

**Merquin County Water District**

*Minutes of the Regular Meeting  
Of the Board of Directors  
Tuesday, May 10, 2022*

The Meeting of the Board of Directors of the Merquin County Water District called to order in regular session at 19684 Second Ave., Stevinson, California at 6:00 p.m.

Present were, President Freddy Oliveira, Director Danny Drumonde, Director Adam Azevedo, Director Rosemary Ouse, and Director Phil Dores

Correction of name spelling Paragraph 4 in Matter for the Good of District Justin Romero

**MOTION APPROVING MINUTES of April 27, 2022**

Moved by Director Danny Drumonde, seconded by Director Adam Azevedo approving the minutes of April 27, 2022, with above correction.

Motion Carried Unanimously

**MOTION APPROVING LIST OF WARRANTS**

Moved by Director Adam Azevedo, seconded by Director Phil Dores approving the list of warrants \$44,025.98.

Motion Carried Unanimously

**MOTION ACCEPTING CHECKING ACCOUNT EXPENDITURES**

Reimbursement to Jimmy Rayo for purchase of vent pipe for Pump #4 and a pressure washer.

Moved by Director Adam Azevedo, seconded by Director Phil Dores approving reimbursement to Jimmy Rayo for vent pipe for Pump #4 and pressure washer.

Motion Carried Unanimously

**MOTION APPROVING ENTITLEMENT LIST**

Moved by Director Adam Azevedo, seconded by Director Phil Dores approving the Entitlement List.

Motion Carried Unanimously

**MOTION APPROVING ASSESSMENT FIGURES AND BOUNDARY. AUTHORIZE ENGINEER TO PREPARE PRELIMINARY REPORT FOR BOARD APPROVAL.**

Moved by Director Adam Azevedo, seconded by Director Phil Dores approving Assessment Figures and Boundary. Authorize Engineer to prepare preliminary report for Board Approval, with correction on acres from 10,881 to 9,961 acres.

Motion Carried Unanimously

**Civil Engineer: Eric Swenson**

1. Discussion: Current Merced ID water storage.

Lake McClure storage was 413,773 AF on May 5, 2022. If combined storage of Lake McClure, McSwain, and Yosemite Lake is above 289,000 AF then SWD gets a full allocation of surface

Home – OpenET

Online access: <https://opendetdata.org/>

Owner Name  
 \_\_\_\_\_  
*John and Jane Doe*

Assessor Parcel Number  
 \_\_\_\_\_  
 650-300-13

Notes:  
 \_\_\_\_\_  
*Various crops grown during the 2021 calendar year.*  
*Crops may include:*  
*Corn/Soybeans; Alfalfa; Misc. Annual Crops*

Figure 1 – Overview of Parcel and Crop Fields

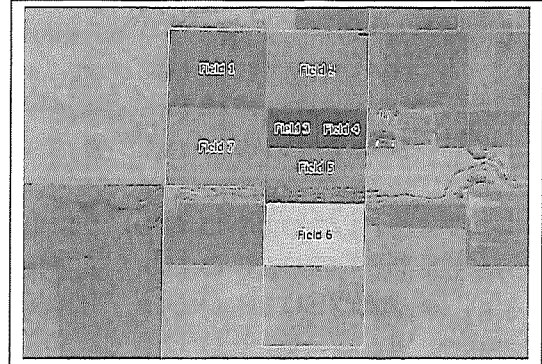
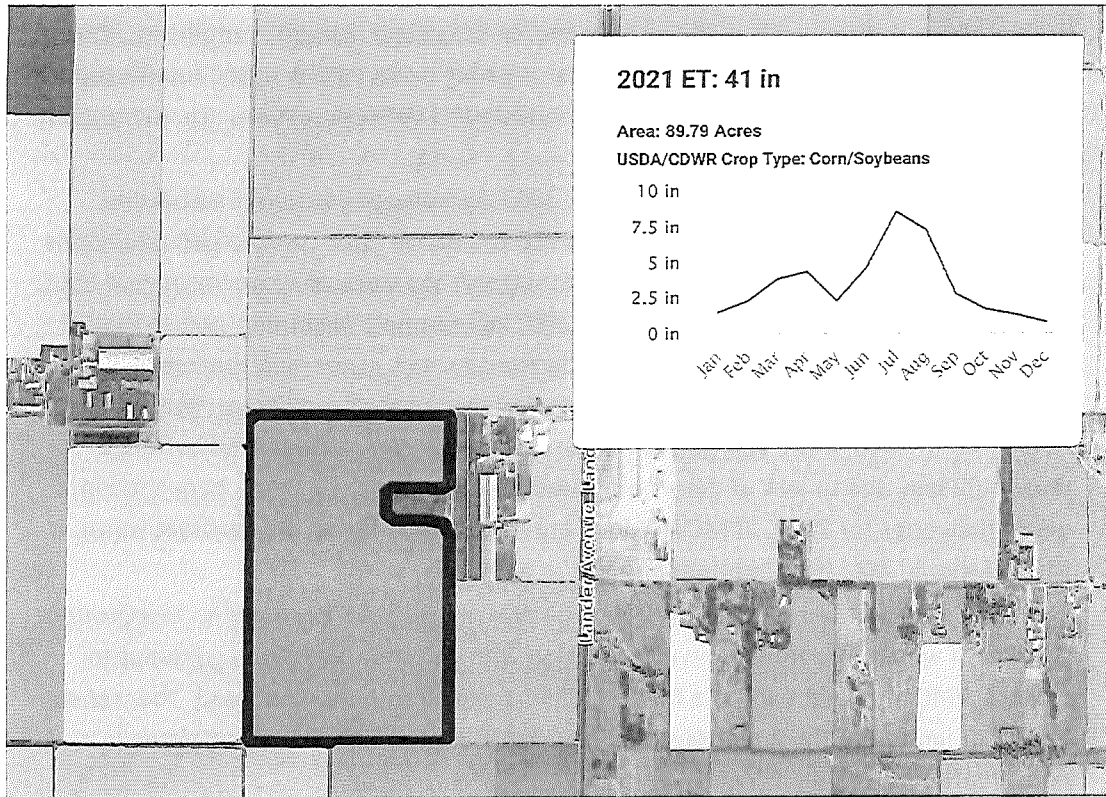


