

**CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS
AND CARSON RIVER WATERSHED COMMITTEE**

NOTICE OF PUBLIC MEETING

DATE: March 20, 2019
TIME: 6:30 P.M.
LOCATION: NAI Alliance Conference Room
1000 N. Division St., Ste. 202
Carson City, NV 89701

AGENDA

Please Note: The Carson Water Subconservancy District (CWSD) Board may: 1) take agenda items out of order; 2) combine two or more items for consideration; and/or 3) remove an item from the agenda or delay discussion related to an item at any time. Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting. Please contact Catrina Schambra at (775)887-7450 (<mailto:catrina@cwsd.org>), at least three days in advance so that arrangements can be made.

1. Call to Order the CWSD Board of Directors
2. Roll Call
3. Pledge of Allegiance
4. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.
5. For Possible Action: Approval of Agenda
6. For Possible Action: Approval of the Board Meeting Minutes of February 20, 2019.

CONSENT AGENDA

Please Note: All matters listed under the consent agenda are considered routine and may be acted upon by the Board of Directors with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the consent agenda, discussed and acted upon separately during this meeting.

7. For Possible Action: Approval of Treasurer's Report for February 2019.
8. For Possible Action: Payment of Bills for February 2019.
9. For Possible Action: Approve CONTRACT #2018 – 11A: Funding from Carson Water Subconservancy District to the Dayton Valley Conservation District for Post-flood Repairs Project MCR 002, 030, 046, 111C, and 010C; in an amount not to exceed \$75,000.

****END OF CONSENT AGENDA****

**RECESS TO CONVENE AS THE
CARSON RIVER WATERSHED COMMITTEE**

10. Roll Call
11. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.
12. For Possible Recommendation: Discuss the Tentative Fiscal Year 2019-20 budgets.
13. For Possible Recommendation: Discussion regarding the 2019 Nevada Legislative Session.
14. For Possible Recommendation: Discuss and provide input on final draft of the Amicus Brief for the Walker Lake hearing.

Carson Water Subconservancy District Board of Directors and
Carson River Watershed Committee
3/20/19 Meeting Agenda

15. For Discussion Only: A presentation by the CWSD AmeriCorp Intern on the interactive Watershed Map
16. For Discussion Only: A presentation by Rob Holley with the Dayton Valley Conservation District regarding their river projects.
17. For Discussion Only: Provide an update on the 2019 Water Year.
18. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.

ADJOURN TO RECONVENE AS
THE CARSON WATER SUBCONSERVANCY DISTRICT BOARD OF DIRECTORS

19. For Possible Action: Approve CWSD Tentative Fiscal Year 2019-20 Budgets.
20. For Possible Action: Provide direction to CWSD Staff regarding the 2019 Nevada Legislative Session.
21. For Possible Action: Approve the final draft of the Amicus Brief for the Walker Lake hearing.
22. For Discussion Only: Staff Reports - General Manager
- Legal
- Correspondence
23. For Discussion Only: Directors Reports
24. For Discussion Only: Update on activities in Alpine County.
25. For Discussion Only: Update on activities in Storey County.
26. For Discussion Only: Public Comment - Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.
27. For Possible Action: Adjournment

Supporting material for this meeting may be requested from Catrina Schambra at 775-887-7450 (<mailto:catrina@cwsd.org>) and is available at the CWSD offices at 777 E. William St., #110A, Carson City, NV 89701 and on the CWSD website at www.cwsd.org.

In accordance with NRS 241.020, this notice and agenda has been posted at the following locations :

-Dayton Utilities Complex
34 Lakes Blvd
Dayton, NV

-Lyon County Administrative Building
27 S. Main St.
Yerington, NV

-Carson City Hall
201 N. Carson St.
Carson City, NV

-Alpine County Administrative Building
99 Water St.
Markleeville, CA

-Minden Inn Office Complex
1594 Esmeralda Avenue
Minden, NV

-Churchill County Administrative Complex
155 N Taylor St.
Fallon, NV

-Carson Water Subconservancy District Office
777 E. William St., #110A
Carson City, NV

-CWSD website:
<http://www.cwsd.org>

-State public meetings website:
<http://notice.nv.gov>

Carson Water Subconservancy District Board of Directors and
Carson River Watershed Committee
3/20/19 Meeting Agenda

AFFIDAVIT OF POSTING

The undersigned affirms that on or before 9:00 A.M. on March 13, 2019, he/she posted a copy of the Notice of Public Meeting and Agenda for the March 20, 2019, regular meeting of the Carson Water Subconservancy District and the Carson River Watershed Committee, in accordance with NRS 241.020; said agenda was posted at the following location:

_____.

SIGNATURE

Name: _____

Title: _____

Date & Time of Posting: _____

AGENDA ITEM #6

MINUTES OF LAST
BOARD MEETING

CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS AND
CARSON RIVER WATERSHED COMMITTEE MEETING
February 20, 2019, 6:30 P.M.
DRAFT Minutes

Chairman Erquiaga called the meeting of the Carson Water Subconservancy District (CWSD) to order at 6.37 p.m. in the Conference Room of NAI Alliance, 1000 N. Division St. #202, Carson City, NV. Roll call of the CWSD Board was taken and a quorum was determined to be present.

CWSD Directors present:

Brad Bonkowski, Treasurer
Carl Erquiaga, Chairman
Stacey Giomi, Director
Ken Gray, Director
Jack Jacobs, Director
Barry Penzel, Director
Ernie Schank, Director
Steve Thaler, Vice Chairman
Mike Workman, Director

Directors not present:

Don Frensdorff, Director
Fred Stodieck, Director

Staff present:

Shane Fryer, Watershed Program Manager
Edwin James, General Manager
Patrick King, Legal Counsel
Catrina Schambra, Administrative Assistant/Secretary to the Board
Debbie Neddenriep, Water Resource Specialist II
Justin Bedocs, Watershed Program Specialist

Also present:

David Griffith, Committee Member
Tom Minor, public
Ty Minor, public
Dan Kaffer, public
Julie Workman, public

The Pledge of Allegiance was led by Chairman Erquiaga.

Item #4 – Discussion Only: Public Comment – Mr. James informed the Board of the serious injuries sustained by Brenda Hunt (WS Program Manager) during a recent skiing accident and she would be out for several weeks during recovery.

Item #5 – For Possible Action: Approval of Agenda. *Chairman Erquiaga made the motion to approve the agenda. The motion was seconded by Director Jacobs and unanimously approved by the CWSD Board.*

Item #6 – For Possible Action: Approval of the Board Meeting Minutes of December 19, 2018. *Mr. James noted that the location needed to be corrected to the Bonanza Room at the Community Center. Director Schank made the motion to approve the Board Meeting Minutes of January 16, 2019 with the correction of the location. The motion was seconded by Director Jacobs and unanimously approved by the Board.*

CONSENT AGENDA

Item #7 – For Possible Action: Approval of Treasurer’s Report for January 2019.

Item #8 – For Possible Action: Payment of Bills for January 2019.

Director Schank made the motion to approve Items #7 and #8 of the Consent Agenda. The motion was seconded by Director Jacobs and unanimously approved by the CWSD Board.

****END OF CONSENT AGENDA****

RECESS TO CONVENE AS THE CARSON RIVER WATERSHED COMMITTEE

Item #9 – Roll Call – Chairman Erquiaga convened the Carson River Watershed Committee and a roll call was taken.

Committee Members present:

CWSD Directors as present in roll call above
David Griffith, Alpine County

Committee Members not present:

Don Frensdorff, Director
Don Jardine, Alpine County
Austin Osborne, Storey County
Fred Stodieck, Director

Item #10 – Discussion Only: Public Comment – None

Item #11 – Discussion Only: Public Comment – *Discussion by Tom Minor regarding flood preparedness.*

Tom Minor introduced himself as a ranch owner in Dayton. He thanks the Board for all their hard work and says he is very proud of the work done in Dayton Valley. If anyone would like a tour of his ranch, please contact Ed to arrange.

Dan Kaffer introduced himself and said he wanted to talk about a Flood Relief Package and FEMA in the 1980’s. The Division of Wildlife declared this river dead. He had worked with FEMA in Super Fund Area on multimillion-dollar projects. After the 2017 flood the community thought that FEMA would help cover the damage costs. FEMA did not cover anything. He’s

citing major projects where the damage that could not be seen until the after had receded and FEMA was already gone. He feels there should be a protocol put into place for emergency situations so that projects do not get sidelined. He thinks it would be good to put forth to new county commissioners and they should be taught how to handle these situations. Emergency training needs to be done and we need to have a complete overhaul of protocols.

Director Giomi asks regarding disaster damage assessment – does the state approach us to address this or not?

Mr. James states in 1997 and 2005-6, CWSD took the lead for repairs with FEMA along the river. This time there was an issue with who could file with FEMA. We don't own the property and the state of Nevada did not file.

Director Giomi says we must be on the frontend of damage assessments so deadlines are not missed.

Mr. Kaffer says each county is different. There needs be some oversight that is consistent regarding USDA/State emergency relief dollars. All Federal and State money should be used. There has to be a lead entity to lead in an emergency to coordinate the activities in the event of disaster.

Mr. Griffith states opportunities are lost due to not being prepared.

Director Schank adds that protocols must be put into place.

Director Giomi asks – Do we have inventory of all improvements and projects on the river?

Mr. James answers no: The conservations districts and state lands has most but not all this information.

Director Jacobs asks about assets. Is there a list of owner or maintenance on completed projects?

Mr. Minor answers no, not really – and project damage rolls over and affects the next project. He says conservation districts have inventories.

Mr. Kaffer says that losing diversion is a problem; this holds the whole system together. Everything fits together and should be coordinated.

Director Bonkowski asks if we can add this issue to the Strategic Planning agenda.

Mr. James says yes, we need to pull together all entities to set protocols for emergency situations.

Director Schank says we need a master inventory from conservation districts, plus improvements and projects.

Director Schank says we should be the keeper of the inventory and provide the information to the state of Nevada.

Mr. Kaffer says we need a list of what's available out there in the event of emergency and what resources are available at the time of need. History and documentation are good to have. He thinks it's a good to involve state to have their help with FEMA, etc.

Mr. Minor says it would be good to have a checklist of protocol to make sure things get done in each county.

Director Jacobs asks if there are issues related to floods that need attention.

Mr. Minor says yes; restoration and innovating projects are ongoing. Protocols and records are needed for this too.

Director Workman asks if conservation districts are funded by us.

Mr. James responds that we do provide funding, but we do not have a hazard mitigation fund/plan for Carson River.

Director Giomi says Truckee has a plan for this. Hazard mitigation plan is a good idea!

Mr. Kaffer volunteers to help with this project.

This was for discussion only and no action was taken.

Item #12 – Approval of the 2019 Water and Sewer Rate Report. Ms. Neddenriep introduced her report. Douglas and Lyon counties and Carson City are conducting rate studies. Ms. Neddenriep mentioned that she would welcome Director Jacobs and Director Workman help in revamping the report format.

Director Jacobs made the motion to approve the 2019 Water and Sewer Report. The motion was seconded by Director Giomi and unanimously approved by the Board.

Item #13 – Approval of an increase to the living stipend for CWSD’s AmeriCorps member/Watershed Technician, Justin Bedocs. Mr. Fryer discussed Justin’s time at CWSD: This is his second term with AmeriCorps and he has increased his position and has become a valuable member of the team. The traditional housing provided by AmeriCorps to its employees will no longer be available in the near future, so CWSD is requesting that the Board approve a Housing Stipend of \$300 per month to be added to the compensation for this position. This would not only help our current AmeriCorps during his tenure with us, but it would also make an working with CWSD more desirable for our future AmeriCorps employees. The matching grant program provides us an amazing opportunity for this position which is comparatively valued at \$30 per hour.

This was for discussion only and no action was taken.

Item #14 - : Approval of an Agreement with Resource Concepts, Inc. to develop “Geomorphology 101” presentations to county staff and public officials in an amount not to exceed \$10,000. Shane explained that this is a proposal to educate public officials and applicable staff in this important area so they are better able to make decisions concerning the Carson River. The proposal includes Lynn Zonge, RCI as presenter using a PowerPoint at 10 locations covering all counties in the Watershed.

Mr. James mentioned this project was proposed by the CRC and is funded by NDEP.

Director Workman asks if RCI can also look into what we were discussing earlier regarding inventory of projects.

Director Jacobs says it would be good to take notes at these presentations as they will spark good conversation that should be documented.

Director Workman says all counties should be in on the conversations and made aware of what is happening all along the river. Everything affects each other.

Mr. Fryer says this can be the first of many presentations to follow.

Director Giomi says the cost is really reasonable.

Director Penzel would like to see storm water to be included in the conversation and be added to the scope of the project.

Director Thaler made the motion to approve with the stipulation that it be capped at \$10,000. The motion was seconded by Director Gray and unanimously approved by the Board.

Item #15 – Provide direction to CWSD Staff regarding the 2019 Nevada Legislative Session.

- Mr. James discussed the Legislative Committee meeting that was held January 28, 2019 and reported the consensus on the following pending legislation:

- AB30, AB51 & AB 62: Recommended CWSD monitor these bills.
- AB70: Involves changes to Open Meeting Law to include attendance via teleconferencing. CWSD recommends opposing based on costly compliance.

- AB 84 – CWSD changes have been submitted and recommends support with these changes.
- AB 95 – Mr. James calls this the “Pahrump” bill, but it could affect our watershed so we need to watch this one. CWSD recommends support of this bill.
- AB47 – This bill was introduced by State Lands to deal with diversions in the Truckee and Carson Rivers. CWSD recommends monitoring this bill.
- SB 96 – Looking for the state to set up funding source for matching funds (Federal funds) for projects around the state. CWSD recommends we provide direction as appropriate on this one.

Mr. James will keep the Legislative Committee updated on his meetings and new things as they come up during the session.

No action was taken on this item.

Item #16 – Discuss and provide input on the draft Amicus Brief for the Walker Lake

litigation – Mr. King presented and spoke about the latest version of the brief. He says that Nevada is unique in that all water is allocated by decree.

Director Workman wonders if communities should be changes to municipalities?

Director Jacobs is concerned about water rights, appropriations and the cascading effects of this.

Director Giomi cautions against using the word municipality because it has unique and specific meaning Nevada.

Mr. King says there is a formula that is used.

Director Schank suggests we add why is this so important to CWSD. It took 56 years to complete the Alpine Decree for the Carso River.

Mr. James questioned new timing for submittals.

Mr. King says he has asked Supreme Court for date to file. Douglas County may want to join in our brief.

Mr. James suggests we bring an updated version to the March meeting for another reading. Please submit any ideas for edits to him.

No action was taken on this item.

Item #17– Discussion about a possible meeting date for the CWSD Strategic Planning

Session – Mr. James asks everyone to take out their calendars to select a date for the strategic planning session. This will be important for team building. Christie James will be facilitating. It would have been best to hold it prior to the Finance Committee meeting, but earlier dates did not work out and we are now looking at March. Going through several dates around that table, Monday, March 18, 9am-2pm at the NAI conference room was confirmed by all in attendance.

Director Schank suggests everyone submit five things most important to them to address, then we can poll the Board to narrow the focus.

Item #18– Public Comment - Justin Bedocs thanks everyone for considering his housing stipend request.

**ADJOURN TO RECONVENE AS THE CARSON WATER SUBCONSERVANCY
DISTRICT BOARD OF DIRECTORS (8:12pm)**

- **Item #19: Approval of the 2019 Water and Sewer Rate Report.**

- **Item #20: Approval of an increase to the living stipend for CWSD's AmeriCorps member/Watershed Technician, Justin Bedocs.**
- **Item #21: Approval of an Agreement with Resource Concepts, Inc. to develop "Geomorphology 101" presentations to county staff and public officials in an amount not to exceed \$10,000.**
- **Item #22: Provide direction to CWSD Staff regarding the 2019 Nevada Legislative Session.**
- **Item #23: Provide direction regarding the draft Amicus Brief for the Walker Lake litigation.**

Director Schank made the motion to approve Item#19 through Item #23. The motion was seconded by Director Gray and unanimously approved by the Board.

Item #24 – Staff Reports – Mr. James reported that CWSD is setting up field trips starting with Lyon or Douglas County in May. We will be contacting Directors for ideas for their county. Regional Water Committee is reviewing RFQs for the USBR Water Marketing grant. He announced the Finance Committee will be meeting February 28, 8:30 – 2pm in the CWSD conference room. He also announced that our water supply is at 175% of average. There was no correspondence.

Item #25 – Directors Reports: None

Item #26 – Alpine County Reports: Mr. Griffith reported that the EPA is going to discuss the Leviathan Superfund Project on Tuesday, March 5, 6pm at Turtle Rock Park. The Alpine Watershed Group has been authorized funding for another year to test the treated waste water with the STPUD operation. They are testing for pharmaceuticals constituents. He says this is the most snow on Highway 88 he has ever seen. He apologized for Director Jardine's absence.

Item #27– Storey County Reports: None

Item #24 – Public Comment: None

There being no further business to come before the Board, Director Thaler made a motion to adjourn the meeting and it was adjourned at 8:22 p.m.

