

The meeting was held at 1:30 p.m. on Tuesday, September 12, 2017 at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4412, Las Vegas, Nevada.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy Premsrirut
Vice Chairwoman	Kara J. Kelley
Commissioner	John F. Marz
Commissioner	Steve Sisolak
Commissioner	Cody Winterton
Commissioner	Dan H. Stewart

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Marilyn Kirkpatrick
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DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Christine Guerci
Special Counsel, Attorney General	Jennifer Crandell

COMMISSION STAFF IN ATTENDANCE

Executive Director	Jayne Harkins, P.E.
Deputy Executive Director	Eric Witkoski
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director of Energy Services	Gail A. Bates
Assistant Director of Engineering and Operations	Robert D. Reese
Natural Resources Program Manager	Angela K. Slaughter
Senior Energy Accountant	Gail L. Benton
Office Manager	Gina L. Goodman
Administrative Assistant IV	Kathryn Aguilar
Administrative Assistant II	Kenna Barrett

OTHERS PRESENT; REPRESENTING

Self	Daniel Stewart
Self	Sara Price
Southern Nevada Water Authority	Colby Pellegrino
Southern Nevada Water Authority	Omar Saucedo

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF SEPTEMBER 12, 2017**

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	5) Agreement among the United States of America, through the Department of the Interior, Bureau of Reclamation, The Metropolitan Water District of Southern California, the Colorado River Commission of Nevada, the Southern Nevada Water Authority, the Imperial Irrigation District, and the Central Arizona Water Conservation District, for a Pilot Program for the Conversion of Mexico's Water Reserve to Binational Intentionally Created Surplus; and	
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The Colorado River Commission meeting was called to order by Chairwoman Premsrirut at 1:30 p.m. followed by the pledge of allegiance.

A. Conformance to Open Meeting Law.

Executive Director Jayne Harkins, P.E., confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

John F. Marz was welcomed to the Commission.

C. For Possible Action: Approval of minutes of the August 8, 2017 meeting.

Commissioner Sisolak moved for approval of the minutes. The motion was seconded by Vice Chairwoman Kelley and approved by a unanimous vote.

D. For Possible Action: Consideration of and possible action to adopt Colorado River Commission of Nevada Resolution 2017-5 commending Daniel Stewart for his service to the Colorado River Commission of Nevada (Commission).

Ms. Harkins read Colorado River Commission of Nevada Resolution 2017-5 into the record commending Daniel Stewart for his service to the Commission. A copy of the resolution is attached and made a part of the minutes. (See Attachment A)

Chairwoman Premsrirut, Vice Chairwoman Kelley, Commissioner Marz, Commissioner Sisolak, Commissioner Stewart, and Commissioner Winterton, all thanked Daniel Stewart for his service to the State of Nevada, the Commission, and the community. All wished him well in his future endeavors.

Commissioner Stewart made a motion to approve Colorado River Commission of Nevada Resolution 2017-5. This was seconded by Commissioner Winterton and approved by a unanimous vote.

E. For Possible Action: Consideration of and possible action to approve and authorize the Executive Director to execute, in substantially the same form as that attached hereto, the:

- 1. Memorandum of Agreement on the Implementation of Minute No. 323;**
- 2. Interim Operating Agreement for Implementation of Minute No. 323;**
- 3. 2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus;**
- 4. Agreement Regarding Notice from the Secretary of the Interior for the Purpose of Implementing Section IV of Minute 323;**
- 5. Agreement among the United States of America, through the Department of the Interior, Bureau of Reclamation, The Metropolitan Water District of Southern California, the Colorado River Commission of Nevada, the Southern Nevada Water Authority, the Imperial Irrigation District, and the Central Arizona Water Conservation District, for a Pilot Program for the Conversion of Mexico's Water Reserve to Binational Intentionally Created Surplus; and**
- 6. 2017 Binational ICS Delivery Agreement.**

Ms. Harkins explained to the Commission that in 2007, the Secretary of the Interior (Secretary) adopted the 2007 Interim Guidelines, which provides among other things, provisions for coordinated operations for Lake Powell and Lake Mead, the implementation of shortages and providing for surpluses in the Lower Colorado River Basin based on water elevations in Lake Mead, and the creation and delivery of Intentionally Created Surplus (ICS) water through conservation and augmentation projects in the United States.

Concurrently, the Commission, Southern Nevada Water Authority (SNWA), and the other Basin States and Colorado River water contractors, approved a number of implementing agreements for the development and delivery of ICS. These agreements terminate in 2026.