Figure 2 – 2021 Monthly Evapotranspiration (inches)

Month	Parcel	Field 1	Field 2	Field 3	Field 4	Field 5	Field 6	Field 7	Non-Field (Fallow)	Non-Field (Wetland)	Precip.		Eff. Precip.
	650-300-13										Q1M15	Q1M15	
	994.56 acres	149.01 acres	152.25 acres	37.68 acres	37.21 acres	76.14 acres	123.98 acres	151.01 acres	173.30 acres	35.62 acres	Station #146	Station #148	
JAN	1.05	1.01	1.20	1.18	1.17	1.18	1.40	1.18	0.42	1.19	3.71	1.86	
FEB	1.80	2.16	1.54	2.28	2.10	2.18	1.98	2.22	0.85	1.78	0.48	0.00	
MAR	2.96	3.45	2.27	3.74	3.49	3.70	3.30	3.87	1.48	2.88	1.40	1.33	
APR	4.65	6.06	4.77	6.35	6.05	6.01	4.98	6.31	0.34	4.03	0.02	0.00	
MAY	4.66	4.41	6.78	5.50	5.23	5.15	6.19	5.24	0.84	4.50	0.00	0.00	
JUN	3.04	2.34	5.50	1.77	1.92	1.65	7.08	1.39	0.41	3.24	0.00	0.00	
JUL	3.37	1.91	6.12	3.00	3.54	2.69	7.85	1.94	0.54	3.61	0.00	0.00	
AUG	4.34	6.09	5.51	5.41	5.50	4.56	5.57	4.36	0.44	3.35	0.00	0.00	
SEP	4.49	5.92	4.88	6.02	5.91	5.88	5.03	6.10	0.12	2.69	0.00	0.00	
OCT	2.50	3.35	2.35	3.43	3.32	3.38	2.93	3.47	0.05	1.82	1.74	1.65	
NOV	0.93	1.01	0.85	1.13	1.10	1.08	1.36	1.12	0.26	1.08	0.54	0.51	
DEC	0.66	0.55	0.59	0.62	0.61	0.60	0.71	0.60	0.24	0.75	3.38	1.69	
Total ET	34.45	38.26	42.36	40.43	39.94	38.06	48.38	37.80	5.97	30.90	11.27	7.04	
Total ETAW	27.41	31.22	35.32	33.39	32.90	31.02	41.34	30.76	0.00	23.85	--	--	





5. Discussion: Update on status of well permit for Coelho Well. Permit application package for Well Consistency Determination by MSGSA was submitted on May 4, 2022. Still awaiting cost for MSGSA review.
  
6. Discussion: SWRCB approval of one year 5,000 AF transfer to SLCC by SWD. SWRCB approval is dated May 6, 2022. Some notable parts of the approval letter:
  - Petitioner’s Response Impacts to Groundwater in Merced Subbasin:
    - i. 4.1 Comments from Reclamation In a letter dated November 17, 2021, Reclamation objected to the previously submitted long-term transfer petition (submitted on April 9, 2021) based on potential impact to the Central Valley Project (CVP) water users. Reclamation stated it would dismiss the protest of the long-term transfer if the State Water Board retained a term from the February 8, 2012, Corrected Order to require annual reporting by the Petitioner and Stevinson of the amount of water transferred to SLCC and the amount of water conserved by Merquin and Stevinson, and thus available for transfer. In a subsequent email dated March 29, 2022, Reclamation indicated it had no issue with the temporary transfer if the same Condition 5 of the 2012 Corrected Order was included in this temporary transfer order.
    - ii. The Petitioner responds that there is not substantial evidence that landowners within Merquin would pump groundwater as a result of the temporary transfer. Declining

Month	AF	Min. Flow	AF/month	Max. Flow	AF/month	Days/Mn
Column1	Column2	Column 3	Column4	Column 5	Column6	Column7
April	1,500	20	1,190	40	2,380	30
May	2,000	32	1,967	55	3,381	31
June	2,611	42	2,499	70	4,164	30
July	2,950	45	2,766	70	4,303	31
August	2,950	45	2,766	70	4,303	31
September	2,200	35	2,082	55	3,272	30
Totals	14,211		13,270		21,803	

