

**MINUTES
of the
177th COUNCIL MEETING
Hard Rock Hotel & Casino Tulsa
Tulsa, Oklahoma
April 17, 2015**

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MEMBERS AND ALTERNATES PRESENT

ALASKA	--
ARIZONA	Cynthia Chandley Tom Buschatzke
CALIFORNIA	Jeanine Jones
COLORADO	Trisha Oeth
IDAHO	Jerry Rigby John Simpson
KANSAS	Tom Stiles Chris Beightel Tracy Streeter
MONTANA	Tim Davis
NEBRASKA	Jim Schneider
NEVADA	--
NEW MEXICO	Greg Ridgley Tom Blaine
NORTH DAKOTA	Jennifer Verleger
OKLAHOMA	JD Strong
OREGON	Tom Byler
SOUTH DAKOTA	--
TEXAS	Robert Mace
UTAH	Norm Johnson Eric Millis Walt Baker

WASHINGTON

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WYOMING

Pat Tyrrell
Sue Lowry
Chris Brown

GUESTS

Ray Russo, Army Corps of Engineers, Dallas, TX
Mike Abate, Army Corps of Engineers E, Tulsa, OK
Chris Carlson, USDA Forest Service, Washington, DC
Dave Mitamura, Army Corps of Engineers, Austin, TX
Bob Slockbower, Army Corps of Engineers, Dallas, TX
Paul Blanchard, Northwest Pipe Co., Salt Lake City, UT
Carlee Brown, Western Governors' Association, Denver, CO
Rudy Herrmann, Oklahoma Water Resources Board, Tulsa, OK
Brittnee Preston, Oklahoma Water Resources Board, Washington, DC
Karl Stock, Bureau of Reclamation, Washington, DC (via phone)
Avra Morgan, Bureau of Reclamation, Washington, DC (via phone)
Tom Iseman, Department of the Interior, Washington, DC (via phone)

WESTFAST

Patrick Lambert, Federal Liaison, Salt Lake City, UT
Becky Fulkerson, Bureau of Reclamation, Washington, DC
Jean Thomas, USDA Forest Service, Washington, DC

STAFF

Tony Willardson
Nathan Bracken
Cheryl Redding
Sara Larsen

WELCOME AND INTRODUCTIONS

WSWC Chair Pat Tyrrell welcomed those in attendance at the meeting. Pat talked about his new position as chair, and his approach, which does not require a hard deliverable. The issue of how we relate with and accomplish things with our federal family can only get better. Pat expressed his appreciation for WestFAST and his hope is that we have a better relationship with our federal agency partners during his tenure. States may often be noisy about why we were not consulted with or what not, and he wanted to let this group know there is also an obligation on our part to engage and avail ourselves of opportunities to coordinate and collaborate with our WestFAST representatives and agencies.

APPROVAL OF MINUTES

JD Strong moved for approval of the minutes from the meeting held in Scottsdale, Arizona in October 2014. There was a seconded and the minutes were unanimously approved.

WATER RESOURCES AND WATER QUALITY ISSUES IN OKLAHOMA

JD Strong, Executive Director, Oklahoma Water Resources Board (OWRB) provided an update on water resources and water quality issues in Oklahoma.

Oklahoma is the most eco-diverse state in the country. There are 12 ecoregions in the state. There is a rich diversity across the state in terms of wildlife and as far as water resources, from fern grottos to cypress swamps, to plains, and in the Panhandle, more mountainous terrain. Precipitation ranges from 17 inches to 57 inches of rainfall. Elevation goes from 4970 feet to nearly 300 feet in elevation. The two largest lakes are Lake Eufaula and Lake Texoma. The state has 34 major reservoirs that store 13 million acre-feet of water, 4,300 public/private and watershed protection lakes, and 23 major groundwater aquifers that store 320 million acre-feet of water. The Panhandle region has the highest water use in the state – most of the use is for irrigated agriculture. Oklahoma is a prior appropriation state, but still does have some vestiges of riparian law. Eastern Oklahoma in Indian Territory is under riparian law. They don't really have a hybrid system.

Oklahoma's stream water law -- water inside a natural channel, within the cut bed and banks, including ponds and lakes -- is governed by prior appropriation and is owned by the people of the state. It's the state's job to manage it. Riparian owners can use the water for domestic purposes without having to get a permit. Groundwater is a private property right subject to reasonable regulation. Oklahoma has a groundwater mining law that allows for slow, measured depletion of groundwater basins. We would like to see the resource be sustained, but is a constant struggle. Domestic household uses are not subject to permitting requirements.

