



MEETING MINUTES

February 22, 2021 – 9:00 AM REGULAR MEETING - TELECONFERENCE

Members: Richard W. Carver - Area 1 (Currant Creek/Smoky Valley)
Joe Westerlund - Area 2 (Tonopah/Manhattan)
James Weeks - Area 3 (Beatty /Armargosa Valley)
Helene Williams- Area 4, Position 1 (Pahrump Valley)
William Knecht- Area 4, Position 2 (Pahrump Valley)
Dennis Gaddy -Vice Chair- Area 4, Position 3 (Pahrump Valley)
Dave Hall - At Large - Chair

Legal: Sev Carlson

Board of County Commissioners: Debra Strickland

Finance: Savannah Rucker

Staff: Oz Wichman
John Klenke
Christal Behrends

Acronyms: AG - Attorney General
AVSTP - Armargosa Valley Science & Technology Park
BOCC - Board of County Commissioners
BOR - Bureau of Reclamation
CSWP- Community Source Water Protection
CNRWA - Central Nevada Regional Water Authority
DOA - Department of Agriculture
DOI - Department of Interior
EPA - Environmental Protection Agency
GID - General Improvement District
GM - General Manager
GWE- Groundwater Evaluation Grant
GWMP – Groundwater Management Plan
HUD - Housing and Urban Development
IRWMP - Inter Regional Water Management Program
MOU - Memorandum of Understanding
NTS - Nevada Test Site
NCWDGB - Nye County Water District Governing Board
NRWA – Nevada Rural Water Association
NWRA - Nevada Water Resources Association
RFP - Request for Proposals
RNWA - Rural Nevada Water Authority
ROW - Right of Way
SNWA - Southern Nevada Water Authority
USDA - United States Department of Agriculture
UGTA - Underground Test Area

1. **9:03 AM Call to Order / Pledge of Allegiance**
2. **09:04 AM Roll Call –Present:** Joe Westerlund, Helene Williams, William Knecht, Dennis Gaddy, Dave Hall. **Absent:** James Weeks and RW Carver.
3. **09:05 AM Mission Statement – “Provide, protect and preserve water resources within Nye County.”**
4. **09:05 AM General Public Comment (first): Three-minute time limit per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

None.

5. **09:05 AM Approval or modifications of the Agenda for the Water District Meeting of February 22, 2021 (Non-action item).**

No modifications.

6. **09:06 AM For Possible Action – Discussion, deliberation and decision regarding Approval of Minutes for December 14, 2020.**

Dennis Gaddy made a motion to approve the minutes from December 14, 2020. Bill Knecht seconded the motion. **The vote was approved 5-0.**

7. **09:08 AM Water District Governing Board Member / General Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas).**

Christal Behrends announced that the Rural Communities Assistance Corp (RCAC) has funding to perform approximately 10-15 drinking water domestic well assessments in the Pahump Valley. To register for the well assessment you can either register on-line or fill out the form that will be added to our website.

Helene Williams suggested that a copy of the Nye County BoCC rules of procedure be distributed to all Water District Governing Board members. In addition, it is suggested that this be added as an agenda item to our next meeting.

8. **09:13 AM Ex-Parte Communications and Conflict of Interest Disclosure Statements.**

Commissioner Strickland disclosed in addition to this Board’s liaison and a County Commissioner, she is also the owner of Strickland Construction, T&M Group Realty and

Lakeside Storage. She has been a licensed well drilling, pump setting, septic contractor as well as a broker who brokers water rights for 26 years. She will not be voting on items during this meeting. Although she will be able to influence this Board, she does not find this to be a conflict of interest. It is her hope that her knowledge base is of value.

9. 09:15 AM For Possible Action- Deliberation discussion and decision regarding:

- 1. Nye County Water District Tentative Project Budget Worksheet for FY 2021/2022**
- 2. To set date, time and location of Public Hearing on the Final FY 2021/2022 Nye County Water District Budget. Proposed date Monday, May 24, 2021, 9am-location to be determined.**

Starting with FY 2021 Revenue Projections, Christal Behrends stated that the parcel fee income is based off of 59,738 parcels at \$5 each, totaling \$298,690. This amount added to projected interest income of \$3,500, provides a total projected revenue of \$302,190. Talking points of the FY 2021 budget centered on Expenditures to include: Nye County Staff Support, Water District Staff, Contract Staff, Operations, Baseline Programs and Interim Programs. There was discussion regarding the Engineering Reports / Grants App line, as there is an agenda item later on today's agenda to discuss a proposed engineering contract subject to approval. It was also mentioned in regards to FY 21 budget, that without the approved Cloud Seeding program costs, we would be almost break even to our projected revenues. The approval of the program will require us to draw from our coffers.

In FY 2022, we will be lowering Kathy Gilmore's (Contract Staff) not-to-exceed amount from \$4,000 to \$3,000. We will be projecting a slightly higher amount in Training as COVID travel restrictions will most likely lessen. The total cost of the proposed McGinley & Associates Engineering contract (divided between FY 21 & FY 22) is \$38,350. As presented, the FY 2022 Budget Worksheet does not include a projected amount for Cloud Seeding. Without this program, projected expenditures total \$301,400. Projected revenues for FY 22 total \$302,190.

