

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, August 9, 2022, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Justin Jones
Commissioner	Dan H. Stewart
Commissioner	Allen J. Puliz
Commissioner	Cody T. Winterton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	David W. Newton
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COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Engineering and Operations	Robert D. Reese
Hydropower Program Manager	Craig Pyper
Natural Resources Program Manager	Angela Slaughter
Environmental Program Manager	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Senior Energy Accountant	Ha N. Tran
Hydropower Engineering	Stevie Espinosa
Natural Resources Specialist	Laura Dye
System Coordinator	Chris Smith
Office Manager	Gina L. Goodman
Administrative Assistant IV	Katie Aguilar
Administrative Assistant III	Saira Castillo
Administrative Assistant II	Joshua Cleveland

OTHERS PRESENT; REPRESENTING

City of Boulder City
City of Henderson
College of Southern Nevada
Electrical Power Products, Inc.
Hitachi Energy USA Inc.
Lato and Petrova CPAs
Legislative Counsel Bureau
Legislative Counsel Bureau
NV Energy
Overton Power District No. 5
Peak Substation Services
Self
Self
Southern Nevada Water Authority

Joseph Stubit
Becky Risse
Tina Dobbs
Joshua England
Andrew Cyprian
Martha Ford
Bailie Hall
Scott Jones
Michael Hulin
MeLisa Garcia
Jason Harris
Brock Reesberg
Colton Lochhead
Annalise Porter

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

AUGUST 9, 2022

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The Colorado River Commission of Nevada (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 Eric Witkoski 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.

C. *For Possible Action:* Approval of minutes of the , 2022, meeting.

Commissioner Puliz moved for approval the minutes of the June 14, 2022, meeting. The motion was seconded by Commissioner Jones and approved by unanimous vote.

D. *For Possible Action:* Public Hearing to Act Upon a Regulation including the consideration of and possible action to approve, modify, or reject, in whole or in part, the proposed revised regulation NAC 538.610, LCB File No. R071-22.

Adoption Hearing

LCB File No. R071-22

August 9, 2022

Executive Director Eric Witkoski introduced Agenda Item D, the Public Hearing on the proposed changes to Nevada Administrative Code chapter 538.610 contained in LCB File No. R071-22.

Chairwoman Premsrirut opened the adoption hearing with announcing that Staff confirmed that the Notice of Intent to Act Upon a Regulation was properly posted, Staff would be presenting a brief overview of the changes proposed and the process that Staff has engaged in, to date.

When Staff has finished, Chairwoman will invite comments from the public. Chairwoman Premsrirut asked Commissioners to hold questions until after the public has commented.

Mr. Witkoski went over the proposed regulation changes to be considered, the summary of the administrative rulemaking process and comments for the Public Hearing to Act Upon a Regulation including the consideration of and possible action to approve, modify, or reject, in whole or in part, the proposed revised regulation NAC 538.610, LCB File No. R071-22.

Posting:

Notice of Intent to Act upon a Regulation for LCB File No. R071-22 was properly posted on July 7, 2022, in accordance with NRS 233B.060.

Overview of proposed changes:

Staff is proposing to amend NAC 538.610 (3) involving **rates, charges, and costs**; This regulation involves how the administrative charge costs are projected and how the costs are charged to the customers on a kilowatt basis.

The first proposed change involves the projection of costs to be included – from considering the average of two years of costs, to allow for using an average of costs of not less than three years and adjusted for known and measurable changes. The change gives the Commission more flexibility to forecast the costs more accurately for the administrative charge.

The second proposed change to the regulation is to the method of how the costs are collected.

Currently the costs are collected on a kilowatt basis, and the regulation would retain that method. However, the change would add a second option where the Commission could decide to charge the costs associated with the administrative charge, in whole or in part, on a fixed charge basis or on an allocation basis.

This change would give the Commission an option to consider in the future, to collect the costs associated with the administrative fee on a more certain basis.

Currently, the administrative revenue is dependent on the amount of hydropower delivered and the amount of non-hydropower delivered to the Commission's customers. The hydropower delivered is subject to the fluctuations due to hydrology and corresponding reductions of hydropower generation.

Second, the revenue is dependent on market purchases made on behalf of its industrial customers that can fluctuate depending on the current demands of the industrial customers.