Respectfully submitted,

Catrina Schambra
Secretary to the Board

AGENDA ITEM #7

TREASURER'S REPORT

11:04 AM

03/12/19

Cash Basis

Floodplain Management Fund

Balance Sheet

As of February 28, 2019

	Feb 28, 19
ASSETS	
Current Assets	
Checking/Savings	
1013-03 · LGIP - Floodplain	405,751.47
Total Checking/Savings	405,751.47
Total Current Assets	405,751.47
TOTAL ASSETS	405,751.47
LIABILITIES & EQUITY	
Equity	
32000 · Retained Earnings	361,012.84
Net Income	44,738.63
Total Equity	405,751.47
TOTAL LIABILITIES & EQUITY	405,751.47

Floodplain Management Fund
Profit & Loss Budget Overview
July 2018 through February 2019

	Jul '18 - Feb 19
Ordinary Income/Expense	
Income	
5032-03 · Int. Inc.-LGIP-Floodplain	5,350.00
Total Income	5,350.00
Expense	
7203-03 · Reg. Flood Preliminary Planning	190,000.00
7206-03 · Flood Project Along SR88-Minden	40,000.00
7212-03 · CVCD-2017 Flood Permit/Repairs	70,000.00
7213-03 · DVCD-2017 Flood Permit/Repairs	30,000.00
7214-03 · ChCo Floodplain Evaluation	40,000.00
Total Expense	370,000.00
Net Ordinary Income	-364,650.00
Other Income/Expense	
Other Income	
8000-03 · Beginning Equity	356,264.00
8001-03 · Trans. In- General Fund	50,000.00
Total Other Income	406,264.00
Net Other Income	406,264.00
Net Income	41,614.00

11:04 AM

03/12/19

Cash Basis

Floodplain Management Fund
Profit & Loss Budget vs. Actual
 July 2018 through February 2019

	Jul '18 - Feb 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
5032-03 · Int. Inc.-LGIP-Floodplain	5,587.42	5,350.00	237.42	104.4%
Total Income	5,587.42	5,350.00	237.42	104.4%
Expense				
7203-03 · Reg. Flood Preliminary Planning	0.00	190,000.00	-190,000.00	0.0%
7206-03 · Flood Project Along SR88-Minden	0.00	40,000.00	-40,000.00	0.0%
7210-03 · CVCD-2017 Flood Damage Assess.	5,445.89			
7212-03 · CVCD-2017 Flood Permit/Repairs	5,402.90	70,000.00	-64,597.10	7.7%
7213-03 · DVCD-2017 Flood Permit/Repairs	0.00	30,000.00	-30,000.00	0.0%
7214-03 · ChCo Floodplain Evaluation	0.00	40,000.00	-40,000.00	0.0%
Total Expense	10,848.79	370,000.00	-359,151.21	2.9%
Net Ordinary Income	-5,261.37	-364,650.00	359,388.63	1.4%
Other Income/Expense				
Other Income				
8000-03 · Beginning Equity	0.00	356,264.00	-356,264.00	0.0%
8001-03 · Trans. In- General Fund	50,000.00	50,000.00	0.00	100.0%
Total Other Income	50,000.00	406,264.00	-356,264.00	12.3%
Other Expense				
8002-03 · Trans.Out-General Fund	0.00			
Total Other Expense	0.00			
Net Other Income	50,000.00	406,264.00	-356,264.00	12.3%
Net Income	44,738.63	41,614.00	3,124.63	107.5%

CARSON WTR SUBCONSERVANCY DIST - ACQUISITION/CONSTRUCTION

03/12/19

Balance Sheet
As of February 28, 2019

	Feb 28, 19
ASSETS	
Current Assets	
Checking/Savings	
1013-01 · Local Gov't Inv.Pool-Reserve	759,867.64
Total Checking/Savings	759,867.64
Total Current Assets	759,867.64
TOTAL ASSETS	759,867.64
LIABILITIES & EQUITY	
Equity	
4000-01 · Fund Balance - Capital Project	699,152.73
Net Income	60,714.91
Total Equity	759,867.64
TOTAL LIABILITIES & EQUITY	759,867.64

Profit & Loss Budget Overview

July 2014 through July 2015

	Jul '14 - Jun 15	Jul 15	TOTAL Jul '14 - Jul 15
Ordinary Income/Expense			
Income			
5032-01 · Interest Income - LGIP Res.	630.00	400.00	1,030.00
5038-00 · Int. Inc.-Heritage Bk CD	1,200.00	1,000.00	2,200.00
Total Income	1,830.00	1,400.00	3,230.00
Expense			
7325-01 · Acquisition Wtr Rts/Structures	600,000.00	650,000.00	1,250,000.00
Total Expense	600,000.00	650,000.00	1,250,000.00
Net Ordinary Income	-598,170.00	-648,600.00	-1,246,770.00
Other Income/Expense			
Other Income			
8000-01 · Beginning Equity	570,708.00	662,168.00	1,232,876.00
8001-01 · Transfer In-General Fund	90,000.00	20,000.00	110,000.00
Total Other Income	660,708.00	682,168.00	1,342,876.00
Net Other Income	660,708.00	682,168.00	1,342,876.00
Net Income	62,538.00	33,568.00	96,106.00

Profit & Loss Budget vs. Actual

July 2018 through February 2019

	Jul '18 - Feb 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
5032-01 · Interest Income - LGIP Res.	10,714.91	9,660.00	1,054.91	110.9%
Total Income	10,714.91	9,660.00	1,054.91	110.9%
Expense				
7341-01 · Upsize LyCo/Stagecoach Pipeline		250,000.00	-250,000.00	
7342-01 · Upstream Storage Evaluation		70,000.00	-70,000.00	
7343-01 · Construction Projects		400,000.00	-400,000.00	
Total Expense		720,000.00	-720,000.00	
Net Ordinary Income	10,714.91	-710,340.00	721,054.91	-1.5%
Other Income/Expense				
Other Income				
8000-01 · Beginning Equity		698,161.00	-698,161.00	
8001-01 · Transfer In-General Fund	50,000.00	50,000.00		100.0%
Total Other Income	50,000.00	748,161.00	-698,161.00	6.7%
Net Other Income	50,000.00	748,161.00	-698,161.00	6.7%
Net Income	60,714.91	37,821.00	22,893.91	160.5%

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Balance Sheet

Accrual Basis

As of February 28, 2019

	Feb 28, 19
ASSETS	
Current Assets	
Checking/Savings	
1010-00 · Cash in Checking - B of A	49,196.53
1011-00 · Petty Cash	47.96
1014-00 · Local Gov't Inv. Pool-Regular	810,429.72
1029-00 · Bank of America-Savings	149.04
Total Checking/Savings	859,823.25
Other Current Assets	
1055-00 · Payroll Deposit - Carson City	500.00
Total Other Current Assets	500.00
Total Current Assets	860,323.25
TOTAL ASSETS	860,323.25
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
3307-00 · CC Payroll Due	2,000.00
3360-00 · Accrued Vacation	33,836.79
3362-00 · Accrued sick leave	48,198.10
Total Other Current Liabilities	84,034.89
Total Current Liabilities	84,034.89
Total Liabilities	84,034.89
Equity	
4000-00 · Fund Balance	634,042.43
Net Income	142,245.93
Total Equity	776,288.36
TOTAL LIABILITIES & EQUITY	860,323.25

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss Budget vs. Actual

Accrual Basis

July 2018 through February 2019

	Jul '18 - Feb 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
5008-00 · Alpine Co. Joint Powers contrib	9,800.00	9,800.00		100.0%
5009-00 · Churchill County Ad Valorem	111,220.01	201,065.00	-89,844.99	55.3%
5010-00 · Lyon County Ad Valorem	116,326.36	166,458.00	-50,131.64	69.9%
5011-00 · Douglas County Ad Valorem	439,783.47	551,915.00	-112,131.53	79.7%
5012-00 · Carson City Ad Valorem	287,712.10	412,592.00	-124,879.90	69.7%
5022-00 · Water Lease - Mud Lake		55,000.00	-55,000.00	
5031-00 · Interest Income-LGIP Reg.	9,441.78	9,500.00	-58.22	99.4%
5045-00 · Interest Income-B of A Savings	0.07	6.00	-5.93	1.2%
5050-00 · Watershed Coordinator				
5050-12 · NDEP-WS Coordinator 2018	43,765.12	121,400.00	-77,634.88	36.1%
Total 5050-00 · Watershed Coordinator	44,973.94	121,400.00	-76,426.06	37.0%
5058-00 · 208 Water Quality Plan				
5058-04 · NDEP-LID Implementation 2018-19	5,643.60	17,850.00	-12,206.40	31.6%
Total 5058-00 · 208 Water Quality Plan	5,643.60	17,850.00	-12,206.40	31.6%
5060-00 · Misc. Income				
5060-02 · Watershed Tour	5,740.00	6,000.00	-260.00	95.7%
Total 5060-00 · Misc. Income	5,755.00	6,000.00	-245.00	95.9%
5063-00 · Environmental Education Program				
5063-06 · NDEP-Env.Ed.Coord. 2018-19	6,976.63	5,100.00	1,876.63	136.8%
Total 5063-00 · Environmental Education Program	6,976.63	5,100.00	1,876.63	136.8%
5082-00 · Alpine Co.-CASGEM Grant	615.04	300.00	315.04	205.0%
5083-00 · Al.Co.-Mesa GW Monitoring Grant	793.79	300.00	493.79	264.6%
5095-00 · NDEP-WS Literacy Implementation		26,300.00	-26,300.00	
5096-00 · NFWF-Weed Mgmt.		17,240.00	-17,240.00	
5097-00 · BLM-Weed Mgmt. Grant		750.00	-750.00	
5098-00 · FEMA -MAS #7	55,643.84	82,650.00	-27,006.16	67.3%
5099-00 · NDEP-WS Lit.Implement.-Phase 3	36,768.00	17,670.00	19,098.00	208.1%
6000-00 · FEMA-MAS #8	146,483.71	247,890.00	-101,406.29	59.1%
6002-00 · NDA Weed Mgmt-Starthistle	15,486.75	2,050.00	13,436.75	755.5%
6003-00 · FEMA-MAS #9	38,592.69		38,592.69	100.0%
Total Income	1,332,016.78	1,951,836.00	-619,819.22	68.2%
Expense				
7015-00 · Salaries & Wages	259,140.08	385,000.00	-125,859.92	67.3%
7020-00 · Employee Benefits	96,891.91	145,500.00	-48,608.09	66.6%
7021-00 · Workers Comp Ins.	586.71	1,100.00	-513.29	53.3%
7101-00 · Director's Fees	6,079.95	14,500.00	-8,420.05	41.9%
7102-00 · Insurance	4,958.95	6,000.00	-1,041.05	82.6%
7103-00 · Office Supplies	2,309.59	2,500.00	-190.41	92.4%
7104-00 · Postage	548.67	850.00	-301.33	64.5%
7105-00 · Rent	25,941.71	26,555.00	-613.29	97.7%
7106-00 · Telephone/Internet	2,399.52	3,800.00	-1,400.48	63.1%
7107-00 · Travel-transport/meals/lodging	6,589.27	14,000.00	-7,410.73	47.1%
7108-00 · Dues & Publications	852.00	1,100.00	-248.00	77.5%
7109-00 · Miscellaneous Expense	71.80	1,000.00	-928.20	7.2%
7110-00 · Seminars & Education	610.00	3,000.00	-2,390.00	20.3%
7111-00 · Office Equipment	639.00	3,000.00	-2,361.00	21.3%
7112-00 · Bank Charges	2.00	100.00	-98.00	2.0%
7114-00 · Outside Professional Services	5,608.18	10,000.00	-4,391.82	56.1%
7115-00 · Accounting	9,250.00	16,000.00	-6,750.00	57.8%
7116-00 · Legal	15,000.00	40,700.00	-25,700.00	36.9%
7117-00 · Lost Lakes Expenses	556.98	11,500.00	-10,943.02	4.8%
7118-00 · Mud Lake O & M		1,000.00	-1,000.00	

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CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss Budget vs. Actual

Accrual Basis

July 2018 through February 2019

	Jul '18 - Feb 19	Budget	\$ Over Budget	% of Budget
7120-00 · Integrated Watershed Programs				
7120-07 · Watershed Tour	1,701.62	6,000.00	-4,298.38	28.4%
7120-31 · NDEP-WS Program Exp. 2018	1,925.79	9,850.00	-7,924.21	19.6%
Total 7120-00 · Integrated Watershed Programs	3,627.41	15,850.00	-12,222.59	22.9%
7125-00 · Environmental Ed.Coord.Exp.				
7125-03 · Env. Ed. Coord. Exp. 2017-18	6,626.77	4,800.00	1,826.77	138.1%
Total 7125-00 · Environmental Ed.Coord.Exp.	6,626.77	4,800.00	1,826.77	138.1%
7215-00 · Sierra NV Journeys-Family Night		3,000.00	-3,000.00	
7332-00 · Carson River Work Days				
7332-04 · CR Work Days 2018-19	7,191.70	26,000.00	-18,808.30	27.7%
Total 7332-00 · Carson River Work Days	7,191.70	26,000.00	-18,808.30	27.7%
7337-00 · Carson River Restoration				
7337-01 · Upper Carson River Grant.				
7337-19 · CVCD-Bioengineering, 2018-20	5,916.49	50,000.00	-44,083.51	11.8%
7337-91 · CVCD-Cradlebaugh #1, 2018-19	18,398.72	100,000.00	-81,601.28	18.4%
Total 7337-01 · Upper Carson River Grant.	24,315.21	150,000.00	-125,684.79	16.2%
7337-03 · Dayton Valley Conserv				
7337-33 · DVCD--Restoration Proj. 2017-19	33,495.48	75,000.00	-41,504.52	44.7%
Total 7337-03 · Dayton Valley Conserv	33,495.48	75,000.00	-41,504.52	44.7%
7337-04 · Lahontan Conserv.Dist				
7337-41 · LCD-Clearing & Snagging		20,000.00	-20,000.00	
Total 7337-04 · Lahontan Conserv.Dist		20,000.00	-20,000.00	
Total 7337-00 · Carson River Restoration	57,810.69	245,000.00	-187,189.31	23.6%
7404-00 · Noxious Weeds Control-CR Wtrshd				
7404-01 · Noxious Weed Control-Alpine Co.		15,000.00	-15,000.00	
7404-02 · Noxious Weed Control-Douglas Co		15,000.00	-15,000.00	
7404-03 · Noxious Weed Control-CarsonCity		15,000.00	-15,000.00	
7404-04 · Noxious Weed Control-Lyon Co.	15,000.00	15,000.00		100.0%
7404-05 · Noxious Weed Control-Churchill		15,000.00	-15,000.00	
Total 7404-00 · Noxious Weeds Control-CR Wtrshd	15,000.00	75,000.00	-60,000.00	20.0%
7406-00 · 208 Water Quality Mgmt. Plan	5,292.91	30,080.00	-24,787.09	17.6%
7429-00 · NDEP-Wtrshd Lit.Implementation	2,979.14	25,510.00	-22,530.86	11.7%
7430-00 · NFWF - Weed Mgmt.	40.46	15,240.00	-15,199.54	0.3%
7432-00 · FEMA MAS #7	62,171.57	75,800.00	-13,628.43	82.0%
7433-00 · NDEP-WS Lit.Impl.-Phase 3	40,174.23	25,260.00	14,914.23	159.0%
7434-00 · FEMA MAS #8	151,576.57	225,160.00	-73,583.43	67.3%
7436-00 · NDA Weed Mgmt - Starthistle	12,367.28	1,000.00	11,367.28	1,236.7%
7437-00 · FEMA MAS #9	41,667.95		41,667.95	100.0%
7500-00 · USGS Stream Gage Contract				
7500-02 · Stream Gages 2017-19	39,202.58	78,405.00	-39,202.42	50.0%
Total 7500-00 · USGS Stream Gage Contract	39,202.58	78,405.00	-39,202.42	50.0%
7508-00 · USGS Do.Co.WQ & GW Monitoring				
7508-02 · DoCo WQ/GW Mon. 2017-19	4,188.00	16,890.00	-12,702.00	24.8%
Total 7508-00 · USGS Do.Co.WQ & GW Monitoring	4,188.00	16,890.00	-12,702.00	24.8%
7524-00 · USGS-GW Lvl & WQ in Ch.Co.				
7524-01 · USGS-GW Lvl & WQ-ChCo 2014-18	1,116.00		1,116.00	100.0%
7524-02 · USGS-GW Lvl & WQ-ChCo 2018-22	2,858.00	5,630.00	-2,772.00	50.8%

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CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss Budget vs. Actual

Accrual Basis

July 2018 through February 2019

	Jul '18 - Feb 19	Budget	\$ Over Budget	% of Budget
Total 7524-00 · USGS-GW Lvl & WQ in Ch.Co.	3,974.00	5,630.00	-1,656.00	70.6%
7526-00 · USGS-Eagle/Dayton/Ch.Vly.Mon.	6,280.50	27,680.00	-21,399.50	22.7%
7527-00 · USGS-Arsenic Data Collection-CV				
7527-01 · USGS-CV Arsenic Study 2018-19	11,418.33	28,055.00	-16,636.67	40.7%
Total 7527-00 · USGS-Arsenic Data Collection-CV	11,418.33	28,055.00	-16,636.67	40.7%
7528-00 · USGS-Mercury/Arsenic/Lead Mon.	9,666.67	15,000.00	-5,333.33	64.4%
7600-00 · Alpine County Projects				
7600-05 · Alpine Watershed Programs	25,000.00	25,000.00		100.0%
7600-09 · Al.Co.-CASGEM	5.71	10.00	-4.29	57.1%
7600-10 · Al.Co.-Mesa GW Monitoring	4.83	10.00	-5.17	48.3%
Total 7600-00 · Alpine County Projects	25,010.54	25,020.00	-9.46	100.0%
7610-00 · Douglas County Projects				
7610-10 · Do.Co.Reg.Pipeline Debt Service	62,500.00	125,000.00	-62,500.00	50.0%
Total 7610-00 · Douglas County Projects	62,500.00	125,000.00	-62,500.00	50.0%
7620-00 · Carson City Projects				
7620-11 · CC Reg.Pipeline Debt Service	62,500.00	125,000.00	-62,500.00	50.0%
Total 7620-00 · Carson City Projects	62,500.00	125,000.00	-62,500.00	50.0%
7640-00 · Churchill County Projects				
7640-09 · Lahontan Vly.Wtr.Lvl.Measure.	8,189.50	18,000.00	-9,810.50	45.5%
7640-16 · Dixie Vly.Wtr.Lvl.Measurement	12,211.23	24,400.00	-12,188.77	50.0%
Total 7640-00 · Churchill County Projects	20,400.73	42,400.00	-21,999.27	48.1%
Total Expense	1,089,770.85	1,943,985.00	-854,214.15	56.1%
Net Ordinary Income	242,245.93	7,851.00	234,394.93	3,085.5%
Other Income/Expense				
Other Income				
8005-00 · Beginning Equity		593,258.29	-593,258.29	
Total Other Income		593,258.29	-593,258.29	
Other Expense				
8002-00 · Transfer Out-Acq/Const Fund	50,000.00	50,000.00		100.0%
8008-00 · Preliminary Planning		405,000.00	-405,000.00	
8014-00 · Trans. Out-Floodplain Mgmt. Fd.	50,000.00	50,000.00		100.0%
Total Other Expense	100,000.00	505,000.00	-405,000.00	19.8%
Net Other Income	-100,000.00	88,258.29	-188,258.29	-113.3%
Net Income	142,245.93	96,109.29	46,136.64	148.0%

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CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss YTD Comparison

Accrual Basis

February 2019

	Feb 19	Jul '18 - Feb 19
Ordinary Income/Expense		
Income		
5008-00 · Alpine Co. Joint Powers contrib		9,800.00
5009-00 · Churchill County Ad Valorem		111,220.01
5010-00 · Lyon County Ad Valorem		116,326.36
5011-00 · Douglas County Ad Valorem	52,649.71	439,783.47
5012-00 · Carson City Ad Valorem		287,712.10
5031-00 · Interest Income-LGIP Reg.	1,542.10	9,441.78
5045-00 · Interest Income-B of A Savings	0.01	0.07
5050-00 · Watershed Coordinator		
5050-02 · BLM Grant-Watershed Coord.		1,208.82
5050-12 · NDEP-WS Coordinator 2018		43,765.12
Total 5050-00 · Watershed Coordinator		44,973.94
5058-00 · 208 Water Quality Plan		
5058-04 · NDEP-LID Implementation 2018-19		5,643.60
Total 5058-00 · 208 Water Quality Plan		5,643.60
5060-00 · Misc. Income		
5060-02 · Watershed Tour		5,740.00
5060-00 · Misc. Income - Other		15.00
Total 5060-00 · Misc. Income		5,755.00
5063-00 · Environmental Education Program		
5063-05 · NDEP-Env.Ed.Coord. 2017-18		
5063-06 · NDEP-Env.Ed.Coord. 2018-19		6,976.63
Total 5063-00 · Environmental Education Program		6,976.63
5082-00 · Alpine Co.-CASGEM Grant		615.04
5083-00 · Al.Co.-Mesa GW Monitoring Grant		793.79
5095-00 · NDEP-WS Literacy Implementation		
5096-00 · NFWF-Weed Mgmt.		
5097-00 · BLM-Weed Mgmt. Grant		
5098-00 · FEMA -MAS #7		55,643.84
5099-00 · NDEP-WS Lit.Implement.-Phase 3	36,768.00	36,768.00
6000-00 · FEMA-MAS #8		
6000-02 · StCo-Dayton Vly ADMP		15,000.00
6000-00 · FEMA-MAS #8 - Other	24,207.72	131,483.71
Total 6000-00 · FEMA-MAS #8	24,207.72	146,483.71
6002-00 · NDA Weed Mgmt-Starthistle		15,486.75
6003-00 · FEMA-MAS #9	32,327.39	38,592.69
Total Income	147,494.93	1,332,016.78
Expense		
7015-00 · Salaries & Wages	46,201.99	259,140.08
7020-00 · Employee Benefits	12,823.26	96,891.91
7021-00 · Workers Comp Ins.		586.71
7101-00 · Director's Fees		
7101-01 · Director Benefits	12.76	78.79
7101-02 · Director's Fees-Alpine Co.		640.00
7101-00 · Director's Fees - Other	880.00	5,361.16
Total 7101-00 · Director's Fees	892.76	6,079.95
7102-00 · Insurance		4,958.95
7103-00 · Office Supplies	1,021.23	2,309.59
7104-00 · Postage	56.85	548.67
7105-00 · Rent	5,930.00	25,941.71
7106-00 · Telephone/Internet	299.94	2,399.52
7107-00 · Travel-transport/meals/lodging		
7107-01 · Car Allowance	566.42	4,644.64

For internal & discussion purposes only.

