

**MINUTES  
of the  
178<sup>th</sup> COUNCIL MEETING  
Hard Rock Hotel & Casino Lake Tahoe  
Stateline, Nevada  
July 10, 2015**

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**MEMBERS AND ALTERNATES PRESENT**

<b>ALASKA</b>	David Schade
<b>ARIZONA</b>	Tom Buschatzke
<b>CALIFORNIA</b>	Jeanine Jones Tom Howard Betty Olson
<b>COLORADO</b>	Hal Simpson Dick Wolfe
<b>IDAHO</b>	Jerry Rigby John Simpson
<b>KANSAS</b>	David Barfield Tracy Streeter
<b>MONTANA</b>	John Tubbs
<b>NEBRASKA</b>	Jim Schneider
<b>NEVADA</b>	Roland Westergard Jason King
<b>NEW MEXICO</b>	Tom Blaine Greg Ridgley
<b>NORTH DAKOTA</b>	Todd Sando
<b>OKLAHOMA</b>	JD Strong
<b>OREGON</b>	Tom Byler
<b>SOUTH DAKOTA</b>	Kent Woodmansey
<b>TEXAS</b>	Robert Mace Stephen Tatum

**UTAH**

Eric Millis  
Walt Baker

**WASHINGTON**

Buck Smith

**WYOMING**

Pat Tyrrell  
Sue Lowry  
Chris Brown

**GUESTS – FORMER WSWC MEMBERS**

Phil Ward, Salem, OR  
Karl Dreher, Parker, CO  
Jim Davenport, Buena, WA  
Alexandra Davis, Denver, CO  
Weir Labatt, San Antonio, TX  
Mike Turnipseed, Carson City, NV  
Christopher Estes, ChalkBoard Enterprises, Anchorage, AK  
Jennifer Gimbel, U.S. Department of the Interior, Washington DC  
Don Ostler, Upper Colorado River Commission, Salt Lake City, UT

**WESTFAST**

Patrick Lambert, Federal Liaison, Murray, UT  
Becky Fulkerson, Bureau of Reclamation, Washington, DC  
Dionne Thompson, Bureau of Reclamation, Washington, DC  
Pixie Hamilton, U.S. Geological Survey, Washington, DC

**STAFF**

Tony Willardson  
Michelle Bushman  
Cheryl Redding  
Sara Larsen

**WELCOME AND INTRODUCTIONS**

WSWC Chair Pat Tyrrell welcomed those in attendance at the meeting. He then read letters from Nevada Governor Brian Sandoval, and Jim Ogsbury, WGA Executive Director, recognizing and commemorating the 50<sup>th</sup> Anniversary of the Council's organization.

## **APPROVAL OF MINUTES**

J.D. Strong made a couple of changes to the minutes of the meeting held in Tulsa, Oklahoma on April 17, 2015. The minutes as revised were moved for approval, seconded and passed unanimously.

Pat Tyrrell read an additional portion of Governor Sandoval's letter, specifically with respect to Roland Westergard.

Referring to Roland Westergard, a member appointed in 1968, Pat said: "I cannot add much more than has already been stated in the letters. The WSWC has been a 50-year success story. The good news is, as I look around, I think the Council is in good hands for the next 50 years." He then thanked Roland for this service and noted that our association has been great.

## **CURRENT WATER RESOURCES ISSUES IN NEVADA**

Jason King, Nevada State Engineer thanked staff for their efforts in preparing for these meetings. He then used a PowerPoint presentation and reviewed current issues in the State Engineer's Office (SEO).

In the Humboldt River Drainage system, the river flows west out of the mountains for almost 1,000 miles, providing water for farmers from Elko to Lovelock. The Lower Humboldt River farmers have struggled over the past three years, upset that junior pumpers upstream are getting their full allocation, while the reservoir is down to 3%. Listening sessions were held last year, and the State Engineer's Office heard loud and clear the concerns of the farmers in the area. They have looked at all of the groundwater rights, and an analysis showed that even if all of the pumpers were shut off, they would have only gotten back 2,000 acre-feet to the river, and it wasn't worth shutting down the junior pumpers. This problem is not going away. The State Engineer's Office contracted with the Desert Research Institute (DRI) and the U.S. Geological Survey to put together depletion and capture models. This will take four years. They will model depletions and require augmentation plans. They need to begin now to decide how to use the models, i.e., timeframes and percentage of depletion.

