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Wyoming Water Development Commission  
Meeting  
Cheyenne, Wyoming  
December 11<sup>th</sup>, 2014

1. Chair Jeanette Sekan called the meeting to order at 8:32 a.m.
2. Secretary Sheridan Little called the roll of commissioners:

Commission Attendance:

Jeanette Sekan, Chair  
Floyd Canfield, Vice-Chair  
Sheridan Little, Secretary  
Nick Bettas  
Karen Budd-Falen  
Travis Brockie  
Rodney Wagner  
Todd Werbelow  
Margo Sabec  
Bill Resor – via phone

Advisors in Attendance:

Greg Kerr, University of Wyoming  
Abigail Boudewyns, Attorney General's Office

3. **Approval of Agenda.** The agenda was approved, no revisions made. A motion to approve the agenda was made by Rod Wagner, seconded by Nick Bettas. The motion carried unanimously.
4. **Approval of Minutes.** Several items were discussed regarding the November 2014 minutes. Those changes will be made. A motion to approve the corrected November, 2014 WWDC minutes was made by Nick Bettas, seconded by Floyd Canfield. The motion carried unanimously.
5. **Audience Introductions**

**\*\* Centennial Well & Master Plan** – Dan Gregg, property owner of a lot with the WWDC test well was present at the meeting. He has been advised of the project and has no argument against the study proceeding to develop the well. Mr.

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Gregg appeared in response to Karen Budd-Falen's concerns over property rights and the consent of the landowner.

**6. Presentation by Nephi Cole for the National Energy Council – Energy Water Nexus**

**7. Planning Amendments**

- *High Meadows Ranch Master Plan, Level I, Final Amendment*  
A final amendment to the engineering contract with WLC Engineering, Surveying and Planning was presented. The amendment serves to document WWDC's acceptance of the final report, document the actual cost of each task and to document the final Contract amount of \$147,769.33, a reduction of \$24,174.67.
- *Lower Nowood Rural Water Supply, Level II, Final Amendment*  
A final amendment to the engineering contract with Sage Civil Engineering was presented. The amendment serves to document WWDC's acceptance of the final report, document the actual cost of each task and to document the final Contract amount of \$66,000.00.
- *Manville Well, Level II, Final Amendment*  
A final amendment to the engineering contract with Wyoming Groundwater, LLC was presented. The amendment serves to document WWDC's acceptance of the final report, document the actual cost of each task and to document the final contract amount of \$ 401,309.05, a reduction of \$44,690.95
- *North Fork Shoshone Water Supply, Level I, Final Amendment*  
A final amendment to the engineering contract with Engineering Associates was presented. The amendment serves to document WWDC's acceptance of the Stop-Work Summary, document the actual cost of each task and to document the final contract amount of \$32,451.74, a reduction of \$96,048.26.
- *Pavillion East Water Supply Project, Level III, Amendment No. 5*  
An interim amendment to the engineering contract with James Gores and Associates was presented. The amendment serves to increase the total Contract amount by \$85,000 to cover increased costs for Task 6 construction of the Phase II cisterns from \$883,000 to \$968,000. It serves to also extend the Contract expiration date to December 31, 2015. Discussion followed.

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- *Pine Haven Tank and Well Study, Level II, Final Amendment*  
A final amendment to the engineering contract with Baker and Associates, Inc. was presented. The amendment serves to document WWDC's acceptance of the final report, document the actual cost of each task and to document the final contract amount of \$ 89,950.17, a reduction of \$49.83.
  - *Sublette Creek Reservoir and Covey/MAU Canal, Level II, Phase II, Amendment No. 3*  
An interim amendment to the engineering contract with RJH Consultants, Inc. was presented. The amendment serves to extend the Contract expiration date to March 31, 2016.

Margo Sabec made a motion to approve the Director's recommendations on all Planning amendments, with the exception of Pavillion East Water Supply Project. Nick Bettas seconded the motion. The motion carried unanimously.

Margo Sabec made a motion to accept the Director's recommendation regarding the Pavillion East Water Supply Project. Todd Werbelow seconded the motion. Discussion followed. The motion carried, 9-1 with Floyd Canfield opposed.