By changing the regulation, the Commission would have a tool available to stabilize the administrative revenue on a more fixed basis.

The idea is to have the tool available if in the future, the Commission wants to choose such an approach.

Process

At the March 8, 2022, Commission meeting, Staff brought the proposed regulation changes for approval to initiate the administrative rulemaking process.

On March 28, 2022, Staff issued a Notice of Workshop to Solicit Comments on the Proposed Regulation Change to all its customers and followed the State Notice requirements.

Subsequently following the notice, Staff received some comments from a customer. Staff suggested an alternative language that allayed the customer's concern.

On April 5, 2022, Staff issued a revised regulation for consideration with the new language.

On April 19, 2022, Staff went through the updated proposed regulation change and answered questions about the proposal. The Workshop was held in person with the option to attend remotely. The opportunity to submit further questions was offered by Staff. Further questions were received and answered by Staff.

On July 7, 2022, Staff issued Notice of the possible Adoption of the Regulation giving notice of the possible adoption hearing scheduled for August 9, 2022.

In the Notice of July 7, 2022, Staff asked that written comments be submitted to the Commission by August 2, 2022, in order to provide the written comments to the Commission and stated comments could be made at the Hearing on August 9, 2022 in person or remotely.

No comments were received on the proposed regulation change by August 2, 2022, or any following August 2, 2022.

Chairwoman Premsrirut opened the Hearing for Public Comment on the proposed regulation changes and asked anyone wishing to comment to come forward and state their name for the record. There were none.

Chairwoman Premsrirut asked Commissioners if they had any questions or comments.

Mr. Beatty added that the regulation change would put it in par with the way the Commission charges the rest of the customers.

Commissioner Puliz asked if the Commission is charged that percentage fee from the state, would this regulation change help cover the cost for the Attorney General for purchasing, and other expenses.

Mr. Beatty responded to Commissioner Puliz that the Commission will be paying the costs no matter what happens.

Chairwoman Premsrirut added that is also her understanding of the genesis of this proposed regulation. This proposed regulation change is a necessary contingency tool, especially during times of volatility. The proposed regulation change does not necessarily have to be called on at this moment, but given what has been happening with river operations, it is

important. Chairwoman Premsrirut commended Staff for being clairvoyant in putting this in front of the Commission and it is reflected not only in the Executive Director's outline of the administrative process that has been Noticed, also the Workshops that were conducted, and should be reflected that the dialogue has been established among the customers has been responded to, well received, and reacted to by the Commission Staff.

Commissioner Jones moved for approval to adopt the proposed revised regulation NAC 538.610, LCB File No. R071-22. The motion was seconded by Commissioner Puliz and approved by unanimous vote.

E. *For Possible Action:* Consideration of and possible action to adopt the Colorado River Commission of Nevada's fiscal year 2024 and 2025 budget request.

Chief of Finance and Administration, Douglas Beatty provided a revised presentation on upcoming budget recommendations.

Staff reviewed the budget following the June 14, 2022, Commission meeting and pursuant to comments received, Staff made a few adjustments to the budget to increase the request and provide adequate resources for the biennium. The changes made are as follow:

- 1) Account 4490 - the administrative fund for the Commission:
 - a) Out-of-state travel has been increased by \$17,155 to \$74,154 in both years of the biennium. This reflects both inflationary pressure on costs to travel and the anticipated need for increased travel to deal with the drought and related issues.
 - b) In-state travel has been increased in the second year of the biennium by \$697 to \$16,797.
 - c) Gasoline expense has been increased by approximately \$895 in each year of the biennium. This change is a small increase in the operating expense category.
 - d) Computer purchases have been increased by \$22,314 in the second year of the biennium, the year for scheduled replacement of most office hardware.
- 2) Account 4501 - the Power Delivery Project and market energy purchases fund:
 - a) Gasoline expense has been increased by \$7,393 to \$12,505 in each year of the biennium.
 - b) Market power purchases expense has been increased by \$3,278,224 to \$15,091,775 in the first year of the biennium and by \$7,521,508 to \$19,335,059 in the second year of the biennium. This reflects both rising market prices and projected increases in customer demand by industrial customers as production returns to pre-COVID levels.