A curtailment order was issued in the Mason and Smith Valleys. The majority of recharge in the two basins is from Walker River leakage. There is minimal river flow during drought. They have unprecedented groundwater pumping and declines in both Mason and Smith Valleys water tables, leading to concerns that wells will dry up, particularly the shallow wells that aren't recovering as they once did. The SEO declared all uses except supplemental irrigation as preferred uses, then curtailed supplemental irrigation as a secondary use, even when those water rights had priority. The supplemental groundwater pumping is the problem.

In Nevada, they do not have a statute defining the highest and best water uses. Thus, they were treading in uncharted territory when they declared this curtailment. It is difficult for the State Engineer's Office to declare which use has the highest priority. The curtailment order was

appealed by Farmers Against Curtailment Order (FACO). At the hearing before the Third Judicial District Court, the judge allowed the designation of preferred uses, but required the curtailment to be handled strictly by priority. The SEO has contracted with DRI to perform model runs comparing Walker River flows.

The 2015 legislature was bad for the SEO's office. The SEO worked to have introduced SB 65 (modernizing the adjudication process), SB 81 (tools to enable SEO to respond to stakeholders in Diamond and Pahrump Valleys) and supported SB 485 (sunset date for filing of pre-statutory vested claims). All three bills died. These bills were intended to try to bring the sustained yield back into balance. In the listening sessions, all thought the bills were a good idea. However, a younger legislator with electronic capabilities and twitter accounts, etc. was able to kill the bill.

Water Law Issues: Use it or lose it? There may be some simple fixes to this issue. Domestic wells do not require permitting through the SEO. Domestic wells are generally the most junior water rights, and therefore would be the first to be curtailed. The priority of a domestic use is the date the well was completed. We need a law change to preserve domestic uses within the priority system. We need to deal with this.

Rain barrels are not legal in Nevada, given their potential depletion of water that would otherwise runoff and return to the hydrologic system, but they are looking at Utah's registration website as a potential model for addressing concerns.

With respect to the National Fish and Wildlife Foundation lawsuit, there was a decision on the Walker River system to save Walker Lake, which is a terminal lake. The SEO approved the transfer of decreed Walker River irrigation rights to wildlife purposes in Walker Lake. They transferred only the consumptive use portion, so other water users in the system could remain whole. Under an appeal, the District Court used the "No Injury" analysis to find that transferring only the consumptive use of the right was NOT enough to protect junior storage water users from injury, and that the timing of the water deliveries needed to be reviewed. Therefore, the court remanded that issue back to the SEO to reconsider. It is difficult to determine where to draw the line.

Southern Nevada Water Authority (SNWA) Pipeline Project: Groundwater use pumping applications were filed in 1989 to transfer 80,000 acre-feet of water. There have been four separate rulings in four basins. All were appealed. Oral arguments were held in 2013. Judge Estes signed his Remand Order on December 10, 2013, sending the decision back to the State Engineer to:

1. Add Millard and Juab Counties to the mitigation plan (Spring Valley pumping)
2. Recalculate water available to appropriate from Spring Valley assuring that the basin reach equilibrium between discharge and recharge in a reasonable time.
3. Define standards, thresholds and triggers for unreasonable effects that are neither arbitrary nor capricious in all basins.
4. Recalculate existing rights in Cave, Dry Lake and Delamar Valleys to avoid over appropriations or conflicts with down gradient basins

The State Engineer, Southern Nevada Water Authority and the Church of Jesus Christ of Latter-day Saints appealed the decision to the Supreme Court. The Supreme Court issued its opinion on February 6, 2015 dismissing our appeal and stating that the District Court's order of remand was not an appealable, final judgment.