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03/12/19

Accrual Basis

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

Profit & Loss YTD Comparison

February 2019

	Feb 19	Jul '18 - Feb 19
7107-00 · Travel-transport/meals/lodging - Other	277.29	1,944.63
Total 7107-00 · Travel-transport/meals/lodging	843.71	6,589.27
7108-00 · Dues & Publications	75.00	852.00
7109-00 · Miscellaneous Expense	71.80	71.80
7110-00 · Seminars & Education	45.00	610.00
7111-00 · Office Equipment	639.00	639.00
7112-00 · Bank Charges		2.00
7114-00 · Outside Professional Services	225.00	5,608.18
7115-00 · Accounting	250.00	9,250.00
7116-00 · Legal		15,000.00
7117-00 · Lost Lakes Expenses		556.98
7120-00 · Integrated Watershed Programs		
7120-07 · Watershed Tour		1,701.62
7120-31 · NDEP-WS Program Exp. 2018		1,925.79
Total 7120-00 · Integrated Watershed Programs		3,627.41
7125-00 · Environmental Ed.Coord.Exp.		
7125-03 · Env. Ed. Coord. Exp. 2017-18		6,626.77
Total 7125-00 · Environmental Ed.Coord.Exp.		6,626.77
7215-00 · Sierra NV Journeys-Family Night		
7332-00 · Carson River Work Days		
7332-03 · CR Work Days 2017-18		
7332-04 · CR Work Days 2018-19		7,191.70
Total 7332-00 · Carson River Work Days		7,191.70
7337-00 · Carson River Restoration		
7337-01 · Upper Carson River Grant.		
7337-19 · CVCD-Bioengineering, 2018-20	1,932.63	5,916.49
7337-91 · CVCD-Cradlebaugh #1, 2018-19		18,398.72
Total 7337-01 · Upper Carson River Grant.	1,932.63	24,315.21
7337-03 · Dayton Valley Conserv		
7337-33 · DVCD--Restoration Proj. 2017-19	18,342.64	33,495.48
Total 7337-03 · Dayton Valley Conserv	18,342.64	33,495.48
7337-04 · Lahontan Conserv.Dist		
7337-41 · LCD-Clearing & Snagging		
Total 7337-04 · Lahontan Conserv.Dist		
Total 7337-00 · Carson River Restoration	20,275.27	57,810.69
7404-00 · Noxious Weeds Control-CR Wtrshd		
7404-01 · Noxious Weed Control-Alpine Co.		
7404-03 · Noxious Weed Control-CarsonCity		
7404-04 · Noxious Weed Control-Lyon Co.	5,759.56	15,000.00
7404-05 · Noxious Weed Control-Churchill		
Total 7404-00 · Noxious Weeds Control-CR Wtrshd	5,759.56	15,000.00
7406-00 · 208 Water Quality Mgmt. Plan		
7406-03 · LID Implementation 2018-19		5,292.91
Total 7406-00 · 208 Water Quality Mgmt. Plan		5,292.91
7429-00 · NDEP-Wtrshd Lit.Implementation		2,979.14
7430-00 · NFWF - Weed Mgmt.		40.46
7431-00 · BLM - Weed Mgmt.		15.74
7432-00 · FEMA MAS #7		
7432-01 · Voltaire Cyn.(Cardno)	13,740.00	61,861.25
7432-02 · Johnson Ln. ADMP (JE Fuller)		10.48
7432-04 · Discovery/FMP Update(MB)		

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CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss YTD Comparison

Accrual Basis

February 2019

	Feb 19	Jul '18 - Feb 19
7432-00 · FEMA MAS #7 - Other		299.84
Total 7432-00 · FEMA MAS #7	13,740.00	62,171.57
7433-00 · NDEP-WS Lit.Impl.-Phase 3		
7433-01 · WS Lit. 3-Match		3,189.50
7433-00 · NDEP-WS Lit.Impl.-Phase 3 - Other		36,984.73
Total 7433-00 · NDEP-WS Lit.Impl.-Phase 3		40,174.23
7434-00 · FEMA MAS #8		
7434-01 · Dayton ADMP(JE Fuller)	21,613.40	131,846.00
7434-02 · Update Floodplain Ord.(Loveberg	887.00	7,580.00
7434-03 · Public Outreach-FAW		11,040.71
7434-04 · School Outreach(River Wranglers		947.30
7434-00 · FEMA MAS #8 - Other		162.56
Total 7434-00 · FEMA MAS #8	22,500.40	151,576.57
7436-00 · NDA Weed Mgmt - Starthistle		
7436-01 · CC - Starthistle Mgmt.		4,200.74
7436-02 · DVCD - Starthistle Mgmt.		8,005.02
7436-00 · NDA Weed Mgmt - Starthistle - Other		161.52
Total 7436-00 · NDA Weed Mgmt - Starthistle		12,367.28
7437-00 · FEMA MAS #9		
7437-05 HEC-RAS Modeling	9,761.06	9,761.06
7437-01 · South Dayton Valley ADMP(JEF)	28,666.40	28,666.40
7437-02 · North CC ADMP (MB)	3,162.00	3,162.00
7437-00 · FEMA MAS #9 - Other		78.49
Total 7437-00 · FEMA MAS #9	41,589.46	41,667.95
7438-00 · BOR WaterSMART Market Program		50.76
7500-00 · USGS Stream Gage Contract		
7500-02 · Stream Gages 2017-19	19,601.33	39,202.58
Total 7500-00 · USGS Stream Gage Contract	19,601.33	39,202.58
7508-00 · USGS Do.Co.WQ & GW Monitoring		
7508-02 · DoCo WQ/GW Mon. 2017-19		4,188.00
Total 7508-00 · USGS Do.Co.WQ & GW Monitoring		4,188.00
7524-00 · USGS-GW Lvl & WQ in Ch.Co.		
7524-01 · USGS-GW Lvl & WQ-ChCo 2014-18		1,116.00
7524-02 · USGS-GW Lvl & WQ-ChCo 2018-22	1,450.00	2,858.00
Total 7524-00 · USGS-GW Lvl & WQ in Ch.Co.	1,450.00	3,974.00
7526-00 · USGS-Eagle/Dayton/Ch.Vly.Mon.	6,280.50	6,280.50
7527-00 · USGS-Arsenic Data Collection-CV		
7527-01 · USGS-CV Arsenic Study 2018-19	8,318.33	11,418.33
Total 7527-00 · USGS-Arsenic Data Collection-CV	8,318.33	11,418.33
7528-00 · USGS-Mercury/Arsenic/Lead Mon.	2,666.67	9,666.67
7600-00 · Alpine County Projects		
7600-05 · Alpine Watershed Programs	12,500.00	25,000.00
7600-09 · Al.Co.-CASGEM		5.71
7600-10 · Al.Co.-Mesa GW Monitoring		4.83
Total 7600-00 · Alpine County Projects	12,500.00	25,010.54
7610-00 · Douglas County Projects		
7610-10 · Do.Co.Reg.Pipeline Debt Service		62,500.00
Total 7610-00 · Douglas County Projects		62,500.00
7620-00 · Carson City Projects		

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CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

03/12/19

Profit & Loss YTD Comparison

Accrual Basis

February 2019

	Feb 19	Jul '18 - Feb 19
7620-11 · CC Reg.Pipeline Debt Service		62,500.00
Total 7620-00 · Carson City Projects		62,500.00
7640-00 · Churchill County Projects		
7640-09 · Lahontan Vly.Wtr.Lvl.Measure.		8,189.50
7640-16 · Dixie Vly.Wtr.Lvl.Measurement		12,211.23
Total 7640-00 · Churchill County Projects		20,400.73
Total Expense	224,057.06	1,089,770.85
Net Ordinary Income	-76,562.13	242,245.93
Other Income/Expense		
Other Income		
8009-00 · Trans. In-Floodplain Mgmt. Fd.		
Total Other Income		
Other Expense		
8002-00 · Transfer Out-Acq/Const Fund		50,000.00
8014-00 · Trans. Out-Floodplain Mgmt. Fd.		50,000.00
Total Other Expense		100,000.00
Net Other Income		-100,000.00
Net Income	-76,562.13	142,245.93

CWSD PETTY CASH TRANSACTION RECORD
February 2019

<u>Date</u>	<u>G/L No.</u>	<u>Description</u>	<u>Debits</u>	<u>Credits</u>	<u>Balance</u>
		1/31/18 cash balance			\$179.54
2/1/19	7103-00	Raley's	(\$38.48)		\$141.06
	Office Supplies	T. Leffler Retirement Reception			
2/1/19	7103-00	Smith's	(\$26.28)		\$114.78
	Office Supplies	T. Leffler Retirement Reception			
2/12/19	7104-00	CC Post Office	(\$54.95)		\$59.83
	Postage	Mailing Board Packets			
2/12/19	7103-00	Smith's	(\$13.97)		\$45.86
	Office Supplies				
2/13/19	7104-00	From Toni		\$0.50	\$46.36
	Postage	Postage Stamp			
2/13/19	7103-00	From Toni		\$2.00	\$48.36
	Copies	Copies			
2/13/19	7104-00	From Justin		\$1.10	\$49.46
	Postage	Postage Stamps			
2/22/19	7104-00	CC Post Office	(\$3.50)		\$45.96
	Postage	Mailing Finance Comm. Packets			
2/13/19	7103-00	From Debbie		\$2.00	\$47.96
	Copies	Copies			
2/28/19	1011-00	Balance in Petty Cash			\$47.96
	Petty Cash				

Date:

3/5/19

Prepared by:

C. Shamba

Approved by:

Edwin James

AGENDA ITEM #8

PAYMENT OF BILLS

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03/12/19

Accrual Basis

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

Transaction Detail by Account

February 2019

Type	Date	Num	Name	Memo	Amount	Balance
1010-00 - Cash in Checking - B of A						
Deposit	02/01/2019			Deposit	36,768.00	36,768.00
Check	02/06/2019	9392	Euronev, Ltd.	Feb 2019 rent-777 E. William St., #110, #110A, #111	-2,965.00	33,803.00
Check	02/06/2019	9393	E-Zee Mini Storage	2/2019 -1/2020 Storage Unit #22	-432.00	33,371.00
Check	02/06/2019	9394	JE Fuller Hydrology & Geomorphology, Inc.	Inv. #P2921.01-10, Dayton Valley ADMP	-21,613.40	11,757.60
Check	02/06/2019	9395	JE Fuller Hydrology & Geomorphology, Inc.	Inv. #P3121.01-1, South Dayton Valley ADMP	-28,666.40	-16,908.80
Check	02/06/2019	9396	Eide Bailly LLP	INV #E100755446, Client #194375 1099s	-250.00	-17,158.80
Check	02/06/2019	9397	RDM Infinity, LLC	Inv. #1941, 1/30/19 custom programming	-225.00	-17,383.80
Check	02/06/2019	9398	Local Govt Investment Pool	for investment in CCWSD	-40,000.00	-57,383.80
Check	02/07/2019	9399	Robert Loveberg	Inv. #P17111501 Nov 1 to Dec 31 2018	-887.00	-58,270.80
Check	02/08/2019	9400	Charter Communications	Acct. #8354 11 001 0917880, 2/13-3/12/19	-299.94	-58,570.74
Check	02/08/2019	9401	Sierra Nevada Media Group	Acct.#1060827, Inv.#0000154808-01312019		-58,570.74
Check	02/08/2019	9402	Carson Valley Conservation District	Inv. #006 10/1-12/31/18 Bioengineering	-1,932.63	-60,503.37
Check	02/08/2019	9403	Konica Minolta Business Solutions USA Inc	Acct. #3091, inv. #256714969	-118.72	-60,622.09
Check	02/08/2019	9404	Jack Jacobs	VOID: Jan 2019 Mileage Reimbursement (WRONG AMT)		-60,622.09
Check	02/08/2019	9405	Ernest Schank	VOID: Jan. 2019 mileage reimb.		-60,622.09
Check	02/08/2019	9406	Fred Stodieck	VOID: Jan. 2019 mileage reimb.		-60,622.09
Check	02/08/2019	9407	Steve Thaler	VOID: Jan. 2019 Mileage Reimbursement		-60,622.09
Check	02/08/2019	9408	Mike Workman	VOID: Jan. 2019 Mileage Reimbursement		-60,622.09
Check	02/08/2019	9409	Jack Jacobs	JAN 2019 MILEAGE REIMBURSEMENT	-41.52	-60,663.61
Check	02/08/2019	9410	Ernest Schank	Jan 2019 mileage reimb.	-146.84	-60,810.45
Check	02/08/2019	9411	Fred Stodieck	Jan 2019 Mileage Reimbursement	-20.41	-60,830.86
Check	02/08/2019	9412	Steve Thaler	Jan 2019 mi reimb	-17.51	-60,848.37
Check	02/08/2019	9413	Mike Workman	Jan 2019 mi reimb	-13.92	-60,862.29
Deposit	02/11/2019			Deposit	52,649.71	-8,212.58
Check	02/19/2019	9414	Michael Baker International, Inc.	Inv. #1039059; Proj. #170572, Professional Services thru 12/30/18	-3,162.00	-11,374.58
Check	02/19/2019	9415	Carson City	Reimb. for 1/4-17/19 payroll #2	-23,351.77	-34,726.35
Check	02/20/2019	9416	Office Depot Business Credit	January 2019, acct. #6011 5656 1775 7761	-178.39	-34,904.74
Check	02/20/2019	9417	U.S. Geological Survey	Bill #90702354, Agmt.#18WSNV00133, Carson River Mercury	-2,666.67	-37,571.41
Check	02/20/2019	9418	U.S. Geological Survey	Bill #90702352, Agmt.#18WSNV00134, Churchill GW Level/Quality Mo...	-1,450.00	-39,021.41
Check	02/20/2019	9419	U.S. Geological Survey	Bill #90702353, Agmt.#18WSNV00132, CV Arsenic Study	-8,318.33	-47,339.74
Check	02/20/2019	9420	U.S. Geological Survey	Bill #90702351, Agmt.#17WSNV00115, SW Monitoring Stream Gauges	-19,601.33	-66,941.07
Check	02/20/2019	9421	Dayton Valley Conservation District	Inv. #DVCD-2, 10/1/18-12/31/18, Carson River Restoration Projects	-18,342.64	-85,283.71
Check	02/20/2019	9422	Dayton Valley Conservation District	Inv. #DVCD-1, 10/1-12/31/18, CWSD NWAP		-85,283.71
Check	02/20/2019	9423	Dayton Valley Conservation District	Inv. #DVCD-1, 10/1/18-12/31/18, CWSD NWAP	-5,759.56	-91,043.27
Check	02/20/2019	9424	Alpine Watershed Group	1/2 of FY 2018-19 watershed program grant	-12,500.00	-103,543.27
Check	02/25/2019	9425	Carson City	Reimb. for 2/1/19-2/14/19 payroll #4	-37,132.66	-140,675.93
Check	02/25/2019	9426	Cardno, Inc.	Inv. #269793, Proj. #E317101700, Voltaire Restudy	-13,740.00	-154,415.93
Check	02/26/2019	9427	HDR Engineering, Inc.	Inv. #1200174755	-9,761.06	-164,176.99
Check	02/26/2019	9428	Bank of America	Feb. 2019, Acct. #4024 4910 0003 3949	-1,048.19	-165,225.18
Deposit	02/26/2019			Deposit	24,207.72	-141,017.46
Deposit	02/26/2019			Deposit	32,327.39	-108,690.07
Check	02/27/2019	9429	U.S. Geological Survey	Bill #90704033, Agmt.#17WSNV00139, Customer # 6000000356	-6,280.50	-114,970.57
Check	02/28/2019	9430	Euronev, Ltd.	March 2019 rent-777 E. William St., #110, #110A, #111	-2,965.00	-117,935.57
Check	02/28/2019	9431	Edwin James	Reimbursement for 2/28/19 Finance Committee Mtg. Food/Bev	-37.09	-117,972.66
Total 1010-00 - Cash in Checking - B of A					-117,972.66	-117,972.66
1011-00 - Petty Cash						
Gener...	02/28/2019			Feb. 2019 Petty Cash -Postage	-131.58	-131.58
Total 1011-00 - Petty Cash					-131.58	-131.58
1014-00 - Local Gov't Inv. Pool-Regular						
Deposit	02/01/2019			Interest	1,542.10	1,542.10
Check	02/06/2019	9398	Local Govt Investment Pool	for investment in CCWSD	40,000.00	41,542.10
Total 1014-00 - Local Gov't Inv. Pool-Regular					41,542.10	41,542.10
1029-00 - Bank of America-Savings						
Deposit	02/28/2019			Interest	0.01	0.01
Total 1029-00 - Bank of America-Savings					0.01	0.01
3307-00 - CC Payroll Due						
Gener...	02/08/2019			2/8 - SF, BH, EJ, TL, DN,CS; Jan- BB, JJ,WP,ES,FS,ST,MW	-23,351.77	-23,351.77
Check	02/19/2019	9415	Carson City	Reimb. for 1/18-31/19 payroll #3	23,351.77	
Gener...	02/25/2019			2/22 SF, BH, EJ, TL, DN, CS	-37,132.66	-37,132.66
Check	02/25/2019	9425	Carson City	Reimb. 2/1-2/14/19 Payroll #4	37,132.66	
Total 3307-00 - CC Payroll Due						
5011-00 - Douglas County Ad Valorem						
Deposit	02/11/2019	687684	Douglas County	January 2019 Ad Valorem	-52,649.71	-52,649.71
Total 5011-00 - Douglas County Ad Valorem					-52,649.71	-52,649.71
5031-00 - Interest Income-LGIP Reg.						
Deposit	02/01/2019			Interest	-1,542.10	-1,542.10
Total 5031-00 - Interest Income-LGIP Reg.					-1,542.10	-1,542.10
5045-00 - Interest Income-B of A Savings						
Deposit	02/28/2019			Interest	-0.01	-0.01
Total 5045-00 - Interest Income-B of A Savings					-0.01	-0.01
5099-00 - NDEP-WS Lit.Implement.-Phase 3						
Deposit	02/01/2019	9399...	NV Div. of Environmental Protection	Inv. #7 17021 19	-36,768.00	-36,768.00
Total 5099-00 - NDEP-WS Lit.Implement.-Phase 3					-36,768.00	-36,768.00
6000-00 - FEMA-MAS #8						

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Accrual Basis

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND Transaction Detail by Account

