

MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

Approved
10-04-16

MEETING MINUTES FOR THE REGULAR BOARD MEETING HELD SEPTEMBER 6, 2016 AT THE OFFICES OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr. called the meeting to order at 4:11pm.

PLEDGE OF ALLEGIANCE. Vince Vasquez lead the Pledge of Allegiance.

ROLL CALL. Present: Charles B. (Chip) Sherrill, Jr., Chairman/Director Division III
Vince Vasquez, Director Division II
Clay Vanderslice, Director at Large
Perry Muscelli, Treasurer/Director at Large
John Kai, Jr., Director Division I
Jamie Kelley, District Counsel
Mark Clark, CCM, Manager
Kerri Hatz, Administrative Assistant

Absent: None

WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption. John Kai, Jr. made a motion to approve, Vince Vasquez seconded the motion. All in favor, motion passed.

1. REPORTS.

- A. Staff report on water use. Manager Mark Clark reported that seven months ending in July we have used 21,872 acre feet of water this year compared to 19,251 acre feet last year so we are 2,600 acre feet ahead of what we were last year. 15,816 acre feet last year for agriculture compared to 18,304 acre feet this year.
- B. Bureau of Reclamation Lower Colorado Water Supply Report as of : August 29, 2016; Upper Colorado River Basin Snowpack Report; Lake Powell Water Data Graph; and Lake Mead Water Data Graph. Manager Mark Clark reported that Lake Mead is at 37% full, this reports show the elevation at 1,075 we are fractionally higher than that today after looking on the website 1,075.35 and that is where we were at in June. Lake Powell is 54% full, so Lake Powell continues to grow in water which is good for us. If you recall back in 2011, there was an additional release from Lake Powell to Lake Mead which really kept us out of a shortage before now. If Lake Powell keeps filling like this, we may see another release.

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.

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. Vince Vasquez made a motion to approve, John Kai, Jr. seconded the motion. All in favor, motion passed.

- A. Approve the July 5, 2016 Executive Meeting Minutes.
- B. Approve the July 5, 2016 Regular Meeting Minutes.
- C. Approve the July 22, 2016 Special Regular Meeting Minutes.
- D. Ratify payment of expenses for July 2016.
- E. Ratify payment of expenses for August 2016.

4. REGULAR AGENDA.

- A. **2016 FY Bonded Indebtedness Report.** Discussion and possible action to Ratify the 2016 FY Bonded Indebtedness Report. Mark Clark reported this is our annual Bonded Indebtedness report that was due prior to this meeting so we are asking the Board to Ratify this report. We have no indebtedness. Perry Muscelli asked if we had any leases, Mark replied we have no leases or capitol leases. Perry Muscelli made a motion to approve, John Kai, Jr. seconded the motion. All in favor, motion passed.
- B. **2016 Annual 417 Report.** Discussion and possible action to approve the 2016 Annual 417 Report. Mark Clark reported that this is our annual report that we provide to the Bureau of Reclamation, they want to insure that the Water Orders that we are ordering are put to beneficial use. They ask a bunch of different questions regarding crops, land use under irrigation and other questions. There are some questions that do not apply to us like Daily Water Orders cancelled. We do not have daily water orders only annual water orders so that does not apply to us. The report we put together usually answers 95-99% of the questions the Bureau comes up with, because over the years we know what direction they are going and we try to answer the questions ahead of time. If this report is approved today, we will submit it to the Bureau of Reclamation and then in October we will have our annual 417 Meeting with them to go over this report. Vince Vasquez asked if there are any differences between last years report and this years report? Mark replied that a new question this year was about daily water orders which did not effect us. Mark said the only significant changes between the last year and this year is the amount of farmland reported. We have more farmland then the previous year. Mark also explained that a couple months back, MVIDD actually had their Beneficial Review with the Bureau of Reclamation just like the farms have their Beneficial Reviews with the "District". They found that we have been putting our water to beneficial use and are really pleased with the "District". Vince Vasquez asked if the

metering of our water is reported as well to the BOR? Mark said it is, we actually have an assistance agreement through the BOR and they have paid for half the cost of the metering equipment and all of the hour meters that are on the well sites. Vince Vasquez made a motion to approve, Clay Vanderslice seconded the motion. All in favor, motion passed.