During the negotiation of those agreements, the Seven Basin States (States) described in a letter, dated April 30, 2007, to then Secretary of the Interior, Dirk Kempthorne, the importance of Mexico sharing in reductions to their annual allotment of water provided under the 1944 Mexican Water Treaty when the States are in shortage, particularly because having Mexico participate in that sharing was fundamental in developing the shortage sharing agreement between Arizona and Nevada. The States also supported a more comprehensive Colorado River management system arrangement between the two nations to benefit the entire Basin. This included the opportunity for Mexico to store water in United States reservoirs, if such an arrangement included shortage sharing.

In 2012, the States, applicable water contractors, the Bureau of Reclamation (Reclamation), and the International Boundary and Water Commission (IBWC) successfully negotiated with Mexico - Minute No. 319 to the 1944 Mexican Water

Treaty and executed a number of implementing agreements. These agreements created a short-term program which allowed for both countries to better assess the long-term opportunities for water conservation, management and development, and to address cooperative management strategies with regard to the management of the Colorado River system. Provisions included Mexico sharing in shortages and surpluses with the United States. It also contained a commitment to work together binationally on a pilot program that included water for the environment and water benefits for the United States and Mexico. Minute 319 and its implementing agreements expire at the end of 2017. It was contemplated within Minute 319 that the parties would work together to extend those cooperative efforts under Minute 319 beyond 2017.

To that end, the parties have diligently negotiated a successor Minute and proposed implementing agreements to Minute 319 with a 2026 expiration date. This successor Minute, Minute No. 323 (referred to as Minute 323), will be executed by the two nations, through the IBWC, subsequent to the execution of the proposed implementing agreements herein, without which Minute 323 could not be implemented in the United States. These agreements extend many of the same provisions found in Minute 319, while making improvements based on the lessons learned in Minute 319.

These agreements must be executed by the Federal Government, States, and applicable water contractors.

Ms. Harkins summarized the key features of Minute 323:

- 1) Provides for increases in volumes of water for delivery to Mexico, based on the elevation of water in Lake Mead, in “surplus” conditions.
- 2) Continues to require Mexico to reduce its delivery of water in “shortage” years, based on the elevation of water in Lake Mead.
- 3) Implements a “Water Scarcity Contingency Plan” which requires Mexico to further reduce its deliveries of water provided the Lower Basin States implement similar reductions in water deliveries under what is referred to as the “Lower Basin Drought Contingency Plan.”
- 4) Allows Mexico to continue to store water in the U.S. reservoirs, and create a “Mexican Water Reserve” by, for example, deferring water due to emergencies, creating Intentionally Created Mexican Allocation from conservation or new water source projects, or by making a downward adjustment in its delivery schedule. The Mexican Water Reserve is for Mexico's own use. However, some of this saved water can be transferred to U.S. water contractors who invest in Mexican conservation projects. When Mexican Water Reserve water is transferred to a U.S. contractor, this water is then called Binational Intentionally Created Surplus (“BICS”).
- 5) Provides efforts to improve salinity conditions in the water that is delivered to Mexico.
- 6) Addresses the rate of flow of the water that Mexico receives at the border.

- 7) Provides for a shared commitment of the U.S., Mexico and a group of nongovernmental organizations to generate Mexican water (also through financial investment) for environmental purposes in Mexico.

To implement the terms of Minute 323, the States must agree to the terms and operational features required by Minute 323, which are reflected in the implementing agreements. These agreements include the necessary consent of the States to forego surplus waters to Mexico, and the agreement not to assert claims against water created by Mexico to remain in U.S. reservoirs. They also contain agreements among the States to clarify and reserve their rights under the Law of the River.

Ms. Harkins continued to summarize each of the six agreements:

