

**MOHAVE VALLEY IRRIGATION
& DRAINAGE DISTRICT**

APPROVED: FEBRUARY 5, 2013

**MINUTES OF THE REGULAR BOARD MEETING HELD TUESDAY,
JANUARY 8, 2013 AT THE OFFICES OF THE MOHAVE VALLEY
IRRIGATION & DRAINAGE DISTRICT ("THE DISTRICT")**

CALL TO ORDER.

The meeting was called to order at 5:05 p.m.

PLEDGE OF ALLEGIANCE.

Mr. Hancock led the Pledge of Allegiance.

ROLL CALL.

Present: Charles B. ("Chip") Sherrill, Jr., Chairman, Director District III
Joseph Hancock, Director Division II
John Kai, Jr., Director, Division I
Clay Vanderslice, Director At Large
Perry Muscelli, Treasurer, Director At Large
Mark R. Clark, Manager
Jamie Kelley, District Counsel
Cecily ("CeCe") Preusser, Administrative Assistant

WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption.

Mr. Vanderslice made a motion to waive the reading of full minutes and resolutions presented for approval or adoption. Mr. Kai seconded the motion. All were in favor, motion passed.

1. REPORTS.

A. Staff report on water use.

Mr. Clark discussed the water usage for November, 2012, which was approximately 1,124 acre feet, with just about a 50/50 split between agricultural use and M&I use.

B. Bureau of Reclamation Lower Colorado Water Supply Report dated December 26, 2012.

Chairman Sherrill led a brief discussion with regard to current storage levels in Lakes Powell, Mead, Mohave and Havasu. Chairman Sherrill stated that it continues to be crucial that Colorado get a decent snow pack this winter.

Lake Powell is at 53% capacity; Lake Mead is at 52% capacity; Lake Mohave is at 86% capacity; and Lake Havasu is at 90% capacity.

- C. USDA National Agricultural Statistics Service: Arizona Livestock Report for November 2012, released December 3, 2012; Arizona Agri-Weekly Report for the month of December 2012.

Chairman Sherrill stated that commodities have dropped. There were no further questions or discussion of this item.

- D. Arizona Meteorological Network Monthly Summary (from Mohave #2) for January through December of 2012.

Mr. Clark stated that this is a new report being added to the Board packet. The plan is to place each month's meteorological information in the packet, however, the meteorological data for the entire year of 2012 is being placed in this month's packet. Chairman Sherrill stated that he liked that detailed information was contained within the report that could be calculated out. There was no further discussion.

- 2. **AGENDA MODIFICATION.** Possible action to withdraw from, or move, any item on the Agenda, including the removal of an item from the Consent Agenda.

There were no items removed from either the Regular Agenda or Consent Agenda.

- 3. **CONSENT AGENDA.** *The items listed below will be considered as a group and acted upon by one motion with no separate discussion of said items, unless a Board Member requests an item or items be removed for separate discussion and action.*

- A. Approve the December 4, 2012 Meeting Minutes.

- B. Ratify payment of expenses for December, 2012.

- C. **Sun Valley Unit II, Tract 4185E, T18N, R22W. Section 1.** Approve extension of preliminary allocation for Sun Valley, Unit II, Tract 4185-E from January 20, 2012 until January 20, 2013 consistent with Resolution 2009-12.

- D. **Issuance of Amended Small User Contracts.** Approval of amendment to Small User Contracts to include a provision requiring monthly water reporting:

- I. **Pompa, Allan and Sandy. Lagoon Estates, Lots 81 & 82, T18N, R22W, Sec. 35, Contract No. 2012-03-SU.** Small User Contract allocating 11.44 acre feet, being 12 acre feet less than the assumed residential allocation of 250 gallons per day or .23 acre feet per year.

- ii. **Bacot, John & Melinda. Topock Lake Ranchos, Tract 1037,** Two (2) small user contracts and a certification of water for domestic use. On May 1, 2012, the Board approved the Bacots' water allocation requests.
 - a) **T09N, R23E, Sec. 18, APN No. 216-11-036, Contract No. 2012-01-SU.** Small user Contract in the amount of 52.08 acre feet per year on 7.44 irrigable acres for irrigation of pasture lands containing Rye and Bermuda grass.
 - b) **T17N, R21W, Sec. 17, APN No. 224-10-049A, Contract No. 2012-02-SU.** Small User Contract in the amount of 25.83 aft on 3.69 irrigable acres for irrigation of pasture lands containing Rye and Bermuda grass.
 - c) **T09N, R23E, Sec. 18, APN No. 216-11-036.** Certification of domestic water allocation in the amount of .42 acre feet per year for the single family home, which falls under the exempt well classification.