5. Discussion/Action: MSGSA GSP Revision regarding 2030 and 2040 groundwater elevation goals. DWR has sent the GSA a letter indicating areas that they do not agree with in the Groundwater Sustainability Plan (GSP) and withheld approval of the GSP. Two major areas where DWR has issues is with how subsidence was handled and how Domestic Well protection was addressed. Merced Urban GSA (mostly MID and cities) want to use 2015 winter Static Water Levels (SWLs) as the goal. This would address both of these issues noted above. It would be extremely hard for the Merced Subbasin GSA to adopt the 2015 SWLs across the entire subbasin. The MSGSA needs to provide direction to the consultant within 7-10 days of our MCWD board meeting. I would recommend that MCWD adopt a goal to maintain winter SWLs within the District of 20-30 feet below ground surface (bgs). This depth would allow for orchards to exist within the District. Shallower groundwater levels would not be a problem for DWR. Historical elevations at the end of 2014 for DW9, DW16, DW17, and DW18 ranged from 10 to 21 feet bgs. Bobby Kelly stated they have been taking elevations since 2006 on 40 wells in various location areas, he stated he will share the data with Eric Swenson.
  
6. Discussion/Action: Recommended Revisions to *DRAFT Merced Subbasin Groundwater Sustainability Agency: GSP Consistency Criteria for Well Construction Application*. I have been working to accomplish changes in the new DRAFT Consistency Criteria that would allow the MCWD to install new replacement wells in a reasonable manner. Changes that I have submitted towards accomplishing that goal have not been successfully incorporated into the DRAFT Consistency Criteria version being presented to the GSA Board on Thursday. Attached are the changes I am requesting. (See section 11, 12 and 13 in District Engineers Handout)
  
7. Discussion: New GSA TAC Committee Appointments. I have recommended to MSGSA staff that Mike Basil and Larry Mattos.

**Correspondence:**  
**None**

**MATTERS FOR THE GOOD OF THE DISTRICT**

**None**

**Office**

Jamie Sams was not In attendance of the meeting, Jimmy reported nothing for office.

**Maintenance**

Jimmy reported Sunday April 3,2022 began water from East Side Canal.

In March water pumped from wells was 654.272af. Ran acid in well site #7 there was no change, possible pull the pump and video the well. The board stated to go ahead and pull the well and video it.

Joe Silveira, Rick Jones, and Jimmy met to discuss the wellsite #6 by the office and Rick Jones said he was willing to discuss the well for a test hole. Eric recommended to do an E Log.

Well site #4 had a blowout, Dusty will begin work on Wednesday morning. A sweet potatoes farmer disced on top of the pipeline Dusty fixed it, a letter will be sent to the farmer as well as the bill.

**MOTION TO ADJOURN TO CLOSED SESSION**

- 1. Motion to Adjourn to Closed Session**  
**Anticipated Litigation**  
**California Government Code 54956.9(d)(4)**  
**One Potential Case**

Moved by Director Adam Azevedo, seconded by Director Phil Dores to adjourn to Closed session.

**Motion Carried Unanimously**

**MOTION TO RETURN TO OPEN SESSION**

Moved by Director Adam Azevedo, seconded by Director Phil Dores to return to open session.

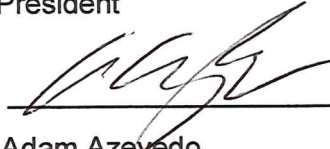
**Motion Carried Unanimously**

**MOTION TO ADJOURN**

Moved by Director Rosemary Ouse, seconded by Director Adam Azevedo to adjourn.

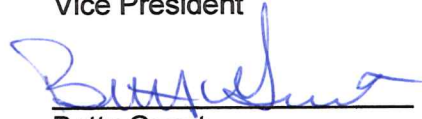
**Motion Carried Unanimously**

\_\_\_\_\_  
Freddy Oliveira  
President



\_\_\_\_\_  
Adam Azevedo

Vice President



\_\_\_\_\_  
Betty Guest  
Secretary



Merquin County Water District.  
P.O Box 218 Stevinson, CA 95374  
(209) 634-5060  
merquincwd@gmail.com

District Engineer's  
Report  
April 12, 2022

1

## Critical Dry Year? 2022 Water Year

- May 1, 2022 – 289,000 AF in Exchequer, McSwain, and Lake Yosemite?
- April 10, 2022
  - Exchequer 354,209 AF (1,032,000 AF Capacity)
  - McSwain 9,700 AF
  - Lake Yosemite 6,000 AF (7,425 AF Capacity)
  - Total of above = 369,909 AF

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## Water Wheeling Agreement with SWD

- April 12, 2022 SWD Board Meeting canceled.

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## Proposed New MSGSA Property Assessment Fee

- Assessment would be placed on Merced County Tax Bills starting in the Fall of 2022 and ending in 2025.
- Money proposed to be used for:
  - Land Repurposing Program.
  - Parcel Based Water Budgets.
  - SWRCB Flood MAR Application.
  - GSA Staffing beginning in 2025.

