

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
MAY 14, 2009**

President Winchester called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Other Directors present were Lowe, Woods, and Wheeler. Also in attendance were Manager Cotter and Clerk Powell. Director Bordsen was absent.

1. Minutes: The Minutes of the April 23, 2009 Regular Board Meeting were approved on a motion by Director Lowe, seconded by Director Woods. All ayes, motion passed.

2. Public Forum: None

3. Finance Committee Report: Directors Wheeler and Winchester reported that they had reviewed the financial records for the month of April and found everything to be in order. Director Wheeler, seconded by Director Lowe, moved to approve the April financial report. All ayes, motion passed.

4. Browns Valley Irrigation District Financial Statements December 31, 2007 and 2006: Director Winchester, seconded by Director Woods, moved to approve the December 31, 2007 and 2006 Financial Statement as present by Auditor Mike Hinz. All ayes, motion passed.

5. Collins Lake Drought Update: After discussion, Director Winchester, seconded by Director Lowe, moved to allow the irrigation water to run on a 24/7 schedule through the month of September with the provision that the lake levels will be analyzed at each Board Meeting to determine continuation of said schedule. The October schedule will be determined in September. All ayes, motion passed.

6. District Rules & Regulations: No action taken' draft Rules & Regulations to be available for public review and item tabled until June.

7. Manager's Report:

Collins Lake:

Current elevation is 1,172.3 ft, which is 10.7 ft below spill. This amounts to 80% of storage with 39,600 Acre Feet of usable supplies. The Generator is running at 560 Kw with releases of 80.6 cfs. Last year on this date the elevation was 1,161.0 ft, which is 22.0 ft below spill (60.6% or 30,000 Acre Feet). The Generator was running at 420 Kw with releases of 71 cfs.

Staff Activities:

Leroy Mossi is recovering from his shoulder surgery and is expected to start physical therapy soon. It will be some time before a determination can be made about him returning to work.

Conserved Water Transfer:

After providing several documents to and having many conversations with the Natural Resources Agency, we have withdrawn our application for a CEQA Categorical Exemption for the 2009 Conserved Water Transfer to Santa Clara. We were unable to prove that there is a drought emergency in Santa Clara County and that the transfer of 3,100 Acre Feet of water will solve the problem. We have shifted to preparing a Negative Declaration (as in prior years) with additional work to include the responses to last year's BEC comments and to update the document to account for the timing change of the release schedule.

Saddleback Lift Pump:

This project is complete and is pumping water to the ditch that delivers water to the upper bench of rice ground that is normally served with Collins Lake water. The pump output ranges from 2 to 12 cfs. The out of pocket cost to build this project was \$52,100 and does not include the future electrification of the pump.

Pipeline Extension Request:

Max Gerdes, 6000 Marysville Rd. (across from Shadowbrook Tr) has formally requested a pipeline extension to provide water to 5 parcels totaling 29 acres. These parcels are currently receiving water from an unreliable private ditch that runs cross country through an unrelated parcel. The requested pipeline extension includes less than 1,800' of pipe. This request will go to the Pipeline Committee (Directors Winchester and Bordsen) for a recommendation.

Meetings:

Past:

- 04-27-09 I attended the Yuba County LAFCO/ North Yuba W.D. meeting in Marysville.
- 04-27-09 Director Winchester and I attended the YCWA member unit meeting at YCWA.
- 04-28-09 Director Winchester and I attended the YCWA Board meeting in Marysville.
- 04-28-09 I attended the Accord/DWR update briefing with the buyers and operators in Sacramento.
- 04-29-09 I met with PG&E to review the District's various rate schedules.
- 04-29-09 Director Winchester and I met with Andrew Coolidge to work on the next newsletter.
- 04-30-09 I attended the ACWA Region 2 Board meeting at Western Canal W.D.
- 04-30-09 I attended the NCWA Managers meeting at Western Canal W.D.

- 05-04-09 Director Winchester and I met with the CEQA team in Sacramento to discuss EIR preparation costs.
- 05-06-09 I met with the Rosamond CSD general manager and two board members to provide a tour of the District.
- 05-07-09 I met with Andrew Coolidge to work out the details of the next newsletter.
- 05-07-09 I met with Michael Hinz concerning the 2007 audit.
- 05-13-09 I participated in the ACWA Region 2 Legislative Committee conference call.

Future Meetings:

- 05-15-09 NCWA Strategic Communications Committee conference call.
- 05-15-09 YCWA member unit meeting at YCWA.
- 05-18-09 ACWA JPIA Board meeting in Sacramento.
- May 19th through 22nd ACWA Conference in Sacramento
- 05-21-09 Accord/Buyer negotiation meeting in Sacramento.
- May 26th & 27th Vacation.

Projects:

Past:

1. Repaired a break on the Mahle pipeline and the Bald Mountain pipeline.
2. Installed a Y- filter at the Redhill East upper pump to keep debris from entering the impellers.
3. Temporarily repaired a leak on the steel pipe at the head of the Sicard ditch.
4. Weed whacked around the Yuba River pump station, the Virginia Ranch Dam powerhouse, the Redhill turbine house, the Redhill East upper tanks, the main valves, screens, and pump areas.
5. Rebuilt a crossing over a side spill on the Sicard ditch.
6. Worked on the Monument Trail/Valley of the Eagles intertie. Installed 2,050' of 6" pipe. There are 1,400' and two paved road crossings that remain to be done.

Future:

1. Continue the Valley of Eagles/Monument Trail intertie.
2. Continue weed abatement.
3. Install two new services.

8. Request to allow a leach line to cross the Pumpline canal: Referred to Pipeline Committee.

9. Request for additional water from an existing service: Manager directed to research request and make determination.

10. Power Purchase Agreement for Virginia Ranch Dam: Director Lowe, seconded by Director Winchester moved to approve the Power Purchase Agreement for Virginia Ranch Dam as presented. All ayes, motion passed.

11. Correspondence:

- Letter from Cynthia Cooper requesting letter of permission.
- Letter from Leon Shoenhair requesting an additional inch.
- Email from Attorney Horowitz regarding PG&E contract.
- Letter to Attorney Bezerra regarding RD-1644 Obligations.
- Memo from Director Bordsen regarding 2009 schedule.
- Letter from Max & Lisa Martin-Gerdes regarding potential pipeline.

12. Closed Session: President Winchester announced that the meeting would go into Closed Session to have a conference call with legal counsel regarding existing litigation. Any reportable action taken in Closed Session would be reported when the meeting reconvened into Open Session.

13. Open Session: President Winchester reconvened the meeting into Open Session and reported that there was no reportable action taken in Closed Session.

14. Adjournment: There being no further business before the Board, President Winchester adjourned the meeting