

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
SEPTEMBER 24, 2009**

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

1. Minutes: The Minutes of the September 10, 2009 Regular Board Meeting were approved on a motion by Director Wheeler, seconded by Director Woods. All ayes, motion passed.

2. Public Forum: None.

3. Collins Lake Drought Update: No action taken.

4. Manager's Report:

Collins Lake:

Current elevation is 1,141.9 ft, which is 41.1 ft below spill. This amounts to 32% of storage with 16,050 Acre Feet of usable supplies. The Generator is running at 360 Kw with releases of 75.5 cfs. Last year on this date the elevation was 1,130.4 ft, which is 52.6 ft below spill (19.3% or 9,550 Acre Feet). The Generator was running at 345 Kw with releases of 99.2 cfs.

Staff Activities:

After more than 24 years as a BVID crewmember, Leroy Mossi has put in for his retirement. His last day as a BVID employee was on September 14th and we will be planning a party for him in a week or so.

Randy Hurlbut is being sent to physical therapy to try to repair his back injury (from August 4th) and will be reevaluated in two weeks.

Groundwater Substitution Water Transfers:

The first payment (for pumping through June) was received this week and disbursed to the pumpers. The District's portion of this first payment is just over \$55,000.

The long term purchase negotiation with the Accord Buyers was called to a halt by the buyers at the September 16th meeting. Paul Bartkiewicz feels that the ongoing issues concerning the Delta at the Capital have completely distracted the buyers, as they see the Delta issue as a much larger and more urgent problem. We expect this process to restart this winter assuming that we are not in flood conditions by then.

Long Term Conserved Water EIR:

As a result of the ongoing water (delta) issues at the Capitol and the commitment by Ryan Bezerra in that process, the legal portion of the EIR CEQA team has been shifted to Josh Horowitz. Edaw has finished the draft of this CEQA document and

it is now being reviewed by MBK, Josh Horowitz and me. We expect to have this document out for public review by the middle of next month.

2010 Water Transfers:

Several issues have been identified by DWR as a result of the (not so successful) 2009 Drought Water Bank. Of the 16 items of concern, half deal with just groundwater substitution. DWR is working through these issues and expects to have solutions in place before the end of November for transfers next year. Both Mike Filice (Hallwood IC) and I are monitoring this process to see if any of the “solutions” become too onerous.

Dry Creek Recapture Project:

The CEQA document for this project is in the final stages and will be coming to the Board for consideration soon. Two items of concern have recently come to light. 1) When we petition the SWRCB (State Board) for a new point of diversion, we will be placing our water rights in the State Board’s spotlight. They will be able to examine and adjust our newly licensed Collins Lake water rights. And 2) this project provides a means to reduce our actual Yuba River diversions, which may provide a window of opportunity for the State Board to yet again reduce our Pre-1914 water rights.

Peoria Pipeline:

Continued work on Phase 2 of the Peoria pipeline. We have completed the hill climb portion of the pipeline and have been working on either a traverse for fairly flat ground. We installed 1,980’ of pipe over the last two weeks for a total of 7,105’ installed so far.

Meetings:

Past:

- 09-11-09 Director Winchester and I met with Paul Bartkiewicz in Sacramento concerning future Property Taxes and Yuba Relicensing.
- 09-14-09 Director Winchester and I played in the NCWA Golf Tournament in Sacramento.
- 09-15-09 I met with Alden Robinson and David Kennington (Hydro Consultants) concerning possible future generation.
- 09-16-09 I attended the Accord/Buyer Negotiation meeting in Sacramento.
- 09-17-09 We hosted a joint FERC Face to Face and EAP update meeting that included South Sutter WD (Camp Far West).
- 09-18-09 I participated in the NCWA Communications Committee conference call concerning the forthcoming water poster.
- 09-22-09 I attended the YCWA Board meeting that included an update on water (Delta) legislation by Paul Bartkiewicz.
- 09-23-09 FERC/DSOD inspection of Virginia Ranch Dam.
- 09-23-09 Mark Sayers and I attended a Dry Creek Recapture CEQA meeting at MBK Engineers.

09-24-09 The Personnel Committee (Directors Lowe and Bordsen) met to discuss a possible new hire.

Future:

09-29-09 Member Unit meeting in Marysville.

10-07-09 Conserved Water EIR meeting in Sacramento.

12-01-09 Beginning of ACWA Fall Conference in San Diego.

Projects:

Past:

1. Audited a section of the Hill Road pipeline, a section of the Arnold ditch and just a small part of the Redhill West pipeline. The audit of the Redhill West pipeline has been productive so far and should bring the pipeline pressures back to an acceptable level.
2. Repaired a break on the on the McDrip, Sandy Way, and Hill Road pipelines.
3. Repaired a leak on Daphne Way and repaired a 6" valve on the Arnold ditch.
4. Trimmed the trees back on the access road through the Kane fields to the outlet of the tunnel coming from the Dam.
5. Equipped the tan motorcycle trailer with tail lights.

Future:

1. Continue the Peoria Pipeline Phase 2.
2. Continue audit of the Redhill West pipeline.

5. Contingent Purchases: Item tabled to give committees time to meet.

6. Resolution Honoring Retirement of Leroy Mossi : Director Lowe, seconded by Director Bordsen, moved to adopt Resolution 9-24-09-1 honoring retiree Leroy Mossi. President Winchester then polled the board:

AYES: Directors Winchester, Lowe, Bordsen, Woods, Wheeler

NOES: None.

ABSTAIN: None

ABSENT: None

Resolution 9-24-09-1 passed.

7. Personnel Committee Report: After a report by Personnel Committee (Lowe/Bordsen) Director Bordsen, seconded by Director Lowe, moved to immediately fill the permanent position recently vacated by employee Mossi. Ayes: Directors Bordsen, Lowe, Woods. Noes: Directors Winchester, Wheeler. Motion passed.

8. Correspondence:

- o invitation for YCWA Open House.
- o letter from Upstream Coalition regarding position on Water Bill Package.

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