Jason briefly reviewed Governor Sandoval's Drought Forum initiative with the Western Governors' Association (WGA) and noted that there had been meetings with industry and others, including a July 14<sup>th</sup> meeting in Las Vegas and another on August 19<sup>th</sup> in Carson City. Separately, there is a tentative Forum Meeting set for August 26<sup>th</sup> and a Nevada Drought Summit planned for September 21-23, in Carson City, with a Final Report to Governor Sandoval by November 1, 2015.

Nevada hopes to build on the WGA's work. We are listening to Nevada's industries to learn what works and what doesn't work: i.e., regulatory roadblocks, in times of drought. The final report will summarize what was learned and may contain initiatives to pursue.

## **DEPARTMENT OF THE INTERIOR'S WATER RESOURCES PROGRAMS**

Jennifer Gimbel, Principal Deputy Assistant Secretary for Water and Science, and a former WSWC member talked about her time with the Council. She brought greetings from the Secretary of the Interior, Sally Jewell, and she read a letter from the Secretary commemorating the Council's 50<sup>th</sup> Anniversary. She also brought greetings from Mike Connor, Deputy Secretary, and Bureau of Reclamation Commissioner, Estevan Lopez.

Jennifer thanked all of the federal folks in the room who have been working with the Western States Water Council (WSWC). They have done a great job. She is pleased that the WSWC has pushed the federal agencies and put together the WestFAST team. She noted that there are several state and federal personnel who have worked on both sides of the aisle, providing a great benefit as they are aware of both the state and federal concerns on various water issues.

Looking "back to the future," Jennifer noted that in the 1980s there was a lot of focus on state water planning, wastewater projects, and state and federal relationships in water management. In the 1990s, there was more focus on Indian water rights settlements and implementation of the Endangered Species Act. Also in the 1990s, there was a shift in the Bureau of Reclamation's mission from construction to a greater focus on operation, management, maintenance, restoration, and reuse. The 2000s became the data era. The National Integrated Drought Information System came on board, and focus shifted to climate services, drought impacts, prediction, forecasting, water planning and conservation.

Regarding legislative issues, in the 1960s, there was the Wild and Scenic Rivers Act and Endangered Species Act (ESA) issues; in the 1970s, the Clean Water Act, the National Environmental Policy Act (NEPA), ESA, and National Oceanic and Atmospheric Administration (NOAA) changes. The 1980s had the Fish & Wildlife Conservation Act. The 1990s brought the

Reclamation Projects Authorization and Adjustment Act, P.L. 102-575, which included the Central Utah Project, the Grand Canyon Protection Act, and many more. In 2000, the SECURE Water Act was completed, and legislation dealt with climate change and water supply risks.

Currently, we are focusing on drought, through the President's Climate Action Plan. Drought has the attention of the federal government. There is an all-out approach to drought. In May, Secretary Jewell announced nearly \$50M for the Water Grants Program and Title XVI Program. Recently, Cal-Fed Project drought funding was announced. Reclamation has a new drought response program. There is \$500M in grants to use toward implementation to build long-term resiliency. The first set of grants will be awarded in August.

Jennifer expressed appreciation for the WGA Drought Report, and the Drought Forum efforts. Working with the WSWC on the Water Data Exchange (WaDE) and the Open Water Data Initiative (OWDI) is important for sharing needed information and making informed decisions. The WaterSMART program is leveraging \$500M for water management improvements, available across the West. Since the beginning of the program they have been able to conserve 860,000 acre-feet of water.

Even state water law has its struggles. It provides a framework and we can manage within that framework, and sometimes you may have to tinker with it to work together. Perhaps temporary leases could be helpful. Infrastructure improvements need to be made (i.e., "re-plumb the West"). There may be a need for some bigger scale interconnections between systems and between and across states.

We are testing the limits of our water models. All models are wrong, but some are useful. The models have not had an opportunity to be calibrated to the very low stream levels, precipitation, and storage levels that we are seeing under current drought conditions.

We need to find different ways to operate, with nonstructural solutions, such as dam reoperations. Given the changing climate, we will need to adapt and focus on what we can do to reduce impacts. The President came out with a Climate Action Plan. The Department of the Interior is focused on climate change, and is working with state and local partners.

