

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

MINUTES

**THURSDAY, MAY 16, 2013, 10:00 A.M.,
COMMISSION CHAMBERS, LINCOLN COUNTY COURTHOUSE,
PIOCHE, NV**

Action may be taken on items denoted with an asterisk*.

1. *Call to order, open meeting compliance, roll call, prayer and pledge of allegiance.
Meeting called to order at 10:05 a.m. Present: Paul Donohue, Kevin J. Phillips, Adam Katschke, E. Edwin Higbee, Jr., Paul H. Mathews, Wade Poulsen-General Manager, Dylan Frehner-Legal Counsel, and Shannon Simpson-Administrative Assistant. Absent: None. Prayer: Dylan Frehner. Pledge: Ed Higbee.
2. Public Comment and Discussion. *No public comment.*
3. *Discussion/Possible Action: Approve/Modify minutes from the Lincoln County Water District (LCWD) April 17, 2013, meeting.

Motion by Ed Higbee to approve the April 17, 2013, meeting minutes, 2nd by Kevin Phillips, motion passes unanimously.
4. *Discussion/Possible Action: Approval of vouchers paid on check dates May 6 & 20, 2013.

Motion by Paul Donohue to approve the payment of vouchers for check dates May 6 & 20, 2013, 2nd by Kevin Phillip, motion passes unanimously.
5. Discussion: Board and Staff member reports:
Wade:
 - Attended The Summit with Jewish National Fund (JNF) the end of April. Different from what they thought, but informative. Water was just one aspect of the Summit. Focusing on waste water in Israel. Big concern. Explained how Netafim drip irrigation systems has gone in and installed their in-line irrigation and it is helping with water usage and yields.
 - Bill Draft Requests (BDR) Tracking for the 2013 Legislative Session.
 - AB157 is dead.
 - SNWA Oversight and transparency has been moved on and been referred back to Committee.
 - VVWD governing Board has passed Assembly and now in the Senate.
 - Still unable to meet with Virgin Valley Water District due to their hiring of a General Manager and court cases/lawsuits.
 - Next meeting June 19.

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- Coyote Springs GID consolidation best way to move forward is to draft an agreement, bring it forward, and go from there.
- Land disposal areas (maps on board) show all of the applications that have been filed from LCWD, Lincoln County, and Vidler. Another map shows applications that were acquired from SNWA.

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- Attended NWRA dinner on May 8. Presented from Governor's office for Economic Development they have put together a partnership with IBM, Desert Research Institute (DRI), and the University system where they are going to create Centers of Excellence to make Las Vegas and Reno centers for water technology and development.
- Spoke with DRI/Dr. Thomas about doing experiments with hoop houses on how we can measure evapotranspiration.
- April 29, met with Emelia Cargill from CSI. Discussed if we can work with them on melding their land holdings and our water together. Waiting for maps to discuss further.
- Panaca Farmstead, May 6, at the meeting suggested to them that LCWD can give similar reports to them, e.g., BDR's for free instead of paying their attorney. We can help them with certain things to avoid duplication.
- Joe Davis from Moapa Valley Water District. He would like to have GM's get together frequently so the smaller districts know what is going on in each other's district. We need to share ideas with each other so we are getting the most benefit out of it. Paul Donohue agrees with this idea.

6. Vidler Update.

Ryan Hoerth:

- Submitted draft EA for collection pipeline in Tule Desert which will connect the wells to main pipeline in the Toquop Energy Site.
- Submitted the change application to change the point of diversion in Kane Springs Valley. Currently being published for the next 4 weeks in the Lincoln County Record, after that there will be a 30-day protest period. NPS said they are not going to protest.
- Continue monitoring and data collection efforts in Tule Desert, Kane Springs, Coal, Clover, and Garden Valleys.
- Received temporary permit from the State Engineer's Office in Dry Lake Valley to take construction water to use for the southwest inter-tie project.
- On track to prove up irrigation water this year.

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Steve Hartman:

- Meeting in Dry Lake Valley that deals with the potential of some folks that may have an interest in solar at that location. Haven't figured out the royalty side of that. Royalty provisions have been high in the past and presented a barrier.
- Idea of regional meetings a regional meeting. Great idea.

7. *Discussion/Possible Action: Final budget hearing for the 2013-2014 fiscal years.

- Wade went over revisions from the tentative budget. Minor changes.
- Went over Page 6 – General Fund. Pretty well flat from last year. Includes benefits, salaries, service and supplies, etc.
- Went over the other funds and how the ending balance was arrived at.
- No public comment.

Motion by Ed Higbee to approve the final budget for the 2013-2014 fiscal years, 2nd by Kevin Phillips, motion passes unanimously.

8. *Discussion/Possible Action: The LCWD partnering with and/or taking over the responsibility of Lincoln County's Panaca Elementary School Building.

- County has limited dollars, \$45,000.00, to do something with building. Paul Donohue would like to partner with the LCWD in remodeling, maintaining, and leasing of the building.
- Cory Lytle, Building Department said the number one priority is the HVAC, then the restrooms, then work on the cosmetic damage.
- Paul Mathews – What is the LCWD's plan for a payback?
- The LCWD moves down there and has a lease to the building with the County and is responsible for doing things for the County, i.e., rent out office space, fix-up, etc.
- Or the other option is to take over the entire responsibility from the County. It becomes LCWD's building.
- Perfect for ordinance funds on the County's side because they would be investing in a Capital Project. That way they wouldn't have to charge the County entities that are on a very tight budget rent, e.g., Senior Nutrition, RSVP.
- Adam wants to see list of County Entities that could move there and eliminate the rent they are currently paying.
- Paul Donohue wants to figure out the square footage that the LCWD would use and calculate rent from that.
- Paul Donohue wants to have the Commissioner who represents Panaca in the area where the Secretary's Office was.
- Wade reiterated that they (the Board) want the LCWD to create a lease agreement with square footage for the County.
- Paul Mathews feels that further discussion needs to be done regarding who(m) the tenants will be and the square footage needed before any commercial entity came in.

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9. *Discussion/Possible Action: Approve/Deny an amendment of the Water Rights Option and Purchase Agreement with Toquop Power Holding, LLC dated February 25, 2013. The amendment will change the timeframe that the Toquop Power Holdings, LLC has to nominate their water rights option.
- Under the initial agreement under Section 1(b), Toquop Power had until March 15, 2013, to select what quantity they wanted from 1000 to 7240 acre feet. What the amendment does is it comes in and sets the initial election at 5800 acre feet and allows Toquop Energy a final election period which is November 30, 2013, where they can bring that amount down when they get the final numbers. Allows us to do better management of the agreement as we move forward.
 - Section 6 (a)(i) will be omitted.
 - Exhibit A-1 attached (omitted originally) shows all of the points of diversion for monitoring and production, and PW-1.

Motion by Paul Donohue to approve the amendment of the Water Rights Option and Purchase Agreement with Toquop Power Holding, LLC dated February 25, 2013, 2nd by Ed Higbee, motion passes unanimously.

Peter Sawicki, Director of Business Development, EWP Renewable Corporation gave an update on project:

- Since the last time they met in Las Vegas he feels they have made excellent progress.
- The BLM has come on board; they are currently working on the Plan of Development to gain the notice to proceed.
- The NDEP and the EPA they have agreed to allow them to place met towers to put some additional air monitors out there and take an additional 4 months of air monitoring.

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

11. *Adjourn. ***Meeting adjourned at 11:29 a.m.***

Minutes submitted for approval on June 26, 2013, by Shannon Simpson, LCWD Administrative Assistant.



Approved by:



Signature

Paul Mathews

Print Name

President

Title