Lincoln County Water District
181 Main Street, Suite 115, P. O. Box 206,
Pioche, NV 89043, (775) 962-5164

MINUTES - LINCOLN COUNTY WATER DISTRICT (LCWD)

WEDNESDAY, JANUARY 19, 2011, 10:00 A.M., COMMISSION CHAMBERS, LINCOLN COUNTY COURTHOUSE, PIOCHE, NV

1. * Call to order, open meeting compliance, roll call, prayer and pledge of allegiance.

   Present: Kevin J. Phillips, George T. Rowe, Anthony P. Donohue, Paul H. Mathews (via telephone through item 4), Wade Poulsen-General Manager, Dylan Frehner-Legal Counsel, and Shannon Simpson-Administrative Assistant. Absent: E. Edwin Higbee, Jr. Prayer: Anthony P. Donohue. Pledge: George T. Rowe.

2. * Discussion/Action: Reorganization of the Lincoln County Water District Board; appointment of new Chairman, Vice-Chairman, and Secretary.

   Nominations made for Paul Mathews as Chairperson, Kevin Phillips as Vice Chairperson, and Ed Higbee as Secretary.

   Motion by Paul Donohue to approve the nominations, 2nd by Kevin Phillips, motion passed unanimously.

3. * Discussion/Action: Approve/Modify minutes from November 22, 2010, meeting.

   Motion by Kevin Phillips to approve the November 22, 2010, meeting minutes, 2nd by Paul Mathews, motion passed unanimously.

4. * Discussion/Action: Payment of vouchers. (Invoices are available for public review at the Water District Office prior to the meeting).

   Motion by Paul Mathews to approve the payment of vouchers, 2nd by G. Tommy Rowe, motion passed unanimously.

5. Discussion: Board and Staff member reports – May include but not limited to meetings attended, actions taken, agreements, projects status, future needs arising since last meeting and other relevant information for the Board.

   Wade:
   - **Attended Mesquite City Council meeting, January 11, 2011. Annexation of Phase II of Lincoln Highlands from Lincoln County. Presented written statement to Mesquite City Council regarding right-of-ways (ROW) in the Lincoln County Land Act (LCLA) area.**
   - **December 8-9, 2010, attended Nevada Pinyon-Juniper Restoration and Utilization Summit in North Las Vegas, NV, along with Commissioner Ronda Hornbeck and Connie Simkins-Nuclear Oversight Program. One of the sessions addressed the amount of water that the pinyon-junipers use and how to deal with this.**
   - **Nevada Water Resources Association (NWRA) Annual Conference scheduled for February 2-3, 2011, Reno, NV. Along with Wade, Kevin Phillips, Ed Higbee, Paul Donohue, Tommy Rowe, and Dylan Frehner scheduled to attend.**

- **February 4, 2011, meeting scheduled with the State Engineer, Lincoln County Water District (LCWD), and Vidler Water Company, to discuss water rights applications in Clover Valley regarding the scope and progress of the required study. It is recommended that Lincoln County also have a representative present.**
- **Investment-Certificate of Deposit (1 year term), $96,000.00, with Pahranagat Valley Federal Credit Union rolled over this month.**
- **Mark Teepen-BLT has requested that LCWD have an alternative ROW to the LCLA.**
- **Presented working task sheet and bill draft request spreadsheet concerning water for the 2011 Legislative Session.**

Dylan:

- **January 3, 2011, attended Panaca Farmstead meeting. He has entered into a contract as their legal counsel. To avoid any conflict of interest between LCWD and the Panaca Farmstead, Panaca Farmstead willing to recuse representation if the occasion should arise.**
- **January 11, 2011, attended the Pioche Town Board Meeting.**
- **Working with the District Attorney on the annexation issues; reviewing documents and making suggestions.**
- **LCLA Environmental Impact Statement appeal with the Center for Biological Diversity. Supplemental brief filed yesterday, January 18, 2011, on our behalf. Arizona judge working on our appeal to dismiss.**

6. Vidler Update.

PowerPoint Presentation given by Don Pattalock, Vice President Vidler Water Company, "Project Overview – Lincoln County Water District and Vidler Water Company".

7. * Discussion/Action: Kane Springs Valley U.S. Fish & Wildlife Service $50,000.00, payment.

Don Pattalock – Since the Kane Springs project and books have been closed, Vidler Water Company is proposing that LCWD and Vidler each issue a check for $25,000.00, to the Nevada Department of Wildlife as requested by the U.S. Fish and Wildlife Service in a letter addressed to Vidler Water Company, dated December 13, 2010. Payment to be made from the Planning & Development fund.

Motion by G. Tommy Rowe for payment of $25,000.00, to the Nevada Department of Wildlife, 2nd by Paul Donohue, motion passed unanimously.

8. * Discussion/Action: Dan McArthur – 2009-2010 Annual Audit Report.

Daniel C. McArthur, LTD. presented the LCWD Report on Financial Statements and Supplemental Material, June 30, 2010. Page 2 gives the Independent Auditor's Report. In summary it states that we are looking at clean financial reports. No N.R.S. violations. In compliance with Open Meeting Law.

Motion by G. Tommy Rowe to approve the audit report as presented, 2nd by Paul Donohue, motion passed unanimously.

9. * Discussion/Action: On Lincoln County Resolution 2011-01. A resolution accepting Lincoln County's appointment of the Lincoln County Water District and its staff as Lincoln County's agent(s) and/or representative(s) on water related issues involving Lincoln County.

   This item will not be considered on this agenda due to the denial of the resolution by the Lincoln County Commissioners at their meeting on Tuesday, January 18, 2011.

10. Public Comment and Discussion. **No public comment.**

11. * Adjourn.

    Motion by G. Tommy Rowe to adjourn this meeting, 2nd by Paul Donohue, motion passed unanimously.

    Meeting adjourned at 11:37 a.m.

Submitted for approval by:
Shannon Simpson, LCWD Administrative Assistant Shannon M. Simpson

Approved by: E Edwin Higbee
Signature

E Edwin Higbee Jr
Print Name Title

Date: February 16, 2011