The President also established the National Drought Resiliency Partnership (NDRP). This is an attempt to bring in high level officials to determine how to coordinate federal agency efforts and collaborate with others. The NDRP, in conjunction with NOAA, the Council on Environmental Quality, and others, will hold a drought symposium next week in Washington, DC. Tony will be attending this meeting. They will be focusing on watershed collaboration and infrastructure financing, investment, and management – looking that the cost-benefit analysis of investments and including eco-systems as part of the analysis – learning how to value those benefits and detriments [costs]. The DOI has put out its own agency guidelines. Comments are being received.

Today, we have the National Water Census. Jennifer agrees that we need to have more streamgages. Regarding water use, the U.S. Geological Survey (USGS) sees the WaDE system as a groundbreaking program. WaDE will likely serve as a model for USGS to interface with

states on a national basis. The Open Water Data Initiative out of the Assistant Secretary's Office is more a process of gathering federal data to facilitate communication. It started with a couple of projects – one in California on drought, and the second is on the Lower Colorado River. Weather modification is useful, and USBR helped kick that program off. Reclamation stepped back from weather modification years ago. Wyoming has stepped forward with some new information on weather modification [and it may merit reconsideration].

The DOI could not move forward with the important Indian Water Rights Settlements entered into to date without our states and WSWC efforts. This is very important.

The WSWC has a lot to celebrate. Having lived for a couple of years in Washington, D.C., I truly appreciate the straight talk from the states. We face many of the same challenges as we've faced before, and maybe we're not where we want to be on some issues, but with the help of the states, we can be in a good place in the future, and look forward to the next 50 years.

### **WESTFAST REPORT AND WORKPLAN**

The Western Federal Agency Support Team (WestFAST) Chair, Becky Fulkerson, said since looking back seems to be the theme of the meeting, she reviewed some information from the 2008 WGA/WSWC Water Needs and Strategies Report. Becky was on the periphery at that time. She reviewed where we are now, and where we are going. Better communication is helping to make other federal agencies aware of what is being done at all levels. Having folks "switch around," those who have worked at the state government level, and then work within the federal government family, has been very useful and helpful, as well as the webinars that WestFAST has been holding.

WestFAST is trying to incorporate the WSWC work plans into WestFAST work plans. Pat Lambert noted the 2015-2017 WestFAST work plan is also informed by the 2008 Next Steps report Becky mentioned. We have also looked at subsequent WGA efforts. He referred to the workplan and read part of the workplan from four bullets. WestFAST members are committed to continuing to coordinate and collaborate with the states.

The monthly webinar series is improving the relevance of WestFAST. We have proposed to double up the WestFAST principals' meetings. They will be meeting on Sept 30, and they will be looking at positive collaborative efforts on programs to see what is working and discuss where to focus our next best efforts. WestFAST is reviewing case studies and looking at areas where there are positive attributes: What made particular efforts by the federal agencies positive? Where do deficiencies exist? Where are positive things happened. WestFAST is engaged in the Open Water Data Initiative and working to get the right people involved in this effort.

Pat talked about models and that he agrees that models are wrong, but they can have some impacts and be important.

The WestFAST work plan is on the website, and it is in your briefing materials. It is a living document. We welcome your input and will revise the work plan as appropriate.

Roger Gorke will be the next WestFAST Chair. Roger will be moving to Los Angeles and working out of the EPA's Region 9 Office. He will still be involved in the national efforts for the next year. He is excited to go from headquarters, and head to "ground zero" for the drought in California.

Becky thanked all for the support over the past two years, and noted that it is an honor to be involved with such a successful group. She noted that this is also Jean Thomas' last meeting as well.

Jean Thomas, former WestFAST Chair, made a few remarks and in particular noted that the WSWC is one of the most amazing organizations. She said, "You are polite, you are hard-working, and you are friends."

Pat Tyrrell read a resolution of appreciation for Jean Thomas into the record. A motion to adopt was offered by J.D. Strong, which was seconded by Jeanine Jones. The resolution was adopted by acclamation.

Jim Davenport, a former member, made an observation about this group. When he joined the WSWC, he was working as counsel for an agency that was dealing with federal actions. It is interesting to see how federal the issue of water has become. The future is going to be different with state/federal interactions. We need to find ways to spread this water supply as far as it needs to be spread. We need to think outside the box. We need to begin to think about how it will be different in the future. Think positively and think creatively.