Oklahoma is entering into its 5th year of drought. Drought is a true national disaster. Under the Top Ten U.S. Disasters listed from 1980-2014, drought has been listed three times. Tulsa is in moderate drought, but the further west you go, the more extreme drought becomes. Some of the reservoirs in the western part of the state are less than 30% for conservation storage. There is extensive widespread damage across the state due to the drought. Climatologists predict that drought will only become more frequent and severe. The state just came out of a 30-year period of relative wetness, and so most people do not understand the nature of drought.

What do we do? We plan. In 2012, we finalized a comprehensive update to the state's water plan. It's by far the most technical and publically vetted report. It runs 150 pages with an executive summary. There are thirteen watershed planning region reports. What it found is that between now and 2060, Oklahoma will likely see about a 30% increase in water usage across the state, which tracks with the population growth. Crop irrigation is overall the largest user, but it isn't that much larger than the municipal sector. This is due to the relatively large amount of water that the eastern state receives. Thermoelectric power is expected to be the biggest growth area. After going around the state no less than 5-6 times getting all sorts of public input, asking people how they want their

water managed for the next 50 years, the OWRB sifted it down into 25 recommendations. They came up with a “Big 8:”

The first recommendation focused on conservation, reuse, and recycling. This, in turn, resulted in the state’s Water for 2060 Plan, in which it has been determined we will not to use more water in 2060 than now. They will meet the projected demand for water though a more heightened focus on reuse, conservation, brackish water desalination, etc. They need to implement somewhere between moderate to aggressive conservation. It can be done and even result in less water use in 2060. This is the cheapest solution, especially compared to the centerpiece of the 1980 state water plan, which focused on moving water from eastern Oklahoma to the western portion of the state, which would have pumped water uphill and cost billions. Of note, 90% of the state’s water systems supply 10% of the population, and the other 10% supply 90% of the population.

The second recommendation relates to infrastructure financing. In 2012, voters approved an amendment to the state’s constitution authorizing the use of \$300 million of the state’s credit to meet water related financing needs for the next 50 years. They have a AAA rating for their financing program. All 77 counties have been touched by the program, mostly through low interest loans, but also through grants.

The third recommendation is monitoring. You cannot manage what you don’t measure. Better data is needed for improved surface water monitoring. Groundwater monitoring and an assessment program are the basis for a beneficial use program.

The fourth recommendation involves supply reliability. Water supply reliability ensures water availability for future growth through fair and sustainable water allocation. We will use \$1.3 billion/year of Gross Production Tax revenues. They are also now in a position to update their stream water allocation models.

The fifth recommendation supports fish and recreation flows. We recognize non-consumptive water needs and support recreational and local economic interests. They assessed the suitability and structure of a potential instream flow program for Oklahoma. They had not really thought about this in their allocation program. They are now on a path to address that issue. They have an instream flow working group, and they are looking at how to implement an instream flow program. They have kicked off a pilot study. The Corps of Engineers is helping them in this planning effort.

The sixth recommendation involves establishing regional planning groups. The most popular recommendation in the Statewide Water Plan was the public Regional Planning Groups. “Bottom up” water planning is being done. It is non-regulatory. Local stakeholders represent unique interests. The Southwest corner of the state has been the hardest hit by the drought, and they are very active in their planning groups. They are planning to hire a regional planning coordinator at the OWRB to help pull the whole state effort together.

The seventh recommendation relates to excess and surplus water. Excess and surplus water is a very controversial topic. Protecting local water needs while addressing statewide demands can be challenging. A definition and procedure are required by statute. This will ensure that an area of origin that will never be made water deficient through a water transfer.

Lastly, recommendation number eight is for the state to resolve tribal water claims. The state is currently in litigation with the Choctaw and Chickasaw Nations. There are 37 other tribes. Even though the tribes were relocated to Oklahoma and were ultimately all their lands were allotted out to individual tribal members (there are no reservations left), they have a lot of tribes that are interested in quantifying rights or receiving recognition of their water rights. We don't want to continue to ignore these claims and wait for litigation to hit.