Mr. Beatty stated that a revised draft of the budget reflecting these changes was sent to the customers on July 21, 2022, for review and comment. At this time no comments have been received.

Mr. Beatty went over the budget that he revised pursuant to some direction mentioned by the Commission at the June 14, 2022, Commission Meeting. Due to the current inflationary environment, some budget changes were made due to anticipated increase in activity on the river, dealing with the drought and the dire situation, while taking into consideration anticipated future expenses, planning ahead and considering other expenses collectively the Commission will be covered, and be prepared.

Mr. Beatty further explained about the planning letter that was sent. The planning letter is the required communication from the external auditors when they do not conduct an audit planning conference. The letter is to inform all parties of the areas of focus for the upcoming audit, as they would have informed us in the planning conference (as they did the first year of audit). The significant risks identified are the same ones that they focused on in last year's audit. The terminology "significant risk" refers to those areas that will require specific audit procedures that will produce adequate evidence of the accuracy of the reported information and or evidence of control compliance. In other words, these are areas that they cannot satisfy with purely analytical procedures. They will have to do testing and see documentation. The letter does not require any specific action on your part or on our part, it is designed to be informative and allow the parties to provide any additional input as they see fit." which was designed just to be informative and allow the parties to provide any additional input as they may find accordingly.

Mr. Beatty went over the inquired concerns following the letter, power sales revenue, year-end legal requirements journal entry, pension and other post-employment benefits, IT security and user access controls.

Mr. Beatty added the budget was shared during the Budget Workshop, reviewed the budget with a few people that were unable to attend, and all were satisfied.

Chairwoman Premsrut commented it is always great to hear customer satisfaction has been achieved. Chairwoman Premsrut asked about pre-levels versus post level COVID and if the Commission has experienced a return to "normal" or has there been any deviations from pre versus post.

Mr. Beatty answered that for 2020 there were travel expenses, but the staff is beginning to travel again. Mr. Beatty added that while more meetings are returning to in person, he is uncertain how soon things will be reverted to what in his opinion, is the more productive pre-COVID period.

Chairwoman Premsrut commented that while reviewing the travel increase, it appeared reasonably necessary, due to the river operations and the underscore of volatility necessitates more meetings and essentially being in person.

Chairwoman Premsrirut stated that she did not find it unreasonable and added, with respect to the account 4501, the market power purchases are necessitated by the customers and their demands. Chairwoman Premsrirut further commented the Commission was not unilaterally making purchases, the customers instruct or require the Commission to make the purchases on the customers behalf.

Mr. Beatty agreed and added that account 4501 is an enterprise fund, therefore, technically speaking these are called authorizations. Mr Beatty clarified it allows the Commission to buy the power on the market, but the customers must fund the power as the Commission buys it. Mr. Beatty further added the Commission does not charge the revenue and build up a revenue, the Commission can only charge the customers as the power is bought.

Chairwoman Premsrirut asked if the adjustments made to the budget result in an increase in the Hydropower Administrative rate

Mr. Beatty responded no, Staff does not anticipate an increase during the biennium at this time.

Chairwoman Premsrirut asked if there were any comments or questions from members of the Commission or any questions or comments from the Commissioners appearing remotely.

Commissioner Kirkpatrick thanked staff for accommodating her request to review the budget to ensure that the Commission could cover their costs and that everything was where it needed to be. Commissioner Kirkpatrick is very pleased with the outcome of the revised budget.

Vice Chairwoman Kelley commented that she wanted to recognize Commissioner Kirkpatrick and show appreciation for bringing terrific knowledge of the state budgeting process and how the state works. She also wanted to ask another question not related to this Item, but it was decided the question to be reserved and moved it to Agenda Item S, under questions or comments from Commissioners.

Commissioner Stewart moved for approval to adopt the Colorado River Commission of Nevada's fiscal year 2024 and 2025 budget request. The motion was seconded by Commissioner Winterton and approved by unanimous vote.

<p>F. <i>For Possible Action:</i> Consideration of and possible action to approve Amendment No. 1 to Contract SA-18-01, extending the contract term to August 31, 2026, for Materials Purchasing Services between Anixter Inc., and the Colorado River Commission of Nevada.</p>
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Assistant Director, Engineering and Operations Robert Reese explained the amendment for materials purchasing services contract.

