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**Wyoming Water Development Commission  
Workshop  
Wyoming Water Development Office  
6920 Yellowtail Rd, Cheyenne, WY  
January 10, 2018**

1. Chairman Sheridan Little called the workshop to order at 1:34pm.

**Roll Call**

Commission attendance:  
Sheridan Little, Chairman  
Nick Bettas, Vice-Chairman  
Clinton Glick, Secretary  
Gerald Geis  
Karen Budd Falen  
Rodney Wagner  
David Evans  
Jeanette Sekan  
Kellen Lancaster  
Larry Suchor

Select Water Attendance:  
Senator Larry Hicks  
Senator Glenn Moniz  
Representative Dan Laursen

Facilitator – Jennifer Pratt-Miles

2. **Audience Introduction**

3. **Review Public Hearing – Proposed Level III Projects**

Barry Lawrence gave a summary review of the twelve (12) public hearings conducted around the state between December 4 and December 8, 2017.

4. **Financial Status Report**

Director LaBonde reviewed the financial projections provided to the Commission for Water Development Accounts I, II and III.

5. **Review Snake River Sporting Club's Groundwater Exploration Grant Application**

Director LaBonde presented the revised recommendation of 19% grant funding in the amount of \$45,600.00. Discussion followed. Reed Armijo, P.E.; Jorgensen Associates was present to answer questions and displayed multiple maps for clarification.

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**6. Review Draft Rule – Chapter 8 (Delegation of Duties)**

Director LaBonde indicated this was the last item of the Management Audit Committee's recommendations from the audit published in January 2016. Karen Budd-Falen suggested incorporating the reporting procedures already in practice into the rules. Discussion followed. Several items were revised to include reporting to the commission as a requirement. Director LaBonde will present the commission with an updated draft rule during the meeting, tomorrow, January 11, 2018.

January 23, 2018 is the next meeting with the management audit committee, Director LaBonde would prefer to have the commission's approval of the Chapter 8 rule prior to the meeting.

The workshop adjourned at 3:29pm

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Clinton Glick", is written over a horizontal line.

Clinton Glick, Secretary

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**Wyoming Water Development Commission  
Meeting  
Wyoming Water Development Office  
6920 Yellowtail Rd., Cheyenne, WY  
January 11, 2018**

1. Chairman Sheridan Little called the meeting to order at 8:35am.

**2. Recognition of members present to establish a quorum**

Commission attendance:

Sheridan Little, Chairman

Nick Bettas, Vice-Chairman

Clinton Glick, Secretary

Gerald Geis

Karen Budd Falen

Rodney Wagner

David Evans

Jeanette Sekan

Kellen Lancaster

Larry Suchor

Select Water Attendance:

Senator Larry Hicks

Senator Glenn Moniz

Senator Curt Meier

Representative Dan Laursen

Representative John Eklund

**3. Audience introductions**

**4. Approval of Minutes**

David Evans made a motion to approve all minutes presented: November 1, 2017 Workshop; November 1, 2018 Executive Session; November 2-3, 2017 WWDC/SWC Joint meeting; and November 3, 2017 Executive Session. Rodney Wagner seconded the motion; motion carried unanimously.

Gerry Geis made a motion to approve the October 19, 2017 WWDC Special Meeting minutes. David Evans seconded the motion; motion carried unanimously.

**5. Consideration of Promulgating New Rules (Chapter 8, Delegation of Duties)**

Larry Suchor made a motion to approve the revised Chapter 8 and to move forward with the rule making process. Rodney Wagner seconded the motion; motion carried unanimously.

**6. Closeout of Planning Projects**

- *Buckskin Extension Master Plan/Gillette Regional, LII*

Dave Myer, Project Manager provided a brief summary of project findings and final project costs.

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Discussion followed. Gerry Geis moved acceptance of the Buckskin Extension Master Plan/Gillette Regional, Level II Study as being complete, and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend: Proceeding to Level III of project development upon the submittal of an appropriate funding application by the sponsor.

2. Based on the findings in the final report, the project is determined to be in the public interest.

3. The project functions and services cannot realistically be provided by any person, association or corporation engaged in private enterprise.

Larry Suchor seconded the motion; motion carried unanimously.

*Eden Valley Irrigation and Drainage District Master Plan, Level I*

Jodee Pring, Project Manager, provided a brief summary of project findings and final project costs. Gerry Geis moved acceptance of the Eden Valley Irrigation and Drainage District Master Plan, Level I Study as being complete and further, the WWDC makes the following findings relative to this project:

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

2. Based on the findings in the final report, the project is determined to be in the public interest.

3. The project functions and services cannot realistically be provided by any person, association or corporation engaged in private enterprise.

Kellen Lancaster seconded the motion. Discussion followed. The motion carried unanimously.

*Fox Ridge Extension Master Plan/Gillette Regional, Level II*

Jodie Pavlica, Project Manager, provided a brief summary of project findings and final project costs. Discussion followed. Gerry Geis moved acceptance of the Fox Ridge Extension Master Plan/Gillette Regional project report as being complete and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend: Proceeding to Level III of project development upon the submittal of an appropriate funding application by the sponsor.