Robert Mace asked whether the 1980 plan to move water to the west was for agriculture or municipal use. JD said it was for both. From 1980 to 2012, it turned out to be just as infeasible now as it was then. That being said, certain parts of the overall plan are feasible and are being considered (e.g., a water transfer for Oklahoma City).

DEPARTMENT OF THE INTERIOR WATER ISSUES

Avra Morgan, Drought Response Program Coordinator, and Karl Stock, Supervisory Policy Analyst, Bureau of Reclamation, along with Tom Iseman, Deputy Assistant Secretary for Water and Science, gave a remote telephone presentation on the Department of the Interior's (DOI) water activities.

Tom spoke directly on California's drought situation. DOI realizes that California is not the only place that is dealing with drought. Many of the Colorado River states are in considerable drought.

DOI's new drought response program will provide assistance to water users for drought contingency planning, including consideration of climate change information and help for communities to take actions that will build long-term resiliency to drought. Some of the issues are controversial. The National Drought Resilience Partnership is working together with the federal agencies. Tom believes the agencies are beginning to work more collaboratively and this will help shore up the agencies' capabilities. The Western Watershed Enhancement Partnership focuses on how to protect watersheds that feed into the water supplies and water infrastructure, particularly in light of wildfire.

Climate adaptation strategy involves thinking about long-term strategies, and it is indicative of the commitment of Reclamation to think of long-term resilience and long-term water supply reliability.

Infrastructure and investment are some things we can do. It will require investment, along with new ideas to manage for future demands. We are thinking a lot about how to get more private investment in infrastructure and how to foster public-private partnerships. The Build America program also includes water for infrastructure. We are looking at State Revolving Funds and other things focused around the Water Infrastructure Finance and Innovation Act (WIFIA). DOI is continuing conversations with the Corps of Engineers and how to bring in public/private partnerships, as well as with Reclamation.

Tom reviewed the implementation of DOI's new internal guidelines for implementing CEQ's Principles, Requirements, and Guidelines (PR&Gs). It provides for federal agencies to establish interagency guidelines, which include all of the federal agencies that serve water resources. It

expands the scope of what they are looking at, and brings in new elements in how they think about these resources, providing more weight to local communities, and many positive investments in infrastructure. DOI is looking for comments through May 12, on the PR&Gs.

Karl Stock addressed the fact that the new principles and guidelines [PR&Gs] will apply to a much broader group of agencies than the old 1989 P&Gs. They were written with a great degree of flexibility. There is a significant amount of discretion in the DOI agencies. In tandem, they have written the DOI procedures and guidelines. Reclamation is writing how they will implement the PR&Gs. They will need to collaborate with their specific stakeholders. They will not be able to answer all of the questions as to how they are going to handle some of the analyses. They will be going through the standard procedures they follow for all of their external policies. They have a lot of experience with the principles and guidelines, and find that it works well for them. They hope to provide a better and more useful tool that will help to ensure they consider environmental and social benefits. Reclamation has started taking into account the costs associated with the environmental and social benefits as they go forward.

One significant change in the applicability of the PR&Gs, is they will be considering the costs and cost sharing. They tie that federal nexus to the program. There is a maximum of 25% of costs, in comparison to the rural water projects where the federal government usually picked up 75% of the costs. They are interested in the analysis of the benefits before they vet the application of the PR&Gs. The existing analysis methods will need to meet the analysis under the PR&Gs.

There is a document that provides a comparison of the old P&Gs with the newer PR&Gs. Karl will forward a copy of the comparison document to Tony, and he will distribute it to WSWC members. DOI is spending a lot of time on drought. There are some longer term investments that can be made and Avra Morgan will address this.

Avra Morgan reviewed Reclamation's new Drought Response Program, which will launch in a few weeks. The existing drought program is focused on emergency response. The new program is focused on using the available funding more efficiently as opposed to a focus on emergency response. They have a few funding opportunity announcements that will be posted on drought.gov in early May. There are two primary components: drought contingency planning and drought contingency projects. These will be open to states, tribes, districts, and counties. Drought contingency planning is an important piece of the program. The drought plan they are envisioning is aligned with well-established elements. Reclamation wants to help people update existing plans or develop new plans. They're asking people to incorporate climate change into their planning. Funding among the programs will be allocated based on demand.