- C. **John Kai, Jr. Director of Division I, June and July Meeting Absences.** Discussion and possible action to consent and excuse John Kai, Jr., Director of Division I, absences from the June and July meetings for medical reasons. Perry Muscelli made a motion to approve, Clay Vanderslice seconded, John Kai, Jr. abstained. All in favor, motion passed.
- D. **Contract 2016-03, Charles B. Sherrill, Jr., T17N, R22W, Section 11, APN(s): 224-42-007B, 224-42-008B, 224-42-009A & 224-42-010A.** Discussion and possible action to approve the application to transfer 282.2 acre feet of water from contract 2009-03 (Sherrill Ventures, LLP) and an application for a new water entitlement of 41.37 acre feet of water for a total of 324.17 acre feet of Water for new contract 2016-03, for 50.34 gross acres and 46.31 irrigable acres. Mark Clark explained that we have two applications for this because there are two different transactions, one is a transfer of water from one contract and then a request for additional new water for contract 2016-03. This new contract will be under Charles B. Sherrill, Jr., not Sherrill Ventures. The staff has all the require documents for these applications. John Kai, Jr. made a motion to approve, Clay Vanderslice seconded, Charles B. Sherrill, Jr. abstained. All in favor, motion passed.
- E. **Contract 2016-04, Willow Springs Golf Course (Anthony R. Vackar), APN(s): 225-26-111, Interim Water Entitlement Contract for 76 acre feet of water.** Discussion and possible action to approve Contract 2016-04 Interim Water Entitlement Contract for 76 acre feet of water. Mark Clark stated that this a contract that will replace a current contract that is in place with Willow Springs Golf. Willow Springs Golf has an Interim water allocation of 76 acre feet of water which will expire on December 31, 2017. The Board had decided that they were going to make Interim water available beyond 2017, this contract is that contract that will extend out to 2026. Charles B. Sherrill, Jr. stated that this is for all the Amenity Users because effluent water has not been available for them to take advantage of. The "District" has an allocation until 2026 and we are trying to help the Amenity Users have the opportunity to extend their water contracts, if there is a shortage declared, the Amenity Users will take the first cut. At the end of 2017 all of the Amenity Users were going to lose their contracts, we felt that was wrong and have made these contracts to extend another 10 years for them to be able to come up with effluent water. Hopefully within the next 10 years there will be enough growth and effluent for them to switch over to. Perry Muscelli made a motion for approval, Vince Vasquez seconded the motion. All in favor, motion passed.

- F. **Contract 2016-05, Marina Coves Homeowner Association, APN(s): 224-53-100, 224-25-138, Interim Water Entitlement Contract for 500 acre feet of water.** Discussion and possible action to approve Contract 2016-05 Interim Water Entitlement Contract for 500 acre feet of water. Mark Clark stated this is just like the last contract that was approved. This is for Marina Coves, we have six Amenity Users here within the "District" and we have been able to speak with three of them. These are the three of them and this is the second of the three on the agenda. There other entities will be met with at the end of this month or next month to see if they are interested in extending their contracts with the "District". Perry Muscelli asked if it was the same terms on the this contract. Mark replied it is the exact contract except for the detail of each entity and the amount of water. Perry Muscelli made a motion to approve, John Kai, Jr. seconded the motion. All in favor, motion passed.
- G. **Contract 2016-06, Mohave Valley Golf, LLC (formerly El Rio), APN(s): 225-65-012, 225-65-009, 225-65-008, 225-65-007, 225-65-006, 225-65-005 & 225-65-004, Interim Water Entitlement Contract for 382.47 acre feet of water.** Discussion and possible action to approve Contract 2016-06 Interim Water Entitlement Contract for 382.47 acre feet of water. Mark Clark stated that this is actually a new contract but the same form as the other Amenity Contracts. They did not previously have their water under contract, but now under the settlement agreement, they will have a contract with the "District". Perry Muscelli made a motion to approve, John Kai, Jr. seconded the motion. All in favor, motion passed.
- H. **APA Power Sales Contract.** Discussion and possible action to approve the APA Power Sales Contract. This was asked to be table for further information. John Kai, Jr. to get a hold of Kelly Urbine and then we will get a special meeting together and discuss it then. Mark stated that Kerri will get together with John Kai, Jr. to schedule the special meeting and will do it telephonically.
5. **PUBLIC INPUT.** Charles B. Sherrill, Jr. asked if there was any public input. Richard Park and the Board Members talked about lack of revenue with farming right now. Chip encourage the public get involved with the "District" that this is everyone's District and we are here to help if needed.
6. **ADJOURNMENT.** Perry made a motion to Adjourn, Vince Vasquez seconded. All in favor, meeting adjourn at 4:35pm.