

February 17, 2016  
Tracy, CA 95304

Pursuant to adjournment, January 13, 2016, the Board of Directors of the Banta-Carbona Irrigation District met at 9:00 a.m. at 3514 W. Lehman Road, Tracy California on the above named date.

PRESENT: Directors: James M. McLeod, Glenn Robertson, Keith Robertson, Roger Elissagaray and James M. Thoming

OTHERS PRESENT: General Manager David Weisenberger, Secretary Margaret Howe and District Counsel Jeanne Zolezzi

ABSENT: None

#### ITEM 1 - MINUTES & TREASURER'S REPORT

Director Keith Robertson made a motion to approve the minutes of the January 13, 2016 as presented. Director Roger Elissagaray seconded the motion and it carried by the following vote: Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

Secretary Howe presented the Treasurer's report and after review by the Board it was filed.

#### ITEM 2 - MISCELLANEOUS CORRESPONDENCE

There was no correspondence presented.

#### ITEM 3 - MANAGER'S REPORT & DISCUSSION ITEMS.

General Manager Weisenberger reported District staff is attending safety meetings today at West Stanislaus Irrigation District on electrical safety, fall protection and lock out tag out.

District staff is continuing to make necessary gate repairs and the pump station maintenance is completed.

The District will start delivering water for the 2016 irrigation season on February 22, 2016 due to the excessively dry February.

#### ITEM 4 - DIRECTOR AND STAFF ITEMS

Secretary Howe reported the 2015/2016 Statement of Economic Interests, Form 700; filing date is April 1, 2016

The District's auditing firm, Fechter & Co., will start the 2015 annual audit on Monday, February 22. They expect to be at the District office for 2 – 3 days.

Secretary Howe reminded the Directors the ACWA Spring Conference will be held May 4<sup>th</sup> – 6<sup>th</sup> in Monterey. Those wishing to attend should let her know so she can register them for the conference and reserve rooms.

President of the Board, James McLeod, reported he attended the retirement celebration for Daniel G. Nelson executive director of the San Luis and Delta-Mendota Water Authority. He has been replaced by Mr. Jason Peltier.

#### ITEM 5 – REVIEW CURRENT WATER SUPPLIES AND 2016 WATER SUPPLIES AVAILABLE TO THE DISTRICT, POTENTIAL RATIONING, TRANSFER AND SCHEDULING THE USE OF AVAILABLE WATER SUPPLIES. ACTION AS NECESSARY.

General Manager Weisenberger reported the District expects to have 18,114 af of water in storage by February 28, 2016 plus whatever is pumped in between February 17<sup>th</sup> and February 28<sup>th</sup>. He does not anticipate using any of the stored water before February 28, 2016.

He is still talking to the Friant Water Users about conveying San Joaquin River Restoration Flows from the San Joaquin River to the Delta-Mendota Canal.

#### ITEM 6 – REVIEW WATER RATES FOR THE 2016 IRRIGATION SEASON. ACTION AS NECESSARY.

The Directors reviewed the 2016 budget approved in December 2015 and cash flow reports presented to the Board and discussed water rates. General Manager Weisenberger reported that the 2015 water rate was \$100 per acre foot. After some discussion, Director Keith Robertson

made a motion to set the water rate for the 2016 irrigation season at \$75.00 per acre foot. Director Roger Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

**ITEM 7 – REVIEW 2015 WATER USER ALLOCATIONS FOR POSSIBLE CARRYOVER INTO 2016 IRRIGATION SEASON. ACTION AS NECESSARY**

During the 2015 water year the District allocated growers 1.5 acre feet of water per acre of ground. Most of the District growers did not use their total allocation and staff inquired if the Board wanted to allow growers to carryover their unused 2015 allocation into the 2016 water year. There is 7,862 acre feet of allocated water left in growers' accounts. After some discussion, Director Glenn Robertson made a motion to carryover the unused 2015 allocations into the 2016 water year by grower in the event of District needing to instigate an allocation for 2016. This would mean growers would have their left over 2015 allocation plus any 2016 allocation. Director James M. Thoming seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

**ITEM 8 – UPDATE ON SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) IMPLEMENTATION IN THE TRACY SUB-BASIN. ACTION AS NECESSARY.**

Manager Weisenberger reported the District has filed to be its own Groundwater Sustainability Agency (GSA). He continues to work with San Joaquin County and other agencies in the Tracy Sub-basin on boundaries. The Kasson area will be covered by the San Joaquin County GSA. The current plan is that once the GSA's are formed in the Tracy Sub-basin then they will develop a joint Groundwater Sustainability Plan and share the costs of developing the plan.

