

Wyoming Water Development Commission Meeting
Cheyenne, Wyoming

March 8, 2013

1. Vice-Chairman Bill Resor called the meeting to order at 8:35 a.m.
2. Secretary Jeanette Sekan called the roll of commissioners:

Commission Attendance:

Bill Resor, Vice-Chair
Jeanette Sekan, Secretary
Nick Bettas
Karen Budd-Falen
Floyd Canfield
Mitch Cottenoir
Sheridan Little
Margo Sabec

Absent:

Shawn Hall

Advisors:

Andrew Kuhlmann, Attorney General's Office
Greg Kerr, University of Wyoming

3. Audience Introductions
4. Election of Officers
A motion was made by Mitch Cottenoir to nominate Bill Resor as Chairman, Jeanette Sekan as Vice-Chair, and Floyd Canfield as Secretary; seconded by Nick Bettas. The motion carried.
5. Approval of Minutes
Margo Sabec made a motion to approve the December 13, 2012 minutes; seconded by Floyd Canfield. The motion carried.

A motion to advance the agenda items pertaining to the appointment of an individual to serve on the Regional Water Panel in Campbell County and the Middle Fork Reservoir permit cancellation discussion was made by Margo Sabec. Nick Bettas seconded the motion. The motion carried.

6. Gillette Regional Water Panel.
Campbell County and the City of Gillette have entered into a joint powers agreement to assist with the planning and funding of the new regional water supply system. A seven person regional water panel has been established as a part of the joint powers agreement. Membership consists of three representatives each from Campbell County and the City of Gillette and one representative from the WWDC. Margo Sabec made a motion to nominate Bryan Clerkin, the WWDO construction project manager, to serve as the WWDC panel representative. Furthermore, Mr. Clerkin was encouraged not to be a tie breaker on split votes, but rather abstain, and to serve as a technical facilitator. The motion was seconded by Mitch Cottenoir. The motion carried.
7. Planning Contract Amendments
- *Big Sandy Reservoir Enlargement, Level II Phase I*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc.
 - *Clear Creek Storage, Level II, Phase II Study*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc., amends the scope of services with the addition of Phase II tasks, increases the budget by \$350,000 to \$596,892, replaces Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule, and extends the contract expiration date to March 15, 2015.
 - *Cottonwood/Grass Creek Storage Project, Level II*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc., increases the budget by \$69,000 to \$449,000, extends the contract expiration date to December 31, 2014, and replaces Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule.
 - *Farson Master Plan, Level I*
A final amendment to the engineering contract with JFC Engineers & Surveyors was presented. The amendment serves to document WWDC acceptance of the final report and finalize the contract budget at \$111,178.51.
 - *Middle Piney Reservoir, Level II*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc. and replaces Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule.

- *North Platte River Water Yield Analysis – Beetle Kill Impact*
An interim amendment to the engineering contract with Management and Engineering Technologies International Inc. was presented. The amendment serves to extend the contract expiration date to December 31, 2013.
- *Shell Valley Storage, Level II, Phase II Study*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc., amends the scope of services to allow additional feasibility analyses of storage alternatives, increases the budget by \$150,000 to \$735,820, replaces Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule, and extends the contract expiration date to March 15, 2015.
- *Squaw Creek Water Supply, Level II*
An interim amendment to the engineering contract with AVI was presented. The amendment serves to amend the scope of services with Phase II Test Drilling Program and Phase III Feasibility Analysis, increases the budget by \$348,400 to \$521,000, extends the contract expiration date to December 31, 2014, and updates Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule.
- *Sublette Creek Reservoir and Covey Mau Canal Project, Level II, Phase II*
An interim amendment to the engineering contract with RJH Consultants, Inc. was presented. The amendment serves to amend the scope of services to perform a Woodruff Narrows alternative analysis, increases the budget by \$251,000 to \$937,973.40, extends the contract expiration date to December 31, 2014, and updates Exhibit B Hourly Rate and Reimbursable Expenses Price Schedule.
- *Viva Naughton Enlargement, Level II Phase II Study*
An interim amendment to the engineering contract with Wenck Associates, Inc. was presented. The amendment serves to acknowledge the purchase of States West Water Resources Corporation by Wenck Associates, Inc. and extends the contract expiration date to March 31, 2014.