## **COMMITTEE REPORTS**

### **A. Water Resources Committee:**

John Tubbs reported that the Water Resources Committee heard from the USGS, NASA, Reclamation, and also heard an update from Jeanine Jones on California's upcoming workshops. The Committee approved one resolution that was due to sunset, Position #343. It has been tweaked to be current. He asked for a motion. The position was moved for approval and seconded. There was no opposition and the resolution was accepted.

### **B. Executive Committee**

Jerry Rigby thanked Becky Fulkerson and Jean Thomas for the opportunity to work with them, and with the WestFAST principals.

He noted that his father Ray Rigby was not able to be there. At 92 years old, it is difficult for him to travel. He was a past Council Chair. He could not have been prouder than to be involved with this organization. Jerry actually met up with the WSWC group in 1979 in Sitka,

Alaska, and has been familiar with the Council since that time. Ray talks about the WSWC often. Jerry just wanted to pass that on, and said he is proud to follow in his father's footsteps.

The Executive Committee went over the budget status report and the proposed FY15-16 budget. A couple of items that affected the budget were that Nathan Bracken left the WSWC's employ, and Michelle Bushman has been hired. There were some raises in salaries, and these were offset by the income from grants and contracts. Sara's WaDE grant continues on, and thanks to Jeanine Jones and the State of California, we will have some additional funds which will be offset by expenses with respect to two agreements.

The budget was approved, and we approved a recommended 20% increase in membership dues should it become necessary in the future without additional outside funding to offset expenses. Please talk to your states, and keep that on notice.

The rules of organization were addressed and some changes made to clarify that the WSWC is a government entity.

From the financial point of view we are in good shape. Tony is traveling more. More folks want to hear from us, so that is good.

The WSWC vision statement has gone into a wordsmithing mode and thus, there is more work to do on that policy. Some extra time between now and the Fall meeting is needed. To keep the vision going forward, we will readopt the existing 2012 vision statement, and this will be included on the agenda for the Kansas meetings. Dave Barfield moved approval to readopt the Vision statement, which was seconded by Jerry Rigby. The motion carried.

### **C. Water Quality Committee**

J.D. Strong noted that behind Tab S there are proposals regarding a Water Quality/Water Quantity Nexus workshop. This will be planned for the Fall meetings in Manhattan, Kansas. Please let Walt know if you have comments or items you want included on the agenda. The same goes for the proposed Good Samaritan workgroup.

J.D. summarized the EPA presentations from Joan Card and Jeanne Briskin, the Lake Tahoe clarity TMDL presentation, and the Forest Service presentation from Anita Thompkins.

Position #342 is scheduled to sunset. The Water Quality Committee voted to readopt this position with one change on the second page by adding the particular section (40 CFR 122.3(i)). The motion was made by J.D. Strong, and was seconded and approved by the Full Council.

With respect to the Committee's work plan, it had been updated since the last meeting, and no further changes were suggested. Jennifer Verleger moved approval of the work plan and Tom Byler seconded the motion. The work plan was approved.

#### **D. Legal Committee**

Jennifer Verleger remarked that the Indian Water Rights Settlement Symposium early registration date is next week, and she urged WSWC members to sign up. We will work with the states individually on the 50-year water law timeline. The Committee approved its work plan after making one change. J.D. Strong moved the work plan be approved as modified. The motion was seconded and approved.

Jennifer summarized the presentations from Anita Thompkins of the Forest Service (in particular the withdrawal of the proposed groundwater directive), Susan Cottingham on the speakers and panels at the upcoming Symposium, Norm Johnson on the Arches settlement agreement, and the West FAST non-tribal water rights workgroup update.

Pat Tyrrell then echoed his appreciation and sentiments to the entire WestFAST team. This was also included in a letter he wrote welcoming participants to the meetings.

#### **NOMINATING SUBCOMMITTEE**

A motion and second to renew the terms of the current slate of officers was made. The motion was approved. The current slate of officers will continue for another year.