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Always take minimum flows from SWD when available

Column1	Column2	Column3	Column4	Column5	Column6	Column7
April	1,500	20	1,190	40	2,380	30
May	2,000	32	1,967	55	3,381	31
June	2,611	42	2,499	70	4,164	30
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September	2,200	35	2,082	55	3,272	30
Totals	14,211		13,270		21,803	

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## MSGSA, MIUGSA, and Turner Island GSA Proposed Modifications to GSP

- MIUGSA is proposing to return groundwater SWLs to winter 2015 levels. MIUGSA proposing groundwater allocations of 3.3 AF/Acre over 3 years implemented in 2022 or 2023.
- MSGSA proposed an alternative to meeting 2015 SWLs would be submitted in 20 days.
- Potential for different criteria for each sustainability zone.
- Winter SWLs could impact need for domestic well replacements and subsidence in some areas.

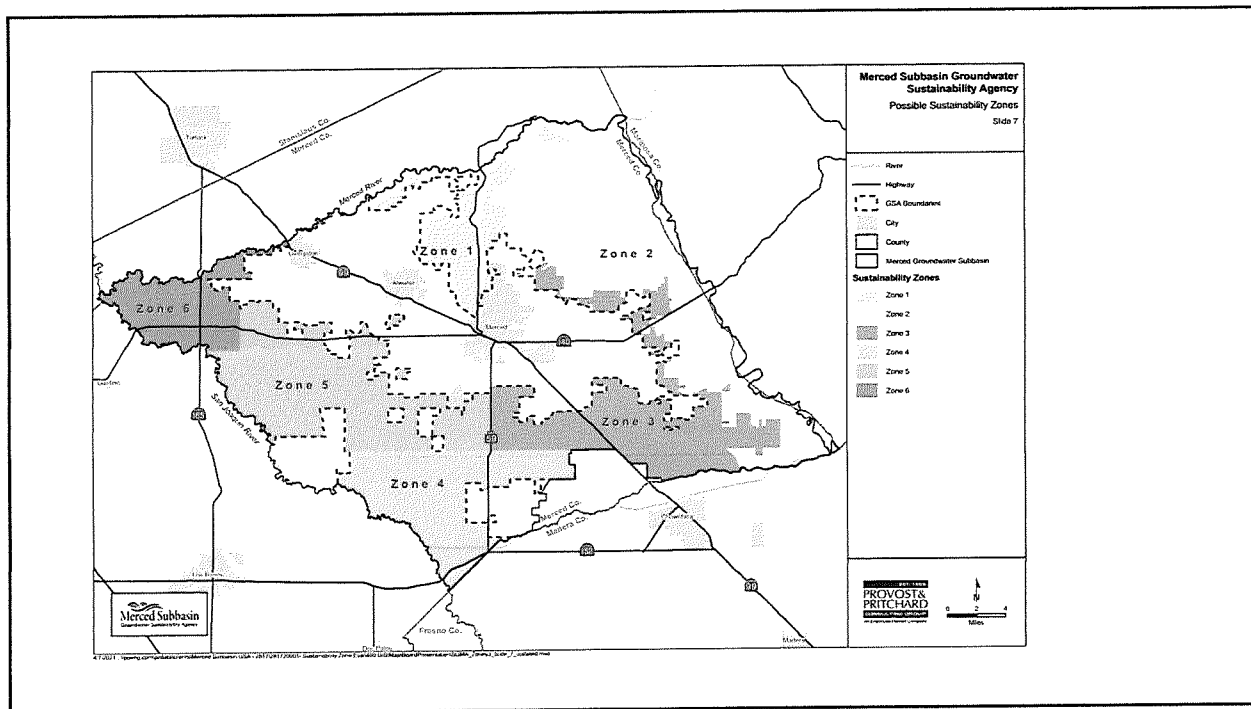
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Land Repurposing Program Duration and Ramp-up Options							
<b>Option 1 - Maximum Participation in Year 1 and up to 5-year contracts through 2027</b>							
	2022	2023	2024	2025	2026	2027	Total
County Tax Bill	\$ 3,750,000	\$ 3,750,000	\$ 3,750,000	\$ 3,750,000	n/a	n/a	\$15,000,000
Funds from County to GSA	n/a	\$ 3,750,000	\$ 3,750,000	\$ 3,750,000	\$ 3,750,000	n/a	
GSA Expenditure	n/a	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	
Fund Balance	n/a	\$ 750,000	\$ 1,500,000	\$ 2,250,000	\$ 3,000,000	\$ -	
Annual Fee (range): \$22.70 to \$23.00 per acre							
<b>Option 2 - Ramp-up Participation to 2025 and up to 5-year contracts through 2027</b>							
	2022	2023	2024	2025	2026	2027	Total
County Tax Bill	\$ 3,156,250	\$ 3,156,250	\$ 3,156,250	\$ 3,156,250	n/a	n/a	\$12,625,000
Funds From County to GSA	n/a	\$ 3,156,250	\$ 3,156,250	\$ 3,156,250	\$ 3,156,250	n/a	
GSA Expenditure	n/a	\$ 1,500,000	\$ 2,125,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	
Fund Balance	n/a	\$ 1,656,250	\$ 2,687,500	\$ 2,843,750	\$ 3,000,000	\$ -	
Annual Fee (range) \$19.10 to \$19.70 per acre							
<b>Option 3 - Maximum Participation in Year 1 but no contract past 2025</b>							
	2022	2023	2024	2025	2026	2027	Total
County Tax Bill	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	n/a	n/a	n/a	\$ 9,000,000
Funds From County to GSA	n/a	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	n/a	n/a	
GSA Expenditure	n/a	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	n/a	n/a	
Fund Balance	n/a	\$ -	\$ -	\$ -	n/a	n/a	
Annual Fee (range): \$13.60 to \$14.10 per acre							
<b>Option 4 - Ramp-up Participation to 2025 but no contract past 2025</b>							
	2022	2023	2024	2025	2026	2027	Total
County Tax Bill	\$ 2,208,333	\$ 2,208,333	\$ 2,208,333	n/a	n/a	n/a	\$ 6,625,000
Funds From County to GSA	n/a	\$ 2,208,333	\$ 2,208,333	\$ 2,208,333	n/a	n/a	
GSA Expenditure	n/a	\$ 1,500,000	\$ 2,125,000	\$ 3,000,000	n/a	n/a	
Fund Balance	n/a	\$ 708,333	\$ 791,667	\$ -	n/a	n/a	
Annual Fee (range) \$10.00 to \$10.40 per acre							

