
**Wyoming Water Development Commission
Meeting
December 10, 2020**

* Due to the COVID-19 pandemic, the Meeting was conducted remotely via Zoom.

- Chairman Kellen Lancaster called the meeting to order at 8:30 a.m.
- **Roll Call** – Secretary Ron Kailey led roll call of the Commission.

Commission Attendance:

Kellen Lancaster, Chairman
Clinton Glick, Vice-Chairman
Ron Kailey, Jr., Secretary
Gerald Geis – excused
Mark Kot
Sheridan Little
Mike Purcell
Larry Suchor
Rodney K. Wagner
Bill Yankee

Advisor Attendance:

Darren Cook, Attorney General's Office

- **Approval of Minutes**
 - November 4, 2020 – WWDC/SWC Joint Workshop Minutes
 - November 5, 2020 – WWDC/SWC Joint Meeting Minutes

Commissioner Mark Kot made a motion to approve the November 4, 2020 WWDC/SWC Joint Workshop and November 5, 2020 WWDC/SWC Joint Meeting Minutes. Commissioner Ron Kailey seconded the motion; motion carried unanimously.

- **Closeout Memos**

- *Boulder Irrigation District Rehabilitation, Level II Study*

Project Manager Andrew Linch provided a brief summary of project findings.

Commissioner Mike Purcell moved acceptance of the Boulder Irrigation District Rehabilitation project report as being complete and further, the WWDC makes the following findings relative to this project:

That the Commission recommend:

- Proceeding to Level III of Phase I project development upon the submittal of an appropriate funding application from the sponsor.
- Continuing the Level II project at the current level of study.

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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.

Commissioner Larry Suchor seconded the motion; motion carried unanimously.

- **RBP GIS Model Implementation, Level I Study**

Project Manager Mabel Jones provided a brief summary of project findings. Commissioner Rodney Wagner moved acceptance of the RBP GIS Model Implementation, Level I Study project report as being complete.

Vice-Chairman Clinton Glick seconded the motion; motion carried unanimously.

- **Colorado River Basin MOA Budget Modification**

Director Gebhart provided the Commission with an update on the status of the Big Sandy Reservoir Enlargement Project. He explained that construction proposals received by the Bureau of Reclamation were higher than estimated, and that the Water Development Office (WDO) would need to secure additional funding. It was recommended that the WDO apply for additional Colorado River Basin MOA 1 and MOA 2 funding in the amount of \$3.6 million.

The Commission acknowledged project cost increases. Commissioner Kot made a motion to authorize WDO staff to submit the necessary requests to the U.S. Bureau of Reclamation to secure additional funding. Commissioner Purcell seconded the motion; motion carried unanimously.

- **Lance Creek Well Purchase**

- **Sale of the Lance Creek Well**

It was recommended that the Commission proceed with the sale of the Lance Creek Well to the Lance Creek Water and Sewer District for the original construction cost of \$33,000. It was also explained that a potential purchase agreement would include requirements that the District acquire all necessary permits, testing and connections to the well.

- **Sheridan Area Water Supply Transmission 2020 Sponsor Name Change**

It was proposed that the Sponsor of the Sheridan Area Water Supply Transmission 2020 project be changed from Sheridan Area Water Supply Joint Powers Board to the City of Sheridan.

Commissioner Purcell made a motion to approve the amendments to the draft Construction Omnibus Bill to include the sale of the Lance Creek Well and

sponsor name change for the Sheridan Area Water Supply Transmission 2020 from Sheridan Area Water Supply Joint Powers Board to City of Sheridan.

Commissioner Yankee seconded the motion; motion carried unanimously.

- **Planning Contracts**

- *Instream Flow Interagency Agreement – WWDC & WGFD*

Director Gebhart requested that the Commission approve an interagency agreement between the Water Development Commission and the Game and Fish Department for an instream flow study. He explained that the Game and Fish Department, through the Water Development Office, is responsible for paying for instream flow studies, but that an agreement must be made for them to do so.