- 1) **Memorandum of Agreement on the Implementation of Minute No. 323:**
This Agreement is among the United States federal government, the States, and contractors. It clarifies the responsibilities and benefits to the parties, and insures that the signatories confirm their mutual acceptance, cooperation, and coordination to carry out the terms of Minute 323. This Agreement also lays out the terms on how the IBWC and the Interior Department will consult with the non-federal parties on implementation of the Minute.
- 2) **Interim Operating Agreement for Implementation of Minute No. 323:**
This Agreement establishes operational procedures for Mexico's Water Reserve, consistent with the 2007 Interim Guidelines, to implement operations contemplated under Minute 323, such as contractor investment in projects in Mexico that will make additional water available for use in the United States and Mexico through the creation, release, and use of BICS water; accounting procedures for BICS water; and implementation and accounting of high and low reservoir operations referenced in Minute 323; and the agreement by the Department of Interior through the Bureau of Reclamation, to implement operations consistent with the various other agreements between the States.
- 3) **2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus:**
This Agreement assures contractors participating in the 10-year pilot program to invest in conservation projects in Mexico in exchange for BICS water and that other eligible contractors will not claim BICS created by another contractor. It also gives SNWA the ability to make capital expenditures to fund these contemplated conservation projects with the certainty that, in combination with the Delivery Agreement described below, such BICS water credits will be available for use in Nevada.
- 4) **Agreement Regarding Notice from the Secretary of the Interior for the Purpose of Implementing Section IV of Minute 323:**

This Agreement is to acknowledge the ongoing work among the States to develop drought contingency plans, agreement to work together to obtain federal legislation, if necessary, and develop a notification process for the Secretary to inform the U.S. Commissioner of the IBWC when these plans become legally effective so that the Water Scarcity Contingency Plan under Minute 323 may go into effect. It also provides a consultation process to resolve disputes prior to litigation.

5) **Agreement Among the United States of America, Through the Department of the Interior, Bureau of Reclamation, The Metropolitan Water District of Southern California, the Colorado River Commission of Nevada, the Southern Nevada Water Authority, and Imperial Irrigation District and the Central Arizona Water Conservation District, for a Pilot Program for the Conversion of Mexico's Water Reserve to Binational Intentionally Created Surplus (2017 Contributed Funds Agreement).**

The 2017 Contributed Funds Agreement outlines the process and payment for funding conservation projects and receiving BICS water as contemplated in Minute 323. Local water contractors will provide \$15,000,000 in exchange for 109,100 acre-feet of BICS water during the 10-year pilot program. Contributions are proportional to the water received by each funding entity. The funders include: The Metropolitan Water District of Southern California, Imperial Irrigation District, the Central Arizona Water Conservation District, and SNWA. The transfer of the funds to Mexico results in a simultaneous transfer of ICMA being converted to BICS water and transferred to the funder's account.

6) **2017 Binational ICS Delivery Agreement:**

The 2017 Binational ICS Delivery Agreement provides for the delivery of BICS by Reclamation to the SNWA pursuant to the 2017 Interim Operating Agreement, 2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus, and the 2017 Contributed Funds Agreement.

If approved as a package, these implementing agreements will provide the operational structure and legal authority necessary to implement and benefit from Minute 323.

Chairwoman Premsrirut inquired concerning the signatories with only Mexico and the US signing Minute 323 and the Memorandum of Agreement on the Implementation of Minute 323, without the other parties involved. Ms. Harkins responded advising that Minute 323 signatories are the US Section Commissioner and the Mexican Section Commissioner for the International Boundary Water Commission (IBWC).

Ms. Harkins also advised that the Memorandum of Agreement on the Implementation of Minute 323 is signed by Interior, the Bureau of Reclamation and the US Section Commission of the IBWC, as well as the Basin States (including the Commission) and other water users (including SNWA). It outlines how the

federal agencies will work with the States. Stating the commitment on both sides, as to how Minute 323 is implemented and how information is relayed. However, in the Lower Basin, the Colorado River was federalized and every contractor is required to have a contract with the Federal Government through the Bureau of Reclamation. Reclamation also owns and operates all major reservoirs on the Colorado River. The Interim Agreement discusses the 07 guidelines, how they will change, and lays out the agreement to how operations will change to implement Minute 323.

Chairwoman Premsrirut inquired if SNWA has approved the six agreements.

Ms. Harkins stated SNWA had received, reviewed, and approved all six agreements at their August Board Meeting.

Commissioner Sisolak inquired as to how much water was being stored in Lake Mead.

Ms. Harkins responded a total of 12 feet, of which about 2 feet belong to Mexico.

Vice Chairwoman Kelley responded it was important to note this is a complicated issue, whereas prior to Commission meetings all Commissioners are provided a briefing with the Executive Director. Many questions are asked which aid in providing a deeper understanding of the proposed agreements. The presentation provided a very in depth understanding of each agreement.

Commissioner Winterton also noted that the agreements are a major accomplishment. The leaders in Nevada have done an immense amount of work to make the agreements work between the various parties, including Mexico, the U.S., and the water contractors. He commended the behind the scenes contributions and contributors for the arduous work provided tirelessly over the last few years. Commending the impressiveness and the multitude of benefits that will exist for many years to come.