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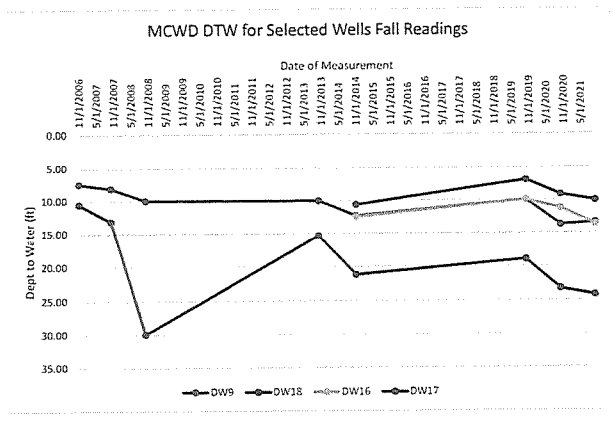
- MCWD’s Engineer Recommendation on New Proposition 218 Fee:
  - Approve Option 4 – Ramp Up with Land Repurposing only paid for in water years 2023-2025. Per Acre Fee of \$10.00 to \$10.40.
  - Support fees for: Parcel Based Water Budgets, SWRCB Flood MAR Application, and GSA Staffing beginning in 2025.
  - Rational for recommendation:
    - Likely start of extraction fees in water year 2026
    - Likely start of extraction allocations in water year 2026.

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# MCWD Historical SWLs



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MCWD Monthly Water Deliveries 2022

Month	Apr-22
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Monthly Allocation (AF)	1500
Daily Average (CFS)	25

DATE	CFS	Comments
4/1/22	0	Canal System empty/dry and filling up
4/2/22	0	Canal System empty/dry and filling up
4/3/22	21	Canal full above Stevinson Falls, bottom end still filling up
4/4/22	35	Extra water available and taken by MCWD
4/5/22	30	Extra water available and taken by MCWD
4/6/22	36	Extra water available and taken by MCWD
4/7/22	35	Extra water available and taken by MCWD
4/8/22	32	Extra water available and taken by MCWD
4/9/22	28	Extra water available and taken by MCWD
4/10/22	25	All water orders covered for MCWD/Extra water avail-not taken
4/11/22	25	All water orders covered for MCWD
4/12/22	25	All water orders covered for MCWD
4/13/22	25	All water orders covered for MCWD
4/14/22	25	All water orders covered for MCWD
4/15/22	25	All water orders covered for MCWD
4/16/22	28	Extra water available and taken by MCWD
4/17/22	20	All water orders covered for MCWD/Extra water avail-not taken
4/18/22	24	All water orders covered for MCWD/Extra water avail-not taken
4/19/22	25	All water orders covered for MCWD
4/20/22	25	All water orders covered for MCWD
4/21/22	22	All water orders covered for MCWD/Extra water avail-not taken
4/22/22	14	All water orders covered for MCWD/Extra water avail-not taken
4/23/22	14	All water orders covered for MCWD/Extra water avail-not taken
4/24/22	12	All water orders covered for MCWD/Extra water avail-not taken
4/25/22	22	All water orders covered for MCWD/Extra water avail-not taken
4/26/22	29	Extra water available and taken by MCWD
4/27/22	29	Extra water available and taken by MCWD
4/28/22	23	All water orders covered for MCWD/Extra water avail-not taken
4/29/22	24	All water orders covered for MCWD/Extra water avail-not taken
4/30/22	26	Extra water available and taken by MCWD
<b>Total AF delivered</b>	<b>1396.36</b>	<b>ACTUAL H2O PRO AF DELIVERD TO DATE: 1333.60</b>

AF Left for the month	103.64
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	Total Phase 1 Funding Mechanism Budget	Total Acres Charged (acres)	Maximum Total Charge (\$/acre)	Maximum Annual Charge (\$/acre/year)
Shared Improvement Elements	\$16,300,000	171,400	\$95.10	\$23.77
Additional Limited Element	\$600,000	89,600	\$6.70	\$1.67

Shared Improvement Element	Budget
Phase 1 Land Repurposing Program	\$15,000,000
GSA Executive Director	\$500,000
Parcel-Based Water Budgets	\$500,000
Budget	\$16,000,000
Contingency Reserve	\$300,000
Total Budget to Collect	\$16,300,000
Estimated Annual Budget (per year for 4 years)	\$4,075,000

- Maximum fee for irrigated farms within MCWD would be \$25.44/acre/year.
- Specific action MSGSA Board will be asked to approve on May 12:

**REQUEST/RECOMMENDATION/ACTION NEEDED:**

- 1) Approve and accept the Engineer's Report;
- 2) Set a public hearing on the proposed charges;
- 3) Authorize a Proposition 218 effort to mail (i) notices to landowners subject to the assessment informing them of the proposed charges, and (ii) instructions for protest.
- 4) Direct staff to prepare a draft policy for an appeal process for Board consideration regarding opportunities to reduce the applicable irrigated acres used to determine the annual charges.

