



COMMUNITY DEVELOPMENT
1594 Esmeralda Avenue, Minden, Nevada 89423

Mimi Moss
COMMUNITY DEVELOPMENT DIRECTOR

775-782-6201
FAX: 775-782-6297
website: www.douglascountynv.gov

Building Division
Engineering Division
Planning Division
Code Enforcement

WATER CONVEYANCE ADVISORY COMMITTEE

MINUTES OF THE JULY 11, 2016 MEETING

I. Call to Order

Kurt Dreyer called the meeting to order at 4:01 p.m.

WCAC members present: Kurt Dreyer, David Hussman, Dennis Jensen, Russell Scossa and Fred Stodieck

Staff present: Cynthea Gregory, District Attorney
Dean Patterson, Planning Manager
Barbra Resnik, (Staff Contact for WCAC)
Heather Anderson, Senior Planner
Lucille Rao, Planner
Coleen Thran-Zepeda, Development Coordinator

Public present: Matt Bernard, Mark Neuffer, John Raper, Nate Leising, Matt McKinney, Tim Russell

II. Public Comment

Mr. Dreyer asked if there was any public comment; there was none.

III. Approval of Agenda

Mr. Dreyer asked if there was any public comment on the agenda; there was none.

Motion made by Mr. Stodieck to approve the agenda as presented; seconded by Mr. Scossa. Motion carried unanimously.

IV. Disposition of the May 2, 2016 WCAC minutes.

Mr. Dreyer asked if there was any public comment on the minutes; there was none.

Mr. Scossa had a couple of corrections to add to the May 2, 2016 minutes; motion made by Mr. Jensen to approve the changes; second by Mr. Stodieck. Motion carried unanimously.

V. Public Comment

No public comment; public comment closed.

VI. Discussion and Possible Action.

- 1. For possible action. Discussion on irrigation, drainage and water facilities which may be impacted by a request from Nate Leising of Flying Eagle Ranch for a Tentative Parcel Map to create three parcels ranging from 2 to 2.9 acres in size with a 74.51 acre remainder parcel, using the provision of Douglas County Code Chapter 20.714.040, Agricultural 2-acre parcels; The subject property is located on the west side of Hwy 88, south of Flying Eagle Lane in the South Agricultural Community Plan (APN 1220-19-002-018). Land Division Applications (LDA) 16-016.**

Barbra Resnik, (acting Staff contact WCAC); Mr. Scossa recognized that there were water rights available on this property so we wanted to make sure that the downstream users had the ability to have access to an irrigation ditch. They are providing a 36 foot irrigation and maintenance easement. One thing we didn't see is the dimensions to show that it has the capacity to carry the water that it needs. The standard is 32 feet plus top of the ditch and they are giving 36 feet. Engineering is asking the committee to make sure that is adequate. Mr. Hussman asked if it was the ditch along Highway 88, Mr. Scossa replied that it does not exist right now. Ms. Resnik commented that the easement is proposed so that it can be constructed. Mr. Scossa replied that he believed it was adequate to get water to the last parcel that has water rights. Mr. Scossa asked the applicant if he was planning on selling these parcels with water rights or without.

Matt Bernard from RO Anderson Engineering; there was no intention to work around the committee. We had not intended to provide any ditch easements; Mr. Leising was one of the first to take advantage of the Agricultural allowance in code that creates smaller parcels and that map recorded about six years ago. That corner parcel that was created is not a part of this map. They told everyone at the time that they were not going to convey that parcel with water. The thought was that it is two acres and by the time you built your house, barn and septic system, you didn't have much room left to irrigate. The intention was to convey the parcel without water. It turns out that in the Deed transferring that parcel they didn't reserve out the water. If you don't reserve the water out it goes. We accepted the request by Douglas County Engineering to pull our item of the Planning Commission Agenda last month so we can be here now. So now we are allowing for a ditch to be constructed someday. We believe that 4 feet is adequate top to top to convey the amount of water that would go to this parcel.

