
**Wyoming Water Development Commission/Select Water Committee
Workshop
Wyoming Water Development Office
6920 Yellowtail Rd, Cheyenne, WY
May 16, 2019**

1. Acting Chairman Gerry Geis called the workshop to order at 1:30 pm.

Roll Call

Commission attendance:
Gerry Geis, Acting Chairman
Kellen Lancaster, Secretary
Mike Purcell
Rodney Wagner
Sheridan Little
Clinton Glick
Larry Suchor
Bill Yankee – Absent

Select Water Committee attendance:
Senator Larry Hicks
Senator Glenn Moniz
Senator Liisa Anselmi-Dalton
Representative Hans Hunt
Representative Dan Laursen
Representative Stan Blake
Representative Evan Simpson

Andrew Kuhlmann, Assistant Attorney General

2. **Audience Introduction**

3. **Savery Creek Instream Flow**

Interim Director Mead submitted a letter to the State Engineer's Office requesting postponement of action on the Savery Creek Instream Flow Temporary Filing No. 31 2/105. Mike Purcell suggested taking no action on this item on Friday, May 17, 2019 during the meeting, and instead suggested furthering discussions with Game and Fish prior to the August 2019 meeting.

4. **Aladdin Water District Well and Water Service Contract**

The town of Aladdin requested a renewal of their water service contract with the Wyoming Water Development Commission. The town fully intends to purchase the well, but due to unforeseen circumstances involving the EPA, they would like to postpone purchase and continue with a service contract. The Commission will be asked to vote on the contract renewal during the meeting on Friday.

5. **Consultant Selection Procedures with passage of SF0074**

Barry Lawrence summarized the effect SF0074 (Professional Services

Procurement) would have on the Office. The Bill primarily deals with giving priority during consultant selection to in-state firms.

6. Colorado River Drought Contingency Plan

Former State Engineer Pat Tyrrell presented a summary of the Colorado River Drought Contingency Plan. Senior Assistant Attorney General Chris Brown provided additional insight into the details of Colorado River compact agreements and laws.

The workshop adjourned at 3:12 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kellen Lancaster".

Kellen Lancaster, Secretary

**Wyoming Water Development Commission/Select Water Committee Meeting
Water Development Office, 6920 Yellowtail Rd.
Cheyenne, Wyoming
May 17, 2019**

1. Acting Chairman Gerry Geis called the meeting to order at 8:29 am.

2. Roll Call – Recognition of Members present to establish a quorum

Commission attendance:	Select Water Committee Attendance:
Gerry Geis, Acting Chairman	Rep. Hans Hunt, Chairman
Larry Suchor, Vice-Chairman	Sen. Larry Hicks
Sheridan Little	Senator Dan Dockstader
Rodney Wagner	Senator Glenn Moniz
Mike Purcell	Senator Liisa Anselmi-Dalton
Kellen Lancaster, Secretary	Rep. Stan Blake
Clinton Glick	Rep. Dan Laursen
Bill Yankee – absent	Rep. Jerry Paxton
	Rep. Evan Simpson

Advisors in Attendance:
Andrew Kuhlmann, Attorney General's Office

3. Audience Introduction

4. Election of Officers

Gerry Geis made a motion to nominate Larry Suchor as Chairman, Kellen Lancaster as Vice-Chairman, and Mike Purcell as Secretary. Rod Wagner seconded the motion; motion carried unanimously.

In similar action, the Select Water Committee voted to elect Senator Larry Hicks as Chairman and Representative Dan Laursen as Vice Chairman.

5. Approval of Minutes

Gerry Geis made a motion to approve the minutes of the March 14-15, 2019 workshop and meeting. Sheridan Little seconded the motion; the motion carried unanimously.

6. Planning Projects Consultant Selection and Contract Approval

- Crook County Rural Water Supply Plan

Sheridan Little reported the results of the Crook County Rural Water Supply Plan, Level I Project selection in accordance with the following ranking of the firms interviewed:

1. DOWL, LLC
2. Engineering Associates, Inc.
3. HDR

The contract amount is \$369,500.00. Sheridan Little made a motion to approve the contract, Kellen Lancaster seconded the motion; motion carried unanimously.

The Select Water Committee took similar action and approved the consultant selection and subsequent Contract.