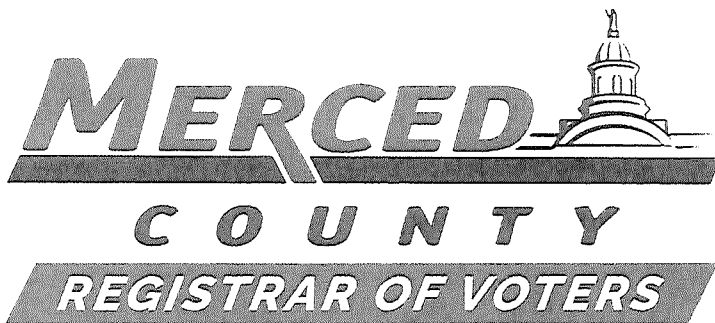
**Correspondence:**

**MATTERS FOR THE GOOD OF THE DISTRICT**

Karen Silveira addressed the board regarding the Eucalyptus trees that are on the District Easement. With the high winds that have the community has been having she if afraid of the trees falling and damaging their homing pigeon housing.

The board requested Jimmy to get estimates to have the trees addressed, being topping or if needed removals.

Gracie Xavier addressed the board for approval to install a pipeline for District Water. What requirements are needed from MCWD. The board requested Eric Swenson to assist Gracie with the requirements and formality.



Darlene E. Ingersoll  
Registrar of Voters

Blanca B. Torres  
Assistant Registrar of Voters

2222 "M" Street  
Merced, CA 95340  
Main: (209) 385-7541  
Fax: (209) 385-7387  
Toll-free: (800) 561-0619

[www.mercedelections.org](http://www.mercedelections.org)

April 29, 2022

Betty J. Guest  
PO Box 218  
Stevinson, CA 95374

Dear District Official:

This is a reminder that a portion of your district's governing board will be up for election at the **November 8, 2022 Gubernatorial General Election**.

On or before **July 6, 2022**, the 125<sup>th</sup> day prior to the election, the district must file a Notice of Election with the Registrar of Voters specifying the elective offices to be filled at the upcoming election. A current district boundary map, certified by an official of the district, is also required and must be returned before **July 6, 2022**. EC§10522

Included with this letter:

- Incumbent List for your district, according to our records
- Notice of Election form for your use
- Resolution example
- Measure Information Packet

Please mark any corrections or changes on the Incumbent List and return it with the completed Notice of Election. Instructions for completion of the Notice of Election are given on the back of this letter.

Items you must return by **July 6, 2022**:

- Incumbent List with corrections and changes noted
- Completed Notice of Election form
- District resolution that includes: calling for the election, consolidating the election, whether the candidate or district pays for candidate statement, authorize the Election department to conduct and canvass the returns, reimbursement to county for election costs and a tie breaking method
- Current District Boundary Map (including division boundaries, if any), certified by an official of the district or a response indicating no changes since prior filing

Candidate filing forms must be picked up by the candidate from the Registrar of Voters and Elections Office, 2222 M Street, Merced, during the filing period. Office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m.

- Filing Period: Monday, **July 18, 2022** through Friday, **August 12, 2022** at 5:00 p.m.
- Extended Filing Period: Saturday, **August 13, 2022** through Wednesday, **August 17, 2022** at 5:00 p.m.

If an eligible incumbent does not file for his/her office by **August 12<sup>th</sup>** the nomination period for that office will be extended for anyone other than the incumbent. If an office is vacant, there will not be an extension.

A Notice of Election for each school or special district election will be published by the Registrar of Voters between 120 and 90 days prior to the election. The cost for the publication, as well as filing period preparation costs and election costs will be billed to the district. The district must pay upon receipt of the bill from the Registrar of Voters. EC§10002

If you have any questions or need assistance, please call the office at (209) 385-7541.

Darlene E. Ingersoll  
Registrar of Voters

STRIVING FOR EXCELLENCE





Merquin County Water District.  
P.O Box 218 Stevinson, CA 95374  
(209) 634-5060  
merquincwd@gmail.com

District Engineer's  
Report  
May 10, 2022

1

## Critical Dry Year? 2022 Water Year

- Lake McClure storage was 413,773 AF on May 5, 2022.
- If combined storage of Lake McClure is above 289,000 AF then SWD gets a full allocation of surface water.
- Merced ID increased 2022 water season surface water allocations to 1.67 AF/acre up from 1.1 AF/acre.

2



The report indicates that MCWD website should also include past board agendas and minutes from meetings, other related reports, and MCWD financial documents.

