

# RECLAMATION DISTRICT NO. 108

## Minutes of the Special Meeting

### Of the Board of Trustees

February 28, 2014

President Durst called the Special Meeting of the Board of Trustees to order at 2:00 p.m. on Friday, February 28, 2014 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Fritz Durst, Roger Cornwell, Sean Doherty, Jon Leonard and Mike Miller

**Trustees Absent:** None

**Others Present:** Lewis Bair, General Manager  
Bryan Busch, Asst. Manager  
Chad Navarrot, Operations Manager  
Cathy Busch, Executive Secretary

Kevin O'Brien, Legal Counsel  
31 Landowners/Water Users  
(see attached sign-in sheet)

**Agenda** – On motion by Trustee Cornwell, seconded by Trustee Leonard and unanimously approved the Agenda was approved as submitted.

### CLOSED SESSION

The Board went into Closed Session at 2:05 p.m. to confer with legal counsel regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (two potential cases). The Board came out of Closed Session at 2:55 p.m. and reported that no action was taken.

### PUBLIC HEARING

President Durst opened the Public Hearing at 3:00 p.m. and welcomed Landowners and Water Users for attending.

**2014 Water Supply** - Manager Bair gave an update on the water forecast for 2014. A meeting has been arranged with the Central Valley Project (Project) participants to discuss Bureau of Reclamation (USBR) operations for 2014 and why senior water holders were being cut below contract amounts and water was still being diverted south of the Delta. He reported that the State Water Resource Control Board (SWRCB) believes there is not enough water in the system

to provide for agriculture diversions even at 40%. A meeting will be held next with the USBR and the SWRCB to discuss how the Project should be operated and what water should be held for public safety. The next step will be to have MBK review USBR's modeling of the Project.

**Water Transfers** – President Durst asked if the District should allow water transfers outside the District. Attorney O'Brien reviewed the draft Resolution No. 14-03 in the matter of "Establishing District Policy and Procedures for Out-Of-District Water Transfers for 2014." There was discussion regarding the addition of a water buffer to ensure the in-District water users were not impacted by these transfers. Others were hopeful that transfers would continue to be an option for adjoining water districts primarily to keep permanent crops alive under the anticipated zero allocation. There was concern that transferring water out of the District could harm other Landowners since there was no assurance that water transfers would make all District Landowners ineligible for crop insurance. After further discussion, it was moved by Trustee Miller, seconded by Trustee Leonard to table Resolution 14-03 in the matter of "Establishing District Policy and Procedures for Out-Of-District Water Transfers for 2014" until the insurance question was clarified in writing. The motion passed with Trustee Doherty opposing.

After some discussion regarding participation in the ongoing environmental documents it was moved by Trustee Doherty, seconded by Trustee Cornwell and unanimously approved to move forward with the environmental documentation and agreement that states the District would like to be a part of the transfer but would not commit to a water transfer at this time, with TCCA paying all costs.

The Board then discussed groundwater substitution type transfers and if the District should allow landowners with private wells to transfer groundwater and discussed possible procedures. There was concern expressed regarding decisions made now on groundwater transfers setting precedence for the future. Unfortunately, while the District wells were included in the environmental documentation, the landowner wells were not, therefore, they will not be permitted to transfer during 2014.

The Hearing was open for questions. In response to a question, the Board advised Water Users that if they could pre-irrigate rice and other crops prior to April 1 (start of the contract period) it would not count against their share of the water supply. Trustee Doherty suggested that some, or all of the cost of pre-irrigations and late season decomposition could be covered by a program being offered by The Nature Conservancy to increase shore bird habitat.

**Billing Procedure** – Manager Bair reported that there would not be a water rate increase for 2014. He asked if using the previous billing structure was acceptable. After discussion, it was the consensus of the Board to charge for water exactly as has historically occurred.

President Durst thanked the Landowners and Water Users for attending the meeting.

**CLOSED SESSION**

The Board went into Closed Session at 4:35 p.m. to confer with legal counsel regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9. The Board came out of Closed Session at 4:45 p.m. and reported that no action was taken.

**ADJOURNMENT**

There being no comments from the public and no further business to come before the Board, the meeting was adjourned at approximately 4:45 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lewis Bair".

Lewis Bair  
Secretary/Manager

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	<p align="center"><b>Name</b> (Please Print)</p>	<p align="center">Check if you want minutes &amp; Agenda sent</p>	<p align="center"><b>Telephone Number/Email Address</b></p>
	<p align="center">Bull Cate</p>		<p align="center">724-3324</p>
	<p align="center">Tom Hayes</p>		<p align="center">681-1504</p>
	<p align="center">CLARE ORNBACH</p>		<p align="center">908-3141</p>
	<p align="center">John Poundington</p>		<p align="center">908-4454</p>
	<p align="center">Hafeez Rehman</p>		<p align="center">680-4743</p>

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	Joe Steidlmayer		682-8670 joe.steidlmayer@yahoo.com
	Shely Murphy		474-2469 ccwdz@fronternet.net
	Tom Ellis		908-9352
	Kathy Yerxa		458-2550

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	John Miller		682-1808
	Gary Driver GARY DRIVER Donita Henriux Hendrix		724-3460 724-3271
	David Williams		308-6595
	Lady Bug Liberty		438-2801
	Faye Salomonde		438-2176
	Sell Williams		209 704 0134
	Darrin Williams		682-8422

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Name (Please Print)	Check if you want minutes & Agenda sent	Telephone Number/Email Address
DON HUFF, JR		PH: 530 662-1442 EMAIL: CDONHUFFJR@QOL.COM
MIKE ANDREOTTI		458-8324 Home 682-9936 Cell mdandreotti@hotmail.com
Fred Durst		530-437-2263
Tom Charter		530-682-5852
ED Boald		530-662-8715
Ken Mumm		530-701-0020
Jim Evdman		304-2106
MATT HIGH		682 1734

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	Rob Meyer		530-304-0624 - racemente@pacbell.net
	Robin Andreotti		3042423
	Dane Nissen		218-5115
	Delce Dornes		DlcDornes@yahoo.com
	Derick Strain		dstrain@strain ranches.com

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	HAFEEZ REHMAN		8530-680-4743