Chairman Sherrill read through the Consent Agenda items to be approved. Mr. Muscelli made a motion to approve the items contained in the Consent Agenda. Mr. Hancock seconded the motion. All were in favor, motion passed.

4. **REGULAR AGENDA.**

- A. **Renewal of the Managerial Contract with Mark R. Clark, CCM, of QPC, Inc.** Discussion and possible action regarding the renewal of the Managerial Contract with Mark Clark of QPC, Inc., which expires January 20, 2013.

Mr. Kai made a motion to renew the Managerial Contract with Mark R. Clark, CCM, of QPC, Inc. Mr. Hancock clarified Mr. Kai's motion to add that Mr. Clark's time would increase from 30 hours a month to 50 hours a month and seconded Mr. Kai's motion. All were in favor. Motion passed.

- B. **MVIDD Fee Schedule.** Discussion and possible action regarding approval of a revised MVIDD Fee Schedule.

Chairman Sherrill asked if the revised Fee Schedule would be placed on the MVIDD website. Mr. Clark replied that, once approved, the new fee schedule would be placed on the website. There was a brief discussion regarding the revised ABU fee. It was agreed to leave the rate as revised at \$150.00 per acre foot. Mr. Kai made a motion to approve the revised Fee Schedule. Mr. Hancock seconded the motion. All were in favor, motion passed.

- C. **Effluent Project.** Discussion and possible action regarding financing of the District's portion of the Bullhead City water reclamation project.

Chairman Sherrill asked Mr. Clark and District Counsel what they had to report. District Counsel advised that, at this time, there was no forward progress to report. This item will be tabled and placed on next month's agenda.

- D. **Issuance of Agricultural and Amenity User Contracts.** Discussion and possible action regarding the issuance of Agricultural and Amenity User Contracts:

- i. **Vackar, Anthony & Cherie, Contract No. 2007-07. T18N, R22W, Sec. 27.** Issuance of an additional contract for the additional five (5) acre feet per irrigable acre for agricultural purposes previously approved by the Board, for a total of 320 acre feet.
- ii. **Vackar, Anthony & Cherie, Contract No. 2007-07. T18N, R22W, Sec. 27.** Issuance of a separate amenity contract for 39 acres being used as a nine hole golf course and putting green, allocating two (2) acre feet per 39 acres, for a total of 78 acre feet.

Mr. Clark reported that one of the contracts being presented for approval was for the Willow Valley Golf Course, which currently does not have its own water allocation. He stated that the proposed contract would be very much like the other amenity contracts, and would allocate two (2) acre feet per 39 acres, totaling 78 acre feet.

Mr. Clark reported that the other contract being presented for approval is for an additional five (5) acre feet per irrigable acre. Mr. Clark stated that Mr. and Mrs. Vackar currently have an allocation of two (2) acre feet per irrigable acre and that the District guidelines allow for seven (7) acre feet per irrigable acre.

The issuance of the two contracts would bring Mr. and Mrs. Vackar's allocation up to seven (7) feet per irrigable acre for agriculture purposes.

Mr. Kai made a motion to approve the issuance of an additional water allocation contract for the additional five (5) acre feet per irrigable acre for an, totaling 320 acre feet, and the issuance of a separate amenity contract for the nine hole golf course allocating two (2) acre feet per 39 acres, totaling 78 acre feet. Mr. Vanderslice seconded the motion. All were in favor, motion passed.

5. PUBLIC INPUT.

Marilyn Gabrielle stated that it might be difficult to get all of the Los Lagos HOA members to vote for participating in the costs associated with the effluent pipeline and wanted to know what would happen if the measure could not be passed. Chairman Sherrill stated that the amenity users were going to have to get on board with this project. The District is not in a position to fund the project without the help of the end users. The amenity users need to be more cooperative and look to the future, simply because the Colorado River is getting tapped down and there are going to be water shortages in the future. He further stated that in 2017, the contracts for the golf courses are terminating and fresh water will no longer be available to amenity users. Chairman Sherrill stated that he understood the hesitation, as Phoenix, Scottsdale, and other municipalities had the same hesitation because of the cost of effluent. But it makes no sense to put fresh water on golf courses, especially if there is going to be effluent available.

Mr. Muscelli brought up the Colorado Water User Association's conference in Las Vegas in December of 2012. Mr. Muscelli discussed the Colorado River Basin Water Supply and Demand Study which set forth the overuse of the Colorado River. He stated that once the shortages start to occur, there will have to be cuts, and it may be sooner than what is currently anticipated.

6. ADJOURNMENT.

Mr. Kai made a motion to adjourn the meeting. Mr. Muscelli seconded the motion. All were in favor. The meeting adjourned at 5:50 p.m.