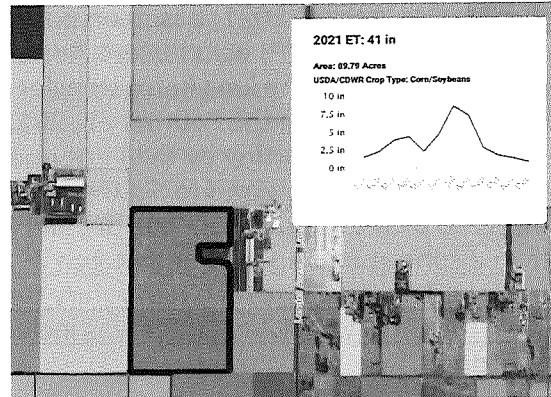
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## Enhanced MCWD Website

- Add items listed as missing in LAFCO report.
- Add links to MSGSA related activities:
  - New 218 Assessment.
  - MSGSA Board Agenda's.
  - MSGSA Groundwater Sustainability Plan.
  - Provide Sustainability Zone map.
  - Submitted DWR Grant Proposal.
  - MCWD Strategy for moving forward with Groundwater Sustainability Plan.
  - Link to Open ET.
- List of public meetings where people can participate in MSGSA business and MCWD business.
  - Reporting tool to request MCWD facility maintenance.
  - Fall 2022 MCWD Board Election.

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## Monthly ET Data from Open ET for 90 acre field owned by Oliveira:



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## Potential Work Related to ET Estimates

- GSA will likely provide ET data upon request starting in 2024.
- Proposed reference CIMIS station for rainfall and ET calibration near Wardrobe Avenue and Thornton Road.
- Should District Engineer estimate private irrigation pumping inside MCWD from Open ET to help understand total irrigation within the District?

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- Failure to meet obligations to Merquin per 2007 Agreement Petitioner states it is reasonable to assume that Stevinson and ESCC will honor their contractual obligations to Merquin and that there is no evidence to support the claim that Stevinson and ESCC have failed to meet the obligations of the 2007 Agreement. Petitioner asserts that if there are times Merquin does not have a demand for the water, and therefore does not request it, it can result in water deliveries below the contract maximum. Petitioner notes that in 2018, there was surplus water and the delivery of less than contract maximum was due to lack of demand by Merquin.

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- Within 90 days of completion of the transfer
  - a. The total quantity of water (in af) delivered to SLCC during the transfer period.
  - b. Documentation that Merquin received 4,000 af (or whatever lesser amount was transferred under this Order) less water under its contract during the transfer period covered by the report than its baseline contract supply of 18,211 af.
  - c. Documentation that the Stevinson service areas received 1,000 af (or whatever lesser amount was transferred under this Order) less water during the transfer period covered by the report than from historic deliveries that preceded the conservation improvements

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# Merquin County Water District

## District Engineer Agenda Items for May 10, 2022 Board Meeting

### OPEN SESSION

1. Discussion: Current Merced ID water storage. Lake McClure storage was 413,773 AF on May 5, 2022. If combined storage of Lake McClure, McSwain, and Yosemite Lake is above 289,000 AF then SWD gets a full allocation of surface water. There was enough water content in late season rain and snow for Merced ID to increase 2022 water season surface water allocations to 1.67 AF/acre up from 1.1 AF/acre.
2. Discussion/Action: Corrections needed to LAFCO Administrative Draft Report for MCWD. On May 2, 2022 the District Engineer received a copy of a report entitled: *Administrative Draft Report, County of Merced, Agricultural Irrigation Service Providers, Municipal Service Review Update*, dated March 31, 2022. After reviewing this document, the District Engineer found several errors that need correcting:
  - Area of District 6,000 acres – should be 9,961 acres.
  - Number of Directors: 4 – should be 5.
  - # Staff: 3 full-time, 2 part-time – should be 2 full-time, 2 part-time
  - Report narrative states: “...MCWD indicated in its response to LAFCO’s data request that it has four board members and no vacancies, which is inconsistent with the State’s Water Code governing County Water Districts that require five board members...”
  - No mention of storm water services provided.
  - Report indicates that MCWD has a “infrastructure master plan”.
  - Lists budgetary information as follows:
    - i. Revenue from water charges \$479,600
    - ii. Revenue from assessments \$87,750
    - iii. Revenue from supplemental property taxes \$118,500
  - Indicates District imports 18,511 AF of surface water.
  - States 21 wells are only used during the off season.

