act and not part of the lawsuit. Paul said in the future if we decide to be part of the Winn Act this decision will not interfere.

M/S/C (Borrelli, Mord) approve Chairman Hulbert to sign the August 3rd letter to Ms. Ann Lubas-Williams with the Bureau of Reclamation regarding not being a part of the Winn Act (Biological Diversity Lawsuit).

Vote: Unanimous

Old Business:

- a. Terry reported a meeting of the Butte-Sub Basin tomorrow regarding the GSA/SGMA. He said there shouldn't be any problems with the January 1st filing date.
- b. Chairman Hulbert said all litigations are moving slowly.
- c. Chairman Hulbert said he felt the Board should wait on making a decision regarding lowering the water toll until September when we are further along with the 2021 water sale. Everyone agreed.
- d. Chairman Hulbert asked Trustee Herkert if he'd heard back from David Guy of NCWA regarding the Federal/State funding for water infrastructure. Trustee Herkert said he'd wrote a letter and was waiting to hear back. Chairman Hulbert asked Trustee Herkert to supply the office with a copy of the letter.

3:37 p.m. Closed Session

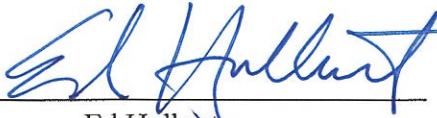
3:47 p.m. Back to open session

Nothing to report.

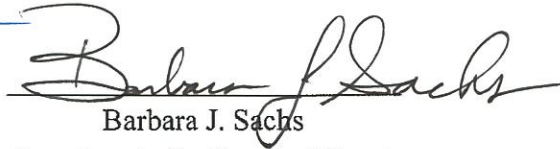
3:47 p.m. Back to open session

Nothing to report.

There being no further business to discuss, the meeting was adjourned at 3:55 p. m.



Ed Hulbert
Chairman of the Board



Barbara J. Sachs
Secretary to the Board of Trustees