Ms. Harkins stated she was very pleased to so closely work with SNWA. She commended Greg Walch for his work with the small negotiating group in Mexico.

Staff recommended the Commission approve and authorize the Executive Director to execute, in substantially the same form:

- 1) the Memorandum of Agreement on the Implementation of Minute No. 323;
- 2) the Interim Operating Agreement for Implementation of Minute No. 323;
- 3) the 2017 Lower Colorado River Basin Agreement for Binational Intentionally Created Surplus;
- 4) the Agreement Regarding Notice from the Secretary of the Interior for the Purpose of Implementing Section IV of Minute 323;
- 5) the Agreement among the United States of America, through the Department of the Interior, Bureau of Reclamation, The Metropolitan Water District of Southern California, the Colorado River Commission of Nevada, the Southern Nevada Water Authority, the Imperial Irrigation District, and

- the Central Arizona Water Conservation District, for a Pilot Program for the Conversion of Mexico's Water Reserve to Binational Intentionally Created Surplus; and
- 6) the 2017 Binational ICS Delivery Agreement.

Vice Chairwoman Kelley moved for approval of the six agreements concerning Minute 323. The motion was seconded by Commissioner Sisolak and approved by a unanimous vote.

F. *For Possible Action: Consideration of and possible action to approve Amendment No. 3 to the Contract for Professional Services between Exeter Associates, Inc. and the Colorado River Commission of Nevada.*

Ms. Harkins explained that in August of 2013, the Commission approved a contract with Exeter Associates, Inc. to assist the CRC with various regulatory matters before the Public Utilities Commission of Nevada ("PUCN") and the Federal Energy Regulatory Commission ("FERC"). The Commission approved amendments to the contract with Exeter in February of 2014 and in May of 2015. The Commission has used the services of Exeter to review testimony, pleadings, and data responses in several FERC and PUCN filings, prepare data requests, participate in discussions with NV Energy concerning the Hoover resource, and provide analysis related to the Commission's allocation and provision of hydropower. Most recently, Exeter supported the Commission's efforts in PUCN Docket 17-03001 to validate the calculations contained in NV Energy's Hoover D Rider.

Exeter's contract with the Commission expires on October 31, 2017. The amount remaining under the contract is \$127,004.33. Staff recommends that the contract with Exeter be extended for an additional two-year term without increasing the maximum dollar expenditure under the contract.

Commissioner Sisolak inquired as to how the funding is carried budgetarily.

Ms. Harkins explained the amount is authorized at the original start of a contract. Amounts are approved by the Legislature. The contract is on an "as needed" basis and is not an automatic monthly contract.

Commissioner Sisolak asked how the money authorized for the original contract is used, and what happens with the remaining funds at the end of each year.

Douglas Beatty, Chief of Finance and Administration, responded that although the contracts are originally authorized for a specific amount, the amount requested each year within the budget is only an estimate. If the amount exceeds what was requested and authorized, a new request must be submitted. The full amount of a contract is not requested nor is it able to be carried over from year to year.

Commissioner Sisolak asked if the estimates which had initially been approved have increased, decreased, or changed.

Mr. Beatty stated that each year budget amounts are estimated and typically those amounts are used. Most contracts have amounts estimated before they are taken before the designated entities. In the budget process, a contract would state a specific amount of money is budgeted for a specific amount of years and if the contract will expire prior to the biennium authorization expiration, a placeholder will be put in stating a contract of similar amount and likeness will be used in the second year of the biennium.

Chairwoman Premsrirut inquired how funds work if a specific amount is requested and the amount used leaves a surplus of funds.

Mr. Beatty responded there is no carry over for funds. If a specific amount of funding is reauthorized, and only a portion is used, the funds expire and a new request must be made when submitting a new budget.

Commissioner Marz asked what were the terms of the original contract and are there automatic renewals.

Mr. Beatty responded there were multiple amendments as the state does not allow for automatic renewal. Guidelines for original contracts are a standard of 4 to 5 years, preferably 4 years.

Staff recommended that the Commission approve Amendment No. 3 to the Contract for Professional Services between Exeter Associates, Inc. and the Colorado River Commission of Nevada and authorize the Executive Director to execute the Amendment.

Vice Chairwoman Kelley moved for approval of Amendment No. 3 to the Contract for Professional Services between Exeter Associates, Inc. and the Colorado River Commission of Nevada. The motion was seconded by Commissioner Stewart and approved by a unanimous vote.