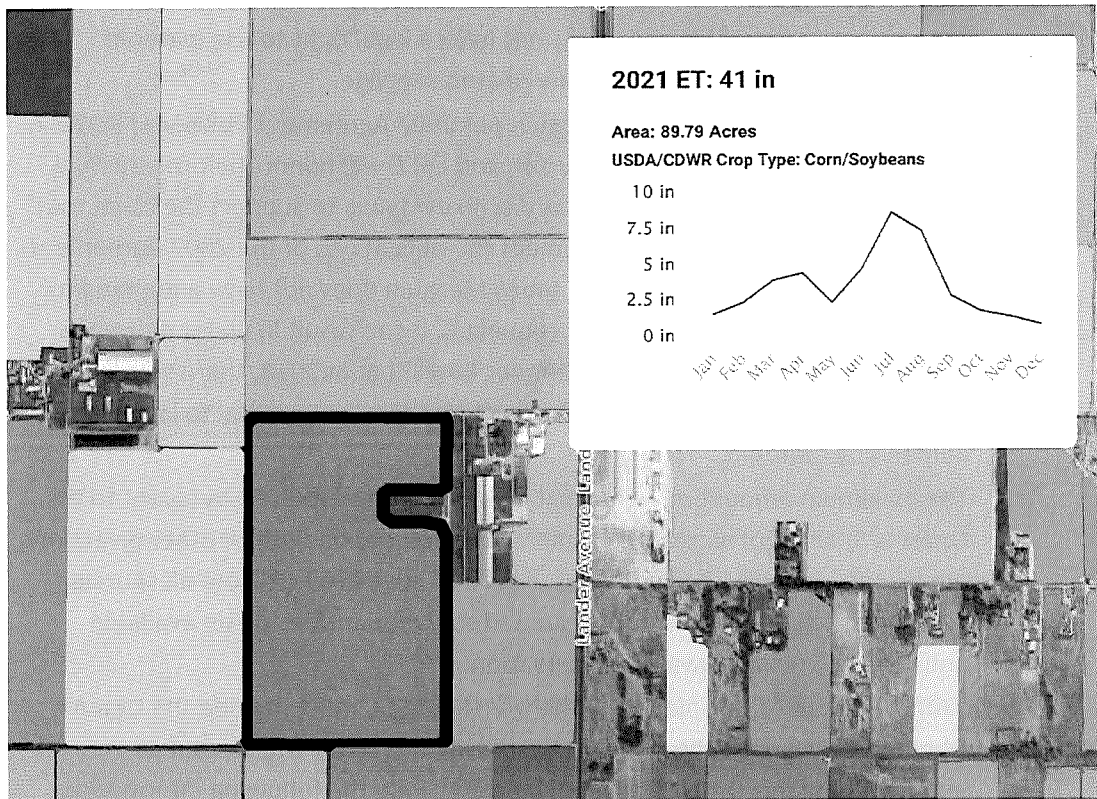
The report indicates that MCWD website should also include past board agenda and minutes from meeting, other related reports, and MCWD financial documents.

3. Discussion/Action: Enhanced Website for MCWD. It appears that more information needs to be posted to the District’s website. In addition to the items listed in the LAFCO report, information relating to MSGSA activities may also be helpful. Who should take the lead on upgrading the District’s website?

# Merquin County Water District

DateTime	Ensemble EET Units	Σ
1/1/2016 0:00	1.338583 in	(
2/1/2016 0:00	2.559055	
3/1/2016 0:00	3.582677	
4/1/2016 0:00	4.370079	
5/1/2016 0:00	2.401575	
6/1/2016 0:00	2.637795	
7/1/2016 0:00	9.055118	
8/1/2016 0:00	8.031496	
9/1/2016 0:00	4.094488	
10/1/2016 0:00	0.472441	
11/1/2016 0:00	0.984252	
12/1/2016 0:00	0.629921	
1/1/2017 0:00	0.708661	
2/1/2017 0:00	1.850394	
3/1/2017 0:00	3.740157	
4/1/2017 0:00	4.88189	
5/1/2017 0:00	5.866142	

Monthly ET Data from Open ET for 90 acre field owned by Oliveira:



# Merquin County Water District

- a. The total quantity of water (in af) delivered to SLCC during the transfer period.
  - b. Documentation that Merquin received 4,000 af (or whatever lesser amount was transferred under this Order) less water under its contract during the transfer period covered by the report than its baseline contract supply of 18,211 af.
  - c. Documentation that the Stevinson service areas received 1,000 af (or whatever lesser amount was transferred under this Order) less water during the transfer period covered by the report than from historic deliveries that preceded the conservation improvements
7. Discussion/Action: Proposed New MSGSA 218 Property Assessment. MSGSA Board Action on May 12, 2022 would be to adopt the Engineer's Report for the new 218. A protest hearing for this 218 has been tentatively scheduled for July 19, 22 at 6:00 PM. The overall 218 budget is as follows:

	Total Phase 1 Funding Mechanism Budget	Total Acres Charged (acres)	Maximum Total Charge (\$/acre)	Maximum Annual Charge (\$/acre/year)
Shared Improvement Elements	\$16,300,000	171,400	\$95.10	\$23.77
Additional Limited Element	\$600,000	89,600	\$6.70	\$1.67

Shared Improvement Element	Budget
Phase 1 Land Repurposing Program	\$15,000,000
GSA Executive Director	\$500,000
Parcel-Based Water Budgets	\$500,000
Budget	\$16,000,000
Contingency Reserve	\$300,000
Total Budget to Collect	\$16,300,000
Estimated Annual Budget (per year for 4 years)	\$4,075,000

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- Maximum fee for irrigated farms within MCWD would be \$25.44/acre/year.
- Specific action MSGSA Board will be asked to approve on May 12:

**REQUEST/RECOMMENDATION/ACTION NEEDED:**

- 1) Approve and accept the Engineer's Report;
- 2) Set a public hearing on the proposed charges;
- 3) Authorize a Proposition 218 effort to mail (i) notices to landowners subject to the assessment informing them of the proposed charges, and (ii) instructions for protest.
- 4) Direct staff to prepare a draft policy for an appeal process for Board consideration regarding opportunities to reduce the applicable irrigated acres used to determine the annual charges.