

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 9th day of June 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 BARCELLOS and unanimously approved, the agenda was approved as presented.

The minutes of the May 12th, 2009 Regular Meeting were distributed for review prior to the meeting. On motion by Director FERNANDES, second by Director ROELOFFS and unanimously approved the Board accepted the May 12th, 2009 Regular Meeting minutes and ordered them placed on file.

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

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

At approximately 10:00am Auditor RACQUEL AVALIA entered the meeting to review with the Board the 2008 audited financial statements. The Auditor works independent of District staff and reports directly to the Board. After considerable review and discussion, relative to the 2008 audit, including an unqualified opinion from the auditor, on motion by Director COSTA, second by Director BARCELLOS and unanimously approved the Board accepted the audited Financial Statements and ordered them placed on file.

## **2. WATER RESOURCES**

The Board reviewed the current water supply declaration from the Friant Division. The current declaration has been reduced to 77% Class I.

General Manager VINK is cautiously optimistic that the declaration will again be revised to reflect a near 100% Class I supply. Considerable discussion was had relative to the May water supply run in which the District took approximately 40,000 acre-feet of uncontrolled season Class II water. A total of 55,000 acre-feet, including water delivered to Pixley, was brought into the region.

General Manager VINK reported that the Bureau still does not have the Millerton Reservoir under control and as a result is making minor allocations of uncontrolled season water. That water is currently being run in the Tule River and some portions of the District's #4 and #5 canals.

The Board then turned its attention to the 2009 water budget. The 2009 preliminary water budget was adopted at the October 2008 regular meeting along with the District's regular budget. The water budget prepared at that time is in an estimate of expenditures for 2009. Without knowledge of the 2009 water supply it is difficult to fix a budget. With the 2009 water supply now more firmly known, on motion by Director FERNANDES, second by Director COSTA and unanimously approved the Board set the 2009 water budget at \$5,597,000.00 as compared to \$4.8 million in the preliminary budget.

The District has received a Section 215 contract from the Bureau of Reclamation. Although it is not anticipated that the District will access any water under the 215 contract, it is still valuable to have the contract for continuity of the contract purposes. On motion by Director COSTA, second by director ROELOFFS and unanimously approved the Board adopted Resolution 2009-6-1, accepting the terms and authorizing execution of the Section 215 contract. A copy of Resolution 2009-6-1 is attached as **EXHIBIT "A"**.

The Board then spent considerable time discussing groundwater pumping and

Approved

groundwater monitoring, including recent discussions with Angiola Water District representatives. Considerable discussion was held as to the meetings with Angiola and a general expression of frustration as to the approach of the Angiola Water District representatives was expressed. The District will formulate a more complete policy direction at the July meeting.

General Manager VINK updated the Board on a variety of miscellaneous water matters including:

- The continued development of the operational guidelines for the Riparian program
- Tule River channel loss that occurred during the recent run
- On-going discussions with Yokohl Valley representatives on a long-term water management program.

### **3. DISTRICT OPERATIONS**

#### Construction and Operation activities

The Board reviewed a variety of construction and maintenance activities. General Manager VINK and Operations Manager BATTLES reviewed with the Board routine operations and maintenance activities that occurred during the month of May; Primarily in support of the current water run. The Board also considered authorization of a contract for purchase of a new backhoe. Operations Manager BATTLES reviewed with the Board the bids received from CATERPILLAR and JOHN DEERE. After thorough review and discussion, on motion by Director BARCELLOS, second by Director ROELOFFS with Director Simonich voting no the Board authorized purchase of the new Caterpillar backhoe.

General Manager VINK provided the Board an update on the Tule River Inter-tie canal project. The Inter-tie canal right-of-way acquisition is continuing and the District is working on filing the documents necessary with the court for Eminent Domain action on three of the properties. (The THOMPSON property, BURNS property and the SIERRA INVESTMENT TRUST property.) General Manager VINK also reported that the grant application for funding under the Bureaus stimulus program has been submitted. More information will be available and the awards will be announced sometime later in the summer.

#### Personnel

President SIMONICH then convened the meeting into executive session to confer on an employee related matters. Upon coming out of closed session it was report

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on motion by Director BARCELLOS, second by Director COSTA and unanimously approved Business Manager LIMAS'S salary was adjusted as per a two-year review.

#### Legal Matters

At approximately 11:30 am the Tulare Irrigation District Board, District Counsel ALEX PELTZER and Consulting Engineer DICK MOSS joined the meeting to discuss the proposed implementation agreement and various San Joaquin River settlement matters. ***The meeting was called into closed session as per Government Code 54956. Upon coming out of closed session it was reported that no action was taken.***

After lunch with the Tulare Irrigation District General Manager VINK continued to update the Board on a variety of matters including the 9d conversion and financing. Considerable discussion was held on the financing and a directive was giving by the Board to the staff to explore land base versus water base charges and the complexities of a Proposition 218 election. A complete presentation will be made available to the Board at the July meeting.

General Manager VINK also reported that the court has dismissed the recent lawsuit filed by GLORIA DOYEL against the Lower Tule River Irrigation District.

#### **4. CROSS VALLEY CANAL**

The General Manager VINK reported that a final agreement with various Cross Valley parties on capacity sharing is being completed. A complete breakdown of the agreement and review and potential approval will be taken up at the July 2009 meeting.

#### **5. TULE RIVER ASSOCIATION**

The Board reviewed a variety of activities related with the Tule River Association including the Board meeting on 27<sup>th</sup> day of May 2009. The minutes of the meeting have been distributed and as such are not repeated here.

The Board received an update on the Reservoir Management software program and the river automation software update along with various updates on Success Power project and the Dam Safety project.

**6. FRIANT WATER USERS' AUTHORITY**

The Board reviewed the minutes of the May 28th regular meeting of the Friant Water Users Authority. The minutes of the meeting have been distributed and as such are not repeated here.

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**8. MISCELLANEOUS AGENCIES/AUTHORITIES**

Deer Creek & Tule River Authority.

The Board reviewed the minutes of the May 15th regular meeting of the Deer Creek & Tule River Authority. The minutes of the meeting have been distributed and as such are not repeated here.

**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

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- 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