Wyoming Water Development Commission/
Select Water Committee Joint Meeting
Cody, Wyoming
August 20, 2010

I. Chair Mitch Cottenoir called the meeting to order at 8:30 a.m.

II. Secretary Kent Shurtleff called the roll of Commissioners:

Commission Attendance:
Mitch Cottenoir, Chair
Jim Wilson, Vice-Chair
Kent Shurtleff, Secretary
Bill Bensel
Dan Budd
Floyd Canfield
Dick Geving
Shawn Hall
Anne MacKinnon
Bill Resor

Advisors in Attendance:
Greg Kerr, University of Wyoming
Andrew Kuhlmann, Attorney General's Office
Harry LaBonde, State Engineer's Office

Select Water Committee Attendance:
Senator Stan Cooper
Senator Gerald Geis
Senator John Hines
Senator Marty Martin
Senator Chuck Townsend
Senator James Elliott
Representative Rodney Anderson
Representative Stan Blake
Representative Frank Philp
Representative Jim Roscoe
Representative Mark Semlek

III. Approval of Agenda

IV. Approval of Minutes. A motion to approve the June 3, 2010 minutes was made by Dick Geving, seconded by Shawn Hall. The motion carried.

In a separate action, the Select Water Committee approved the minutes from the June 3, 2010 Committee meeting without changes.

V. Audience Introductions

VI. Planning Amendments

- *Farview Water Supply, Level II*

A final amendment to the engineering contract with Stetson Engineering was presented. The amendment serves to document WWDC acceptance of the final report and to document the final contract budget of $308,545.43.

- *Greybull Valley Rehab, Upper Sunshine Diversion, Level II*

A final amendment to the engineering contract with Anderson Consulting Engineers, Inc. was presented. The amendment serves to document WWDC acceptance of the final report and to document the final contract budget of $82,879.47.

- *Nowood River Storage / Watershed, Level I*

A final amendment to the engineering contract with Anderson Consulting Engineers, Inc. was presented. The amendment serves to document WWDC acceptance of the final report and to document the final contract budget of $288,500.

- *Rawlins Master Plan, Level I*

A final amendment to the engineering contract with Wester-Wetstein & Associates, Inc. was presented. The amendment serves to document WWDC acceptance of the final report and to document the final contract budget of $198,018.

- *Viva Naughton Enlargement Study, Level II, Phase II*

An interim amendment to the engineering contract with States West Water Resources was presented. The amendment serves to extend the contract expiration date to December 31, 2010.

Jim Wilson made a motion to accept all documents as presented, seconded by Bill Resor. The motion carried.

VII. Town of Elk Mountain

The revised Ground Water Exploration Grant contract was presented by Andrew Kuhlmann. Mr. Kuhlmann indicated that Section U, Sovereign Immunity, of the contract now states that neither the State of Wyoming nor the Commission waives sovereign immunity nor does the municipality waive governmental immunity. Discussion followed. Bill Bensel made a motion to approve the document, seconded by Anne MacKinnon. The motion carried.

VIII. Discussion

- Financial Status Report. Mike Purcell reported that the balances available for appropriation are $36.6M in water account I; $13.1M in water account II; and $131M in water account III.
- Potential Funding Candidates – 2011 Session. Anticipated funding requests from new applications and existing projects were reviewed by Mike Purcell. He estimated that the funding requests from the New Development Program

would be approximately $70M; the funding requests from the Rehabilitation Program would be approximately $16M; and funding requested from the Dam and Reservoir Program would be approximately $1.5M.

- Pathfinder Modification Project – Update. Mike Purcell reported that the notice to proceed on the construction of the project had been issued on August 17, 2010 to ASI Constructors. Further, he advised that the bid was favorable and that project is to be completed by December, 2011. In addition, negotiations are underway with the USBR to obtain 10,600 AF from Glendo Reservoir for replacement water for wells in Goshen County.

- Potential Water Sales. Drillers in Laramie County are contacting the City of Cheyenne (City) to buy water for use in their operations. The WWDC will share in the revenues from these water sales as a condition of the grants provided for several improvements to the City's water supply system. Mike Purcell requested that the WWDC authorize the water sales in accordance with the funding statutes and that he be authorized to structure the agreement between the WWDC and the City as to how the revenues would be shared by the entities. Discussion followed. Anne MacKinnon made a motion to authorize such actions, seconded by Jim Wilson. The motion carried.

- Miscellaneous
  The December WWDC meeting has been rescheduled to December 13 and 14 with the Select Water Committee meeting following on December 15.

  Pat Tyrrell discussed the Colorado River Storage Project Act MOA as it related to aid-to-irrigation repayment assistance to the Upper Basin States. Discussion followed. An update on the negotiations with Mexico for the use of storage space in Lake Mead was also presented.

The next WWDC meeting will be November 3-5, 2010 in Casper.

There being no further business, the meeting adjourned at 10:40 a.m.

Respectfully submitted,

Kent C. Shurtleff
Secretary

L:\MINUTS\Minu065.doc