February 2019

Type	Date	Num	Name	Memo	Amount	Balance
Deposit	02/26/2019		FEMA	FEMA MAS #8	-24,207.72	-24,207.72
Total 6000-00 · FEMA-MAS #8					-24,207.72	-24,207.72
6003-00 · FEMA-MAS #9						
Deposit	02/26/2019		FEMA	FEMA #9	-32,327.39	-32,327.39
Total 6003-00 · FEMA-MAS #9					-32,327.39	-32,327.39
7015-00 · Salaries & Wages						
Gener...	02/08/2019			2/8 - S.Fryer	2,265.57	2,265.57
Gener...	02/08/2019			2/8 - B. Hunt	2,563.07	4,828.64
Gener...	02/08/2019			2/8 - E. James	5,241.10	10,069.74
Gener...	02/08/2019			2/8 - T. Leffler	2,165.10	12,234.84
Gener...	02/08/2019			2/8 - D. Neddenriep	2,072.79	14,307.63
Gener...	02/08/2019			2/8 - C. Schambra	1,599.82	15,907.45
Gener...	02/25/2019			2/22 S. Fryer	2,504.86	18,412.31
Gener...	02/25/2019			2/22 B. Hunt	2,563.07	20,975.38
Gener...	02/25/2019			2/22 E. James	5,241.10	26,216.48
Gener...	02/25/2019			2/22 T. Leffler	16,014.64	42,231.12
Gener...	02/25/2019			2/22 D. Neddenriep	2,072.77	44,303.89
Gener...	02/25/2019			2/22 C. Schambra	1,898.10	46,201.99
Total 7015-00 · Salaries & Wages					46,201.99	46,201.99
7020-00 · Employee Benefits						
Gener...	02/08/2019			2/8 - S.Fryer	340.15	340.15
Gener...	02/08/2019			2/8 - B. Hunt	1,302.76	1,642.91
Gener...	02/08/2019			2/8 - E. James	2,311.42	3,954.33
Gener...	02/08/2019			2/8 - T. Leffler	1,043.67	4,998.00
Gener...	02/08/2019			2/8 - D. Neddenriep	1,015.18	6,013.18
Gener...	02/08/2019			2/8 - C. Schambra	255.17	6,268.35
Gener...	02/25/2019			2/22 S. Fryer	378.32	6,646.67
Gener...	02/25/2019			2/22 B. Hunt	1,302.76	7,949.43
Gener...	02/25/2019			2/22 E. James	2,311.42	10,260.85
Gener...	02/25/2019			2/22 T. Leffler	1,244.49	11,505.34
Gener...	02/25/2019			2/22 D. Neddenriep	1,015.18	12,520.52
Gener...	02/25/2019			2/22 C. Schambra	302.74	12,823.26
Total 7020-00 · Employee Benefits					12,823.26	12,823.26
7101-00 · Director's Fees						
7101-01 · Director Benefits						
Gener...	02/08/2019			Jan. - B. Bonkowski	2.32	2.32
Gener...	02/08/2019			Jan. - J. Jacobs	2.32	4.64
Gener...	02/08/2019			Jan. - W. Penzel	2.32	6.96
Gener...	02/08/2019			Jan. - E. Schank	2.32	9.28
Gener...	02/08/2019			Jan. - R. Stodieck	1.16	10.44
Gener...	02/08/2019			Jan. - S. Thaler	1.16	11.60
Gener...	02/08/2019			Jan. - M. Workman	1.16	12.76
Total 7101-01 · Director Benefits					12.76	12.76
7101-00 · Director's Fees - Other						
Gener...	02/08/2019			Jan. - B. Bonkowski	160.00	160.00
Gener...	02/08/2019			Jan. - J. Jacobs	160.00	320.00
Gener...	02/08/2019			Jan. - W. Penzel	160.00	480.00
Gener...	02/08/2019			Jan. - E. Schank	160.00	640.00
Gener...	02/08/2019			Jan. - R. Stodieck	80.00	720.00
Gener...	02/08/2019			Jan. - S. Thaler	80.00	800.00
Gener...	02/08/2019			Jan. - M. Workman	80.00	880.00
Total 7101-00 · Director's Fees - Other					880.00	880.00
Total 7101-00 · Director's Fees					892.76	892.76
7103-00 · Office Supplies						
Check	02/06/2019	9393	E-Zee Mini Storage	2/2019 -1/2020 Storage Unit #22	432.00	432.00
Check	02/08/2019	9403	Konica Minolta Business Solutions USA Inc	1/1-31/19 copies	118.72	550.72
Check	02/20/2019	9416	Office Depot Business Credit	Jan. office supplies	178.39	729.11
Check	02/26/2019	9428	Bank of America	Office Supplies - Admin	104.90	834.01
Check	02/26/2019	9428	Bank of America	3-yr Equipment Protection Plan-Nikon Camera	44.99	879.00
Check	02/26/2019	9428	Bank of America	Feb.-Microsoft 365	5.00	884.00
Check	02/26/2019	9428	Bank of America	Feb.-Microsoft Internet	62.50	946.50
Gener...	02/28/2019			Feb. 2019 Petty Cash -Office Supplies	78.73	1,025.23
Gener...	02/28/2019			Feb. 2019 Petty Cash -Office Supplies	-4.00	1,021.23
Total 7103-00 · Office Supplies					1,021.23	1,021.23
7104-00 · Postage						
Gener...	02/28/2019			Feb. 2019 Petty Cash -Postage	58.45	58.45
Gener...	02/28/2019			Feb. 2019 Petty Cash -Postage	-1.60	56.85
Total 7104-00 · Postage					56.85	56.85
7105-00 · Rent						
Check	02/06/2019	9392	Euronev, Ltd.	Feb. 2019 rent-777 E. William St., #110, #110A, #111	2,965.00	2,965.00
Check	02/28/2019	9430	Euronev, Ltd.	Mar. 2019 rent-777 E. William St., #110, #110A, #111	2,965.00	5,930.00
Total 7105-00 · Rent					5,930.00	5,930.00
7106-00 · Telephone/Internet						
Check	02/08/2019	9400	Charter Communications	Feb. 2019 internet & phones	299.94	299.94

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Accrual Basis

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND Transaction Detail by Account

February 2019

Type	Date	Num	Name	Memo	Amount	Balance
Total 7106-00 - Telephone/Internet					299.94	299.94
7107-00 - Travel-transport/meals/lodging						
7107-01 - Car Allowance						
Gener...	02/08/2019			2/8 - E. James	283.21	283.21
Gener...	02/25/2019			2/22 E. James	283.21	566.42
Total 7107-01 - Car Allowance					566.42	566.42
7107-00 - Travel-transport/meals/lodging - Other						
Check	02/08/2019	9404	Jack Jacobs	Jan 2019 Mileage Reimb		
Check	02/08/2019	9405	Ernest Schank	Jan. 2019 mileage reimb.		
Check	02/08/2019	9406	Fred Stodieck	Jan. 2019 mileage reimb.		
Check	02/08/2019	9407	Steve Thaler	Jan. 2019 mileage reimb		
Check	02/08/2019	9408	Mike Workman	Jan. 2019 mi reimb		
Check	02/08/2019	9409	Jack Jacobs	Jan 2019 mi reimb	41.52	41.52
Check	02/08/2019	9410	Ernest Schank	Jan 2019 mi reimb	146.84	188.36
Check	02/08/2019	9411	Fred Stodieck	Jan 2019 mi reimb	20.41	208.77
Check	02/08/2019	9412	Steve Thaler	Jan 2019 mi reimb	17.51	226.28
Check	02/08/2019	9413	Mike Workman	Jan 2019 mi reimb	13.92	240.20
Check	02/28/2019	9431	Edwin James	Reimb. 2/28/19 Finance Comm. Mig. Food/Bev	37.09	277.29
Total 7107-00 - Travel-transport/meals/lodging - Other					277.29	277.29
Total 7107-00 - Travel-transport/meals/lodging					843.71	843.71
7108-00 - Dues & Publications						
Check	02/26/2019	9428	Bank of America	Floodplain Mgmt Assoc - D. Neddenriep	75.00	75.00
Total 7108-00 - Dues & Publications					75.00	75.00
7109-00 - Miscellaneous Expense						
Check	02/26/2019	9428	Bank of America	Retirement Gift - Toni Leffler	54.40	54.40
Check	02/26/2019	9428	Bank of America	Retirement Gift - Toni Leffler	17.40	71.80
Total 7109-00 - Miscellaneous Expense					71.80	71.80
7110-00 - Seminars & Education						
Check	02/26/2019	9428	Bank of America	Notary Training - C. Schambra	45.00	45.00
Total 7110-00 - Seminars & Education					45.00	45.00
7111-00 - Office Equipment						
Check	02/26/2019	9428	Bank of America	Nikon Camera	639.00	639.00
Total 7111-00 - Office Equipment					639.00	639.00
7114-00 - Outside Professional Services						
Check	02/06/2019	9397	RDM Infinity, LLC	1/30/19 custom programming	225.00	225.00
Total 7114-00 - Outside Professional Services					225.00	225.00
7115-00 - Accounting						
Check	02/06/2019	9396	Eide Bailly LLP	2018 1099s	250.00	250.00
Total 7115-00 - Accounting					250.00	250.00
7120-00 - Integrated Watershed Programs						
7120-31 - NDEP-WS Program Exp. 2018						
Check	02/08/2019	9401	Sierra Nevada Media Group	VOID: RFQ Watershed Water Market Ad		
Total 7120-31 - NDEP-WS Program Exp. 2018						
Total 7120-00 - Integrated Watershed Programs						
7337-00 - Carson River Restoration						
7337-01 - Upper Carson River Grant.						
7337-19 - CVCD-Bioengineering, 2018-20						
Check	02/08/2019	9402	Carson Valley Conservation District	10/1-12/31/18 Bioengineering	1,932.63	1,932.63
Total 7337-19 - CVCD-Bioengineering, 2018-20					1,932.63	1,932.63
Total 7337-01 - Upper Carson River Grant.					1,932.63	1,932.63
7337-03 - Dayton Valley Conserv						
7337-33 - DVCD--Restoration Proj. 2017-19						
Check	02/20/2019	9421	Dayton Valley Conservation District	10/1-12/31/18 CR Restoration DVCD 2017-19	18,342.64	18,342.64
Total 7337-33 - DVCD--Restoration Proj. 2017-19					18,342.64	18,342.64
Total 7337-03 - Dayton Valley Conserv					18,342.64	18,342.64
Total 7337-00 - Carson River Restoration					20,275.27	20,275.27
7404-00 - Noxious Weeds Control-CR Wtrshd						
7404-04 - Noxious Weed Control-Lyon Co.						
Check	02/20/2019	9422	Dayton Preservation Committee	VOID////////		
Check	02/20/2019	9423	Dayton Valley Conservation District	10/1-12/31/18 Lyon Cty NWAP	5,759.56	5,759.56
Total 7404-04 - Noxious Weed Control-Lyon Co.					5,759.56	5,759.56
Total 7404-00 - Noxious Weeds Control-CR Wtrshd					5,759.56	5,759.56
7432-00 - FEMA MAS #7						
7432-01 - Voltaire Cyn.(Cardno)						

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Accrual Basis

CARSON WATER SUBCONSERVANCY DISTRICT - GENERAL FUND

Transaction Detail by Account

February 2019

Type	Date	Num	Name	Memo	Amount	Balance
Check	02/25/2019	9426	Cardno, Inc.	Voltaire Restudy through 1/31/19	13,740.00	13,740.00
Total 7432-01 - Voltaire Cyn (Cardno)					13,740.00	13,740.00
Total 7432-00 - FEMA MAS #7					13,740.00	13,740.00
7434-00 - FEMA MAS #8						
7434-01 - Dayton ADMP(JE Fuller)						
Check	02/06/2019	9394	JE Fuller Hydrology & Geomorphology, Inc.	1/1-1/31/19 services, DV ADMP	21,613.40	21,613.40
Total 7434-01 - Dayton ADMP(JE Fuller)					21,613.40	21,613.40
7434-02 - Update Floodplain Ord.(Loveberg)						
Check	02/07/2019	9399	Robert Loveberg	1/1-1/31/19 Floodplain Ordinance	887.00	887.00
Total 7434-02 - Update Floodplain Ord.(Loveberg)					887.00	887.00
Total 7434-00 - FEMA MAS #8					22,500.40	22,500.40
7437-00 - FEMA MAS #9						
7437-05 HEC-RAS Modeling						
Check	02/26/2019	9427	HDR Engineering, Inc.	11/30/18 - 2/2/19, HEC-RAS Modeling MAS #9	9,761.06	9,761.06
Total 7437-05 HEC-RAS Modeling					9,761.06	9,761.06
7437-01 - South Dayton Valley ADMP(JEF)						
Check	02/06/2019	9395	JE Fuller Hydrology & Geomorphology, Inc.	12/1/18-1/31/19 services, SDV ADMP	28,666.40	28,666.40
Total 7437-01 - South Dayton Valley ADMP(JEF)					28,666.40	28,666.40
7437-02 - North CC ADMP (MB)						
Check	02/19/2019	9414	Michael Baker International, Inc.	services through 12/30/18	3,162.00	3,162.00
Total 7437-02 - North CC ADMP (MB)					3,162.00	3,162.00
Total 7437-00 - FEMA MAS #9					41,589.46	41,589.46
7500-00 - USGS Stream Gage Contract						
7500-02 - Stream Gages 2017-19						
Check	02/20/2019	9420	U.S. Geological Survey	USGS Stream Gauges 2017-19	19,601.33	19,601.33
Total 7500-02 - Stream Gages 2017-19					19,601.33	19,601.33
Total 7500-00 - USGS Stream Gage Contract					19,601.33	19,601.33
7524-00 - USGS-GW Lvl & WQ in Ch.Co.						
7524-02 - USGS-GW Lvl & WQ-ChCo 2018-22						
Check	02/20/2019	9418	U.S. Geological Survey	Churchill Cty GW Level & WQ 2018-22	1,450.00	1,450.00
Total 7524-02 - USGS-GW Lvl & WQ-ChCo 2018-22					1,450.00	1,450.00
Total 7524-00 - USGS-GW Lvl & WQ in Ch.Co.					1,450.00	1,450.00
7526-00 - USGS-Eagle/Dayton/Ch.Vly.Mon.						
Check	02/27/2019	9429	U.S. Geological Survey	Qtrly billing - Eagle/Dayton GW Level	6,280.50	6,280.50
Total 7526-00 - USGS-Eagle/Dayton/Ch.Vly.Mon.					6,280.50	6,280.50
7527-00 - USGS-Arsenic Data Collection-CV						
7527-01 - USGS-CV Arsenic Study 2018-19						
Check	02/20/2019	9419	U.S. Geological Survey	USGS CV Arsenic 2018-19	8,318.33	8,318.33
Total 7527-01 - USGS-CV Arsenic Study 2018-19					8,318.33	8,318.33
Total 7527-00 - USGS-Arsenic Data Collection-CV					8,318.33	8,318.33
7528-00 - USGS-Mercury/Arsenic/Lead Mon.						
Check	02/20/2019	9417	U.S. Geological Survey	CR Mercury	2,666.67	2,666.67
Total 7528-00 - USGS-Mercury/Arsenic/Lead Mon.					2,666.67	2,666.67
7600-00 - Alpine County Projects						
7600-05 - Alpine Watershed Programs						
Check	02/20/2019	9424	Alpine Watershed Group	1/2 of FY 2018-19 watershed program grant (payment 2)	12,500.00	12,500.00
Total 7600-05 - Alpine Watershed Programs					12,500.00	12,500.00
Total 7600-00 - Alpine County Projects					12,500.00	12,500.00
TOTAL						

AGENDA ITEM #9

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #9– For Possible Action: Approve CONTRACT #2018 – 11A: Funding from Carson Water Subconservancy District to the Dayton Valley Conservation District for Post-flood Repairs Project MCR 002, 030, 046, 111C, and 010C; in an amount not to exceed \$75,000.

DISCUSSION: This project was already approved in the 2018-19 budget but the contract was not initiated.

STAFF RECOMMENDATION: Authorize Chairman Erquiaga to sign contract.

CONTRACT #2018 – 11A

INTERLOCAL CONTRACT

**Funding from Carson Water Subconservancy District to the
Dayton Valley Conservation District
for Post-flood Repairs Project MCR 002, 030, 046, 111C, and 010C**

THIS CONTRACT dated this 20th day of March 2019, is entered into by and between DAYTON VALLEY CONSERVATION DISTRICT, a political subdivision of the State of Nevada (hereinafter "DISTRICT") and the CARSON WATER SUBCONSERVANCY DISTRICT, a political subdivision of the State of Nevada (hereinafter "CWSD").

WITNESSETH:

WHEREAS, DISTRICT is a governmental subdivision of the State of Nevada a public body corporate and politic, organized in accordance with the provisions of Chapter 548 of the Nevada Revised Statutes (NRS); and

WHEREAS, CWSD is a water subconservancy district created and organized under the provisions of Chapter 541 of NRS; and

WHEREAS, this Contract is entered into under the provisions of NRS 277.180 and must be ratified by appropriate official action of the governing body of each party as a condition precedent to its entry into force; and

WHEREAS, CWSD and DISTRICT each possess common objectives and responsibilities with regard to the Carson River; and

WHEREAS, DISTRICT has requested \$75,000.00 funding during fiscal year 2018-19 for their Post-flood Repairs Project MCR 002, 030, 046, 111C, and 010C, as identified and described in Exhibit "A."

WHEREAS, CWSD has agreed to set aside \$75,000.00 for the fiscal year beginning July 1, 2018, and to grant DISTRICT said amount in order to assist with the 2017 Flood Damage Repairs Project.

NOW THEREFORE, in consideration of the premises and of the mutual covenants herein contained, it is mutually agreed by and between the parties as follows:

1. CONTRACT TERM:

- a CWSD hereby grants to DISTRICT \$75,000.00 to assist with their 2017 Flood Damage Repairs Project, which is further identified and described in Exhibit "A"; and

- b DISTRICT will submit requests for funding periodically. The request for funding shall be accompanied by a description of what the funds will be used for and shall reference this Contract.
- c CWSD commits to pay the approved amount of the request to DISTRICT within four (4) weeks of said request.
- d DISTRICT will submit Project Summary Reports (see Exhibit "B"), including before and after project pictures, project goals, etc., prior to final invoice payment or ten percent of grant funding will be withheld until reports are submitted.
- e CWSD shall have no responsibility for costs exceeding \$75,000.00.
- f This Contract shall terminate June 30, 2019, at which time DISTRICT shall have one (1) month thereafter to submit its final invoice for payment related to work performed under this Contract.
- g Notwithstanding any other provision of this Agreement, any obligation of CWSD hereunder is conditioned upon CWSD's funding resources. If for whatever reason the CWSD's funding resources are reduced or eliminated, CWSD reserves the right to terminate this Agreement immediately in writing. CWSD will reimburse DISTRICT for all costs that occurred under this Agreement up to the date the Agreement is terminated.

2. LIMITED LIABILITY AND INDEMNIFICATION:

- a. The parties will not waive but rather intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.
- b. Consistent with paragraph 2.a of this Contract, each party shall indemnify, hold harmless and defend (not excluding the others right to participate) the other party from and against all liability, claims, actions, damages, losses, and expenses, including, but not limited to, reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the indemnifying party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.
- c. The indemnification obligation under this paragraph is conditioned upon the receipt of written notice of claim within thirty (30) days by the indemnified party. The hold harmless and indemnification provision shall

not apply to attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

- d. If the DISTRICT hires a contractor to perform any portion of this project, the contractor will add CWSD as an additional insured. The contractor must carry the Liability Insurance requirements are described in Exhibit "C."
- e. Prior to commencing the activities that constitute the Project, DISTRICT shall deliver to CWSD a certificate issued by its insurance carrier naming CWSD as an additional insured and stating that the policy will not be modified or cancelled without 30 days' notice to CWSD.

3. NOTICE: For invoicing and notice purposes, the address of each party is as follows:

DISTRICT
Attn: Rob Holley
District Manager
P.O. Box 1807
Dayton, NV 89403
(775) 246-1999

CWSD
Attn.: Edwin James
General Manager
777 E. William St., #110
Carson City, NV 89706
(775) 887-7456

4. ENTIRE CONTRACT AND MODIFICATION:

- a. This Contract shall be by and between the parties hereto and shall not be assignable or transferable.
- b. Any dispute regarding this Contract shall be decided according to the laws of the State of Nevada. If any part of this Contract is declared to be unlawful, any remaining obligations shall be deemed terminated.
- c. This Contract may only be amended by consent of both parties. Any amendments must be written and executed with the same formality as this Contract.
- d. This Contract constitutes the entire understanding between the parties and there are no representations, conditions, warranties or collateral agreements (expressed or implied), statutory or otherwise, with respect to the subject of this Contract.

5. PROPER AUTHORITY:

- a. This Contract becomes effective when ratified by appropriate official action of the governing body of each party; however, the DISTRICT can submit expenses that have been incurred from July 1, 2018, forward.

- b. The parties hereto represent and warrant that the person executing this Contract on behalf of each party has full power and authority to enter into this Contract and that the parties are authorized by law to engage in cooperative action set forth herein.
- c. This Contract shall be entered into with duplicate originals, realizing that each entity, by necessity, must approve and execute the subject document at different dates, times and places.