Mr. Reese stated over the years it has been found very valuable to have these material vendors on contract. It allows the Commission to utilize one sole source to find components that are needed quickly, use the RFP process, select a vendor for a component and then bring it to the Commission. Otherwise, the project would probably be out about seven to eight months, therefore having these material contractors under contract allows the Commission's utility to operate in a real time fashion. The Commission has had material contractors since 1997. These suppliers provide a very valuable resource to the staff. Staff recommended an extension to this particular contract for four years with Anixter Inc.

Anixter Inc., were on a previous contract with the Commission, several years ago, under the HD Electric Supply vendor name, there was a name change. Anixter Inc., has exceeded our expectations and Staff would recommend approval of extending the contract term for an additional four years. Funds are not being asked to be increased because the Commission currently has sufficient funds in the contract, to facilitate the next four years.

Chairwoman Premsrirut thanked Mr. Reese and asked if there were any questions or comments from members of the Commission or any Commissioners appearing remotely. There were none.

Chairwoman Premsrirut added to let the record to reflect that Amendment No. 1 to Contract SA-18-01 to approve the extension contract term August 31, 2026, with Anixter Inc., and the Colorado River Commission of Nevada, is an extension of time only and not a fiscal note increase.

Commissioner Winterton moved for approval of Amendment No. 1 to Contract SA-18-01, extending the contract term to August 31, 2026, for Materials Purchasing Services between Anixter Inc., and the Colorado River Commission of Nevada. The motion was seconded by Commissioner Puliz approved by unanimous vote.

G. *For Possible Action:* Consideration of and possible action to approve Amendment No. 1 to Contract SA-18-02, extending the contract term to August 31, 2026, for Materials Purchasing Services between Peak Substation Services and the Colorado River Commission of Nevada.

Assistant Director, Engineering and Operations Robert Reese presented.

A. Background on Operations

The requested Amendment No. 1 is an extension of the contract for four years to August 31, 2026, and there is no request to add any additional amount authorized under the contract. The current balance remaining on the contract is \$1,140,957 and that is expected to be sufficient for the term of the extension.

B. Background of Contract/Contract Amendment for Consideration

On June 13, 2018, Contract No. SA-18-02 for Materials Purchasing Services between Peak Substation Services and the Colorado River Commission of Nevada was approved to provide the Commission's Power Delivery Group (PDG) with the ability to obtain replacement equipment and material costing in excess of \$5,000, and to replace the previous purchasing contracts that were expired.

This contract is an enabling type of contract that allows the Commission's PDG to receive a quotation each time a purchase is to be made. If the Commission has contracts with multiple vendors, quotations will be solicited from each vendor and compared. The vendor offering the most favorable terms will be issued a purchase order to furnish the required items.

Under the proposed amendment to Contract No. SA-18-02, an extension of an additional four years is requested, extending the contract to August 31, 2026.

Mr. Reese explained that this the contract amendment was a similar materials purchasing contract. The advantage of having two material contractors available is it gives the ability to be a little competitive, and the resources for finding the legacy components are maximized. The vendors are able to tap into their resources to provide materials to our utility as soon as possible and with a reasonable cost. Peak Substation has been with the agency on and off for many years. Staff recommended extending the contract for four years with no increase in funding.

Mr. Reese added there are three customers that provide funding for the Power Delivery Project, which are, Southern Valley Water Authority, Clark County Water Reclamation District and Basic Industrial customers.

Chairwoman Premsrut thanked Mr. Reese and asked if there were any questions or comments regarding Agenda Item G from members of the Commission or any Commissioners appearing remotely.

Chairwoman Premsrut additionally commended Mr. Reese and stated it is very important that the Commission has different vendors available for purposes of pricing competitiveness and also for availability.

Commissioner Stewart moved for approval approve Amendment No. 1 to Contract SA-18-02, extending the contract term to August 31, 2026, for Materials Purchasing Services between Peak Substation Services and the Colorado River Commission of Nevada. The motion was seconded by Commissioner Puliz and approved by unanimous vote.

H. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S2077 to Boulder Flats Solar Interconnection Project for High Voltage Circuit Breakers to contract CRCBF-01 between Hitachi Energy USA Inc. and the Colorado River Commission of Nevada.

I. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S2079 to Boulder Flats Solar Interconnection Project for Control Enclosure to contract CRCBF-02 between Electrical Power Products Inc. and the Colorado River Commission of Nevada.

J. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S1961 to Boulder Flats Solar Interconnection Project for Insulators to contract CRCBF-03 between Peak Substation Services and the Colorado River Commission of Nevada.

K. *For Possible Action:* : Consideration of and possible action to approve bid solicitation 69CRC-S1962 to Boulder Flats Solar Interconnection Project for Station Service Transformer to contract CRCBF-04 between Peak Substation Services and the Colorado River Commission of Nevada.

L. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S1963 to Boulder Flats Solar Interconnection Project for Instrument Transformer to contract CRCBF-05 between Peak Substation Services and the Colorado River Commission of Nevada.

M. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S1964 to Boulder Flats Solar Interconnection Project for High Voltage Disconnect Switches to contract CRCBF-06 between Peak Substation Services and the Colorado River Commission of Nevada.

N. *For Possible Action:* Consideration of and possible action to approve bid solicitation 69CRC-S1965 to Boulder Flats Solar Interconnection Project for Steel to contract CRCBF-07 between Peak Substation Services and the Colorado River Commission of Nevada.

Executive Director, Eric Witkoski addressed the Commission to explain that the following Agenda Items H-N, CRCBF-01-CRCBF-07 are for a capital project and sought guidance on the agenda items and whether to vote individually or collectively.

Chairwoman Premsrirut explained Agenda items H-N are all contracts that are related to the Boulder Flat Solar Interconnection Project. Chairwoman Premsrirut asked that Assistant Director, Engineering and Operations, Robert Reese present an overview of the project and a primer on each item and then the Commission would make an omnibus motion to approve Agenda Items H-N, CRCBF-01-CRCBF-07.

Mr. Reese presented a background on operations.

Pursuant to NRS 538.161, the Commission may execute contracts, for the planning, and development of any facilities for the generation or transmission of electricity for the greatest possible benefit to the state. Additionally, the Commission has a Facilities Development Agreement with the Southern Nevada Water Authority (SNWA) for the purpose of “creating a cooperative relationship to jointly develop, operate, maintain, use and replace a Power System” for SNWA and its members.

SNWA has requested the Commission design, procure, and construct a new 230kV switchyard and ten-mile long 230kV transmission line in Boulder City, Nevada for SNWA’s Boulder Flats Solar Project.

The proposed purchase contract is put forward for approval as part of the work the Commission will perform for SNWA for the electrical support system for the Boulder Flats Solar project. It is anticipated that no one single supplier can provide a bid for all items, thus the Contracts may be awarded in parts.

Mr. Reese continued that typically, the Commission does a major component package and presents that to the Commission, however, due to the lead times that are now out in the industry, SNWA and Staff have identified certain components of the project that are extending their lead time. For example, some of these components would typically be receive anywhere from 8 to 16 weeks. These components are now estimated at 48 to 52 weeks.

Therefore, the components of the contracts that are before you today are those components that are necessary to procure in advance to meet our schedule.

Executive Director, Eric Witkoski, asked Mr. Reese if he could comment on the background on the bid/procurement process.

On March 28, 2022, 8 bids were posted on the NevadaEPro website for the Boulder Flats Solar Interconnection Project. Bid solicitations 69CRC-S1959 and 69CRC-S1960 were reposted on June 3, 2022, after receiving no bids from vendors from the first solicitation request. The new solicitation number for 69CRC-S1959 for CRCBF-01 for Control Enclosure is 69CRC-S2077. Each bid solicitation request period was 8 weeks long. The bid solicitation was sent to multiple vendors registered in NevadaEPro, and additional independent vendors directly via email.

During the evaluation period, the contractors are evaluated based off a matrix on experience and ability to provide these components: Circuit Breakers, Station Service Transformers, Insulators, Disconnects, and High Voltage Disconnect. Once evaluated, each vendor is scored and then intent to awards are issued.