Margo Sabec made a motion to approve all documents as presented, seconded by Jeanette Sekan. The motion carried.

8. Middle Fork Dam and Reservoir

On July 20, 1990, the Powder River Reservoir Corporation (PRRC) and the Wyoming Water Development Commission (WWDC) entered into an option to allow the state to purchase the permits and assets that the PRRC has acquired for the project, including the land. This option to purchase has been extended twice and the current expiration date is July 20, 2020. On January 7, 2013, the State Engineer canceled both permits to build the Middle Fork Powder River Dam and Reservoir. Subsequently, the PRRC has appealed the cancelations to the Wyoming Board of Control and District Court. Dennis Kirven, Powder River Reservoir

Corporation attorney, urged the WWDC to join the PRRC appeal with assistance from the Attorney General's Office. Discussion followed.

Floyd Canfield made a motion to adjourn into Executive Session to seek legal advice, seconded by Jeanette Sekan. Margo Sabec recused herself from the vote. The meeting adjourned into Executive Session at 9:14 a.m. The meeting reconvened from Executive Session at 9:55 a.m. Mitch Cottenoir made a motion to table the issue until the joint meeting with the Select Water Committee in June, 2013. The motion was seconded by Floyd Canfield with Margo Sabec abstaining from the vote. The motion carried.

9. Pavillion East Water Supply, Level III

An interim amendment to the engineering contract with James Gores & Associates was presented. The amendment serves to amend the scope of services for the final design, supervision and construction of a water-loading station within the Town of Pavillion. The total budget was increased by \$100,000 to \$560,000. Margo Sabec made a motion to approve the document as presented, seconded by Nick Bettas. The motion carried.

10. Town of Guernsey

A contract with the Town of Guernsey to drill a replacement well for municipal supply was presented. The budget is a 75% grant for \$93,750 from the Ground Water Exploration Grant Program. Cate Cundall, Town of Guernsey, spoke in support of the project and indicated that the remaining funds have been acquired from the State Land and Investment Board. Mitch Cottenoir made a motion to approve the contract as presented, seconded by Margo Sabec. The motion carried.

11. Small Water Projects Program

- Converse County Conservation District
 - ❖ *Iberlin Pipeline*. The Converse County Conservation District sponsored an application to install 14,900 feet of pipeline, a storage tank and one stock tank. This is a new development project with an estimated cost of \$49,700.
 - ❖ *Oaks Pasture-Robinson Ranch*. The Converse County Conservation District sponsored an application to construct a new well, a solar platform, and two stock tanks. This is a new development project with an estimated cost of \$44,900.
 - ❖ *246 Rothluetner W35-1*. The Converse County Conservation District sponsored an application to construct a new well and install two stock tanks. This is a new development project with an estimated cost of \$26,600.
 - ❖ *TB 261*. The Converse County Conservation District sponsored an application to construct a solar platform and install two stock tanks. This is a rehabilitation project with an estimated cost of \$16,400.

- ❖ *TB 099B.* The Converse County Conservation District sponsored an application to construct a new well, a solar platform, and install one storage tank and four stock tanks. This is a new development project with an estimated cost of \$49,700.
- ❖ *TB 020B Pipeline.* The Converse County Conservation District sponsored an application to construct a new well, a solar platform, and three stock tanks. This is a new development project with an estimated cost of \$32,300.

Michelle Huntington, Converse County Conservation District, addressed the recommendations. Discussion followed.

- Cottonwood/Grass Creek Watershed Improvement District
 - ❖ *Diversion Point.* The Cottonwood/Grass Creek Watershed Improvement District sponsored an application to rehabilitate a diversion structure. This is a rehabilitation project with an estimated cost of \$42,000.
 - ❖ *Solar Well.* The Cottonwood/Grass Creek Watershed Improvement District sponsored an application to drill a well, install a solar platform, construct 100 feet of pipeline, and install a stock tank. This is a rehabilitation project with an estimated cost of \$12,500.
- Hot Springs Conservation District
 - ❖ *Ditch Creek Irrigation.* The Hot Springs Conservation District sponsored an application to install 21,140 feet of pipeline. This is a new development project with an estimated cost of \$99,300.
 - ❖ *Ditch Creek Solar Pump.* The Hot Springs Conservation District sponsored an application to install a solar platform, install 1,100 feet of pipeline, and remove 2,000 cubic yards of material from an existing stock pond. This is a rehabilitation project with an estimated cost of \$26,000.
 - ❖ *Grass Creek Spring & Reservoir.* The Hot Springs Conservation District sponsored an application to develop a spring, install 11,500 feet of pipeline, install two storage tanks, two stock tanks, and remove 5,000 cubic yards of material from two existing stock ponds. This is a rehabilitation project with an estimated cost of \$43,131.
 - ❖ *Reservoir #3.* The Hot Springs Conservation District sponsored an application to construct a new stock pond, which will require the removal of 6,000 cubic yards of material. This is a new development project with an estimated cost of \$30,000.
- Little Snake River Conservation District
 - ❖ *Dexter Peak Ranch Pipeline.* The Little Snake River Conservation District sponsored an application to develop a spring, install 10,000 feet of pipeline and install five stock tanks. This is a new development project with an estimated cost of \$72,012.