IN WITNESS WHEREOF, the parties have executed this Contract on the day and year first written above.

DATED: _____

DAYTON VALLEY
CONSERVATION DISTRICT

Rob Holley, District Manager

ATTEST:

DATED: _____

CARSON WATER
SUBCONSERVANCY DISTRICT

Carl Erquiaga, Chairman

ATTEST:

Catrina Schambra, Secretary to the Board

EXHIBIT "A"

Dayton Valley Conservation District

PROJECT NAME: Post-flood repairs MCR 002, 0301 046, 11 IQ and 010C

PROJECT LOCATION/ADDRESS: Middle Carson River, Dayton Valley - Empey (Casey) Ranch, Barnes, Morse, Lehman, and DEG properties, respectively.

PROJECT DESCRIPTION:

Three bank stabilization projects sustained significant damage during the 2017 floods and subsequent spring runoff. Additional damage was incurred during the brief period of high flow in mid-late November 2017. This project provides for critical repair of these bank stabilization projects. Rip-rap will be replaced on MCR 002 (Empey/Casey) and 030 (Barnes), including the streambed stabilization trenches, with bioengineering incorporated on the banks. MCR 046 is a bioengineering project that will receive rip-rap reinforcement in the affected area, with incorporation of bioengineering features. Some channeling work will be done in the project areas to re-establish the low water channel at the proper location, reducing pressure on damaged areas.

PROJECT GOALS AND BENEFITS:

The primary goal of the work is to curtail further erosion of affected areas, restoring the damaged projects' effectiveness in reducing bank erosion and head-cutting of the river bed, thereby improving water quality and clarity by reducing instream sediment. Additionally, the restoration of the low-flow channel will help prevent excessive future flooding to a nearby home, and to adjacent private properties/irrigation ditches and infrastructure.

Exhibit "B"

Project Summary Form				
Project name				
Type of Project				
Map ID#	<i>Per Stewardship Plan Maps if previously mapped</i>			
Date Started				
Date Completed				
Location Details/Address				
<i>Add Project #</i>	Latitude		Longitude	
<i>Add Project #</i>	Latitude		Longitude	
<i>Add Project #</i>	Latitude		Longitude	
HUC				
Contact Person				
Primary Objective	<i>(What will the project achieve? Was the objective achieved?)</i>			
Area restored/stabilized	<i>Add linear feet of project/acreage/an applicable measurable unit/material used (rock, plants, etc.)</i>			
Estimated Load Reduction	<i>Only if applicable</i>			
Total Project Cost	\$			
Project Partners	<i>List all partners</i>			

Tracking Updates and Milestones	
Date	Activity
<i>Add data and expand table/insert rows as required</i>	<i>Add data and expand table/insert rows as required</i>

Project Photos:

Before construction:

After construction:

Title: *Example Photos (replace with specific project)*



EXHIBIT "C"

Liability Insurance

- a. General Liability Insurance: Prior to commencement and for the duration of activities that constitute the Project that is the subject of this Contract, Contractor shall maintain commercial general liability (CGL) as follows:
- i. Two Million Dollars (\$2,000,000.00) - General Aggregate.
 - ii. Two Million Dollars (\$2,000,000.00) - Products & Completed Operations Aggregate.
 - iii. One Million Dollars (\$1,000,000.00) - Each Occurrence.
 - iv. CGL insurance shall be written on ISO occurrence form CG 00 01 04 13 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, products-completed operations, personal and advertising injury, and liability assumed under an insured contract [(including the tort liability of another assumed in a business contract)].
 - v. CWSD, its officers, employees and immune contractors shall be included as an insured under the CGL, using ISO additional insured endorsement CG 20 10 or CG 20 26, or a substitute providing equivalent coverage, including coverage under the commercial umbrella, if any.
 - vi. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to CWSD. There shall be no endorsement or modification of the CGL to make it excess over other available insurance; alternatively, if the CGL states that it is excess or pro rata, the policy shall be endorsed to be primary with respect to the additional insured.
 - vii. There shall be no endorsement or modification of the CGL limiting the scope of coverage for liability assumed under a contract.
 - viii. Contractor waives all rights against CWSD and its agents, officers, directors and employees for recovery of damages to the extent these damages are covered by the commercial general liability or commercial umbrella liability insurance maintained pursuant to this Contract. Insurer shall endorse CGL policy as required to waive subrogation against CWSD with respect to any loss paid under the policy.

- ix. Prior to commencing the activities that constitute the Project, DISTRICT shall deliver to CWSD a certificate issued by its insurance carrier naming CWSD as an additional insured and stating that the policy will not be modified or cancelled without 30 days' notice to CWSD.

f. Business Automobile Liability Insurance:

- i. Contractor shall maintain automobile liability and, if necessary, commercial umbrella liability insurance with a limit of not less than \$1,000,000 each accident for bodily injury and property damage.
- ii. Such insurance shall cover liability arising out of owned, hired, and non-owned autos (as applicable). Coverage as required above shall be written on ISO form CA 00 01, CA 00 05, CA 00 25, or a substitute form providing equivalent liability coverage.
- iii. Contractor waives all rights against CWSD and its agents, officers, directors and employees for recovery of damages to the extent these damages are covered by the automobile liability or other liability insurance obtained by Contractor pursuant this Contract.
- iv. Prior to commencing the activities that constitute the Project, DISTRICT shall deliver to CWSD a certificate issued by its insurance carrier naming CWSD as an additional insured and stating that the policy will not be modified or cancelled without 30 days' notice to CWSD.

g. Professional Liability Insurance

- i. Contractor shall maintain professional liability insurance applying to all activities performed under this Contract with limits not less than One Million Dollars (\$1,000,000.00) and Two Million Dollars (\$2,000,000) in the aggregate.
- ii. Effective date: Prior to commencement of the performance of this Contract.
- iii. Contractor will maintain professional liability insurance during the term of this Contract and for a period of three (3) years after termination of this Contract unless waived by the CWSD. In the event of non-renewal or other lapse in coverage during the term of this Contract or the three (3) year period described above, Contractor shall purchase Extended Reporting Period coverage for

claims arising out of Contractor's negligence acts, errors and omissions committed during the term of the Professional Liability Policy. The Extended Reporting Period shall continue through a minimum of three (3) years after termination date of this Contract.

- iv. Prior to commencing the activities that constitute the Project, DISTRICT shall deliver to CWSD a certificate issued by its insurance carrier naming CWSD as an additional insured and stating that the policy will not be modified or cancelled without 30 days' notice to CWSD.

AGENDA ITEM #10

CARSON RIVER WATERSHED COMMITTEE

ROLL CALL

AGENDA ITEM #11

CARSON RIVER WATERSHED COMMITTEE

PUBLIC COMMENT

AGENDA ITEM #12

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #12 – For Possible Recommendation: Discussion for possible action regarding approval of the Tentative FY 2019-20 Budget for the General, Acquisition/Construction, and Floodplain Management Funds.

DISCUSSION: On February 28, 2019, the CWSD Finance Committee reviewed the proposed Tentative Budgets for FY 2019-20. The committee spent more than half the day reviewing the proposed budget and listening to funding requests from various entities in the watershed (see attached draft meeting minutes). The committee had to cut \$195,000 to balance the budget. Based on the discussion at the meeting, attached are the proposed tentative budgets as recommended by the Finance Committee for FY 2019-20 for the General Fund, Acquisition/Construction Fund, and Floodplain Management Fund. [Click here](#) to link to the projects presented.

Each of the tentative budgets is divided into three columns. The left column shows the proposed budget for FY 2019-20, the center column shows the adopted budget for FY 2018-19, and the right column shows the projected actual income and expenses for FY 2018-19. For the General Fund Tentative Budget, the numbers in blue are grant funds and the numbers in red are projects the Finance Committee reduced.

In Fiscal Year 2018-19, CWSD earmarked \$70,000 in the Acquisition/Construction Fund to evaluate water storage in the watershed. This project got combined with the USBR Water Market study. The money for this expense is shown as Other Income in the General Fund.

Attached is a pie chart that shows the percentage of expenses in the General Fund by categories of Administration, Projects, Studies, Programs, Projects Funded by Grants, Programs Funded by Grants, and Studies Funded by Grants.

The projected income from Ad Valorem taxes is staff's best guess. The actual projected tax figures from the State will not be available until March 25. Since this report from the State comes out after the board meeting, staff is recommending that the State projection for Ad Valorem taxes be inserted before the Tentative Budgets are sent to the State.

FINANCE COMMITTEE and STAFF RECOMMENDATION: Approval of the FY 2019-20 Tentative Budgets for the Acquisition/Construction Fund and the Floodplain Management Fund as presented, and approval of the General Fund with the Department of Taxation Ad Valorem tax figures inserted when they become available.

**CARSON WATER SUBCONSERVANCY DISTRICT
FINANCE COMMITTEE MEETING
February 28, 2019, 8:30 – 2pm
DRAFT Meeting Minutes**

Committee Members Present:

Brad Bonkowski, Carson City
David Griffith, Alpine County (for Don Jardine)
Barry Penzel, Douglas County
Ernie Schank, Churchill County
Mike Workman, Lyon County

Committee Members Not Present:

Don Jardine, Alpine County

Staff Present:

Edwin James, General Manager
Catrina Schambra, Secretary to the Board

Others Present:

Gregg Berggren, Carson City Open Space (CCOS)
Steve Berris, United States Geological Studies (USGS)
Ann Bollinger, CCOS
Daniel Bright, USGS
Julie Fair, American Rivers (via teleconference)
Marcia Gipson, USGS
Joan Grover, Sierra Nevada Journeys (SNJ)
Mike Hayes, Carson Valley Conservation District (CVCD)
Sean Hill, SNJ
Rob Holley, Dayton Valley Conservation District (DVCD)
Andy Hummel, Carson City Public Works
Chris Mahannah, Churchill County
Kimra McAfee, Alpine Watershed Group
Angela Paul, USGS
Darcy Phillips, River Wranglers
Christy Sullivan, Lahontan Conservation District (LCD)
Rich Wilkinson, CVCD

The meeting was called to order at 8:30 a.m. by Committee Member Bonkowski, CWSD Treasurer. The meeting was held in the Conference Room of the Carson Water Subconservancy District, 777 E. William St., #110, Carson City, Nevada. A quorum of the Finance Committee was present.

Item #3 - Public comment: None

Item #4 - Discussion for possible action regarding approval of the minutes from the Finance Committee meeting on March 5, 2018: *Committee Member Penzel made the motion to approve the minutes of the Finance Committee meeting on March 5, 2018. The motion was seconded by Treasurer Bonkowski and approved unanimously.*

Item #5 - Discussion regarding the Tentative General Fund FY 2019-20 budget and hear presentations for proposed projects; review the Tentative Acquisition/Construction Fund FY 2019-20 budget; and review the Tentative Floodplain Management Fund FY 2019-20 budget:

Mr. James explained the General Fund Budget spreadsheet and the committee process as he noted that Director Workman is new this year. The committee will reach consensus on budget recommendations to be brought to full Board for action at the March 20, 2019 meeting.

Starting in the income section he explained that the proposed county taxes are based on a conservative 3% increase over last year, but the official numbers from the state will not be available until March 25. The increase may be as high as 5.5%, but we will base our proposed tentative budget at 3%. He further explained grant income and interest income on the spreadsheet. On the expense side, he noted an increase in salary based the assumption of a 2% cost of living and merit increase, benefit cost increases due to health insurance changes with staff, and increase in PERS contribution. There was a discussion regarding reimbursing all Directors for mileage. (This would require a policy change and is planned for the to be discussed at a future Administrative Committee meeting.)

Mr. James reviewed all the grant expenses that are offset by the grant income. He also noted that it is required by law that there be a minimum 4% of expenses in our ending balance.

Presentations of Proposed Projects

Carson River Projects:

Carson Valley Conservation District - Bioengineering, Maintenance and Debris Removal

Mike Hayes, CVCD Coordinator

Project to stabilize vertical cutbanks throughout Carson Valley as well as stabilize soil, improve water quality, reestablish vegetation and removal of woody debris. Asking \$60,000. Pictures showing extent of erosion of rivers banks over a ten-year period (2007-17) were distributed and it was also reported that this is a priority for landowners who are willing to put money into this project as well.

Carson Valley Conservation District - Genoa Bank Stabilization

Rich Wilkinson, CVCD Coordinator

Project to restore vertical cutbanks along a ¾ mile long and 12 to 15 feet high. Asking for \$100,000. Goal to also stabilize soil, improve water quality and reestablish vegetation for wildlife. CVCD considers this a high priority project since this area was severely impacted by the recent flooding events in 2017.

Carson Valley Conservation District - Time Extension Cradlebaugh Stabilization

Rich Wilkinson, CVCD Coordinator

Mr. James explained this is a carryover from last fiscal year (2018-19) because of some permit issue. Director Penzel questioned carry-over funds and how we account for them in budget. Mr. James explains how the carryovers are tracked but agrees there needs to be a better process.

River Wranglers- Carson River Work Days

Darcy Phillips, Executive Director

Conserve Carson River Work Days and Vegetation Management. This is educational outreach program serving students in six watershed counties. Asking \$26,000. Would like to expand program to get to more schools and also work with at-risk kids, too. Is partnering with parks and recreation to start middle school pilot program. Program had participation of over 1400 students this year. Mr. James explains money is used to match another grant.

Alpine County Watershed Group- Upper Carson River Watershed Programs

Kimra McAfee, Executive Director

This is a community outreach program to restore and monitor the Alpine County watershed. Asking \$25,000. Treasurer Bonkowski asked about funding and Ms. McAfee explained the timeline of funding approvals. Alpine County is fully grant dependent. Director Workman asked how community outreach is done with only 30 students in Alpine County. Ms. McAfee described Adopt-a-Highway, Willow Planting, Family Projects, etc. as well as Sorenson and Bentley being supporters and donors.

Dayton Valley Conservation District – Bank Stabilization/Channel Restoration Upstream from Dayton Bridge

Rob Holley, District Manager

Project to remove cottonwood trees that pose a threat to irrigation diversions and to the Dayton Bridge. Asking \$100,000. In addition this project addresses the severe and ongoing bank erosion, loss of mature cottonwood trees (into the river), loss of private agricultural land, and the accumulation of cottonwood and willow growth within the river channel.

Dayton Valley Conservation District – Fort Churchill Project – Time Extension

Rob Holley, District Manager

Mr. Holley asked that the unused funds for FY2018-19 be carried over to FY 2019-20. The Fort Churchill Project had to be delayed because the contractor backed out.

Lahontan Conservation District – Carson River Channel Clearing

Christy Sullivan, LCD District Manager

Project to prevent and minimize property loss and other damage during flood condition. Also to maintain a clear channel to enable citizens to utilize the river for recreation and maintaining river flow velocity to prevent stagnant pools that pose health risks. Asking \$35,000.

Community Projects:

Churchill County - Dixie Valley Water Level Measurement & Precipitation Gage Monitoring

Chris Mahannah for Jim Barbee, County Manager

Project continues long-term gauging of precipitation and water levels that is important for water to the Lahontan Valley. Asking \$65,000. Director Penzel wondered aloud why BOR is not contributing and why Churchill is contributing so little. Director Schank believes this is a watershed issue with regional benefit to everyone and noted that BOR was the original funder for this project. Director Bonkowski asks about the water quality. Mr. Mahannah says it will need to be treated. Director Bonkowski thinks quality and quantity are important and wants to make sure that this is part of the project study.

Truckee-Carson Irrigation District - Carson Diversion Dam Repairs

Rusty Jardine, General Manager (No representative present.)

Carson City - Carson City Reclaimed Master Plan (Update)

Andrew Hummel, Wastewater Utility Manager, CCPW

Project to update Reuse Master Plan to understand the current and long-term issues related to reclaimed water reuse as Carson City continues to grow. Asking \$50,000 (50% Match)

Carson City - Mexican Dam Ditch Intake Structure Improvement (Mexican Ditch Bridge)

Gregg Berggen, Trails Coordinator

Project to make structural improvements to the Mexican Ditch intake that would construct a 7 ½ foot wide bridge to permit safe passage of small watercraft around the Mexican Dam as well as being equestrian, bicycle and pedestrian friendly. This would eliminate the current public safety issues and allow for the Carson River Aquatic Trail to extend into the Carson Valley. Asking for \$25,000. Bridge would provide safe passage for people to get around dam without going on private property. Project is shovel ready and the plan is to be done by December 2019. Presentation included four letters of support for this project: Douglas County Community Services, Carson Valley Trails Association, Muscle Powered, and Resource Concepts, Inc.

USGS:

USGS Monitoring Hg, Ar, Ld & Sediment in Carson River

Angie Paul, Hydrologist, USGS Nevada Water Science Center

This project is a continuation of 2017-18 Mercury Monitoring Program. Asking \$3,000 (Matching funds)

7500-00 USGS Stream Gage Contract

Steven Berris, Nevada Networks Chief

This project is a continuation of the cooperative monitoring program. Asking \$78,405 for FY 2019-20 and \$78,405 for FY 2020-21.

7508-00 USGS Douglas & Lyon Counties Co GW Collection Data

Steven Berris, Nevada Networks Chief

This project is a continuation of the cooperative monitoring program. Asking \$16,890 for FY 2019-20 and \$16,890 for FY 2020-21

New Projects:

Sierra Nevada Journeys – Family Watershed Nights & Watershed Map Project

Joan Grover, Grants Manager

This Watershed Education project is for Douglas County and Carson City. The events have great participation that are targeted to elementary school kids and their parents. Asking for \$2,976.48 to conduct 2 events in Carson City and 2 events in Douglas County. They are also asking for \$1,500 to help CWSD identify education standards so teachers can use CWSD website and watershed map for class assignments.

American Rivers - Faith Valley Meadow Restoration Planning

Julie Fair, Associate Director, California Restoration (via phone conference)

Project to restore hydrological and ecosystems processes. Asking for \$10,500.

During lunch Mr. James reviewed the Acquisition/Construction and Floodplain Management Funds.

Item #6 - Make recommendations for the Tentative General Fund, Acquisition/Construction Fund, and Floodplain Management Fund FY 2019-20 budgets.

Mr. James mentioned that the committee needs to cut \$195,000 from the funding requests. Based on further discussion the committee proposed the following cuts:

\$13,000 from CVCD genoa Bank Stabilization Project
\$10,000 from DVCD Bank Stabilization Project
\$10,000 from LCD Channel Clearing Project
\$3,000 from USGS Hg Monitoring
\$50,000 from TCID Carson Diversion Dam Repairs
\$50,000 from Transfer to Floodplain Management Account
\$50,000 from Transfer to Acquisition/Construction Account
\$10,500 from American River Meadow Restoration

Treasurer Bonkowski made the motion that the Finance Committee recommend that the tentative budgets for the General Fund, the Acquisition/Construction Fund, and Flood Management Fund be approved as adjusted above. Committee Member Schank seconded the motion which was unanimously approved by the Finance Committee. Mr. James was directed to send a clean copy to committee members before sending to the entire Board for review.

Item #7 - Public comment: None

There being no further business to come before the Finance Committee, Treasurer Bonkowski moved and Committee Member Schank seconded motion to adjourn which passed unanimously. Treasurer Bonkowski declared the meeting adjourned at 1:17p.m.