The deadline for the first round of bid solicitation requests: CRCBF-03, CRCBF-04, CRCBF-05, CRCBF-06, CRCBF-07 closed at 5:00 p.m. on May 18, 2022. The evaluation period for the first round of bid solicitations on May 23, 2022 – June 1, 2022. Peak Substation Services was the only responding vendor.

The deadline for the second round of bid solicitation requests CRCBF-01 and CRCBF-02 closed at 5:00 p.m. on July 13, 2022. The evaluation period took place from July 15, 2022 – July 25, 2022. Hitachi Energy USA, Inc. was the only responding vendor for CRCBF-01. There were two responding vendors for CRCBF-02. Electrical Power Products, Inc., is the intent to award vendor.

These contracts are to engineer, manufacture, assemble, test, ship, and provide ancillary services relating to procurement.

Item H is to approve bid solicitation- 69CRC-S2077 for High Voltage Circuit Breakers and is recommended for award to Hitachi Energy USA, Inc.

Item I is to approve bid solicitation- 69CRC-S2079 for Control Enclosures and is recommended for award to Electric Power Products Inc.

Item J is to approve bid solicitation- 69CRC-S1961 for Insulators and is recommended for award to Peaks Substation Services.

Item K is to approve bid solicitation-69CRC-S1962 for Station Service Transformer and is recommended for award to Peak Substation Services.

Item L is to approve bid solicitation-69CRC-S1963 for Instrument Transformer is recommended for award Peak Substation Services

Item M is to approve bid solicitation-69CRC-S1964 for High Voltage Disconnect Switches and is recommended for award to Peak Substation Services.

Item N is to approve bid solicitation-69CRC-S1965 for Steel and is recommended for award to Peak Substation Services.

Chairwoman Premsrirut noted Peak Substation Services has done consistent business for quite some time and not only proven reliability, but overall satisfaction therefore, Chairwoman Premsrirut is pleased to see them as part of our agenda today.

Mr. Reese added that, that was an excellent point. Pointing out that even though Peak Substation Services is a bidder for the capital items on Agenda Items J-N, this is not on the materials purchasing contract for Agenda Item G. Material purchasing contracts are utilized for the operation and maintenance requirements.

Chairwoman Premsrirut thanked Bob and asked if there were any questions.

Commissioner Puliz applauded Mr. Reese. Commissioner Puliz commented that those items need to be ordered as soon as possible, for project completion within a year and a half. Commissioner Puliz spoke about the difficulty in obtaining big commercial and capital project electrical items.

Chairwoman Premsrirut asked Mr. Reese if this is a function of the ongoing supply chain issues from the COVID era or is this more the rule than the exception now with these extensive lead times.

Mr. Reese responded no that the business model has changed quite a bit. Mr. Reese believes that the vendors are not keeping as much inventory and added vendor may not have the Staff to manufacture these components in a timely manner, reflecting the long lead times on these components.

Chairwoman Premsrirut wanted to confirm the Boulder Flats Solar Interconnection Project is necessitated by SNWA, procured in conjunction with the constituents of both SNWA and the Commission.

Mr. Reese replied SNWA requested the Commission to do the design, procurement, and construction management for this project. Staff does not initiate any projects until there is a request from Commission customers.

These contracts are enabling type of contracts that allow the Commission's PDG to receive a quotation each time a purchase is to be made. The Equipment will be purchased by the Commission pursuant to NRS 538.161 (2) and the Commission's established Procedures for Purchasing Electrical Materials for the Power Delivery Project.

Chairwoman Premsrirut thanked Mr. Witkoski and asked if there were any questions or comments on the Agenda Items H through N. There were none.

Staff recommended the Commission approve Agenda Items H-N and authorize the Executive Director to sign it on behalf of the Commission.

Commissioner Puliz moved for approval of the Boulder Flats Solar Interconnection Project capital project Agenda Items H-N. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

<p>O. <i>For Possible Action:</i> Consideration of and possible action to approve Amendment No. 1, to increase the contract by \$10,000 to a not-to-exceed amount of \$58,500, between Lato & Petrova CPAs, LTD (dba Lato, Petrova & Pearson CPAs) and the Colorado River Commission of Nevada for accounting services to assist with the year-end closing and preparation of the Annual Comprehensive Financial Report.</p>

Chief of Finance and Administration, Douglas Beatty explained the Lato & Petrova CPAs, LTD (dba Lato, Petrova & Pearson CPAs) and the Colorado River Commission of Nevada for the accounting services contract.