Bill Knecht made a motion to approve the Nye County Water District Tentative Project Budget Worksheet for FY 2021/2022 as presented. Dennis Gaddy seconded the motion. **The vote was approved 5-0.**

Bill Knecht made a motion to set the Nye County Water District Budget Public Hearing on Monday, May 24, 2021 at 9am, with location to be determined. Helene Williams seconded the motion. **The vote was approved 5-0.**

- 10. 9:35 AM For Possible Action – Presentation, Discussion, deliberation and decision regarding approval of a contract for the professional services of Dwight Smith, Principal Hydrogeologist, McGinley and Associates, Inc., to provide 3rd party review of the most recent USGS water model impacting the larger Amargosa Valley geographic areas and the ongoing Devils Hole debate. John Klenke and Dwight Smith to present the contract which is not to exceed \$38,350 in the 2021 calendar year.**

Dwight Smith, PE, PG and Principal Hydrogeologist for McGinley and Associates, Inc., discussed the proposed contract to provide hydrogeologic consulting services in support of Nye County Water District review of the U.S. Geological Survey DV3 Model. This contract would include: Review of the DV3 Model and Climate Assumptions, Numerical Flow Modeling Tests and Consulting for Propose AD-4 Pumping Test by the USGS.

Presentation attached to minutes.

Dennis Gaddy made a motion to approve the contract for the professional services of Dwight Smith, Principal Hydrogeologist, McGinley and Associates, Inc., to provide 3rd party review of the most recent USGS water model impacting the larger Amargosa Valley geographic areas and the ongoing Devils Hole debate which is not to exceed \$38,350 in the 2021 calendar year. Helene Williams seconded the motion. **The vote was approved 5-0.**

11. 10:02 AM For Possible Action-Presentation, Discussion, deliberation, decision and possible instruction to staff regarding the legislative proposals for water related bills being introduced in the 2021 Nevada Legislative Session. Information to be presented by Jeff Fontaine, Executive Director, Central Nevada Regional Water Authority and Oz Wichman, General Manager, Nye County Water District.

Jeff Fontaine, Executive Director, Central Nevada Regional Water Authority presented information on Assembly Bill No. 5, Assembly Bill No. 6 and a Petition filed in the matter of the creation of a commission to study the adjudication of water law cases.

AB 5 has been introduced into the 2021 Legislative Session on behalf of the Division of Water Resources. It makes various changes to provisions relating to judicial review of orders and decisions of the State Engineer.

AB 6, also introduced on behalf of the Division of Water Resources, revises provisions governing an application for a temporary change relating to appropriated water.

No public questions

Summary text and the above mentioned Supreme Court petition are attached to minutes.

12. 10:41 AM District Member, Staff and Liaison Reports/Comments:

a. Finances

Elizabeth Enriquez discussed the Water District Fund Balance and Expense Status Report as of December 31, 2020. Revenues received thus far total \$271,249. Expenditures to date are \$97,816. This provides an Ending Fund Balance of \$620,688.

The Expense Status reports provides detail of where the Water District is with all budgeted expenditures. The Water District looks fiscally healthy with coffers available for unbudgeted programs if approved.

b. Board Reports

- I. LVVWD/SNWA
- II. CNRWA

c. Staff Reports

I. Oz Wichman

On behalf of Oz Wichman, Christal Behrends provided an update on the Spring Mountain Cloud Seeding Project. Forecasting for the project started on November 1, 2020. Forecasting is done every day. Perfect conditions include south to southwest winds to deliver precipitation. The Water District budgeted project cost is \$35,950. Greg Hafen / Pahrump Utilities generously covered \$3,000 (in addition) to be used for cloud seeding solution. In 70 years of studies, there are no known cumulative or damaging effects of silver iodide. The earliest cloud seeding project in Nevada took place in the 1960's, in the Ruby Mountain range.

So far, as part of our project, there have been 6 seeding events spanning 38 seeding hours. This equates to 2128 acre-feet of snow added. If all of this snow percolates into the rocks and ends up in the aquifer, that means 693 million gallons. The generator has worked perfectly during each seedable storm.

II. John Klenke

III. Christal Behrends

Christal reviewed the on-going initiatives of the Water District. For the calendar year 2020, we answered 661 public inquiries (97% were by phone). Some additional initiatives highlighted include: collaboration with various agencies, water conservation for your new home packet production, water waste violation complaints, volunteer domestic well metering program, legislative tracking, water level measurement program / procedural training, Nye County basin application report, website maintenance / management and community outreach.

d. Projects Status Report

I. Staff

e. Board Liaison Reports

I. Commissioner Debra Strickland

f. Report from other individuals, groups and or agencies regarding water-related issues; for informational purposes only.

13. **10:56 AM For Possible Action- Discussion concerning future Water District Governing Board Meetings to include:**
Monday, May 24, 2021 (Budget Hearing)
Monday, July 26, 2021 (Tonopah)

Bill Knecht made a motion to approve the proposed 2021 Water District Governing Board meeting dates with location to be determined. Dennis Gaddy seconded the motion.
The vote was approved 5-0.

14. 10:58 AM General Public Comment (Second)

None.

15. 10:59 AM Adjourn

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