2. Based on the findings in the final report, the project is determined to be in the public interest.

3. The project functions and services cannot realistically be provided by any person, association or corporation engaged in private enterprise.

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Rodney Wagner seconded the motion; motion carried unanimously.

Grace Land Extension Master Plan/Gillette Regional, Level II

Dave Myer, Project Manager, provided a brief summary of project findings and final project costs. Gerry Geis moved acceptance of the Grace Land Master Plan/Gillette Regional, Level II Study as being complete and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend: Proceeding to Level III of project development upon the submittal of an appropriate funding application by the sponsor.
  2. Based on the findings in the final report, the project is determined to be in the public interest.
  3. The project functions and services cannot realistically be provided by any person, association or corporation engaged in private enterprise.
- David Evans seconded the motion; motion carried unanimously.

Lovell Irrigation District Master Plan, Level I

Peter Gill, Project Manager, provided a brief summary of project findings and final project costs. Larry Suchor moved acceptance of the Lovell Irrigation District Master Plan, Level I project report as being complete and further the WWDC makes the following findings relative to this project:

1. That the Commission recommend: 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.

Manderson Water Master Plan, Level I

Dave Myer, Project Manager, provided a brief summary of project findings and final project costs. Rodney Wagner moved acceptance of the Manderson Water Master Plan, Level I Study as being complete and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend: Proceeding to the next Level of project development upon the submittal of an appropriate funding application by the sponsor.
- Gerry Geis seconded the motion; motion carried unanimously.

Rock River Water Master Plan, Level I

Keith Clarey, Project Manager, provided a brief summary of project findings and final project costs. Rodney Wagner moved acceptance of the Rock River Water

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Master Plan, Level I Study project report as being complete and further, the WWDC makes the following findings relative to this project:

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

Larry Suchor seconded the motion; motion carried unanimously.

South Worland Water Master Plan, Level I

Kevin Boyce, Project Manager, provided a brief summary of project findings and final project costs. Larry Suchor moved acceptance of the South Worland Water Master Plan Level I Study project report as being complete and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend: Proceeding to the next level of project development upon the submittal of an appropriate funding application by an eligible applicant/qualified sponsor.

Rodney Wagner seconded the motion; motion carried unanimously.

The Commission discussed and requested a survey be drafted and sent out to Gillette area residents and subdivisions inquiring about the interest in joining the Gillette Regional system. Karen Budd-Falen requested the commission get to review the survey before it went out. Director LaBonde indicated they would be able to review it.

**7. Small Water Program Amendment/Agreement – Julian 001 State Section Pipeline**  
Nick Bettas recused himself from the discussion, and removed himself from the commission table.

Jodie Pavlica, Project Manager, presented a brief overview of the amendment and the reason for the requested time extension. Jeanette Sekan made a motion to approve the one year time extension, from December 31, 2017 to December 31, 2018. David Evans seconded the motion; motion carried with Nick Bettas recused.

**8. Groundwater Exploration Grant Applications**

Nick Bettas remained recused and away from the commission seating.

- Big Piney Well

A recommendation for 75% grant funding in the amount of \$162,750.00 was presented. Discussion followed clarifying the way the Groundwater Grant program works and is separately funded, similar to the Small Water Project Program, which receives a separate block appropriation. Gerry Geis made a motion to accept the recommendation for funding. David Evans seconded the motion; motion carried with Nick Bettas recused.

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- Snake River Sporting Club Well

A recommendation for 19% grant funding in the amount of \$45,600.00 was presented. David Evans made a motion to accept the Director's recommendation for funding. Karen Budd-Falen seconded the motion. The motion failed 7-2, with David Evans and Karen Budd-Falen in favor and Nick Bettas recused.

Rodney Wagner made a motion to "Do Not Fund" the Snake River Sporting Club Well grant. Gerry Geis seconded the motion. The motion carried 7-2 with David Evans and Karen Budd-Falen opposed and Nick Bettas recused.

### **9. UW Water Research Program**

Greg Kerr, Director of the Office of Water Programs, presented the technical committee rankings of the proposals to the Commission. Nine (9) proposals were submitted for evaluation. The Committee ranked them 1-9. Discussion followed. Karen Budd-Falen made a motion to fund the #4 (Recycling Co-Produced waters (CWS) in the Energy Industry for Economic Development) in the amount of \$196,323.00 and #6 (Treatment of Produced Water and Rare Earth Element Resource Cost-offset) in the amount of \$88,827.00 for a total amount of \$285,150.00 to be added to the Omnibus Water Bill – Planning. Gerry Geis seconded the motion; motion carried unanimously.

### **10. Executive Session to receive legal advice**

Gerry Geis made a motion to go into executive session to receive legal Advice at 11:06 am. Jeanette Sekan seconded the motion. The motion carried unanimously.

Executive session adjourned at 11:35 am and the public meeting resumed.