Respectfully submitted,

Catrina Schambra
Secretary to the Board

CARSON WATER SUBCONSERVANCY DISTRICT

General Fund

	Proposed Tentative Budget	Final Budget	Projected Actual Budget	Notes
	Jul '19 - Jun '20	Jul '18 - Jun '19	Jul '18 - Jun '19	
Income				
5008-00 . Alpine County	10,100.00	9,800.00	9,800.00	3 % increase
5009-00 . Churchill County Ad Valorem	207,096.95	201,065.00	201,065.00	3 % increase
5010-00 . Lyon County Ad Valorem	171,451.74	166,458.00	166,458.00	3 % increase
5011-00 . Douglas County Ad Valorem	568,472.45	551,915.00	551,915.00	3 % increase
5012-00 . Carson City Ad Valorem	424,969.76	412,592.00	412,592.00	3 % increase
5022-00 . Mud Lake Water Lease	51,000.00	55,000.00	50,000.00	
5023-00 . Lost Lake Water Lease	0.00	0.00	0.00	
5031-00 . Interest Income - St Pool Reg	16,218.98	9,500.00	15,800.00	2.5 % Int rate
5045-00 . Interest Income - BOA Savings	0.00	6.00	0.00	
5050-00 . Watershed Coordinator Grant	25,598.00	121,400.00	93,202.00	Grant
New Watershed Grant 2019-2021	90,000.00	0.00	0.00	Grant
5050-07 .CRC Donation	0.00	0.00	0.00	
5058-04 .208 Water Quality LID	16,752.00	17,850.00	20,813.00	Grant
5060-00 . Misc. Income / Watershed Tour	6,000.00	6,000.00	5,755.00	
5063-06 . NDEP Grant-Watershed Education	0.00	5,100.00	6,977.00	Grant
5082-00 . CASGEM	1,000.00	300.00	1,000.00	Grant
5083-00 . Alpine Co Mesa GW Study	0.00	300.00	1,050.00	Grant
5097-00 . BLM Weed Grant	0.00	750.00	1,209.00	Grant
5096-00 . NFWF Weed Grant	19,063.00	17,240.00	32,520.00	Grant
5098-00 . FEMA - MAS # 7	0.00	82,650.00	87,292.00	Grant
5099-00 . Watershed Literacy Imp III revised	3,667.00	43,970.00	67,353.00	Grant
6000-00 . FEMA - MAS # 8	42,738.00	247,890.00	304,530.00	Grant
6002-00 . NDA Weed Mgmt-Starthistle	0.00	2,050.00	15,487.00	Grant
6003-00 . FEMA - MAS # 9	504,853.00	0.00	142,793.00	Grant
6004-00 . USBR - water Market Study	50,000.00	0.00	3,500.00	Grant
6003-00 . FEMA - MAS # 10	0.00	0.00	0.00	Grant
Total Income	2,208,980.88	1,951,836.00	2,191,111.00	
Expense				
ADMINISTRATIVE EXPENSES:				Notes
7015-00 . Salaries & Wages	390,000.00	385,000.00	380,500.00	
7020-00 . Employee Benefits	159,000.00	145,500.00	151,800.00	
7021-00 . Workers Comp Ins.	1,100.00	1,100.00	1,100.00	
7101-00 . Director's Fees	16,000.00	14,500.00	12,500.00	
7102-00 . Insurance	5,100.00	6,000.00	4,960.00	
7103-00 . Office Supplies	2,500.00	2,500.00	2,600.00	
7104-00 . Postage	850.00	850.00	850.00	
7105-00 . Rent	36,648.00	26,555.00	35,580.00	
7106-00 . Telephone	4,000.00	3,800.00	3,800.00	
7107-00 . Travel-transport/meals/lodging	15,000.00	14,000.00	13,000.00	
7108-00 . Dues & Publications	1,100.00	1,100.00	1,100.00	
7109-00 . Miscellaneous Expense	1,000.00	1,000.00	1,000.00	
7110-00 . Seminars & Education	3,000.00	3,000.00	2,500.00	
7111-00 . Office Equipment	3,000.00	3,000.00	2,500.00	
7112-00 . Bank Charges	50.00	100.00	10.00	
7115-00 . Accounting	16,000.00	16,000.00	10,000.00	
7116-00 . Legal	36,000.00	40,700.00	38,000.00	
Subtotal-Administrative Expenses	690,348.00	664,705.00	661,800.00	

CARSON WATER SUBCONSERVANCY DISTRICT

General Fund

Multi Year, Studies, and Grants	Proposed Tentative Budget	Revised Final Budget	Projected Actual Budget	Notes
	Jul '19 - Jun '20	Jul '18 - Jun '19	Jul '18 - Jun '19	
PROJECTS:				
7114-00 · Professional Outside Services	20,000.00	10,000.00	11,000.00	
7117-00 · Lost Lakes Expenses	12,000.00	11,500.00	11,500.00	
7118-00 · Mud Lake O & M	1,000.00	1,000.00	1,000.00	
7120-00 · Integrated Watershed Plan				
7120-07 · Watershed Tour	6,000.00	6,000.00	1,702.00	
7120-31 · Watershed Coord Expenses 17-19	4,000.00	9,850.00	3,400.00	Grant
7125-00 · Environ. Educ. Coord. Program 17-18	0.00	4,800.00	6,627.00	Grant
7215-00 · Sierra NV Journeys - Family Night	4,477.00	3,000.00	3,000.00	
7404-00 · Noxious Weeds Control	75,000.00	75,000.00	75,000.00	
7406-00 · 208 Planning - LID	12,878.00	30,080.00	17,461.00	Grant
7429-00 · Watershed Literacy Implementation #2	0.00	25,510.00	0.00	Grant
7430-00 · NFWF Weed Grant	16,550.00	15,240.00	30,010.00	Grant
7436-00 · NDA Weed Grant - Yellow Star Thistle	0.00	1,000.00	12,366.00	Grant
7432-00 · FEMA MAS #7	0.00	75,800.00	79,765.00	Grant
7432-00 · FEMA MAS #8	38,212.00	225,160.00	275,014.00	Grant
7437-00 · FEMA MAS #9	471,236.00	0.00	127,874.00	Grant
7437-00 · FEMA MAS #10	0.00	0.00	0.00	Grant
74??-00 · BOR WaterSmart Grant	72,000.00	0.00	4,000.00	Grant
7433-00 · Watershed Literacy # 3	1,200.00	25,260.00	67,353.00	Grant
7500-00 · USGS Stream Gage Contracts	78,405.00	78,405.00	78,405.00	
7508-00 · USGS Do. Co. GW Collection Data	16,890.00	16,890.00	16,890.00	
7524-01 · USGS GW level & WQ Churchill Co.	5,800.00	5,630.00	5,630.00	
7526-01 · USGS GW Eagle, Dayton & Churchill	3,225.00	27,680.00	27,680.00	
7527-01 · USGS GW Study Arsenic Study	0.00	28,055.00	28,055.00	
7528-01 · USGS Mercury CR	0.00	15,000.00	15,000.00	Reduced by \$3,000
Subtotal Multi Year & On-going Projects	838,873.00	690,860.00	898,732.00	

Counties and River Projects

				Notes
7332-00 · Carson River Work Days	26,000.00	26,000.00	26,000.00	
7337-00 · Carson River Restoration				
7337-91 · CVCD Streambank Projects 18-19	87,000.00	100,000.00	90,000.00	Reduced by \$13,000
7337-91 · CVCD Streambank Projects 18-19	10,000.00	0.00	0.00	Propose Carryover
7337-19 · CVCD Bioengineering 18-20	60,000.00	50,000.00	50,000.00	
7337-31 · Dayton Valley Conservation	90,000.00	75,000.00	123,495.00	Reduced by \$10,000
7337-31 · DVCD carryover request	66,600.00	0.00	0.00	Propose Carryover
7337-04 · LCD Clearing & Sand Bar Removal	25,000.00	20,000.00	20,000.00	Reduced by \$10,000
7600-05 · Alpine Co. Watershed Group.	25,000.00	25,000.00	25,000.00	
7600-09 · CASGEM	10.00	10.00	10.00	
7600-10 · Mesa GW Measurement Project	0.00	10.00	10.00	
7610-10 · Douglas Co Regional Pipeline	125,000.00	125,000.00	125,000.00	
7620-11 · Regional Pipeline Payment to CC	125,000.00	125,000.00	125,000.00	
7640-09 · Lahontan Valley WTR Level Program	18,000.00	18,000.00	18,000.00	
7640-16 · Dixie Valley WTR Lvl measurement	28,000.00	24,400.00	24,400.00	
St Request to carry over funds	685,610.00	588,420.00	626,915.00	

+

CARSON WATER SUBCONSERVANCY DISTRICT General Fund

New Projects

Recommended
Tentative
Budget

	Jul '19 - Jun '20	Notes	
TCID Carson Diversion Dam	50,000.00	Reduced by \$50,000	
Carson City Reuse Master Plan	50,000.00		
Mexican Dam Portage Construction	25,000.00		
Faith Valley Meadows	0.00	Reduced by \$10,500	
Total Expenses for New Projects	125,000.00	0.00	0.00
Total Expenditures	2,339,831.00	1,943,985.00	2,187,447.00
Net Ordinary Income	-130,850.13	7,851.00	3,664.00
Other Income/ Other Income			
Beginning Equity	611,764.00	593,258.00	706,100.00
Transfer from Acqu/Const. Fd to Gen Fd.	22,000.00	0.00	2,000.00
	633,764.00	593,258.00	708,100.00
Total Other Inc Other Expenses			
8008-00 - Preliminary Planning	392,000.00	405,000.00	0.00
Transfer from Gen. Fd. to Floodplain Fd.	0.00	50,000.00	50,000.00
Transfer from Gen. Fd. to Acqu./Const. Fd.	0.00	50,000.00	50,000.00
Total Other Expenses	392,000.00	505,000.00	100,000.00
Net Other Income	241,764.00	88,258.00	608,100.00
ENDING BALANCE	110,913.88	96,109.00	611,764.00

Four % of all Expenditures

\$109,273.24

* Based on the 2017-18 Audit

**CARSON WATER SUBCONSERVANCY DISTRICT
ACQUISITION/CONSTRUCTION FUND
2019-20 Tentative Budget**

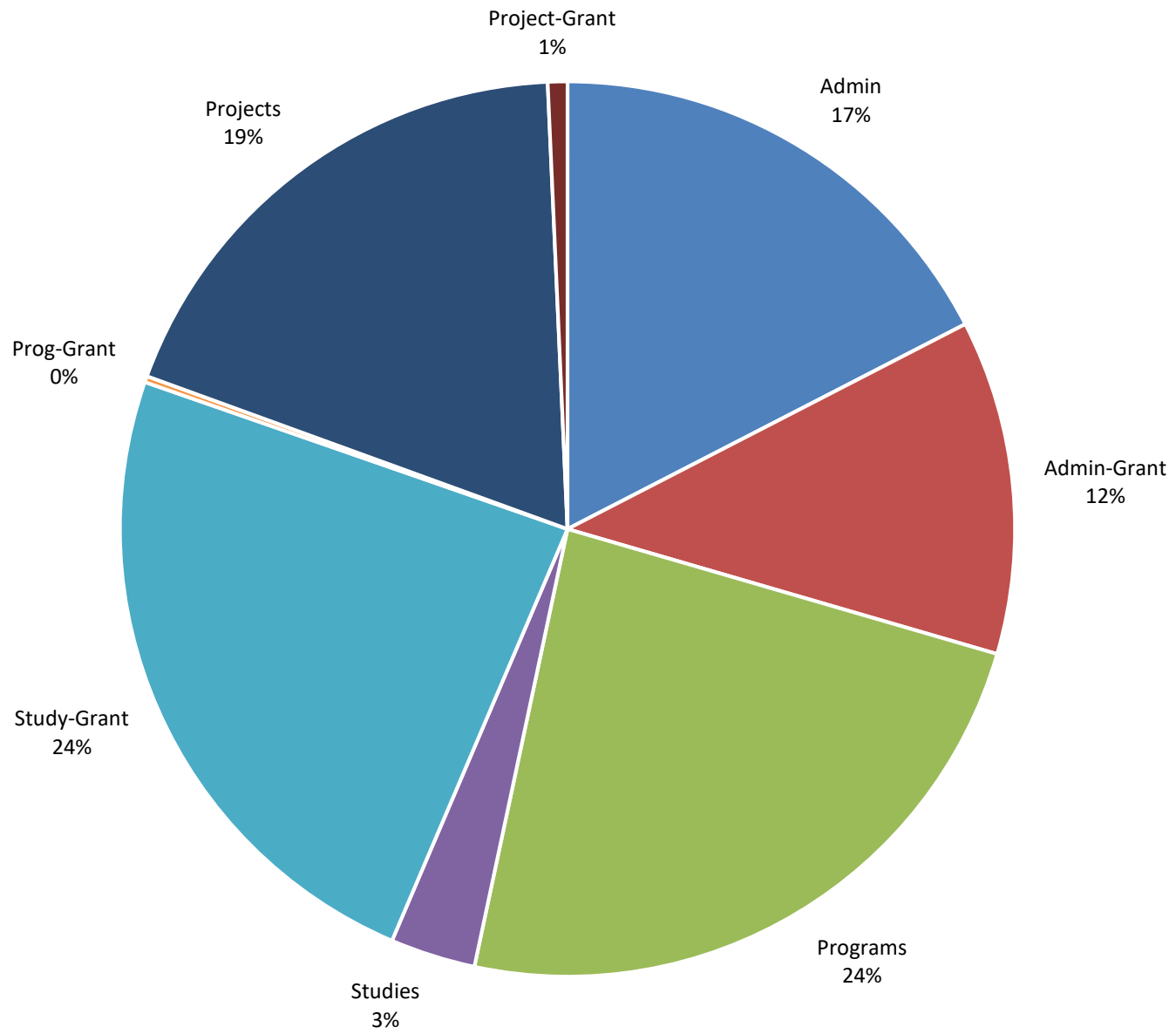
ACQUISITION/CONSTRUCTION FUND	Proposed Tentative Budget	Approved Final Budget	Projected Actual Budget	
	Jul '19 - Jun '20	Jul '18 - Jun '19	Jul '18 - Jun '19	
Ordinary Income/Expense				
Income				
5032-01 · Interest Inc - Inv. Pool	19,081.33	9,660.00	16,100.00	Based on 2.5%
Total Income	19,081.33	9,660.00	16,100.00	
Expense				
Upstream Storage Evaluation	22,000.00	70,000.00	2,000.00	
Upsizing the Lyon County to Stagecoach pipeline	250,000.00	250,000.00	0.00	
Construction Projects	475,000.00	400,000.00	0.00	
Total Expense	747,000.00	720,000.00	2,000.00	
Net Ordinary Income	-727,918.68	-710,340.00	14,100.00	
Other Income/Expense				
Other Income				
8000-01 · Beginning Equity	763,253.00	689,849.00	699,153.00 *	
8001-01 · Transfer In-General Fund	0.00	50,000.00	50,000.00	
Total Other Income	763,253.00	739,849.00	749,153.00	
* Based on 2017-18 Audit				
Ending Equity	35,334.33	29,509.00	763,253.00	

**CARSON WATER SUBCONSERVANCY DISTRICT
FLOODPLAIN MANAGEMENT FUND
FY 2019-20 Tentative Budget**

FLOODPLAIN MANAGEMENT FUND	Proposed	Adopted	Projected	Notes
	Tentative	Final	Actual	
	Budget	Budget	Budget	
	Jul '19 - Jun '20	Jul '18 - Jun '19	Jul '18 - Jun '19	
Ordinary Income/Expense				
Income				
5032-01 - Interest Inc - Inv. Pool	9,686.30	5,350.00	8,480.00	Based on 2.5%
Total Income	9,686.30	5,350.00	8,480.00	
Expense				
7203-03 Floodplain Planning	300,000.00	190,000.00	0.00	
CVCD Working on Flood Repairs and permits	0.00	70,000.00	15,000.00	
DVCD Working on Flood Repairs and permits	0.00	30,000.00	3,000.00	
Churchill County Floodplain Evaluation	35,000.00	40,000.00	5,475.00	
7206-03 Flood Project along SR 88 in Minden	40,000.00	40,000.00	0.00	
Total Expense	375,000.00	370,000.00	23,475.00	
Net Ordinary Income	-365,313.70	-364,650.00	-14,995.00	
Other Income/Expense				
Other Income				
8000-01 - Beginning Equity	387,452.00	382,074.00	352,447.00	*
8001-01 - Transfer In-General Fund	0.00	50,000.00	50,000.00	
Total Other Income	387,452.00	432,074.00	402,447.00	
Ending Equity	22,138.30	67,424.00	387,452.00	

* Based on the 2017-18 Audit

Tentative FY 2019-20 General Budget



AGENDA ITEM #13

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #13 – For Discussion Only: Discussion regarding the 2019 Nevada Legislative Session.

DISCUSSION: Staff will give an update on the various bills CWSD is monitoring. Staff has been keeping the CWSD Legislative Committee updated on the legislative process. Attached is the list of BDRs/Bills staff is monitoring.

STAFF RECOMMENDATION: Provide direction to staff, as needed.

<u>Bill</u>	<u>BDR</u>	<u>Requester</u>	<u>Title</u>	<u>Description</u>	<u>Status</u>	<u>Hearings</u>	<u>Next Meeting</u>
As of 3/10/19	By:	Karen Garaventa Baggett		Contact: Cell 775-721-2233 / Email - kgaraventa@ charter.net			
DISCLAIMER: This is summary is informational only. Although reasonable care has been taken to ensure that the information on this spreadsheet is accurate, correct and complete, no guarantee, warranty or representation, express or implied, is given to the accuracy, correctness or completeness of the content of this summary.							
<u>Assembly Bills:</u>							
AB30	48-214	Division of Water Resources of the State Department of Conservation and Natural Resources	Revises provisions governing the appropriation of water.	AN ACT relating to water; authorizing the State Engineer, under certain circumstances, to consider the approval of a proposal to avoid or eliminate conflicts between an applicant for a permit to appropriate water and the existing holders of water rights and owners of domestic wells; and providing other matters properly relating thereto.	Minutes Not Yet Available	A/ NRAM on Feb 27, 2019 at 4:00 PM	None Scheduled
AB51	48-213	Division of Water Resources of the State Department of Conservation and Natural Resources	Revises provisions governing the management of hydrologically connected groundwater and surface water resources.	AN ACT relating to water; requiring the State Engineer to adopt regulations relating to the conjunctive management of groundwater and surface water; authorizing the State Engineer to impose certain special assessments related to a program for the conjunctive management of groundwater and surface water; providing that certain water rights are not subject to abandonment or forfeiture; and providing other matters properly relating thereto.	Minutes Not Yet Available	A/ NRAM on Feb 27, 2019 at 4:00 PM	None Scheduled
AB62	48-215	Division of Water Resources of the State Department of Conservation and Natural Resources	Revises provisions related to water. (BDR 48-215)	AN ACT relating to water; revising the time period for which the State Engineer may grant an extension for the completion of work for the diversion of water; authorizing, under certain circumstances, the State Engineer to suspend the limitation of time for the completion of work set forth in a permit or an extension previously granted; and providing other matters properly relating thereto.	Upcoming Hearing		A/ NRAM on March 13, 2019 at 4:00 PM
AB70	19-421	Assembly Comm. On Government Affairs	Revises provisions governing the Open Meeting Law	AN ACT relating to meetings of public bodies; making various changes relating to meetings of public bodies; providing a penalty; and providing other matters properly relating thereto.	Minutes Not Yet Available	A / GA 3/6/19 @ 8:30 AM	None Scheduled