Drought resiliency projects are the second main component of this project. They will have a separate funding announcement for this program. For the drought projects, they didn't want to duplicate the WaterSMART Grants program. How do you shore up available water supplies and make operations flexible so that you can access water in creative ways? The program will fund small-scale infrastructure projects that improve resiliency. They are looking at groundwater recharge, measuring/monitoring, etc. Reclamation will make available \$200k to \$300k in federal funding for each project, with a 50% non-federal cost-share. The projects also need to be completed in two years. There is still an emergency component to the program. We are hoping to have high demand for the program. Authority for these emergency drought programs requires that applicants must have declared a drought or have a drought plan on file with Congress to apply for emergency funding.

They are accepting proposals for projects. Reclamation will post the funding opportunities in May. Avra will send Tony a fact sheet about the program.

Questions/Answers:

Nathan asked if there were any acceptations to the two-year rule.

Avra stated it's a hard, fast rule. There might be a way to stretch it out as a phased program. You may be able to develop an update to a program, and not start from scratch.

Eric Millis: How much money is available for the program?

Avra: Up to \$200-\$300,000 per project with a 50% federal cost share.

ARMY CORPS OF ENGINEERS WATER ISSUES

Make Abate, Chief, Civil Works Branch, Tulsa District gave an overview of notable Corps of Engineers (Corps) activities, including the CWA jurisdiction rule that has been sent to the Office of Management and Budget and will likely be finalized before the end of spring.

Planning assistance to states (PAS) under Section 22 of the Water Resources Development Act (WRDA) of 1974 provides authority for the COE to assist the states, local governments, and Native American Tribes. The program is a 50/50 cost share. It can be 100% in-kind work by the project sponsor. The FY2015 budget for PAS was \$5,500,000. In FY2016, the President's budget request for PAS is \$5,500,000. The truth is what really controls this program is the federal appropriation.

Over the years, the Corps has been able to offer planning assistance to States/Tribes. They helped support the Oklahoma Water Resources Board in their Statewide Water Plan. They are assisting Kansas in their Reservoir Sustainability Initiative. They have recently completed the El Dorado Tributary Water Quality Assessment, and a Water Supply and Demand Study. They also deal with Tribes, and they have work ongoing with the Choctaw and Chickasaw Nations and their Territories. They have a Tribal Wastewater Reuse Study and they have also got a master plan for another tribe.

Mike noted that for most of his career, Oklahoma has been in a wet period cycle (30 years). Drought is a disaster. We need to borrow the logic from our emergency management brothers and sisters. There is a need to review the drought continuum. The Corps plan covers mitigation, preparedness, response, and recovery. We need to improve and invest in new infrastructure. Once we get out of drought we still need to plan. We can't wait too long because people will forget. "Why do we need that? We have plenty of water now."

For the Corps, reallocations of project storage that would seriously affect the authorized purposes or involve major changes, requires approval from Congress. Anything greater than 50,000 or 15% of storage will require approval from the Assistant Secretary of the Army.

Headquarters is looking at redefining surplus water, or water for which the purpose has not been identified. The Corps has a lake in Oklahoma that was originally authorized with irrigation as a purpose. However, no one has contracted for the irrigation water. The Water Resources Reform and Development Act (WRRDA) 2014 authorized the use of this water for other purposes.

Regarding seasonal operations, the Corps has the ability to request a “deviation” to water control plans for up to three years. A permanent change to water control will require authorization.

Questions/Answers:

Tim Davis: What has a deviation in your plan allowed for, in your experience?

Mike Abate: Yes. The deviation allows us, if needed, to evacuate storage. In flood operations, we look to forecast. We only react when the water hits the ground. The deviation can be up to 3 years, but in some instances it is just for a short term.

Robert Mace: How do you do the costs?

Mike: In our district, since we don’t have well drilling abilities, we would have to contract. The Corps might have to pay a bit more because of the laws.

Norm Johnson: What is the Corps’ perspective regarding who owns the water stored behind the Corps’ dams.

Mike: We don’t own the water. That is a state issue about water rights to us. We just do storage.

WESTFAST REPORT

WestFAST Chair Becky Fulkerson of Reclamation provided an update. She stated that the WestFAST Principals met together prior to meeting with the WSWC leadership in March and had a “real good, positive dialogue” on drought and state-federal collaboration. The Federal priorities in the FY2016 budget request were also discussed. There are a lot of positive scenarios. The focus was on what we are doing right and what we can do to increase those opportunities.