### **11. Consideration of Releasing an Attorney General Opinion to the public**

Karen Budd-Falen made a motion to release the Attorney General's Opinion, regarding article 16, section 10 of the Wyoming Constitution received on December 12, 2017, to the public. Gerry Geis seconded the motion; motion carried unanimously.

### **12. Preparation for 2018 Legislature**

- Omnibus Water Bill – Planning

Director LaBonde reviewed the items included in the draft bill. Discussion followed. Gerry Geis made a motion to amend the draft bill to include the Water Research Program projects in the amount of \$285,150.00. Larry Suchor



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seconded the motion; motion carried unanimously. Gerry Geis moved the bill as amended. David Evans seconded the motion; motion carried unanimously.

- Omnibus Water Bill – Construction

Director LaBonde reviewed the items included in the draft bill. Discussion followed.

Nick Bettas made a motion to move the Sundance Tank 2018 Project to Acct I. Kellen Lancaster seconded the motion; motion carried unanimously.

Karen Budd-Falen made a motion to amend the Ethete Water Supply project with a three (3) year time extension. Jeanette Sekan seconded the motion; motion carried unanimously.

Karen Budd-Falen made a motion to increase the funding available for the Small Water Project Program in Account I from \$400,000 to \$750,000.00. Gerry Geis seconded the motion; motion carried unanimously.

Director LaBonde reviewed the amendment for the Gillette Regional Extensions 2017. An increase in appropriation of \$2,391,900.00 for construction is requested. Discussion followed. Based on recent concerns with a number of wells, namely M11 and M12, Karen Budd-Falen made a motion to add a special condition that states, "funds appropriated shall not be used until DEQ releases the M11 and M12 wells for potable water use." David Evans seconded the motion; motion carried unanimously.

Gerry Geis made a motion to approve the bill as amended. Larry Suchor seconded the motion; motion carried unanimously.

- Purchase of Water Rights and Facilities (Lake DeSmet)

Gerry Geis made a motion to approve the bill. Nick Bettas seconded the motion. Discussion followed. Motion carried unanimously.

- Water Development Account III (Reservoirs)

Gerry Geis made a motion to approve the bill. Jeanette Sekan seconded the motion; motion carried unanimously.

### **13. Update of Level III Construction Projects**

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

- Casper CY Booster Station Replacement 2017



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- Dry Creek Irrigation District Pipeline Replacement 2017
  - Jamestown/Rio Vista Water Supply
  - Kaycee Replacement Tank
  - Kemmerer – Diamondville Water System
  - Lakeview Irrigation District Rehabilitation 2016
  - Midvale Sand Butte 2 Lateral
  - South Thermopolis Water Supply Project
  - South Big Horn County Pipeline
  - Thayne Tank 2017

#### 14. Discussion

- Letters from South Thermopolis Water and Sewer District and Owl Creek Water District – Water produced by the town of Thermopolis has high levels of total organic carbon, which when chlorinated becomes an issue. Owl Creek has the same issue and was issued an administrative order from the EPA to fix the problem. This is for the Commission’s information only and Director LaBonde has provided a response from the WWDO.
- Management Audit Committee  
January 23, 2018 Director LaBonde and Chairman Sheridan Little will be in front of the Management Audit Committee to give them the final report to a two-year long process.
- Status of Middle Piney Reservoir – SUP  
Karen Budd-Falen recused herself from the discussion and removed herself from Commission seat.  
Director LaBonde presented options to the Commission for approving the Middle Piney Special Use permit when and if it’s ready. They can choose to hold a special meeting for approval or they can authorize the Chairman to sign on their behalf. David Evans made a motion to authorize the Chairman to sign on behalf of the Commission. Rod Wagner seconded the motion; motion carried unanimously, with Karen Budd-Falen recused.
- Bills being considered by Select Water Committee  
The Select Water Committee, in addition to the four bills mentioned above, is considering an additional seven bills.

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- Big Sandy Reservoir Paleontology Study

Director LaBonde presented information about the Big Sandy Reservoir Enlargement Project. It is being designed and managed by the Bureau of Reclamation and they are in the NEPA phase of the reservoir enlargement. A need for a paleontology study has been determined, and if required to go through the traditional BOR contracting process, could take months. The study is estimated to be \$15,000.00 or less. David Evans made a motion to authorize proceeding with the study at the Commission's expense. Rodney Wagner seconded the motion; motion carried unanimously.

### **15. Future Meetings Schedule**

Director LaBonde reviewed the meeting schedule with the commission, and also informed them the Oil and Gas Conservation Commission facility was already booked for our November 2018 meeting. The Commission declined the offer to move the meeting to Cheyenne and wanted to keep the meeting in Casper.

The Commission will meet next on March 15-16, 2018 in Cheyenne.

Barry Lawrence reviewed the new project timeline for planning projects with the Commission.

### **16. Adjourn**

David Evans made a motion to adjourn at 6:31pm, Rodney Wagner seconded the motion.

Respectfully submitted,



Clinton Glick, Secretary