7. Planning Amendments

- Clear Creek Storage Study, Level II, Phase II, Amendment No. 5

An interim amendment to the engineering contract with Wenck Associates, was presented. The amendment serves to extend the term of the Contract from June 30, 2019 through June 30, 2021. The Contract amount is not changed by this amendment.

Sheridan Little made a motion to approve the Clear Creek Storage Study, Level II, Phase II, Amendment No. 5. Gerry Geis seconded the motion; motion carried unanimously.

- Little Snake Supplemental Storage, Level II, Amendment No. 6 (West Fork)

An interim amendment to the engineering contract with Wenck Associates, was presented. The amendment serves to extend the term of the Contract from June 30, 2019 through June 30, 2021. The Contract amount is not changed by this amendment.

Rodney Wagner made a motion to approve the Little Snake Supplemental Storage, Level II, Amendment No. 6. Gerry Geis seconded the motion; motion carried unanimously.

- Powder Tongue & NE RBP Groundwater Update, Amendment No. 2

An interim amendment to the Interagency Agreement with the Wyoming State Geological Survey was presented. The amendment serves to extend the term of the Contract from June 30, 2019 through December 31, 2019. The Agreement amount is not changed by this amendment.

Mike Purcell made a motion to approve the Powder Tongue & NE RBP Groundwater Update, Amendment No. 2. Gerry Geis seconded the motion; motion carried unanimously.

8. Closeout Memos

- Niobrara/Lower North Platte Rivers Watershed Study

Jodie Pavlica, Project Manager, provided a brief summary of the project findings. Sheridan Little moved acceptance of the Niobrara/Lower North Platte Rivers Watershed Study project report as being complete and further, the WWDC makes the following finding relative to this project:

1. That the Commission recommends proceeding to the next level of project development upon the submittal of an appropriate funding application by the sponsor.

Rodney Wagner seconded the motion; motion carried unanimously.

- Sunlight Basin Instream Flow Study

Chace Tavelli, Project Manager, provided a summary of the project findings. The State Engineer's Office will hold a public hearing prior to determination to grant or deny the Sunlight Basin Instream Flow filing. Gerry Geis moved acceptance of the Sunlight Basin Instream Flow, Level I Study project report as being complete. Mike Purcell seconded the motion; motion carried unanimously.

9. Construction Amendments

- Bluff/Upper Bluff System Improvements, Amendment No. 1

An interim amendment to the Project Agreement with the Bluff/Upper Bluff Irrigation Districts was presented. The purpose of the amendment is to effectuate 2019 Wyo. Sess. Laws, Ch. 55, modifying the project budget. A sum not to exceed \$291,000.00 shall be disbursed to the Sponsor for the purpose of completing the aforementioned project. The funds are divided as follows:

1. A grant to the Sponsor of not more than \$245,220.00 or 67% of the actual development costs, whichever is less.
2. A loan to the Sponsor of not more than \$45,780.00 or 12.51% of the actual development costs, whichever is less, for a term of 20 years at an annual interest rate of 4%.

- Casper Zone 3 Improvements, Amendment No. 1

An interim amendment to the Project Agreement with the City of Casper was

presented. The purpose of the amendment is to effectuate 2014 Wyo. Sess. Laws, Ch. 100, modifying the project to extend the reversion date.

- *Middle Piney Reservoir, Amendment No. 11*

An interim amendment to the engineering contract with Wenck Associates, Inc., was presented. The Amendment serves to: a) increase the total Contract dollar amount by \$183,000.00 to \$1,999,217.00; b) extend the term of the Contract through June 30, 2023; c) replace Exhibit A, as amended, with Exhibit A-2, Revised Scope of Services; and d) replace Exhibit B, as amended, with Exhibit B-2.

Sheridan Little made a motion to approve the Bluff/Upper Bluff System Improvements, Amendment No. 1; the Casper Zone 3 Improvements, Amendment No. 1; and the Middle Piney Reservoir, Amendment No. 11. Rodney Wagner seconded the motion; motion carried unanimously.

The Select Water Committee took similar action and approved the Middle Piney Reservoir, Amendment No. 11.

10. Aladdin Water District Well and Water Service Contract

Interim Director Mead presented the renewal for the Aladdin Water District Well and Water Service Contract. The current Contract will expire on July 16, 2019. This Contract shall commence July 16, 2019, and shall remain in effect for two (2) years.

