

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 16th day of July 2009, at 9:00 am at the District office in Tipton, California. The meeting was called to order by President SIMONICH. It was determined the following Directors were in attendance:

Director	Div. 2	2009	JIM COSTA
Director	Div. 3	2011	TOM BARCELLOS
Director	Div. 4	2011	GARY FERNANDES
Director	Div. 1	2009	TONY SIMONICH
Director	Div. 5	2009	JOHN ROELOFFS

District Staff Present: DANIEL G. VINK – General Manager
MIKE BATTLES – Operations Manager
ERIC LIMAS – Business Manager

1. BOARD ADMINISTRATION

On motion by Director COSTA, second by Director FERNANDES and unanimously approved, the agenda was approved as presented.

The minutes of the June 9th, 2009 Regular Meeting were distributed for review prior to the meeting. On motion by Director FERNANDES, second by Director COSTA and unanimously approved the Board accepted the June 9th, 2009 Regular Meeting minutes and ordered them placed on file.

The Board reviewed the Financial Statements for the month of June 2009. On motion by Director COSTA, second by Director BARCELLOS and unanimously approved the Board accepted the Financial Statements for the month of June and ordered them placed on file.

The Board reviewed the actions of the Finance Committee in paying the May bills following the June meeting. On motion by Director COSTA, second by Director BARCELLOS and unanimously approved the Board ratified the actions of the Finance Committee in the payment of the May bills following the June meeting.

2. WATER RESOURCES

The Board reviewed variety of water resources activities. The current water supply declaration, which was reduced from 100% Class I to 77% Class I, has seen a subsequent increase back to 90% Class I. General Manager VINK indicated that the Districts current run, which began about the 10th of July would continue to the end of the month possible into the first week of August.

There was also some speculation that the declaration would be increased to 100% Class I with an outside chance that there may be a residual Class II declaration once the April / July runoff is better defined.

The Board reviewed a number of water related issues reported by General Manager VINK including:

- A review of Riparian Operational Guidelines. *(During that period Directors COSTA and SIMONICH recused themselves from the meeting for conflict of interest purposes.)*
- Yokohl Valley water management program and;
- Potential exchange with Fresno Irrigation District

At approximately 10:30am the meeting was convened into Executive Session to discuss groundwater pumping and monitoring issues in the District including recent meetings with Angiola representatives. District Council Alex Peltzer was present in person.

3. DISTRICT OPERATIONS

The District Operations section of the agenda was continued in closed session to discuss a variety of legal matters related to the San Joaquin River Settlement and the Westland's Water District origin contract claim.

At approximately 11:30am the meeting was brought out of Executive Session.

Upon coming out of closed session it was reported that the Board adopted Resolution 2009-7-1, relative to the San Joaquin River Restoration Implementation Agreement. A copy of Resolution 2009-7-1 is attached as **Exhibit "A"**.

Construction and Operation activities

General Manager VINK and Operations Manager BATTLES reviewed with the Board a variety of activities associated with the Tule River Inter-tie canal including a recent agreement with landowner JERRY BURNS on the acquisition on a small portion of property needed for construction. At present only two landowners have not come to terms with the District for right-of-way acquisition.

General Manager VINK reviewed the potential funding sources and reported that announcements under the Bureau of Reclamation's Water 2025 program, and the Stimulus funding grant applications, would be made sometime in late July early August.

Administrative Matters

General Manager VINK and Business Manager LIMAS reviewed with the Board various options available to the District under Proposition 218 rules and the restructuring of the assessment structure within the District. There was considerable discussion on a land base charge verses a water base charge. The primary purpose for reconsidering the revenue collection is related to the pending conversion of the Districts long-term water supply contract to a 9d repayment contract.

No action was taken and the decision and discussion was deferred to a subsequent meeting.

General Manager VINK updated the Board on a variety of miscellaneous administrative matters including the recent award of the Lower Tule River & Pixley Irrigation District Scholarship to ERICK MENDONCA & DANIELLE OLIVEIRIA.

General Manager VINK reviewed with the Board the Districts conversion of the Districts newsletter to electronic format.

The District has also received a letter from landowner DAVID PINHEIRO requesting that the District refund the delinquency on the second installment of the assessment payment. The District is precluded by law from refunding delinquencies on assessments unless the District was in error. The Board also reviewed it's policy on communicating with landowners relative to assessment notices and decided to stay the current course.

4. CROSS VALLEY CANAL

The Board reviewed the agreements with North-Kern Water Storage District, Kern County Water Agency and Improvement District # 4 for the cooperation and sharing of the respective CVC capacity.

Giving the late hour of the meeting and the need for conducting of other business General Manager VINK gave a brief explanation of the program and recommended that the Board defer action to a subsequent meeting.

5. TULE RIVER ASSOCIATION

The Board reviewed a variety of activities related with the Tule River Association including the Board meeting on 17th day of June and the 15th day of July 2009. The minutes of the meeting have been distributed and as such are not repeated here.

General Manager VINK also reviewed with the Board the July 6th TRIJPA Executive meeting. The minutes of the meeting have been distributed and as such are not repeated here.

6. FRIANT WATER USERS' AUTHORITY

The Board reviewed the minutes of the June 23rd regular meeting of the Friant Water Users Authority. The minutes of the meeting have been distributed and as such are not repeated here.

The District has received a call for funds in the amount of \$ 34,220.00 from the Friant Water Users Authority and a Special call for funds in the amount of \$3,126.00 associated with the mediation agreement. After thorough review and discussion, on motion by Director BARCELLOS, second by Director ROELOFFS and unanimously approved the Board authorized payment of both the regular and special call for funds.

7. FRIANT WATER AUTHORITY

The Board reviewed the minutes of the June 23rd regular meeting of the Friant Water Users Authority. The minutes of the meeting have been distributed and as such are not repeated here.

8. MISCELLANEOUS AGENCIES/AUTHORITIES

Deer Creek & Tule River Authority.

Deer Creek & Tule River Authority will be holding it's meeting on the 17th day of July.

9. U.S DEPARTMENT OF THE INTERIOR

Nothing new to report.

10. MEETINGS, HEARINGS & NOTICES

Nothing new to report.

11. MISCELLANEOUS MATTERS

- 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 Farm Alliance
- J. California Farm Bureau
- K. California Special Districts Association
- L. Ag Leadership

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

Respectfully Submitted,

Daniel G. Vink
General Manager