



MINUTES OF A REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
LOWER TULE RIVER IRRIGATION DISTRICT

The Board of Directors of the Lower Tule River Irrigation District met in a regular Meeting on the 12th day of April 2005, at 9:00 am at the District office in Tipton, California. The meeting was called to order by President BEN SERAFIN. It was determined the following Directors were in attendance:

Director	Div. 2	2005	BENJAMIN SERAFIN
Director	Div. 3	2007	DONALD MACMILLAN
Director	Div. 4	2007	GARY FERNANDES
Director	Div. 1	2005	TONY SIMONICH
Director	Div. 5	2005	ROBERT F. BOWMAN

District Staff Present: DANIEL G. VINK – General Manager
ERIC LIMAS – Controller
MIKE BATTLES – O & M Superintendent

Also present at the meeting was landowner Tim Cooper.

1. BOARD ADMINISTRATION

On motion by Director SIMONICH, second by Director MACMILLAN and unanimously approved, the agenda was approved as presented.

The minutes of the March 8th regular meeting were reviewed. On motion by Director FERNANDES, second by Director BOWMAN and unanimously approved the minutes of March 8th regular meeting were accepted and ordered placed on file.

Controller LIMAS reviewed the financial statements for the month of March 2005. On motion by Director SIMONICH, second by Director FERNANDES and unanimously approved the Board accepted the financial statement for the month of March 2005 and ordered placed on file.

The Board held considerable discussion relative to a restricted account policy. The restricted account policy would allow for funds to be deposited from the long-term water management programs in a restricted fund to be used for Board specified projects only. After considerable discussion in comment the matter was deferred to a subsequent meeting.

On motion by Director BOWMAN, second by Director MACMILLAN and unanimously approved the Board ratified the actions of the finance committee in paying the February bills following the March meeting.

Controller LIMAS presented for consideration an amendment to the Districts Deferred Compensation plan. The amendment will allow the District to transfer an employee's money into an independent IRA account if the employee was no longer working for the District. After thoroughly reviewing discussion, on motion by Director MACMILLAN, second by Director BOWMAN and unanimously approved. The Board authorized execution of the plan amendment.

2. WATER RESOURCES

General Manager VINK reviewed the current water supply declaration for the Friant Division. At present uncontrolled season water is available to the District and should be available through the month of June.

The Board spent considerable time discussing various water supply issues for 2005 including:

- Meetings held with Congressman NUNES to review snow survey operations and;
- A water supply exchange negotiation with Metropolitan Water District.

The Board spent considerable time discussing the 2005 summer water rate. After thorough review and discussion of all matters related, on motion by Director SIMONICH, second by Director FERNANDES and unanimously approved the Board set the summer water rate at \$55.00 AF effective June 1st, 2005.

The Board gave considerable attention to prior years unpaid water bills of both landowners and those who have landowner guarantees. At present, the District transfers unpaid water bills from landowners or water users with landowner guarantees, to the assessment roles. The Board gave considerable attention to whether or not someone with an unpaid water bill should be allowed to use water in the subsequent year. After thoroughly reviewing discussion, on motion by Director BOWMAN, second by Director FERNANDES and unanimously approved the Board adopted the policy of no usage without a deposit on all lands that have unpaid water bills which have been transferred to assessment.

3. DISTRICT OPERATIONS

Construction and Operation activities

The Board reviewed a variety of construction and maintenance activities. O&M Superintendent BATTLES reviewed with the Board the purchase of a new loader by the Pixley Irrigation District. Staff's proposal is to sell Lower Tule River Irrigation District's loader with the proceeds going to the Pixley Irrigation District. Lower Tule River Irrigation District would then receive Pixley's 625 loader, which based on the opinion of staff, is in better condition than the existing Lower Tule River Irrigation Districts loader. On motion by Director BOWMAN, second by Director MACMILLAN and unanimously approved the Board ratified the recommendations of staff.

The Board spent considerable time reviewing temporary turnouts in the District and a memorandum by O&M Superintendent BATTLES relative to the replacement of the temporary turnouts. On motion by Director SIMONICH, second by Director FERNANDES and unanimously approved the Board accepted the recommendation of staff that the replacement of the temporary turnouts be at the District's expense.

General Manager VINK then presented for consideration the purchase of a new flow meter to better measure the Districts streams and canals. On motion by Director MACMILLAN, second by Director SIMONICH and unanimously approved the Board authorized the purchase of a new flow meter at a cost of approximately \$6000.00.