G. *For Possible Action:* Consideration of and possible action to approve the use of a “Consent Agenda” section on the Commission’s Agenda.

Ms. Harkins explained that the Consent Agenda is for consideration and is a board meeting practice that groups routine business into one agenda item. The Consent Agenda can be approved in one action, rather than hearing and making motions on each item separately. Using a Consent Agenda can save the Commission time. A Consent Agenda moves routine items along quickly so that the Commission has more time for discussing critical issues.

Chairwoman Premsrirut stated for the record this agenda item came about because we had several comments and questions from Commissioners about the possibility of using a Consent Agenda. This is by no means a mandate to use one

but instead having a discussion based upon Commissioners desire for the use of a consent agenda.

Vice Chairwoman Kelley stated support of consent agendas and for the ability of a member of the public at the beginning of the meeting to request something be pulled off the agenda. Due to the complicated nature of items on the agenda, the consent agenda may not be used often. However, the concept is useful. Stating also, items such as the Hydrology Report should not be on the Consent Agenda.

Commissioner Marz stated he is not in favor of a Consent Agenda on short agendas. Stating it puts a burden on the public who may not understand the function of the Consent Agenda and do not know those items are not up for discussion. Unless the agendas get lengthier, there is no reason as to why there should be a Consent Agenda.

Vice Chairwoman Kelley stated Ms. Harkins cannot use the consent agenda as another tool unless enabled by the Commissioners. Therefore, the Commission is unable to see how it would work without enabling its use, while ensuring the complication for the public is minimized.

Commissioner Stewart stated he is in favor of enabling it, however, there has not been a meeting during his tenure on the Commission he would find a use for such an item. There may be a time in the future the Consent Agenda could be used.

Commissioner Sisolak stated he is in favor if there is an explanation at the beginning of the Consent Agenda stating it is for routine action items only and one vote is taken, clearly spelling everything out so the public understands. Also advising of the balance in remaining cognizant to staffs' needs and time.

Chairwoman Premsrirut stated favorably towards enabling the tool for use as more of an exception to the rule type of thing and not in routine circumstances. She reiterated that this item was only up for vote per request of various Commissioners.

Staff recommended the Commission approve the use of a "Consent Agenda" section on the Commission's Agenda and authorize the Executive Director to determine the appropriate items.

Vice Chairwoman Kelley moved for approval of the use of a "Consent Agenda" section on the Commission's Agenda. The motion was seconded by Commissioner Stewart and approved by a unanimous vote.

H. *For Information Only: Banking of Water in Arizona in 2017 and 2018.*

Angela Slaughter, Natural Resource Program Manager, explained on May 8, 2013 the Commission approved the Third Amended and Restated Agreement for Interstate Water Banking among the Arizona Water Banking Authority, (AWBA) the Southern Nevada Water Authority (SNWA) and the Colorado River Commission of Nevada (CRCNV). This agreement was signed by all parties on May 20, 2013.

The purpose of the Agreement is to create a program of interstate banking of Colorado River water. Under the terms of the Agreement, AWBA utilizes existing long-term storage credits accrued in the SNWA interstate account to develop Intentionally Created Unused Apportionment (ICUA) for the benefit of SNWA. The Secretary of Interior (acting through the Bureau of Reclamation) authorizes the release of ICUA for use within Nevada pursuant to the Storage and Interstate Release Agreement authorized in 43 CFR Part 414. Nevada currently has approximately 601,041 acre-feet of Colorado River water banked in Arizona.

Current Status:

Of the 300,000 acre-feet of Colorado River water allocated to Nevada, in 2017, total consumptive use was 253,000 acre-feet. SNWA projected an unused amount of 47,000 acre-feet that could be available for banking. In exploring options, California banking partners were not interested and local options proved to be expensive. Staff from SNWA and CRC began meeting with staff from AWBA and Central Arizona Project on June 28, 2017 to discuss 2017 banking options. Staff concluded that the best option is to plan to bank up to 13,000 acre-feet starting in 2017, through 2018. The unit cost will vary based on the actual facility used and available capacity. Cost per acre-foot will range between \$222-280, with an average of \$245 per acre-foot. Approval of the delivery and storage details for the 2017-18 banking transaction will be done consistent with Articles 2 and 3 of the Third Amended and Restated Agreement. The SNWA Board of Directors has approved use of up to \$3,400,000 to fund this activity.

Interstate banking has proved to be a vital component in securing future water resources for Nevada. We will continue to keep the Commission informed on important water banking developments.