This past year, WestFAST gave 37 presentations at four WSWC meetings and workshops. We held monthly calls, continued to put out monthly newsletters, and held the first two of monthly webinars. We have been trying to use these meetings to raise issues before they become problems.

Jerry Rigby thanked Becky for her efforts in putting the meeting together and for her focus on collaboration, particularly having communication before problems arise. Becky noted that it is important to build relationships now.

COMMITTEE REPORTS

A. Water Resources Committee:

Tim Davis discussed two action items. The Committee recommended for re-adoption of Position No. 339 regarding hydroclimate data programs. A motion to approve the position as amended was made, a second was offered, and the motion passed.

Next, Tim presented a new position on Integrating Water and Energy Planning and Policy. J.D. moved to approve, a seconded was offered, and motion passed. Tony mentioned there is a letter that the WSWC had previously adopted referencing proposed legislation, and that the new position encompasses water and energy issues broadly. Under Tab E, there are two water-related bills, but we don't know if action will be scheduled. Feel free to email Tony with any comments.

The other positions considered were recommended to allow to sunset.

B. Executive Committee

Jerry Rigby went over the budget. He noted salary increases and the salary for Nathan's replacement will put pressure on the budgets in the future. There was some discussion about a possible dues increase, which the WSWC will discuss in the future, likely at the next meeting in July. It's a neutral, but tight budget and it's one that works. Jerry moved that the WSWC approve the budget as presented. JD seconded and the budget as presented was approved unanimously.

Jerry stated they had a successful interview process and that he was impressed with the caliber of the people who applied. They interviewed seven and narrowed the process down to four. Any one of the four will be very good.

Tony discussed the WSWC's future financial projections. The Council has about 2/3 of its projected annual budget in reserves. We are now somewhat dependent upon contract work with WGA, which is concluding. The last dues increase as approved in 2006. It was a 20% increase approved in two phases. Some states, such as Wyoming, are on a biennial budget. We do anticipate having funding from EPA for at least two years. We have another application in, but have not yet heard back. About 20% of our income is from these contracts and the rest is from state dues. If approved, the dues would go from \$30,000 to \$36,000. Without the increase, we will see a steady decline in the WSWC's reserves. Jerry asked that they send out the sheet for the members to discuss with their appropriate finance people.

C. Water Quality Committee

JD reported and noted that there were no action items.

D. Legal Committee

Jennifer Verleger reported on one action item. Position No. 340 regarding state primacy over groundwater, which the Committee recommended for re-adoption. JD moved to approve, Greg Ridgley seconded, and the motion passed unanimously. Jennifer urged the states to comment on the suggested edits to the U.S. Forest Service groundwater directive.

Nominating Committee – Pat Tyrrell noted that former New Mexico State Engineer Scott Verhines’ departure created an opening as the WSWC’s Secretary/Treasurer. The Committee has proposed Jeanine Jones as Scott’s successor. Pat asked for a motion to approve Jeanine’s selection. Jerry moved to approve Jeanine, J.D. seconded. Pat noted that Jeanine has been a stalwart and long-time supporter of the WSWC. The motion passed by acclamation, and Jeanine was elected as the WSWC’s Secretary/Treasurer.

Resolution of Appreciations:

Tom Blaine read and proposed a resolution of appreciation for former State Engineer Scott Verhines from New Mexico. Tom moved approval. Robert seconded and the motion passed by acclamation.

Jim Schneider read and proposed a resolution of appreciation for Brian Dunnigan, former Director of the Nebraska Department of Natural Resources. Jim moved approval, Tom Blaine seconded and the motion passed by acclamation.

Pat proposed a resolution of appreciation for Nathan Bracken. Pat moved approval. J.D. seconded, and the motion passed by acclamation. Nathan got a standing ovation.

STATE REPORTS

Members for Arizona and California needed to leave before the state reports.

Nebraska: Jim Schneider provided an update on the Republican River litigation between Kansas and Nebraska. As the litigation wrapped up, the Special Master issued his report. The Court rejected all of the exceptions, and actually both sides declared victory. For Nebraska, we have realized that there is a better way than fighting. There have been a number of new people involved.