<u>Bill</u>	<u>BDR</u>	<u>Requester</u>	<u>Title</u>	<u>Description</u>	<u>Status</u>	<u>Hearings</u>	<u>Next Meeting</u>
AB93	26-437	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Revises provisions relating to the Account for License Plates for the Support of the Preservation and Restoration of the Natural Environment of the Lake Tahoe Basin.	AN ACT relating to license plates; authorizing the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources to provide grants to nonprofit organizations from the Account for License Plates for the Support of the Preservation and Restoration of the Natural Environment of the Lake Tahoe Basin; and providing other matters properly relating thereto.	Minutes Not Yet Available	A/NRAM on March 4, 2019 at 4:00 PM	None Scheduled
AB95	48-504	Legislative Committee on Public Lands (NRS 218E.510)	Revises provisions relating to water.	AN ACT relating to water; requiring the State Engineer to continue to allow withdrawals of groundwater from domestic wells under certain circumstances in groundwater basins where withdrawals have been restricted to conform to priority rights; and providing other matters properly relating thereto.	Minutes Not Yet Available	A/NRAM on March 4, 2019 at 4:00 PM	None Scheduled
AB98	S-440	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Revises provisions relating to the convention center to be built and operated by the Tahoe-Douglas Visitor's Authority.	AN ACT relating to the Tahoe-Douglas Visitor's Authority; clarifying the uses of the convention center for which the Authority is required to use certain tax proceeds to plan, construct and operate; and providing other matters properly relating thereto.	Minutes Not Yet Available	A/ G&I held on 2/19/19 @ 1:30 PM	None Scheduled
AB163	48-798	Assemblyman Watts	Revises provisions governing water conservation.	AN ACT relating to water; revising certain requirements relating to a plan of water conservation; revising minimum standards for plumbing fixtures in new construction and expansions and renovations in certain structures; and providing other matters properly relating thereto.	Read first time. To Nat. Res., Ag, & Mining Comm		None Scheduled
AB220	S-435	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Provides for the release of the next phase of bonds to carry out Nevada's portion of the Environmental Improvement Program for Lake Tahoe for the 2019-2021 biennium.	AN ACT relating to the Lake Tahoe Basin; requiring the issuance of general obligation bonds to carry out certain environmental improvement projects included in the second phase of the Environmental Improvement Program for the Lake Tahoe Basin; and providing other matters properly relating thereto.	Notice of eligibility for exemption.	A/ W&M 2/20/2019 @ 9:30 AM No vote	A / GA 3/13/19 8:30 AM
AB233	48-45	Assembly Kramer & Hardy / Senate Goicoechea & Parks	Revises provisions governing certain assessments on water.	AN ACT relating to water; revising provisions governing certain assessments on water users; and providing other matters properly relating thereto.	Read first time. To A/ NRAM		None scheduled

<u>Bill</u>	<u>BDR</u>	<u>Requester</u>	<u>Title</u>	<u>Description</u>	<u>Status</u>	<u>Hearings</u>	<u>Next Meeting</u>
<u>Senate Bills:</u>							
<u>SB47</u>	26-216	Senate Committee on Natural Resources	Revises provisions relating to state lands. (BDR 26-216)	AN ACT relating to state lands; clarifying when an authorization from the State Land Registrar is required to perform work below the high water mark of a navigable river; requiring the State Land Registrar to establish by regulation fees for such authorization and for permits related to dredging, filling and installing certain structures; revising provisions relating to the accounting and use of the proceeds of certain fees for the use of state lands; eliminating the requirement that the State Land Registrar grant credit towards fees paid for the commercial use of state land; making various other changes relating to state lands; and providing other matters properly relating thereto.	Read first time. To Comm. on Nat. Res.		None Scheduled
<u>SB76</u>	58-207	Colorado River Commission of Nevada	Revises provisions governing the provision of services by the Colorado River Commission.	AN ACT relating to energy; authorizing the Colorado River Commission of Nevada to sell electricity and provide transmission service and distribution service to certain new customers who receive a reallocation of capacity and associated firm energy which was originally allocated to certain existing customers; and providing other matters properly relating thereto.	Read first time. To Comm. on Growth and Infrastructure		None Scheduled
<u>SB140</u>	48-541	Senate Committee on Natural Resources	Revises provisions relating to appropriations of water in water basins.	AN ACT relating to water; requiring the State Engineer to reserve a certain percentage of the remaining water available for appropriation in certain basins; prohibiting the appropriation of such water; authorizing the use of such water in certain circumstances; and providing other matters properly relating thereto.	Minutes not yet available	S/ NR on 2/28/19 @ 4:00 PM	None Scheduled
<u>SB232</u>	48-664	Senator Settlemeyer	Revises provisions relating to water dedicated for projects.	AN ACT relating to irrigation districts; authorizing the trustee or trustees to designate a beneficiary of a trust to vote in certain elections, sign certain petitions and run for certain offices of an irrigation district; and providing other matters properly relating thereto.	Minutes not yet available	S/ NR on 3/7/19 @ 4:00 PM	None Scheduled

<u>Bill</u>	<u>BDR</u>	<u>Requester</u>	<u>Title</u>	<u>Description</u>	<u>Status</u>	<u>Hearings</u>	<u>Next Meeting</u>
SB250	48-664	Senators Settlemeyer, Goicoechea, & Hardy	Revises provisions relating to the dedication of water rights.	AN ACT relating to water; limiting the use of certain rights to appropriate water which have been dedicated to certain public entities; and providing other matters properly relating thereto.	Read first time. To Comm. on Nat. Res.		None Scheduled
BDRs...							
	44	Assemblyman Oscarson	Revises provisions governing water.				
	438	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	ACR: Expresses support for the role of science in guiding environmental protection and restoration efforts in the Lake Tahoe Basin and recognizes the role of the Tahoe Science Advisory Council.				
	439	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	Revises provisions relating to the concurrent jurisdiction of California and Nevada on Lake Tahoe and Topaz Lake.				
	441	Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (NRS 218E.555)	ACR: Expresses support for finding innovative transportation solutions in the Lake Tahoe Basin and for the efforts of the Bi-State Transportation Consultation Group.				
	901	Assemblywoman Peters	Makes various changes relating to water.				
	1177	Office of Finance in the Office of the Governor	Makes appropriations from the State General Fund to the Department of Agriculture for water conservation projects and the purchase and replacement of laboratory equipment.		Introduced on 2/22/19		

<u>Bill</u>	<u>BDR</u>	<u>Requester</u>	<u>Title</u>	<u>Description</u>	<u>Status</u>	<u>Hearings</u>	<u>Next Meeting</u>
	1238	Office of Finance in the Office of the Governor	Makes a supplemental appropriation from the State General Fund to the Division of Water Resources of the State Department of Conservation and Natural Resources for terminal leave payout costs.		Introduced on 2/22/19		
	1243	Office of Finance in the Office of the Governor	Creates the Advisory Board of Water Resources Planning and Drought Resiliency.		Introduced on 2/22/19		

AGENDA ITEM #14

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item # 14 – For Possible Recommendation: Discuss and provide input on the final draft Amicus Brief for the Walker Lake litigation.

DISCUSSION: Attached the final draft amicus brief for the Walker Lake litigation prepared by Patrick King, CWSD's attorney. Mr. King will review the final draft brief with the committee.

STAFF RECOMMENDATION: Provide feedback and comment on the final draft amicus brief to CWSD staff and attorney.

IN THE SUPREME COURT OF THE STATE OF NEVADA

MINERAL COUNTY; AND WALKER
LAKE WORKING GROUP,
Appellants,

v.

LYON COUNTY; CENTENNIAL
LIVESTOCK;
BRIDGEPORT RANCHERS;
SCHROEDER
GROUP; WALKER RIVER
IRRIGATION
DISTRICT; STATE OF NEVADA
DEPARTMENT OF WILDLIFE; AND
COUNTY
OF MONO, CALIFORNIA,

Respondents.

Supreme Court No. 755917

ON CERTIFICATION FROM THE
UNITED STATES COURT OF
APPEALS FOR THE NINTH
CIRCUIT, CASE No. 15-16342

**BRIEF AMICUS CURIAE OF THE
CARSON WATER SUBCONSERVANCY DISTRICT
AND ELKO COUNTY**

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Walker Basin Restoration Program, National Fish and Wildlife Foundation, https://www.nfwf.org/walkerbasin/Pages/home.aspx (last visited Jan. 7, 2019); <i>see also</i> Walker Basin Restoration Program, Walker Basin Conservancy, https://www.walkerbasin.org/wbrp/ (last visited Feb. 5, 2019).....	9

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I. INTRODUCTION AND IDENTITY AND INTEREST OF AMICUS CURIAE

Carson Water Subconservancy District (CWSD) has an interest in filing an amicus brief with the Nevada Supreme Court in the case of *Mineral County v. Walker River Irrigation District*, 900 F.3d 1027 (9th Cir. 2018), because of the impact that this case will have on all Decrees and Nevada water law involving surface and ground water rights in the entire state of Nevada. Based on this concern, the CWSD submit their amicus brief opposing the use of the public trust doctrine to take water away from currently decreed and appropriated water rights, and to respond to the two questions the Ninth Circuit Court of Appeals has requested the Supreme Court of Nevada to answer. The United States Court of Appeals for the Ninth Circuit certified to this Court the following questions:

- 1) Does the public trust doctrine apply to rights already adjudicated and settled under the doctrine of prior appropriation and, if so, to what extent?
- 2) If the public trust doctrine applies and allows for reallocation of rights settled under the doctrine of prior appropriation, does the abrogation of such adjudicated or vested rights constitute a “taking” under the Nevada Constitution requiring payment of just compensation?¹

The Court stayed all further proceedings in the case and is holding both the public trust and takings claims “in abeyance pending the result of certification.” ²

The CWSD, pursuant to Nevada Rules of Appellate Procedure (NRAP) Rule 29(a)(2), submits this amicus brief to assist the Court in answering these two important questions.

¹ *Mineral County v. Walker River Irrig. Dist.*, 900 F.3d 1027, 1034 (9th Cir. 2018). *Id.* at 273; *Mineral County*, 900 F.3d at 1034.

² *Id.* at 1028, 1035.

The Carson Water Subconservancy District, hereinafter CWSD, is a unique multi-county, bi-state agency dedicated to establishing a balance between the needs of the communities within the Carson River Watershed and the function of the river system.^{3 4}

CWSD acts as lead agency for integrated watershed planning and funds the Carson River Watershed Coordination Program, which facilitates the Carson River Coalition. CWSD strives to involve all counties and communities within the watershed in the effort to meet the various future water needs, enhance the health of the river system, protect the floodplains, and provide outreach and information to the community. CWSD's mission is to work within the existing governmental frameworks to promote cooperative action for the Carson River that crosses both agency and political boundaries. CWSD serves as an information resource for the

³ See, Chapter 621, Statutes of Nevada 1989 Carson Water Subconservancy District Act.

⁴ In 1989, the Nevada Legislature charged CWSD with the responsibility of “management and development of the water resources in the upper Carson River to alleviate reductions and loss of water supply, of the fragmented responsibilities for conservation and supply of water, and of any threats to the health, safety and welfare of the people of the upper Carson River Basin.” The legislation established a nine-member board comprised of representatives from Douglas County, Carson City, and Lyon County. In 1999, the Nevada Legislature expanded the CWSD Board to include members from Churchill County. In 2001, Alpine County, California joined CWSD through a Joint Power Agreement, and in 2018 Storey County became a member of the Carson River Watershed Committee. After the 1997 flood, the Carson River Coalition (CRC) was formed to deal with all the water issues in the Carson River Watershed in an integrated process, and the CWSD was asked to coordinate this effort. The CRC is a voluntary stakeholder group of representatives from federal and state agencies, city and county departments, conservation and weed management groups, farmers/ranchers, and any individual interested in the welfare of the Carson River Watershed.

Carson River watershed and oversees and funds numerous studies to better understand the complex dynamics of the region.⁵

Because of the breadth of the stakeholders that contribute to the CWSD, and the technical expertise offered by them to the CWSD regarding Nevada water, the CWSD is uniquely positioned to offer a broad and reasoned response to the important inquiry put to the Nevada Supreme Court.⁶ CWSD staff has expertise in the following disciplinary fields: water quantity, quality, hydrology, aquatic ecology, floodplain protection, water conservation, and county ordinance.

CWSD staff have the following certifications:

- Nevada Water Right Surveyor
- Certified Floodplain Manager
- Water Use Efficiency Practitioner
- Project Management

Elko County is located in the northeastern corner of the state, at the head of the Humboldt River Basin. Elko County holds a number of vested and pending surface and groundwater rights for municipal uses throughout the county. The county relies on these vested rights in its planning capacity as well as for economic

⁵ CWSD Board of Directors consists of fourteen members with representatives from each of the six counties within the Carson River watershed and includes several agricultural representatives and one advisory member.

CWSD has no regulatory authority

CWSD funds come from ad valorem taxes and federal, state, and local grants

CWSD is the designated Clean Water Act 208 Planning Agency

CWSD's mission is to work within existing governmental frameworks to promote cooperative action for the watershed that crosses both agency and political boundaries.

⁶ The General Manager of the CWSD, Ed James, is a registered Professional Engineer in the States of California and Nevada with 35 years of experience in the water resource field. The General Manager is also recognized as an expert witness in Hydrology and Colorado Water Law in Colorado Water Court Divisions 1 & 5.

development. The reliability of vested water rights is closely tied with economic development, because water is necessary for agricultural, municipal, mining, and domestic uses. For these reasons, Elko County has an interest in filing an amicus brief with the Nevada Supreme Court in the case of *Mineral County v. Walker River Irrigation District*, 900 F.3d 1027 (9th Cir. 2018).

I. STATEMENT OF THE CASE

Under common law “public trust” doctrine, the state owns and has a duty to manage tidal and navigable waters, together with the lands beneath them, in trust for the public.⁷ While the doctrine was originally understood to focus on navigation, commerce and fishing, various state courts “over time have developed the doctrine alongside the public’s changing uses of water to incorporate additional public purposes, including traveling, bathing, recreating, hunting, protecting the ecosystem, preserving scenic beauty, and maintaining access to the waters.”⁸ The issue in this case is this: can the public trust doctrine be used to trump state law and take away water rights already adjudicated and settled under the doctrine of prior appropriation?

While the case giving rise to the questions being submitted to the Nevada Supreme Court concerns the Walker River, the result of this Court’s answers to the two questions issued by the 9th Circuit will affect the security of *all* water rights in the State of Nevada.

A. Background to the Walker River Case

In 1936, the United States District Court of the District of Nevada issued a final decree over all claims to the waters of the Walker River and its tributaries,

⁷ See generally *Ill. Cent. R.R. Co. v. Illinois*, 146 U.S. 387, 452 (1892).

⁸ Melissa Scanlan, “Shifting Sands: A Meta-Theory for Public Access and Private Property Along the Coast,” 65 South Carolina Law Review 295, 308 (2013).

including claims on behalf of the Walker River Paiute Tribe.⁹ The Decree was amended by the Ninth Circuit Court of Appeals in 1939.¹⁰ That decree had settled surface water rights to the Walker River.¹¹ In 1991, the Walker River Irrigation District petitioned the decree court to enforce its decreed rights.¹² The United States and the Paiute Tribe filed counterclaims, claiming new water rights for a reservoir built on the tribal land. In 1994, Mineral County moved to intervene, asking the Court to modify the decree to provide minimum levels to maintain the viability of Walker Lake.¹³

In 2015, the decree court dismissed Mineral County's complaint for lack of standing, while concluding that the public trust doctrine could not be used to reallocate decreed rights without constituting a taking for which just compensation must be paid.¹⁴ Mineral County appealed to the Ninth Circuit.¹⁵

The Ninth Circuit held the U.S. District Court erred by dismissing Mineral County for lack of standing.¹⁶ The court then analyzed the public trust doctrine jurisprudence in Nevada, noting that the Nevada Supreme Court expressly recognized the doctrine but "whether it allows reallocation of rights settled under the separate doctrine of prior appropriation" remains unsettled.¹⁷

II. LEGAL BACKGROUND

⁹ See *U.S. v. Walker River Irr. Dist.*, 11 F. Supp. 158, 159 (D. Nev. 1935), *U.S. v. Walker River Irr. Dist.*, 14 F. Supp. 10 (D. Nev. 1936)

¹⁰ *U.S. v. Walker River Irr. Dist.*, 104 F.2d 334 (9th Cir. 1939)

¹¹ *Id.*

¹² *U.S. v. Walker River Irr. Dist.*, No. 3:73-cv-00128-RCJ, 2015 WL 3439122

¹³ *U.S. v. Walker River Irr. Dist.*, No. 3:73-cv-00128-RCJ, 2015 WL 3439122, at *3 (D. Nev. May 28, 2015), *rev'd in part sub nom., Mono Cnty. v. Walker River Irr. Dist.*, 735 F. Appx. 271 (9th Cir. 2018).

¹⁴ *Walker River Irr. Dist.*, No. 3:73-cv-00128-RCJ, 2015 WL 3439122, at *10.

¹⁵ *Mineral Cnty.*, 900 F.3d at 1034; *see also Mono Cnty.*, 735 F. Appx. at 271.

¹⁶ *Id.*

¹⁷ *Id.*

Nevada’s comprehensive water law embraces the public trust doctrine and does not violate it. The Public Trust Doctrine should not apply to rights already adjudicated and settled under the doctrine of prior appropriation and if raised should not create a private right of action. Nevada Law provides judicial review of water allocation decisions of the State Water Engineer affording adequate safeguards and legal remedies to protect the public trust.

The abrogation of adjudicated water rights settled under the doctrine of prior appropriation would constitute a “taking” under the Nevada Constitution requiring payment of just compensation. There is significant value in water rights and a marketplace for its sale and acquisition. This marketplace ensures that changes in priorities and values can be accommodated into the future for the benefit of the state and our people. If the right to use water can be taken in a court proceeding without the need to pay for it, the marketplace will fail and there is no workable substitution to accommodate future development, technology and public values.

IV. ARGUMENT

A. Water rights already adjudicated and settled under the doctrine of prior appropriation should not be subject to reallocation under the public trust doctrine

The prior appropriation doctrine, codified into Nevada’s water laws with the establishment of the Office of the State Engineer in 1903 is the foundation for allocating water throughout the state of Nevada.¹⁸ Nevada’s water statutes codified common law appropriations in Nevada.¹⁹ The statute declared these appropriated

¹⁸ Irrigation Law of Feb. 16, 1903, ch. 4, § 3, 1903 Nev. Stat. 25, *repealed by* Act of Feb. 26, 1907, ch. 18, § 32, 1907 Nev. Stat. 38.

¹⁹ *Id.* at ch. 4, § 8, 1903 Nev. Stat. 21 (“That nothing in this Act shall be construed as affecting or intending to affect or to in any way interfere with the . . . control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder . . .”); *See also Id.* at ch. 4, § 1, 1903 Nev. Stat. 21–22 (“the

water rights to be in the public interest.²⁰ With a limited water resource and with the major watersheds (Walker, Carson, Truckee, and Humboldt) all flowing into the Great Basin, all the water in Nevada is fully utilized. As such, Nevada's water systems and the availability of water is unique from other states. All major watersheds in Nevada have already been allocated by decrees. There is no "separate source" of water that could be tapped into to fill a mandated allotment or reallocation of water. A request for water would necessarily require another person or persons to surrender their allocated water. Ranching, farming, mining, and communities were all created with the fundamental understanding of water allocation through the prior appropriation doctrine.

i. The Public Trust Doctrine in Nevada

In defining a state's trust obligations under the public trust doctrine, the United States Supreme Court held that the public trust applies to bed and banks underlying navigable waterways, and that a state may not divest itself of control over the trust property, "except as to such parcels as are used in promoting the interests of the public therein."²¹ This Court expressly adopted the public trust doctrine and set forth Nevada's public trust doctrine framework in *Clark County v Lawrence*.²² Finding that application of the public trust doctrine in Nevada is founded upon the policies established in the state constitution and statutes, this Court ruled that it was the Nevada Legislature that had the responsibility to "act as a fiduciary of the public in its administration of trust property."²³ In *Lawrence*, this

use of all water now appropriated, or that may hereafter be appropriated is hereby declared to be a public use.").

²⁰ *Id.*

²¹ *Illinois Cent. R.R. Co. v. State of Illinois*, 146 U.S. 387 (1982), at 434.