#### **WSWC RETROSPECTIVE: 50 YEARS OF PROGRESS**

Former WSWC Chairs discussed 50 years of progress through cooperation, coordination, and collaboration. Phil Ward noted that the strength of the WSWC is the friendships that develop which allow members to productively work through complex policy issues from diverse states. Weir Labatt agreed, saying that those relationships over time build up trust, which then leads to compromise. Weir noted the Water Vision, a two-page document introduced at the Santa Fe, New Mexico meeting in 2011. It took three additional meetings to “word smith” into something that the states could agree on. A consensus was reached in 2012. Now the states are working together again on an updated version. Karl Dreher talked about the great value of WSWC policies that express core viewpoints of states in a unified way, making room to accommodate variations between different states’ water policies.

Weir Labatt acknowledged the importance of the creation of the Western Federal Agency Support Team (WestFAST). Duane Smith added that in the early 2000s, there was a general feeling that the states were being ignored by the federal agencies, with different representatives attending the Council’s meetings and no sense of federal leadership in terms of policy. The Council spent a lot of time working on ways to fix that. The 2008 Next Steps report was presented to the WGA, recommending the creation of WestFAST, to provide a conduit for WSWC water policies to go to the various federal agencies, rather than have the federal agencies come to the states after conflicting federal policies were implemented. WestFAST is a big part of the reason why the state-federal relationship has improved, helping WSWC to more effectively accomplish its goals.

Hal Simpson said any organization that lasts 50 years must be doing something right. The experiences of the Council members and their ability to work together, and the organization and longevity of the staff, are the reasons the WSWC continues to be successful and relevant. He talked about the WSWC efforts to stabilize funding for the U.S. Geological Survey streamgaging network. Hal and Weir Labatt both recalled how the WSWC provided critical support to get the Landsat 8 mission up and running, ensuring continuity of infrared thermal data for measuring consumptive water uses. Karl Dreher added that the Natural Resources Conservation Service (NRCS) SnoTel Network was on its way out, and WSWC launched a significant initiative to ask Congress to restore funding. The success of those efforts earned the enduring respect of the NRCS. Hal also said that WestFAST has been a great success.

Phil Ward noted that Roland Westergard set the tone for the Council with his experience and tenure (47 years!). Duane Smith added that Roland has been the heart of the organization. Hal Simpson said Roland is a gentleman and a friend, and the Council's recognition of Roland is long overdue. Roland appreciated the opportunity for the past chairmen to speak, thanked everyone, and said that hearing from this cross-section of WSWC leadership illustrates what makes this organization so great.

**Pat Tyrrell** asked if each of them have a specific memory that really stands out in their mind and why.

**Hal Simpson** – the concept of WestFAST has made this organization a success.

**Duane Smith** – Tom Brokaw talked about the Next Steps report at a WGA meeting.

**Phil Ward** – I'm thankful I avoided Deadwood.

**Weir Labatt** – I was appreciative of somehow picking me out to be in the leadership of the WSWC.

**Karl Dreher** – The Council's effectiveness always stands out in my mind. There are other water resource organizations, and they have always struck me as social clubs. You all put in the work to make the WSWC organization effective.

**Dick Wolfe** -- With all due respect to this group, I would like to see a woman among the Council's officers.

**Pat Tyrrell** -- I'm proud to hear all that I've heard this morning. Thank you for your time and your words and for being here.

Tony Willardson then offered a Resolution of Appreciation on behalf of Chris McKinnon, WGA. Chris is retiring after serving nearly 35 years with the WGA. There was a motion and second to approve the resolution. The resolution was approved by acclamation.

## **STATE REPORTS**

**Texas:** Robert Mace offered a resolution on behalf of Carlos Rubinstein. He read the resolution into the record. J.D. Strong moved approval, and the motion was seconded. It was approved by acclimation.

**Kansas:** Tracy Streeter remarked that the WSWC will meet in Aggieville on October 7-9. He noted that in Kansas' report at the last meeting, the minutes mixed two separate water transfers together. The water transfers process is beginning and it is the first in history. He looks forward to hosting the Fall meetings and to seeing WSWC members again.