North Dakota: Jennifer Verleger said the decline in oil prices has decreased state funding, but the state is still ok. There is a statewide burn ban. Three state engineer bills have been considered, two of which have passed and one is expected to pass. One statute says that the state engineer doesn’t have to process permits if there is in outstanding violation. By policy they haven’t been doing this, but they put it into statute. Secondly, they had an old statute that allowed them to go through the administrative rule process to take an aquifer out of production. They changed this so they can take permits for aquifers where water or information is not available, but they will put the permits into a “withdrawn” status that can be reactivated.

Idaho: Jerry Rigby reported that Idaho is still wrapping up the Snake River Adjudication, even though they had a celebration. The court has declared Idaho to be a one-fill state when it comes to reservoirs, but they have resolved questions about a second fill. Drought conditions prevail and there is a lot of dry ground. They have had some calls from pumpers on the Snake River. IDWR just sent down 80,000+ acre-feet of water. They have a “reset” issue about when the reservoirs come back on. The other question is that they have had a storage rental pool in Idaho that has worked very well. There are always unintended consequences. The Shoban tribe has determined that this is impacting their water rights and are seeking compensation - \$1.5 million for the last year.

Oregon: Tom Byler reported on the change in Oregon's governors. Former Governor Kitzhaber was re-elected, but quickly resigned. Former Secretary of State Kate Brown was sworn in as his replacement and has focused on transparency. She is looking to maintain as much stability as possible, so she hasn't made too many changes. Drought has been a big issue for Oregon. Five counties are currently declared drought areas by the governor. Another 15 are expected. The precipitation has been good, but the snowpack has been very bad. Over 70% of the snow stations are at historic lows. California's water crisis has gotten the attention of Oregon's governor and legislature. Not a whole lot of focus on policy during this legislative session.

Wyoming: Sue Lowry discussed the ongoing litigation regarding *Montana v. Wyoming* regarding the Yellowstone River. The special master submitted his report on New Year's Eve. The parties are still waiting for the Court's decision. The state is working with Montana to address challenges. Not much for the State Engineer's Office during the legislative session. The Governor has announced a water strategy, including a "10 and 10" plan that calls for 10 water projects in the next 10 years.

Pat noted that there were some bills regarding salinity control, aimed at making their Water Development Commission the clearinghouse and venue to vet funds. Another passed that is very similar for MOA dollars in the Colorado River Basin. Pat just issued a groundwater order pursuant to a provision in Wyoming law that allows providers to submit a control plan for the state engineer to approve. Pat gave one group a deadline of April 1, to submit a plan regarding Wyoming's "tip" of the Ogallala.

Texas: Robert Mace reported on drought in Texas. There have been some improvements in parts of the West, and Texas seems to be experiencing a "wetter" pattern. There is an expectation that there will be a strong El Nino, which is good for Texas, but not the Pacific Northwest. Policywise, agricultural interests are really pushing that groundwater be managed similar to oil and gas, and allocated by volume and place and that interference will require some type of compensation (e.g., a royalty tax).

Montana: Tim Davis reported that the Montana Legislature passed its final reserved water right compact (CSKT tribal compact), which means that the state has resolved all of its reserved water rights claims. The tribe gave up a lot to settle the dispute. It's a huge accomplishment and was very controversial, passing 53-47. Tim has received funding to complete Montana's statewide adjudication, and is shooting for 2028.

Kansas: Chris Beightel reported on some of the collaborative discussions with Nebraska regarding the Republican River. Future meetings are scheduled and they have adopted a joint letterhead and are releasing joint press releases. Kansas is starting to work on WaDE. It secured a grant from the WGA (through its DOE grant) for about \$17,000 to input its data. Kansas has been working with the Kickapoo Tribe and is close to an agreement.

Tracy Streeter noted that federal projects are key to managing their future water supplies. John Redmond reservoir sedimentation issues continue. They have obtained a 408 permit that authorizes non-federal activities on a federal project. Kansas is carrying out the dredging of the reservoir to remove sedimentation. Kansas is working on a state water plan. Tracy mentioned Dragonline, a new way of dragging drip tape on the surface. Initial estimates show that it might provide a 20% to 30% increase in consumption. Kansas is beginning to work on water transfers, including a transfer that would send water about 80 miles for municipal use. This would be the

state's first major transfer, and provide the ability to skim high flow water off of the Missouri River. About 40% of their annual usage goes by them in surplus flow. They think there are opportunities to better utilize the Missouri River. They have a new program called water conservation areas, which are focused on helping local irrigators conserve water in the Ogallala. The goal here is to help local entities conserve groundwater by going directly to the chief engineer, using flex accounts and other measures. Kansas will host the WSWC's fall meetings.