#### **8. Small Water Projects Planning Amendments**

- *216 Johnson W29-1 Well, Amendment No. 1*  
An interim amendment to the agreement with Converse County Conservation District was presented. The amendment serves to extend the Contract expiration date to December 31, 2015.
- *Beef Pasture Pipeline, Amendment No. 1*  
An interim amendment to the agreement with Hot Springs Conservation District was presented. The amendment serves to extend the Contract expiration date to December 31, 2015.
- *Dam Teresa, Amendment No. 2*  
An interim amendment to the agreement with Hot Springs Conservation District was presented. The amendment serves to extend the Contract expiration date to December 31, 2015. – This was withdrawn per the Sponsor's request.

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- *Dickie 21, Bear Creek, Urwin 21 Pipeline Project, Amendment No. 3*  
An interim amendment to the agreement with Cottonwood/Grass Creek Watershed Improvement District was presented. The amendment serves to extend the Contract expiration to December 31, 2015.
  - *Hazen Draw Project, Amendment No. 1*  
An interim amendment to the agreement with Hot Springs Conservation District was presented. The amendment serves to extend the Contract expiration date to December 31, 2015.
  - *Mesa Well Project, Amendment No. 2*  
An interim amendment to the agreement with Big Horn Conservation District was presented. The amendment serves to extend the Contract expiration date to December 31, 2015.
  - *Ramul 21 Pipeline Project*  
An interim amendment to the agreement with Cottonwood/Grass Creek Watershed Improvement District was presented. The amendment serves to extend the Contract expiration to December 31, 2015.

Karen Budd-Falen made a motion to approve the Director's recommendations on all Small Water Projects Planning Amendments with the exception of Dam Teresa. Margo Sabec seconded the motion, the motion carried unanimously.

Director LaBonde indicated the Dam Teresa project should be considered withdrawn and no WWDC action is needed.

#### **9. Sponsor's Inflation Fund**

- *Shoshone Irrigation District Rehabilitation 2013*  
Shoshone Irrigation District is seeking up to \$32,245 of grant funds from the Sponsor's Inflation Fund for Account II. The request is 100% of the amount estimated to be needed to purchase invoiced materials to complete the project.

Rodney Wagner made a motion to approve the Sponsor's Inflation Fund expenditure. Travis Brockie seconded the motion, the motion carried unanimously.

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## **10. UW Water Research Program – 2015 Project Rankings**

The three submitted proposals were ranked by the Advisory Committee on November 17, 2014.

1. "Groundwater Modeling of the Casper Aquifer, Belvoir Ranch, Cheyenne"
2. "A Multifunctional Sorbent of the Treatment of Coproduced Waters (CWs) from the Energy Industry"
3. "Beneficial Reuse of Saline Brines Using Solar Enhanced Subsurface Pervaporation Irrigation"

Discussion followed regarding the proposals.

Karen Budd-Falen made a motion to fund proposal #1. The motion was seconded by Travis Brockie. The motion carried unanimously.

Margo Sabec made a motion to not fund proposal #2, seconded by Karen Budd-Falen.

Margo Sabec then withdrew her motion.

Bill Resor made a motion to fund the #2 proposal as it responds to the RFP. Travis Brockie seconded the motion. Discussion followed. The motion failed 4-6 with Floyd Canfield, Sheridan Little, Nick Bettas, Karen Budd-Falen, Margo Sabec, and Todd Werbelow opposed.

Margo Sabec made a motion to approve the funding for proposal #3, seconded by Todd Werbelow. The motion failed 5-5 with Margo Sabec, Karen Budd-Falen, Floyd Canfield, Nick Bettas and Sheridan Little opposed.

## **11. Financial Status Report**

The financial status of each account was presented. No action was required of the Commission.

## **12. Preparation for the 2015 Legislature**

- o Mitch Cottenoir addressed the Commission regarding the Indian Irrigation – Senator Barrasso Amendment. The amendment would authorize funding to begin addressing deferred maintenance costs of certain Indian irrigation projects. This amendment would also provide assistance for certain Indian water settlements.