**California:** Jeanine Jones noted that the Governor will be meeting with the Pope. The prior Governor and current Governor have been active in signing agreements with foreign countries. Jeanine commented that it is fitting that we are meeting at the Hard Rock, as California is working on the "long and winding road." With respect to drought, they just finished installing a temporary salinity barrier to lessen the need to store water in the reservoirs for environmental releases to also supply water for salmon. California is spending hundreds of millions of dollars.

Tom Howard mentioned that the drinking water program is now housed within the State Water Resources Control Board.

**North Dakota:** Todd Sando reported that the state is very wet. Devils Lake is running into Canada. We still have the fastest growing area on the continent. Oil production is still there at over 1 million barrels a day. We have over 200 water depots that are used for fracking. More and more infrastructure is still being built. Many of the rail accidents are with the oil in the Bakken. A liquid nitrogen fertilizer company is hoping they can build a plant. There is a need to move water around the state. We have flood control efforts due to the wet cycle. The weather is always changing, but right now we are dealing with the challenge of too much water.

**Idaho:** John Simpson said that Idaho has been very dry. Groundwater and surface water users have been talking. Then it started to rain, and we reached a tentative settlement on the Snake River Basin Adjudication. This could be the end of 10 years of litigation and could begin more collaboration. It would provide more certainty for all parties involved.

**Oklahoma:** J.D. Strong noted that Oklahoma is more than flush with water. The state had unprecedented rains. Of course, that brings on new sets of problems for us. We have a Water for 2060 Initiative -- now folks are beginning to forget all about that.

**Texas:** Robert Mace stated that although we have received a lot of rainfall, we are still in drought in certain areas of the state. A bill was passed for aquifer storage and recovery (ASR).

**South Dakota:** Kent Woodmansey noted that the state hooked up the last member to the Lewis and Clark rural water system.

**Utah:** Walt Baker reflected that you ought to be able to explain to a complete stranger in an elevator about your state's water mission. The Great Salt Lake has only one water quality

standard. We are beginning to set other standards. Regarding nutrients, we are developing criteria for our headwaters. We have developed a great partnership with the Department of Agriculture folks. They are partnering with the State to support agriculture grazing activities.

**Arizona:** Tom Buschatzke reported that given groundwater level declines and folks who did not want to be regulated in 1980, they are now trying to figure out how to regulate those folks. Rules would prohibit any new agriculture in the basin – trying to stop pumping from the aquifers.

**Washington:** Buck Smith said that the state is still experiencing drought. Precipitation was normal in the late fall to early winter, but the snowpack was very low. They were saved March through May in the previous year, but not this year. It is a convergence of problems. They have had very little rain, and temperatures have been high. They had to turn off two irrigation districts in Skagit County. In this area, they grow many of the seeds for cabbage and turnips, and onions, as well as tulip bulbs. El Nino may be coming in. It may be another warm and dry winter.

**Alaska:** Dave Schade reported on an Alaska Supreme Court decision in which the court objected to temporary water uses for exploration. Land use permits had been determined to be disposal but the court deemed them to be at will and not disposal. Anti-degradation issues continue. Two million acres have burned already this year throughout the state. We're looking at some resiliency issues as well. With respect to decisions on applications for water for mining, 8300 public comments were received. (They usually get 20.)

**Wyoming:** Pat Tyrrell reported that he issued a second large groundwater order in the Cheyenne area. The order stands after 60 days. No water bills passed in this legislative session. Revenue effects are not looking positive for the state.

**Colorado:** Hal Simpson briefly noted that the Colorado water plan should be finalized this fall.

**Oregon:** Tom Byler said that given his brief tenure, he wanted to extend appreciation to Phil Ward for his work. The state is experiencing drought. With the legalization of marijuana folks are either “cool” with it or they are “nervous/paranoid!” The state is investing in local planning efforts for water efficiency and conservation projects.

## **FUTURE COUNCIL MEETINGS**

The WSWC/NARF Symposium on the Settlement of Indian Reserved Water Rights Claims will be held in Reno, Nevada on August 25-27. The next WSWC meetings will be held in Manhattan, Kansas on October 7-9, 2015.

## **OTHER MATTERS**

There being no further matters, the meeting was adjourned.