Utah: Walt Baker reported for Utah. The Great Salt Lake continues to get a lot of attention. We are a foot away from getting to the lowest point. It's a valuable ecosystem, but it is also very important for industry. Utah is developing standards to protect the lake. It will be specific to the lake and isn't something that EPA can do. It will be very expensive and will be a lightning rod. They have identified four toxics that they are addressing through standards. They are not looking at nutrients, which the brine shrimp industry wants. The environmental communities want less nutrients. There is not much of a recreational or fishery interest in the lake. Part of the shrinking of the lake is due to diversions for municipal use, including diversions from the Bear River. Nutrients issues occupy about 70% of Walt's time. Utah is developing nutrient criteria for its headwaters. There is an agricultural influence because of grazing. They are working closely with the agriculture community to allow for multiple uses. We have had harmful algae blooms, including a recent bloom in Utah Lake that took the lives of two dogs. Blooms are due to increasing temperatures, lower levels, and wastewater discharges to the lake. They have developed a workgroup to look at blooms, including efforts by Oregon and Washington on this issue.

Eric Millis noted Utah continues to deal with the drought, due to the low snowpack and precipitation. We don't anticipate problems on the municipal and industrial side, but there will be impacts for agriculture. Although we have had recent storms, they haven't had too much of an impact. Eric's Division recently hired a public outreach and affairs professional, and they are working on demand management.

Colorado: Trisha Oeth reported that the basin implementation plans that are part of the state's water plan are due next month. On the water quality side, the Quality Control Commission adopted a new regulation to allow the use of graywater. Fees for water quality permits have not been raised in many years, but the legislature is considering a bill to raise fees, which would be a huge help.

New Mexico: Tom Blaine noted this was his first meeting and expressed his appreciation for the welcome. Adjudications continue to be a big issue in New Mexico. Every year, the legislature pushes harder to expedite the adjudication process. Tom would welcome any input that states may have to help expedite the adjudication process. There are 24 tribes, pueblos and nations in New Mexico but they have only completed one settlement. There are six settlements that have been approved, but are completing. There are eight claims that are in litigation, two that are in negotiation, and seven for which negotiations have not been started. It has been a challenge. The *Texas v. New Mexico* litigation continues. One of the commitments that Tom has is to build relationships with other states. He would like to have a negotiated settlement rather than litigation. Drought is still a problem in New Mexico. Tom is working to break the nexus between drought and water use. We need to have a paradigm shift in the states that breaks that nexus between lack of rain and water conservation. These are all things that need to continue to move forward regardless of rainfall. One of the commitments that Scott Verhines made was to try to address the drought in New Mexico. In April 2014, 25% of the state was in extreme drought, which has improved. One of the issues that has become clear during this meeting is that it is really about management of water, not how much water

you have. In New Mexico, they look at their resources and have to manage very few. Managing the surplus and excess of water is not a challenge. The state environment department is developing rules and regulations for direct potable reuse. They have held meetings to discuss what these standards will look like. This will need to be considered throughout all of New Mexico.

Oklahoma: JD Strong deferred to his presentation earlier in the day and thanked everyone for attending. He noted that the 20th Anniversary of the Oklahoma City Bombing is this weekend, which killed two OWRB employees.

FUTURE COUNCIL MEETINGS

Nevada will host the 2015 Summer Council Meetings and commemoration of the WSWC's 50th Anniversary at the Hard Rock Hotel in Lake Tahoe, Nevada on July 8-10, 2015. There will be a tour of the Truckee and Carson Rivers and members and guests will spend some time in Virginia City. We are hoping to have a dinner cruise on one of the paddlewheel boats on Lake Tahoe. Although, due to the drought Jason King expressed concern that the boat may not be able to make it out of the dock!

Tony noted that the spring 2016 meetings will be in DC and we will likely hold that meeting in conjunction with ICWP. The Summer of 2016 meetings will be in North Dakota and the Fall 2016 meetings will be in Utah, and will coincide with the Western State Engineers meetings. The Spring 2017 meetings would be in Nebraska.

OTHER MATTERS

Pat noted there have been some member changes since last year and welcomed Tom Blaine, New Mexico's State Engineer to his first meeting.

There being no further matters, the meeting was adjourned.