- ❖ *BLM Reservoir Reconstruction and Pipe.* The Little Snake River Conservation District sponsored an application to rehabilitate five stock ponds. This is a rehabilitation project with an estimated cost of \$88,230.
- ❖ *BLM Solar Pump.* The Little Snake River Conservation District sponsored an application to rehabilitate five water systems by replacing windmills and generators with solar platforms, and installation of one stock tank. This is a rehabilitation project with an estimated cost of \$55,140.
- ❖ *BLM Wild Horse Butte Pipeline.* The Little Snake River Conservation District sponsored an application to install 31,680 feet of pipeline, construct four storage tanks, and install six stock tanks. This is a new development project with an estimated cost of \$89,190.

Dawn Arnell, Little Snake River Conservation District, addressed the recommendations. Discussion followed.

- South Big Horn Conservation District
 - ❖ *Patterson Timber Upland Water Source.* The South Big Horn Conservation District sponsored an application to construct a new well, install a solar platform, construct 100 feet of pipeline and install one stock tank. This is a new development project with an estimated cost of \$24,774.
- Sublette County Conservation District
 - ❖ *Ashley Wolf Ditch Headgate-Boroff.* The Sublette County Conservation District sponsored an application to rehabilitate a diversion structure. This is a rehabilitation project with an estimated cost of \$75,000.
 - ❖ *Scott Ditch Headgate-Grindstone.* The Sublette County Conservation District sponsored an application to rehabilitate a diversion structure. This is a rehabilitation project with an estimated cost of \$75,000.

Eric Petersen, Sublette County Conservation District, addressed the recommendations.

Margo Sabec made a motion to approve all applications as presented, seconded by Floyd Canfield. The motion carried.

12. Town of Evansville

An agreement with the Town of Evansville to purchase water from the Wyoming Account in Pathfinder Reservoir was presented. The agreement provides the town a right to purchase up to 100 acre-feet of water per year on a readiness-to-serve basis. The initial term is for 25 years with a renewal clause allowing up to three (3) 10-year renewal periods.

A motion to approve the contract as presented and to authorize the director to execute the document on behalf of the WWDC was made by Margo Sabec, seconded by Nick Bettas. The motion carried.

13. Sponsor's Inflation Fund, Account No. I – 33 Mile Pump Station Project
Construction bids were received on the 33 Mile Pump Station project, and the lowest bid was 11% more than the original construction project estimate. The higher bid price includes a higher than anticipated construction cost received related to the lowest bid received as well as increased engineering costs. An additional \$13,735 is needed to award the project contract. Margo Sabec made a motion to approve the additional expenditure from Account I of the Sponsor's Inflation Fund. Sheridan Little seconded the motion. The motion carried.
14. Discussion
Director LaBonde presented an update on the Sundance Water Tank project.

There are 15 eligible properties associated with the Pavillion cistern project. The landowner agreements have been submitted for Attorney General Office's review, and upon completion of the review, will be forward to the participating landowners for signature.
15. 2013 Consultant Selection Schedule
The Interview schedule for the May 8 and 9, 2013 interviews was reviewed.
16. Future Meetings Schedule
The August 21-23, 2013 meeting will be held in Baggs to view the High Savery Dam and Reservoir and proposed West Fork Dam and Reservoir site.

There being no further business, the meeting adjourned at 11:05 a.m.

Respectfully submitted,

Floyd Canfield
Secretary