Gerry Geis made a motion to approve the two-year renewal of the water service contract. Mike Purcell seconded the motion; motion carried unanimously.

11. Colorado River Basin MOA Applications Update

Interim Director Mead presented a memo prepared by Keenan Hendon, Project Manager, regarding an update for the Colorado River Basin 2019 MOA Applications. As of April 1, 2019, the Wyoming Water Development Office received no new MOA applications to fund projects located in the Colorado River Basin. A summary of ongoing projects managed by the Bureau of Reclamation was included in the memo.

12. Colorado River Basin MOA Budget Modifications

Interim Director Mead presented a memo prepared by Keenan Hendon, Project Manager, regarding the need for additional MOA funds for the Farson Lateral Phase I and the Big Sandy Reservoir Enlargement Projects. The projects are

needing additional MOA funds totaling \$5,820,000.00 for the design and construction of the projects.

Gerry Geis made a motion to approve the funding increases. Kellen Lancaster seconded the motion; motion carried unanimously.

13. Authorization for the Acting Director to file Instream Flow water right applications with the State Engineer's Office

- Burroughs Creek Instream Flow Segment No. 1
- Middle Fork Long Creek Instream Flow Segment No. 1
- Sheridan Creek Instream Flow Segment No. 1
- Stonefly Creek Instream Flow Segment No. 1
- West Fork Long Creek Instream Flow Segment No. 1

Mike Purcell made a motion to grant authorization for filing of instream flow water rights on behalf of the Commission for the above referenced segments. Kellen Lancaster seconded the motion; motion carried unanimously.

Mike Purcell further discussed the necessity of the Commission voting on this matter, indicating rather, it was a function delegated to the Office. Interim Director Mead indicated the information would be presented to them in the future, but not necessarily for approval.

14. 2019 Planning Level I and II Project Applications

The Commission chose to handle the recommendations in blocks.

Level I Projects – New Development

• **Bridger Valley Regional Water Master Plan**

The Interim Director's recommendation was to proceed with the Level I Planning Study to fully evaluate the infrastructure of the JPB's public water supply system, and also to help develop a plan to accommodate future growth of the Bridger Valley area.

• **Cody Water Master Plan**

The Interim Director's recommendation was to proceed with the Level I Planning Study to evaluate the current condition of the water system(s) and to provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of the system.

- LaGrange Water Master Plan

The Interim Director's recommendation was to proceed with the Level I Planning Study to evaluate the current condition of the water system and to provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of the system.

- Lower Shoshone Watershed Study

The Interim Director's recommendation was to proceed with the Level I Planning Study to evaluate current watershed processes and to develop water projects on the ground.

- Pavillion Water Master Plan

The Interim Director's recommendation was to proceed with the Level I Planning Study to evaluate the current condition of the water system and to provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of the system.

- Pinedale Water Master Plan

The Interim Director's recommendation was to proceed with the Level I Study to complete a municipal water master plan including identification of an alternate source supply. This Level I Study would provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of their system.

- Shoshoni Water Master Plan

The Interim Director's recommendation was to proceed with the Level I Planning Study to evaluate the current condition of the water system and to provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of the system.

Level II Projects – New Development

- CWRWS JPB Groundwater Disinfection, Level II

The Interim Director's recommendation was to not fund the Level II CWRWS Groundwater Disinfection project based on the Commission's criteria to not fund water treatment projects.

- Happy Valley Water Supply, Level II

The Interim Director's recommendation was to proceed with the Level II Study that would include elements common to WWDC Level II examinations of rural-

residential systems and to evaluate the current condition of their water system and to provide the tools and guidance necessary to assist in the planning, rehabilitation, upgrading, and managing of their system.

- *Skyline ISD Water Supply, Level II*

The Interim Director's recommendation was to proceed with the Level II Study that would include elements common to WWDC Level II examinations of rural-residential systems. The District has recently self-funded a reconnaissance-level system evaluation, installed fire/flushing hydrants, and commissioned a leak detection survey.

- *South End Water Users ISD Transmission Project, Level II*

The Interim Director's recommendation was to proceed with the Level II Study to determine the feasibility of extending the South End Water Users (SEWU) water line to allow approximately 25 new users into the district who currently haul water. Also, two additional extensions to the current line would create a loop system and eliminate dead end lines for both the Town of Cowley system and the SEWU system.