Ms. Resnik commented that according to the County Engineer's comments, the channel would need to be constructed prior to recording the final map. Mr. Stodieck stated that they have done a lot of them that didn't. Ms. Resnik thought that it was creating the easement to allow for downstream ditch users to come and construct what they need. Ms. Resnik asked Ms. Gregory if she knew anything different. If they were perpetuating a ditch, then we have required them to do something. The County Engineer did make this statement so I'm not going to go against it.

Mr. Bernard stated he will because he doesn't find that to be normal and ordinary. He can't think of a time that the condition to record a Parcel Map required the construction of the ditch prior to the recordation. He hasn't seen that from this Committee before and if they did that today it would be a big change.

Ms. Anderson stated that the way the proposed conditions are written is that any recommendations coming forward from the Water Conveyance Advisory Committee will be implemented.

Mr. Scossa agrees with Mr. Bernard. If they wanted a ditch there they are capable of doing it. They might have an internal thing where they eventually transfer the water. All of the Parcel maps that they have looked at they have said put this easement here so you can get water to all these parcels. When you construct the ditch is on your time.

Ms. Resnik asked if the 40 foot irrigation and maintenance easement south of this development, is it going to the southeast property corner and then makes a 90; I see a 40 foot easement here too.

Mr. Bernard said those were easements provided previously on a land division map.

Mr. Hussman asked if there would be head ditches at each one of these; they decided it would be up to each individual owner.

Mr. Dreyer asked if there was any other comment from the board; there were none.

Mr. Dreyer asked if there was any public comment; there were none.

Mr. Scossa moved to accept the map as presented; second by Mr. Stodieck. Motion carried unanimously.

- 2. For possible action. Discussion on irrigation, drainage and water facilities which may be impacted by a request from Bently Enterprises, LLC for a Tentative Parcel Map to divide a 23.448-acre parcel into two parcels. Parcel 1 is proposed to be 13.081 acres and Parcel 2 is proposed to be 10.367 acres. The subject property is located at 1516 Chance Road in the RA-10 (Rural Agriculture, 10-acre minimum parcel size) zoning district in the East Valley community plan. (APN 1320-27-002-008). Land Division Application (LDA) 16-003.**

Barbra Resnik, (acting Staff contact WCAC), the two parcels that are being created the easement is going right down the middle of the property line here and be split; the easement will be 40 feet total; 25 ft. on one side, 15 ft. on the other. Matt McKinney stated these ditches are already in the ground. There is no change. We are splitting a parcel on the ditch so that ditch will catch tail water from the eastern parcel and feed the western parcel. Just like they always did, they are not changing anything.

Mr. Hussman asked Mr. McKinney to show him the parcels on the map; Mr. McKinney proceeded to do that. Mr. McKinney said there are two users that would actually use the ditch; this is the first year they have used it.

Mr. Dreyer asked if there was any public comment; there were none.

Mr. Jensen moved to approve the map as presented; second by Mr. Stodieck. Motion carried unanimously.

- 3. For possible action. Discussion on irrigation, drainage and water facilities which may be impacted by a request from Mark Neuffer for Corley Ranch for a Division of Land into Large Parcels to divide a 286.16-acre parcel into 2 parcels, the smallest being 130.55 acres in area. The subject property is located at 859 Highway 395 South, Gardnerville, in the A-19 (Agricultural – 19 acre minimum parcel size) zoning district in the Ruhenstroth Community Plan. (APN 1220-14-000-007). Land Division Application (LDA) 16-018.**

Barbra Resnik, (acting Staff contact WCAC), the major item is determining which irrigation easements are necessary to insure downstream conveyance capacity; we need to determine which easements can be abandoned; if it's an open ditch it has to be 32 feet plus top width of ditch; there is no development proposed at this stage.

Mr. Raper, Corley Ranch, said there are no downstream users; right now it goes through the field by the hospital, they are working on going under the highway to the Virginia with the tail water; the tail water comes out of one ditch on the bottom of the property by the Travel Plaza under Pinenut Road; Mr. Raper proceeded to show the group on the map presented; he said right now it goes under old Pinenut into the land the hospital bought and just sits there. When they completed the cul-de-sac they didn't set it up to drain; they are working with Butch Peri, the Tribe and the County to use the pipe the Tribe has under the road to get to the Virginia that way; the only other option is to fix the culvert on the round-a-bout; right now there are no users, it just goes into vacant land.