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- Karen Budd-Falen made a motion to write a letter in support of Senator Barrasso's Amendment. Floyd Canfield seconded the motion, motion carried unanimously.

- **Omnibus Water Bill – Construction**

Margo Sabec made a motion to approve the Omnibus Water Bill – Construction as presented, seconded by Nick Bettas.

Interested parties to the Midvale issue were in attendance to address the commission. Discussion followed.

Margo Sabec made a motion to include an amendment to supplement the Midvale Rehabilitation 2013 project with the requested \$63,600.00 for a materials only grant, conditioned upon the Commission will revisit the issue when it comes time to amend the Contract. Sheridan Little seconded the motion, the motion carries unanimously. Karen Budd-Falen was recused.

Karen Budd-Falen made a motion to include an amendment for the Savery-Little Snake – Battle Creek Diversions in the Omnibus Water Bill – Construction. Margo Sabec seconded the motion, the motion carried unanimously.

Margo Sabec made a motion to approve the amendment to include the Sheridan Supplemental Storage, Level III Project, subject to the condition the grant funds available to the City of Sheridan never be used directly or indirectly for eminent domain action. Karen Budd-Falen seconded the motion, the motion carried unanimously.

Call for question regarding the original motion to approve the 2015 Omnibus Water Bill – Construction, as amended, the motion carried unanimously.

- **Omnibus Water Bill – Planning**

Margo Sabec made a motion to approve the Omnibus Water Bill – Planning, as amended to include the Centennial Well and Master Plan, Statewide Water Research Proposal #1 funding and to decrease the amount of the North Fork Shoshone Water Supply Study reversion from \$117,138.00 to \$113,036.38 to cover the costs of the certified mailings. Floyd Canfield seconded the motion, the motion carried unanimously.

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- **Water Development - Amendments**

Margo Sabec made a motion to approve the Water Development – Amendments Bill, seconded by Karen Budd-Falen. This bill amends the Water Development Program to include the Upper Colorado River Basin Fund MOA, Colorado River Basin States Salinity Control Program and changes the name of the Sponsor's Inflation fund to the Sponsor's Contingency Fund.

Margo Sabec made a motion to amend the bill and strike the last sentence on page 9, lines 17-22, "The cooperating partners have made significant strides in keeping the salinity concentrations in the River within a range that does not limit consumptive uses of the River while uses of the River have increased pursuant to interstate river compacts and applicable law." Todd Werbelow seconded the motion. The motion carried unanimously.

Margo Sabec made a motion to amend the bill, page 10, line 5 replace "for" with "that"; The Basin State Program (BSP) was created with the amendment of the original 1974 Act and provides *that* cost share obligations.....". Karen Budd-Falen seconded the motion, the motion carried unanimously.

Margo Sabec made a motion to amend the bill, page 10, strike lines 21 and 22 and insert 'and conduct' at the beginning of line 23, and strike the end of line 23. ...."Cost effectively reduce salinity..."and conduct" planning studies for salinity control activities.....Karen Budd-Falen seconded the motion. The motion carried unanimously.

Margo Sabec made a motion to amend the bill, page 12, end of line 2 strike "for", end sentence with 'sponsors', strike all of lines 3, 4, and 5. "With the concurrence of the Bureau of Reclamation, the commission may award grants to eligible project sponsors;....Karen Budd-Falen seconded the motion. The motion carried unanimously.

Margo Sabec made a motion to amend the bill, page 12, line 20, the word 'Basins' should appear singular, 'Basin'. Karen Budd-Falen seconded the motion. The motion carried unanimously.

Margo Sabec called for the question concerning the Water Development Amendments Bill. The motion carried unanimously.

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Chairwoman Jeanette Sekan thanked Representative Mark Semlak and Senator John Hines for their service on the Select Water Committee and for providing guidance.

Karen Budd-Falen made a motion to adjourn, seconded by Margo Sabec at 4:10pm.

Respectfully submitted,



Sheridan Little,  
Secretary