Chairwoman Premsrirut asked how the determination was made for 13,000 acre-feet to be banked in 2017.

Ms. Slaughter responded the decision was operational and was determined by the capacity of the facility accommodating the water and for future planning in what SNWA had determined should be made available.

Commissioner Stewart inquired if the item came to the Commission yearly for proposal.

Ms. Harkins responded item H is informational only. The Commission does not need additional approval to implement this item at this time. The Commission will provide updates on the water to be banked as SNWA approves the funding for banking.

Vice Chairwoman Kelley inquired as to whom the tracking entities are for water credits and banking.

Ms. Slaughter summarized the State of Nevada, SNWA, and the Arizona Water Banking Authority all track the water credits and banking.

Ms. Harkins also stated Reclamation distributes a report each year with how much water is stored in various places.

Vice Chairwoman Kelley inquired who tracks banked water in Lake Mead.

Ms. Harkins stated Reclamation performs the annual water accounting; looking at everything within the State. With the assistance of the Commission's Natural Resource Analyst, Warren Turkett, information is shared between Reclamation, and SNWA. When Reclamation puts together the report, it is then reviewed by the Commission with SNWA and returned to Reclamation.

Vice Chairwoman Kelley inquired as to who performs the final accounting.

Ms. Harkins stated Reclamation based on information provided by the Commission and SNWA.

Ms. Slaughter stated each State also keeps their own accounting and submits to Reclamation for reporting purposes.

I. *For Information Only:* Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, and other developments on the Colorado River.

Ms. Slaughter provided a report on the following:

- Unregulated Inflow & Storage
- Precipitation
- Lower Basin Side Inflows
- Water Use in Southern Nevada
- Colorado River Commission of Nevada

A copy of the report was attached and made a part of the minutes. (Attachment B)

Commissioner Winterton inquired as to why Lake Mead Projections were showing a probable maximum flow increase and would releasing water from Lake Powell cause this to happen.

Ms. Harkins stated there was data in the footnotes describing release of water from Lake Powell as the reason for the increase.

Commissioner Winterton inquired if the release was part of a prearranged agreement.

Ms. Harkins affirmed it is a part of a prearranged agreement.

Commissioner Winterton asked if there is a specific trigger for this to occur.

Ms. Harkins answered yes, a trigger of higher inflows into Lake Powell would need to occur for higher volumes of water to be released into Lake Mead.

Commissioner Sisolak inquired if water is banked in Lake Powell.

Ms. Harkins responded no, Intentionally Created Surplus are other volumes of conserved water banked in Lake Mead.

Commissioner Sisolak stated the graph is misleading as banking shows projections higher but without banking we are in an actual shortage.

Ms. Slaughter answered the graph is based on the most recent 24-month study.

Commissioner Sisolak suggested adding a footnote to show the actual amount of water that is banked and actuals.

Ms. Harkins stated without banking Nevada would be in shortage. The decisions concerning water deliveries are made based upon actuals, and include banked amounts.

Vice Chairwoman Kelley requested a presentation be performed in a future meeting to explain the nuances on the hydrology presentations.

Commissioner Marz asked how many acre-feet go into evaporation per year. Commissioner Marz further inquired if it would be better to let the levels drop and store the water in an aquifer to prevent evaporation.

Ms. Harkins responded there are approximately 600,000 acre-feet per year going into evaporation and can be higher or lower based on the areal extent of the lake. The tradeoff of not storing in an aquifer is available water supplies for Nevada, Arizona, and California water users as well as power production at the Hoover Dam. The beneficiaries of such power are Nevada, Arizona, and California.

Commissioner Marz inquired as to who determines the tradeoff.

Ms. Harkins responded the Commission and SNWA working with Reclamation and Arizona and California water users. Staff will present a presentation at a future meeting.

Chairwoman Premsrirut stated that within the presentation requested, an explanation concerning shortages and how decisions are made concerning the banked data be included.

J. Comments and questions from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.)

Chairwoman Premsrirut asked if there were any other comments or questions from the public.

There were none.

K. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from the Commission members.

The Commissioners welcomed Deputy Executive Director, Eric Witkoski.

L. Selection of the next possible meeting date.

The next meeting was tentatively scheduled for 1:30 p.m. on Tuesday, October 10, at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4412, Las Vegas, Nevada.

M. Adjournment.

The meeting adjourned at 2:28 p.m.

Jayne Harkins, P.E., Executive Director

APPROVED:

Puoy Premsrirut, Chairwoman