Administrative Activities

The Board adjourned in an executive session to confer on employee related matters in accordance with Government Code Section 54957. Upon coming out of closed session it was reported that no action was taken.

General Manager VINK presented for consideration a letter of intent with Friant Ranch to develop a water supply partnership program. That letter had been considered at a previous meeting with action deferred to the April meeting. After thoroughly review and discussion on motion by Director SIMONICH, second by Director MACMILLAN and unanimously approved the Board authorized execution of the letter of intent with the Friant Ranch.

General Manager VINK presented Resolutions 2005-4-1 and 2005-4-2 terminating the right of redemption on APN: 293-280-007 / 293-270-016 / 293-280-010 /

293-280-013 / 293-280-023. On motion by Director FERNANDES, second by Director BOWMAN and unanimously approved the Board adopted Resolutions 2005-4-1 and 2005-4-2 in terminating the right of redemption on APN: 293-280-007 / 293-270-016 / 293-280-010 / 293-280-013 / 293-280-023. **A copy of Resolution 2005-4-1 and Resolution 2005-4-2 is attached as EXHIBIT “A” and “B”.**

General Manager VINK presented for consideration Grant Deeds associated with the Taylor Ditch property. The District has received Grant Deeds from the Coopers, Bowman’s and Georges. On motion by Director MACMILLAN, second by Director SIMONICH with Director BOWMAN abstaining, the Board accepted the Grant Deeds and ordered them recorded at the County.

4. CROSS VALLEY CANAL

The Board reviewed a variety of Cross Valley Canal activities including the inter-tie construction and the on going PWRPA activities. No action was taken.

General Manager VINK presented for consideration Resolution 2005-4-3 decertifying the Negative Declaration adopted on February 23rd 2005. The action of desertification is a recommendation of staff and legal counsel in light of the fact that the Department of Water Resources would not execute a long-term contract with the District. DWR action exposed the District to litigation from NRDC. The action of decertification will nullify the lawsuit filed by NRDC. On motion by Director SIMONICH, second by Director FERNANDES and unanimously approved the Board adopted Resolution 2005-4-3 in decertifying the Negative Declaration adopted on February 23rd. **A copy of Resolution 2005-4-3 is attached as EXHIBIT “C”.**

5. TULE RIVER ASSOCIATION

The Board reviewed the March 16th, 2005 meeting of the Tule River Association. The minutes of the Tule River Association Board of Directors have been distributed to the Board and are not repeated here.

Success Power Project

General Manager VINK updated the Board on a variety of activities related to the Tule River Association including the purchase of the Success Power Project. No further action was taken.

DSAP

General Manager VINK reviewed a variety of DSAP activities. No action was taken.

6. FRIANT WATER USERS' AUTHORITY

The Board reviewed the March 24th meeting of the Friant Water Users Authority. The minutes of the FWUA Board of Directors have been distributed to the Board and are not repeated here.

The District has received a dues request from Friant in the amount of \$60,220.34 to cover the balance of the fiscal year 2005. On motion by Director BOWMAN, second by Director SIMONICH and unanimously approved the Board authorized payment of the dues requested in the amount of \$60,220.34.

7. The Friant Water Authority

The Board reviewed the March 24th meeting of the Friant Water Authority. The minutes of the FWA Board of Directors have been distributed to the Board and are not repeated here.

The District has received a dues request from Friant in the amount of \$34,497.00 to cover the balance of the fiscal year 2005. On motion by Director MACMILLAN, second by Director FERNANDES and unanimously approved the Board authorized payment of the dues requested in the amount of \$34,497.00.

8. MISCELLANEOUS AUTHORITY/AGENCY

Mid-Valley Water Authority

Nothing new to report

Deer Creek & Tule River Authority

Nothing new to report

9. U.S DEPARTMENT OF THE INTERIOR

Nothing new to report.

10. MEETINGS, HEARINGS & NOTICES

Nothing new to report.

11. MISCELLANEOUS MATTERS

Nothing new to report.

- A. Association of California Water Agencies.
- B. Central Valley Project Water Association
- C. California Water Resources Association
- D. National Water Resources Association
- E. California Chamber of Commerce.
- F. Ag Water Committee
- G. Water Education Foundation
- H. California Farm Water Coalition.
- I. Family Water Alliance.

There being no further business to be brought to the Boards attention the meeting was adjourned.

Respectfully Submitted,

Daniel G. Vink