Mr. Scossa asked that it's all tail water is that's what he's putting the easements on these ditches for; Mr. Raper stated that is correct;

Mr. Hussman asked if they were supplying water from one parcel to the other; Mr. Raper said no, the whole parcel is watered; the whole 286 acres is water righted; Mr. Jensen would like to know where the diversions are; Mr. Raper said all 5 are on the Allerman canal. They have the one on the Settelmeyers, one at the pump house, one just down from the pump house that Alton put in about 15 years ago, we have iron gates, the bridge and Pinenut Road.

Mr. Scossa said to get back to what David asked, you are creating two parcels, but there are diversions on both; you aren't bringing water through one parcel that is going to serve the next one; Mr. Raper stated No; That's why you are going to have the easements on the drainages because they are going through both parcels; Mr. Raper state Yes; Mr. Raper said it all flows down to one ditch and goes out one way;

Mr. Raper stated that Butch Peri, The Corley's, The Washoe Tribe and Douglas County are working on getting rid of the tail water. Mr. Jensen stated that if you develop a bunch of it and don't irrigate it, that's always a problem. Now you will have the County in the storm drain business.

Mr. Scossa asked if the split they are doing now is in the proposed future development; Mr. Raper stated Yes, the 130 acres is the 250 home development; the upper part (pointing to map); the open space is this 35 acres (pointing to map); the tail water ditch will always be on the bottom; Gardnerville Water is working with us too; they want to put this big pipeline that flows up to a tank on the hill. They have been waiting to see their plan to see what easements we need. Mr. Jensen asked what they will do with the Fish Hatchery water. Mr. Raper stated they will retain it on the ridge. 35 water rights will stay on the open space part of the development. All the supplemental will be transferred to the main property. We haven't decided on the rest of the water. The only piece they would have to get water on if it was the development stage are the 35 acres which there are two points where they can get it (pointing at map).

Mr. Scossa asked why they didn't include that with this. Mr. Russell said the purpose of creating the boundary is really just to split the parcel with conservation easement land to the south and the developable land to the north. That's really the current stage of anything at this point. Mr. Neuffer said we are at the tentative map stage right now, that's why we are here. Mr. Hussman said his concern is that this could end up in a different ownership. Mr. Neuffer said as of today that is not the intent. That's all one 130 acre piece. Mr. Raper said the 35 acres stays with the project. Mr. Hussman again asked if this entire thing would be in different ownership then the Corley's and Mr. Neuffer replied, yes.

Mr. Raper and the WCAC members discussed, (pointing at the map), how water would get to certain parcels. Mr. Scossa is concerned that if something happens and the property needs to sell and you sever it off then that makes the committee look bad because there is no easement. Again pointing at the map, Mr. Scossa said if you just put an easement there, 32 feet plus top width of ditch that would satisfy them. Mr. Scossa stated the simplest thing would be to take the shortest route and put an easement to put water right to that spot. You know there is development proposed there and things could change from what's planned today.

Mr. Raper and the WCAC members discussed, (pointing at the map), the best way to put an easement on the existing property. Mr. Scossa said just pick an existing ditch that you are fine with putting an easement on it to serve this parcel that is still going to be irrigated after you sever it.

More discussion from Mr. Raper and the WCAC members discussed, (pointing at the map), about the best spot for the easement. Mr. Russell said it makes sense to have a way to get the water to that parcel if for some reason something were to happen to one of the three diversions.

Mr. Russell and Ms. Resnik discussed (pointing at the map) where the easement should be, for staff records.

Mr. Dreyer asked if there was any public comment; there were none.

Mr. Hussman moved to accept the map as presented approve the map as presented with the easement outlined on the map by the applicant; second by Mr. Stodieck. Motion carried unanimously.

Administrative

Mr. Dreyer asked the panel if any correspondence had been received since the last meeting; there was none.

Adjournment

The meeting was adjourned at 4:53 pm by Mr. Dreyer.

Respectfully submitted,



Kurt Dreyer
Chairman



Coleen Thran-Zepeda
Development Coordinator