**ITEM 9 – CONSIDER EXCHANGE/PURCHASE OF YUBA C1 WATER WITH WESTLANDS WATER DISTRICT FOR THE 2015/2016 WATER YEAR. ACTION AS NECESSARY.**

Westlands Water District has rescheduled 2013 CVP water available for exchange/purchase. They would like to exchange their rescheduled water for Banta-Carbona Irrigation District's 2015 allocation of Yuba C1 Water during the 2015/2016 contract water year. Banta-Carbona's 2015 allocation of Yuba C1 Water is approximately 191 acre feet. Banta-Carbona would agree to pay the O&M charges on the rescheduled 2013 CVP water, to reimburse Westlands for the Warren Act Fees and conveyance costs on the Yuba C1 Water and the 2015 rescheduling fee for the amount of water rescheduled and exchanged. After some discussion, Director Glenn Robertson made a motion to approve the exchange and authorize the General Manager to execute the agreement. Director Roger Elissagaray seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, Glenn Robertson and James M. Thoming; Noes: None; Abstain: None; Absent: None

**ITEM 10 – PROGRESS UPDATE ON LIFT CANAL REHABILITATION PUMP STATION 6 REPLACEMENT PROJECT. ACTION AS NECESSARY.**

Syblon-Reid the contractor on the Lift Canal Rehabilitation Pump Station 6 Replacement Project is working on laying and welding the pipeline. They should be ready to start backfilling the excavation next week and electrical work is expected to start in March.

**ITEM 11– UPDATE ON STATE WATER RESOURCES CONTROL BOARD (SWRCB) PROCEEDINGS REGARDING CURTAILMENT DIRECTIVES AND ORDERS TO WATER RIGHTS HOLDERS ON THE SAN JOAQUIN RIVER AND THE SACRAMENTO RIVER BASINS. ACTION AS NECESSARY.**

As of today the District has not received any curtailment directives for the 2016 water year. Legal Counsel and staff do not expect to receive any notice until at least June, depending on hydrology.

SWRCB hearings of the combined actions of The West Side Irrigation District and Byron-Bethany Irrigation District will start in March on the water availability issues from the 2015 year.

**ITEM 12 – CLOSED SESSION:**

- 1) CONFERENCE WITH LEGAL COUNSEL on EXISTING LITIGATION PURSUANT to Subdivision (a) of Section 54956.9 of the Government Code

Banta-Carbona Irrigation District v. California State Water Resources Control Board, et al, Case No. 39-2015- 00326421-CU-WM-STK

- 2) CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS

Property: Wheel water through lift canal and pump station facilities for third parties.  
Agency Negotiator: David Weisenberger and Jeanne Zolezzi, Esq.  
Negotiating Party: Friant Water Users  
Under Negotiation: Price, Quantity and Terms of Agreement for use of facilities

- 3) CONFERENCE LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) Section 54956.9 (1 case)

#### ITEM 14 - APPROVAL OF WARRANTS.

Director Keith Robertson moved that the February 2016 Warrants in the amount of \$311,406.12 be approved for payment. Director Glenn Robertson seconded the motion and it carried by the following vote; Ayes: Directors James McLeod, Roger Elissagaray, Keith Robertson, James M. Thoming and Glenn Robertson; Noes: None; Abstain: None; Absent: None

The meeting was then adjourned to Wednesday, March 16, 2016 at 9:00 a.m.

Respectfully,

Margaret G. Howe  
Secretary