²² *Lawrence v. Clark County*, 254 P.3d 606, 127 Nev. Adv. Op. 32 (Nev., 2011)

²³ *Id.* 254 P.3d at 613

Court found that “another source of Nevada law that evinces the public trust doctrine is our statutory law, specifically, NRS 321.0005 and NRS 533.025.”²⁴

Recognizing Nevada Law, this Court held that: “by its express language, NRS 321.0005 contemplates fiduciary-type duties with regard to the state’s administration of state lands.”²⁵ NRS 533.025 provides that “[t]he water of all sources of water supply within the boundaries of the State whether above or beneath the surface of the ground, belongs to the public.” Notably, NRS 533.025 does not provide that Nevada’s water belongs to the state; rather, it “belongs to the public.” Therefore, the public trust doctrine in Nevada requires that decisions regarding allocation of water are made in the public’s interest.

ii. Voluntary and statutory programs already exist in Nevada to solve the problems highlighted by the Walker Lake litigation. These successful programs do not require the upheaval of Nevada’s framework of water law.

The Walker Basin Restoration Program was established by Congress in October 2009 by Public Law 111-85, with the Program’s primary purpose to restore and maintain Walker Lake.²⁶ This is one existing program that is successfully addressing the problems of Walker Lake. In 2017, the non-profit Walker Basin Conservancy (WBC) accepted the lead for all implementation efforts to restore and maintain Walker Lake while protecting agricultural, environmental and recreational interests in the Walker River Basin. The program includes a voluntary water rights acquisition program with willing sellers to reduce upstream water use with permanent increases in freshwater inflows to the Lake. To date, The

²⁴ *Id.* 254 P.3d at 612

²⁵ *Id.*

²⁶ Omnibus Appropriations Act, 2009; P.L. 111-85 § 207-8, 123 Stat. 2858, 43 U.S.C. § 2211 (2009) (in 2009, Congress passed the “Walker Basin Restoration Program”).

Walker Basin Conservancy (Conservancy) has acquired 40 percent of the water rights required to restore Walker Lake.²⁷ The Conservancy acquires land, water and related interests from willing sellers in the Walker River Basin to restore and maintain Walker Lake while protecting agricultural and recreational interests. In 2017, WBC assumed the lead role for the Walker Basin Restoration Program, previously administered by the National Fish and Wildlife Foundation.²⁸ This voluntary water acquisition program is working; Walker River has reached Walker Lake for the first time in 6 years and is providing Walker Lake with much needed fresh water.²⁹ Also, Walker Lake has risen 12 vertical feet since the beginning of 2017.³⁰ The U.S. Geological Surveys, having run simulations for inflows to Walker Lake, predicts the lake will rise by as much as 15 to 18 feet this year, the most in a single year in recorded history.³¹

The CWSD was directly involved in the Newlands Project Water Rights Fund, another successful voluntary water buyout program. In 1999, the Nevada legislators passed AB 380, establishing the Newlands Project Water Rights Fund and a related program for the acquisition of certain surface water rights; and providing other matters properly relating thereto.³² This law included a voluntary

²⁷ See, e.g., Walker Basin Restoration Program, National Fish and Wildlife Foundation, <https://www.nfwf.org/walkerbasin/Pages/home.aspx> (last visited Jan. 7, 2019); see also Walker Basin Restoration Program, Walker Basin Conservancy, <https://www.walkerbasin.org/wbrp/> (last visited Feb. 5, 2019); see also 72 Fed. Reg. 54,285 (Sept. 24, 2007).

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² Nv. A.B. 380, 70th Cong. (1999)

water buyout program to reduce litigation in the Newlands project.³³ Per the bill, the CWSD administrated this program.³⁴

iii. Nevada’s established water law, in NRS 533.010 to NRS 533.560, requires the State Engineer to consider the public trust, incorporating all public trust values in deciding how to best appropriate water.

This Court held in *Lawrence*: “In sum, NRS 321.0005 and NRS 533.025 effectively statutorily codify the principles behind the public trust doctrine in Nevada.”³⁵ In Nevada any divestment of the public trust property must serve a beneficial use.³⁶ There can be no legal entitlement to the use of water if beneficial use is not established.³⁷ The Nevada Legislature requires the State Engineer to determine that the “public interest” is served when addressing the appropriation of water rights.³⁸ This Court has held that the State Engineer properly defined and proscribed the meaning of “the public interest” within his authority under NRS 533.370(3).³⁹ In *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, the State Engineer identified guidelines derived from Nevada’s water statutes (i.e., NRS Chapters 533, 534 and 540) to be considered when evaluating the “public interest.”⁴⁰ The CWSD’s experience working within the Carson River Basin is that the State Engineer *does* protect the public trust and works to ensure that all water

³³ *Id.*

³⁴ *Id.*

³⁵ *Lawrence v. Clark County*, 254 P.3d at 613

³⁶ NRS 533.005 et seq.

³⁷ *Id.* at NRS 533.050, NRS 533.353

³⁸ *Id.* at NRS 533.370(3), NRS 533.070(2)

³⁹ *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, 112 Nev. 743, 762 (1996).

⁴⁰ *Id.*

allocations are in the public interest. As such, Nevada's comprehensive water law is in harmony with and consistent with the public trust doctrine.

iv. Cases being represented as authoritative on the issue of the public trust in Nevada involving states that don't adhere to the law of Prior Appropriation do not offer reasonable comparisons and should be disregarded.

It is important to recognize that the public trust doctrine has never been used to retroactively reallocate settled water rights in a state with laws based on prior appropriation. Prior appropriation states have not imposed requirements beyond their statutory laws covering water rights. And, the public trust doctrine has not been used to reallocate previously established and appropriated rights.

Colorado's water law, like Nevada, is based on prior appropriation.⁴¹ When addressing the application of the public trust doctrine within Colorado water law, Colorado rejected the analysis in *National Audubon Society v. Superior Court*,⁴² as inapplicable to Colorado law.⁴³ The Colorado Court held that California's reasonable use doctrine "has never been the law in Colorado's 'pure' prior appropriation system."⁴⁴ Nevada should do the same. The water law in Idaho, like

⁴¹ Colo. Const. art. XVI § 5; *see also* Stephen H. Leonhardt & Jessica J. Spuhler, *The Public Trust Doctrine: What It Is, Where It Came From, And Why Colorado Does Not (And Should Not) Have One*, 16 U. Denv. Water L. Rev. 47, 48–49 (2012).

⁴² *National Audubon Society v. Superior Court*, 33 Cal. 3d 419, 446, 658 P.2d 709 (1983).

⁴³ *See Tyler v. Wilkinson*, 24 F. Cas. 472, 474 (C.C.D.R.I. 1827) (No. 14,312); *Pyle v. Gilbert*, 265 S.E. 2d 584 (Ga. 1980). This "pure" prior appropriation doctrine contrasts with California's riparian/prior appropriation/public trust hybrid which California chose by reason of its own custom and law; *see National Audubon Soc'y v. Superior Court*, 658 P.2d 709 (Cal. 1983); *Lux v. Haggin*, 10 P. 674 (Cal. 1886).

⁴⁴ *Id.*

Nevada is based on prior appropriation.⁴⁵ Idaho passed a statute that its law of prior appropriation satisfies the public trust doctrine.⁴⁶

When considering if the State Engineer should look to the laws of other states, this Court held, there is “no indication that Nevada’s Legislature intended that the State Engineer determine public policy in Nevada by incorporating another state’s statutes . . .” to analyze the public interest.⁴⁷ However, should this Court look to other states, only those states that also follow strict prior appropriation offer reasonable comparisons.

B. The abrogation of adjudicated or vested water rights is a “taking” under the Nevada Constitution requiring payment of just compensation.

Under Nevada Law, a water right is considered and protected as real property.⁴⁸ It cannot be taken without compensation.⁴⁹

Any argument that taking away the water is not a taking because the owner still owns the water right is absurd.

For a taking to occur, a claimant must have a “stick in the bundle of property rights.” The bundle of property rights includes “all rights inherent in ownership, including the inalienable right to possess, use, and enjoy the property.”⁵⁰ Nevada Ranchers, farmers, miners and communities acquired water

⁴⁵ See Idaho Code § 42-1502.

⁴⁶ See Idaho Code § 58-1201 and Idaho Code § 58-1203.

⁴⁷ *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, 112 Nev. 743, 762 (1996).

⁴⁸ See, NRS 111.167, NRS 533.382, and NRS 240.161 through 240.168; See also *Carson City v. Lompa’s Estate*, 88 Nev. 541, 501 P.2d 662 (1972); see also *Vineyard Land & Stock Co. v. Dist. Ct. of Fourth Jud. Dist. of Nevada in and for Elko Cnty.*, 42 Nev. 1, 171 P. 166 (1918) (water rights holders retain due process interests under Nevada’s takings clause).

⁴⁹ See, U.S. Const. amend. art. V., See also, NRS 37.035(3)(d)

⁵⁰ *ASAP Storage, Inc. v. City of Sparks*, 123 Nev. 639, 647 (Nev. 2007), (quoting *Sisolak*, 122 Nev. at 658, 137 P.3d at 1119 (quoting *Karuk Tribe of California v.*

rights so they could use the water for a beneficial use. They need to use the water to meet the needs of their cattle, farm, business or development. They didn't buy or acquire the water right so they could frame a certificate. Take away the use of the water itself and the water rights are meaningless.

Importantly, as discussed above, there is the market place for the sale and acquisition of water rights. If water can be taken away without paying for it, then the market place will fail and current successful programs to acquire water rights will also fail.

In the California case of *National Audubon Society v. Superior Court*, the court ruled that the state's "continuing supervisory control" over water resources subject to the trust "prevents any party from acquiring a vested right to appropriate water in a manner harmful to the interests protected by the public trust."⁵¹ Thus, limiting the claim of having a vested appropriative water right in California.⁵² In that case the Supreme Court clarified the scope of the 'public trust doctrine' and held that the state as trustee of the public trust retains supervisory control over the state's waters such that no party has a vested right to appropriate water in a manner harmful to the interests protected by the public trust.⁵³

The CWSD encourages this Court to adopt a better rule consistent with Nevada law that considers a water right to be a property right. This Court should apply a traditional regulatory takings analysis to takings claims arising from regulatory restrictions on the use of water. The *Penn Central* analysis⁵⁴ has been

Ammon, 209 F.3d 1366, 1374 (Fed. Cir. 2000)).*See also*, Nev. Const. art. 1, § 1 (granting the inalienable constitutional right to "[p]rotect[]" property).

⁵¹ *National Audubon Society v. Superior Court*, 33 Cal. 3d 419, 446, 658 P.2d 709 (1983)

⁵² *States v. State Water Resources Control Board* 182 Cal.App.3d 82 (1986).

⁵³ *Id.*

⁵⁴ *Penn Cent. Transp. Co. v. City of New York*, 438 U.S. 104, 124 (1978)

applied to takings claims arising from regulatory restrictions on a wide variety of property interests and there is no apparent reason why the same analysis should not apply to takings claims arising from restrictions on water use since a water right is considered and protected as real property in the State of Nevada⁵⁵.

i. There Will Be Harmful Consequences Should the Public Trust Doctrine Supersede Nevada's Existing Water Law.

If the Public Trust Doctrine was deemed to supersede Nevada's existing water law then all existing water rights would be subject to being taken. Increased piecemeal litigation would disadvantage farmers, ranchers, and property owners with limited resources to fight motivated developers and large corporations. There would be a lack of certainty that would hurt long term planning. The efforts of the CWSD, and other voluntary and statutory programs in the State of Nevada would be impaired.

V. CONCLUSION

Nevada is unique from other states due to its limited water resources and the fact that surface water in Nevada has been allocated by decrees. The water law in Nevada, based on prior appropriation is fair, requiring a determination of beneficial use and public interest. The legislature is best suited to establish laws consistent with evolving public needs and changing priorities. Nevada's water law is appropriately managed by the State Engineer, considering public trust values and ultimately, affirmed, or altered by the courts. Predictability and certainty are prerequisites to vital marketplace investments in our state. Our current frame work

(discussing "economic impact," "investment-backed expectations," and the "character of the regulation").

⁵⁵ *Carson City v. Lompa's Estate*, 88 Nev. 541, 501 P.2d 662 (1972); see also *Vineyard Land & Stock Co. v. Dist. Ct. of Fourth Jud. Dist. of Nevada in and for Elko Cnty.*, 42 Nev. 1, 171 P. 166 (1918) (water rights holders retain due process interests under Nevada's takings clause).

for water law provides the level of certainty depended upon to encourage appropriate diversity in our State's development. The public trust doctrine should not be interpreted to allow piecemeal litigation to retroactively reallocate decreed water rights. As a valuable and necessary property interest the absence of which can make land worthless, water rights cannot be taken without just compensation. To hold otherwise would subvert the marketplace in Nevada that is currently responding to the public trust values of Nevada.

Dated: March _____, 2019

Respectfully submitted,

KING & RUSSO, LTD.

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INSERT ELKO COUNTY SIG BLOCK

CERTIFICATE OF COMPLIANCE

1. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word 16 in 14-point Times New Roman font;

2. I further certify that this brief complies with the page- or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points or more, and contains 5586 words.

3. Finally, I hereby certify that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

Dated: March ____, 2019

Respectfully submitted,
KING & RUSSO, LTD.

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CERTIFICATE OF SERVICE

I hereby certify that the BRIEF AMICUS CURIAE OF CARSON WATER SUBCONSERVANCY DISTRICT AND ELKO COUNTY was filed electronically with the Nevada Supreme Court on the **[DATE]**. Electronic Service of the BRIEF AMICUS CURIAE OF CARSON WATER SUBCONSERVANCY DISTRICT AND ELKO COUNTY shall be made in accordance with the Master Service List as follows:

K. Kevin Benson
Robert L. Eisenberg
Gordon H. DePaoli, Esq.
Dale E. Ferguson, Esq.
Aaron D. Ford
Simeon M. Herskovits
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Jerry M. Snyder
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Tori D. Sundheim
Therese A. Ure
Roderick E. Walston
Wes Williams, Jr.

/s/ Jane A. Tippet

JANE A. TIPPETT

AGENDA ITEM #15

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #15 – For Discussion Only: A presentation by the CWSD AmeriCorps Intern on the interactive Watershed Map.

DISCUSSION: The creation of CWSD's online watershed map began in 2016 with the Watershed Literacy II grant from NDEP. The map's development continued under Watershed Literacy III, which also included a Spanish translation of the map. The completed map is now live and has become a robust source of information on the places, biology and activities within the watershed. Justin Bedocs will demonstrate use of the map and present an overview of the project. He will also discuss CWSD's current collaboration with Sierra Nevada Journeys to develop classroom curricula for all grade school levels based on the web map.

STAFF RECOMMENDATION: Receive and file.

AGENDA ITEM #16

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #16 – For Discussion Only: A presentation by Rob Holley with the Dayton Valley Conservation District regarding their river projects.

DISCUSSION: Rob Holley with the Dayton Valley Conservation District (DVCD) will give a brief overview of the various projects the DVCD has been working on over the past few years and future projects.

STAFF RECOMMENDATION: Receive and file.

AGENDA ITEM #17

**CARSON WATER SUBCONSERVANCY DISTRICT
CARSON RIVER WATERSHED COMMITTEE**

TO: COMMITTEE MEMBERS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #17 – For Discussion Only: Provide an update on the 2019 Water Year.

DISCUSSION: 2019 is turning out to be a very wet year. Staff will give an update on project runoff for this coming spring and summer.

STAFF RECOMMENDATION: Receive and file.

AGENDA ITEM #18

CARSON RIVER WATERSHED COMMITTEE

PUBLIC COMMENT

AGENDA ITEM #19

CARSON WATER SUBCONSERVANCY DISTRICT

TO: BOARD OF DIRECTORS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #19 – For Possible Action: Approve CWSD Tentative Fiscal Year 2019-20 Budgets.

DISCUSSION: This topic was discussed earlier on the Agenda under Item #12.

STAFF RECOMMENDATION: Approve the Carson River Watershed Committee's recommendation.

AGENDA ITEM #20

CARSON WATER SUBCONSERVANCY DISTRICT

TO: BOARD OF DIRECTORS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #20 – For Possible Action: Provide direction to CWSD Staff regarding the 2019 Nevada Legislative Session.

DISCUSSION: This topic was discussed earlier on the Agenda under Item #13.

STAFF RECOMMENDATION: Approve the Carson River Watershed Committee's recommendation.

AGENDA ITEM #21

CARSON WATER SUBCONSERVANCY DISTRICT

TO: BOARD OF DIRECTORS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #21 – For Possible Action: Approve the final draft of the Amicus Brief for the Walker Lake hearing.

DISCUSSION: This topic was discussed earlier on the Agenda under Item #14.

STAFF RECOMMENDATION: Approve the Carson River Watershed Committee's recommendation.

STAFF REPORTS

CARSON WATER SUBCONSERVANCY DISTRICT

TO: BOARD OF DIRECTORS

FROM: EDWIN D. JAMES

DATE: MARCH 20, 2019

SUBJECT: Agenda Item #22 - For Information Only: Staff report

DISCUSSION: The following is a list of meetings/activities attended by Ed James and staff since the last Board meeting on February 20, 2019:

- 2/21/19 – Ed participated in a FEMA Meeting/Flood Mapping conference call (Starr Group)
- 2/21/19 – Ed, Shane and Justin attended Watershed Literacy Campaign meeting
- 2/25/19 – Shane participated in a Faith Valley Webinar
- 2/26/19 – Ed met with Legislators: Robin Titus, James Suttelmeyer and Al Cramer
- 2/26/19 – Shane attended Invasive Species meeting
- 2/26-28/19 – Debbie attended a grants management class at Nevada Department of Emergency Management.
- 2/27/19 – Ed and Shane met with RCI staff to discuss the Geomorphology 101 Project.
- 2/27/19 – Ed at Nevada Legislature monitoring water bills
- 2/28/19 – Ed and Catrina participated in annual CWSD Finance Committee meeting
- 2/28/19 – Ed at Nevada Legislature for SB140
- 2/28/19 – Ed participated in NWRA Board meeting (Reno)
- 2/28/19 – Shane and Justin demonstrated the flood model at the Sierra Nevada Journeys (SNJ) STEAM Family Night at Borderwich Bray Elementary School in Carson City
- 3/1/19 – Ed talked to Bert Allen with NDA regarding water quality runoff
- 3/4/19 – Shane, Debbie, Ed, Justin and Catrina held staff meeting
- 3/4/19 – Ed met with legislators: Jim Wheeler and Mr. Flores (AB70)
- 3/5/19 – Catrina attended HR benefits presentation
- 3/5/19 – Ed met with legislator Maggie Carlton regarding AB84
- 3/6/19 – Ed monitored AB70 hearing
- 3/6/19 - Shane, Debbie, Ed, Justin and Catrina held meeting to plan Strategic Planning Day
- 3/6/19 – Ed met with legislator Ben Kieckhefer
- 3/7/19 – Ed attended NWRA Committee meeting
- 3/7/19 – Ed attended NWRA Board meeting
- 3/8/19 – Ed attended CNWA meeting
- 3/8/19 – Debbie, Shane, Justine and Catrina held CRC EE Work Group: Floodplain, Groundwater and Enviroscope Model Training Session
- 3/12/19 – Ed attended State Engineers Forecast meeting
- 3/12/19 – Ed, Shane and Debbie met with Mike Kellogg regarding hyetograph curves

3/20/19 CWSD Board Meeting
Agenda Item #22 - Staff Report

- 3/12/19 – Shane and Justin meet with DVCD NFWF funding
- 3/12/19 – Shane and Justin meet with CCWC NFWF funding
- 3/12/19 – Ed attended SDADMP Workshop
- 3/13/19 – Debbie and Catrina participated in Carson River Park Fish Release and demonstrated Floodplain Model
- 3/14/19 – Ed attended legislature State Engineer Budget meeting
- 3/18/19 – All staff participated in our annual Strategic Planning Day
- 3/20/19 – Ed attended TNC meeting in Reno
- 3/20/19 – Ed gave presentation to the Assembly Natural Resources Committee regarding CWSD activities and Flooding

Meetings/activities anticipated through the end of March:

NONE

STAFF RECOMMENDATION: Receive and file.

NO CORRESPONDENCE