Level I Projects – Rehabilitation

- *Owl Creek Irrigation District Lucerne Master Plan, Level I*

The Interim Director's recommendation was to proceed with the Level I Study to investigate upgrading current irrigation facilities and infrastructure from the diversion at the Big Horn River to the end of the Lucerne area system.

Level II Project – Rehabilitation

- *Highland Hanover Irrigation District Pump Station, Level II*

The Interim Director's recommendation was to proceed with the Level II Study to assess the most effective way to rehabilitate Pump Station #2 on the Highland Hanover irrigation system. The study will assess the geotechnical, electrical, and structural components of the station to optimize the final design. Options to integrate SCADA controls and improved startup and shutdown procedures is recommended for study. Additionally, the study should evaluate the electrical design, and control options required to deliver the desired functions of the pump station to the District.

Mike Purcell made a motion to approve the Interim Director's recommendations for the Level I and II Planning Projects, requesting the Happy Valley Water Supply, Level II Study be handled separately. Rodney Wagner seconded the motion; motion carried unanimously.

Kellen Lancaster recused and removed himself from the vote on the Happy Valley Water Supply, Level II project and declared a conflict of interest.

Mike Purcell made a motion to approve the Interim Director's recommendation for the Happy Valley Water Supply, Level II Study. Gerry Geis seconded the motion; the motion carried with Kellen Lancaster recused.

15. Construction Project Progress Report

Bryan Clerkin gave an update on the following Level III Construction projects:

- Buffalo Main Street Pipeline
- Buffalo Tank Valve Project
- Lusk Water System Improvements 2018
- Thayne Tank 2017

16. UW Water Research Program

Greg Kerr, Director of the Office of Water Programs summarized the FY2020 RFP for the Water Research Program. Gerry Geis moved approval of the RFP. Mike Purcell seconded the motion; motion carried unanimously.

The Select Water Committee took similar action to approve the UW Water Research Program FY2020 RFP.

17. Intended Use Plan (IUP) – Drinking Water State Revolving Fund (DWSRF) – SWC

Wade Verplancke presented the FY2020 Intended Use Plan to the Select Water Committee. The DWSRF is jointly administered by the Wyoming Department of Environmental Quality, the Office of State Lands and Investments, and the Wyoming Water Development Office.

Representative Stan Blake made a motion to approve the FY2020 DWSRF IUP. Representative Jerry Paxton seconded the motion; motion carried unanimously.

18. Discussion

- Silver Lake Dam Rehabilitation/NRCS WFPO Watershed Plan – Project Manager Andrew Linch discussed with the Commission and Committee the Silver Lake Dam project. The USFS is now requiring NEPA to even access the project area for the purpose of geotechnical work. The Consultant, Rio Verde Engineering, is doing the NEPA work and the WWDC is paying for said work.

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- Interim Topics for Select Water Committee
 - Instream Flow – Senator Hicks indicated the topic was selected by the Management Council and would be focusing on the process of instream flow filings. Discussion followed. Senator Hicks suggested the Instream Flow study be completed prior to the filing of the instream flow right. Staff from the Wyoming Game and Fish Department and the Wyoming State Engineer’s Office were present to participate in the discussion. They will provide follow-up information at the WWDC/SWC meeting in Buffalo, Wyoming in August 2019.

Ken Hamilton of Wyoming Farm Bureau Federation provided public comment advocating for public notice prior to instream flow filings.

- Beneficial Use of Water – Chris Brown, Senior Assistant Attorney General and Rick Deuell, Acting State Engineer, were present to discuss the current list of recognized beneficial uses of water in Wyoming. They will be at the August 2019 WWDC/SWC meeting in Buffalo, Wyoming to present a draft of an updated beneficial uses list.

19. Future Meetings Schedule

The next meeting will be a joint meeting with WWDC and SWC in Buffalo, WY. The meeting will be held at the Hampton Inn in Buffalo, Wyoming and the annual summer tour will focus on WWDC projects in and around Buffalo. Potential tour stops were suggested and will be considered.

Mike Purcell suggested discussing the current consultant selection process at the meeting in August.

Gerry Geis made a motion to adjourn at 12:24 pm.

Respectfully submitted,


Mike Purcell, Secretary