- *Rock Creek & Trail Ridge Creek Instream Flows 2020, Level I Study*

Director Gebhart introduced the project that would be funded by the contract. The consultant for the project has already been selected for a contract amount of \$19,430 dollars. The Game and Fish Department would reimburse the Water Development Office for this amount.

Commissioner Wagner made a motion to accept both the interagency agreement and the consultant contract. Commissioner Purcell seconded the motion; motion carried unanimously.

In the interest of time, Commissioner Kailey motioned to allow a local Commissioner, Commissioner Purcell, to sign the agreements for Chairman Lancaster. Commissioner Suchor seconded the motion; motion carried unanimously.

Commissioner Wagner amended the motion to include two mortgage releases, and for those documents to be also signed by Commissioner Purcell. The motion carried unanimously.

- **Preparation for 2021 Legislature**

- *Omnibus Water Bill – Planning*

Director Gebhart presented the draft Omnibus Water Bill for Planning. He provided a brief overview of each project in each section.

There was a discussion of possible amendments to the draft legislation, namely the LaPrele Dam Rehabilitation Project. Commissioner Purcell suggested increasing the previous \$650,000 appropriation by \$4.3 million dollars for a total

amount of \$4.95 million dollars. This would allow the consultant to proceed with 30% design, geotechnical investigations, permitting and secure additional outside funding. Other Commissioners expressed support for this suggestion, calling for a prioritization of this project. Potential reimbursements for this project were also discussed.

Commissioner Purcell made a motion to approve the discussed amendments to the Omnibus Water Bill for Planning, including the authorization of Director Gebhart and WDO staff to develop a footnote for the amendment dictating what should happen with reimbursed/reverted funds for the LaPrele Dam Rehabilitation Project. Commissioner Glick seconded the motion; motion carried unanimously.

Commissioner Little motioned to approve the Omnibus Water Bill for Planning as amended. Commissioner Wagner seconded the motion; motion carried unanimously.

- *Omnibus Water Bill – Construction*

Director Gebhart presented the draft Omnibus Water Bill for Construction. He proposed a \$7.5 million dollar transfer between Accounts I and II similar to the \$4.3 million dollar transfer made in the Planning Bill for the LaPrele Dam Rehabilitation Project. .

Commissioner Kot made a motion to approve the Omnibus Water Bill for Construction as amended. Commissioner Yankee seconded the motion; motion carried unanimously.

- *Level I and II Application Fee Recommendation*

Commissioner Purcell made a motion to approve the recommendation offered by the Director on December 9, 2020 with the amendment regarding receipt of the reimbursement fees, and to commit to bringing this matter to the August meeting for approval and to make the proposed changes available for public comment.

Commissioner Glick seconded the motion; motion carried unanimously.

- **Level III Construction Project Updates**

- *Eden Valley Farson Lateral Rehabilitation*

Deputy Director of Construction Bryan Clerkin provided an update for the Eden Valley Farson Later Rehabilitation Project.

- *Eden Valley ID System Improvements 2019*

Deputy Director Clerkin provided an update for the Eden Valley Irrigation District Improvements 2019 Project.

- **Cheyenne BOPU Amendment**

Commissioner Wagner made a motion to allow the Water Development Office to work with Cheyenne's Board of Public Utilities to develop an amendment to legislation that would release the Commission from their agreement with the Board of Public Utilities for the Stage II effluent and Stage II municipal effluent provisions of record 99-99-210.

Commissioner Kot seconded the motion; motion carried unanimously.

- **Director Announcements**

Director Gebhart awarded commemorative plaques to the three Commissioners whose terms were ending: Chairman Lancaster, Commissioner Geis, and Commissioner Wagner.

- **Future Meetings Schedule**

Details of the March 18-19, 2021 Workshop and Meeting were announced.

- **Adjourn**

Commissioner Suchor moved to adjourn. Commissioner Glick seconded; motion carried unanimously.

Respectfully submitted,

Ron Kailey, Jr., Secretary