This contract was approved by the Commission at the April 13, 2021, meeting and provided for the assistance of Ms. Ford in the creation of the template for the Annual Comprehensive Financial Report (ACFR). Ms. Ford worked closely with the accounting

Staff, and Staff successfully completed the first in-house annual financial report for the year ended June 30, 2021.

The contract originally anticipated modification of the existing template but as the work started it became clear that creating a completely new template was necessary. The old template was overly complicated and would require unnecessary effort to roll the balances forward and make changes needed in succeeding years. As a result, the original contract amount of \$48,500 was almost completely exhausted in the effort and now as Staff is moving forward with the new fiscal year the full amount has been used.

The roll forward of last fiscal year's ending balances to 'the new year has now been completed and the work to date has gone smoothly with the new streamlined template. Staff anticipates some additional changes and formatting effort may be needed to complete the Fiscal 2022 ACFR, but not to the level needed last year. Staff and Ms. Ford have determined that an additional \$10,000 would be adequate for the effort this year.

Additionally, Ms. Ford reduced her billing rate, originally set at \$450/hour to \$250/hour to accommodate this amendment. This is pursuant to Staff's request and due to the less intense nature of the anticipated changes needed to the ACFR. Based on the results of the work last year Staff anticipates a much smoother and less stressful annual audit and Financial Report for this fiscal year.

Mr. Beatty continued stating that previously there was a procurement with the state controller's office for the software package called CaseWare that produces Annual Financial Reports. The Commission joined this procurement and found the process with the software cumbersome and extremely difficult to maneuver through. Therefore, when Staff issued the request for proposals for auditors, experience with CaseWare was requested. No bidders had expertise with CaseWare.

Staff started looking for assistance elsewhere. Piercy, Bowler, Taylor, and Kern (PBTK), had expertise on CaseWare, but PBTK declined to submit a proposal. Ms. Ford had been a partner with PBTK but had left the firm. Staff asked Ms. Ford to assist with the CaseWare software and Ms. Ford agreed, in conjunction with Lato & Petrova CPAs, LTD.

April 13, 2021, the Commission approved a contract between Lato & Petrova CPAs, LTD (dba Lato, Petrova & Pearson CPAs) and the Colorado River Commission of Nevada for accounting services to assist with the year-end closing and preparation of the ACFR for \$48,500 to assist in closing the books, aggregating the information, and fully utilizing the CaseWare printing and production system.

Ms. Ford had to develop a more compatible template to try and get the CaseWare system to actually work, allowing the agency to produce a full ACFR in house for the first time in the Commissions history. Moss Adams our current internal auditors were pleased with the results. The contract funds have been exhausted due to the tremendous effort in producing a successful ACFR.

The contract will expire May 1, 2023, and Staff does not anticipate an extension of time. Staff recommended an amendment to contract for an additional \$10,000, due to a couple of changes with Governmental Accounting Standards Board standards, footnote presentations, and a few other changes that will have to be implemented. Staff has spoken with Ms. Ford and reached an agreement in reducing her billing rate from \$450 an hour to \$250.

Staff recommended to approve Amendment No. 1, to increase the contract by \$10,000 to a not-to-exceed amount of \$58,500, between Lato & Petrova CPAs, LTD (dba Lato, Petrova & Pearson CPAs) and the Colorado River Commission of Nevada for accounting services to assist with the year-end closing and preparation of the Annual Comprehensive Financial Report.

Chairwoman Premsrirut thanked Mr. Beatty and made a quick point of clarification for the request of additional \$10,000 to add to the already original contract amount of 48,500 and that it is not a new \$58,500.

Chief of Finance and Administration, Douglas Beatty confirmed that it is just a request for an additional \$10,000.

Vice Chairwoman Kelley provided some additional context for the Commissioners and the public. The Commission voted to choose CaseWare software after an exhaustive search by Staff. The software search is mentioned at this particular meeting because there are multiple extension contracts on the August 9, 2022, agenda to clarify for the record.

The Commission created the Financial and Audit Subcommittee after the completion of 2017 annual audit. The auditors recommended that the agency strengthen the internal controls over the year-end financial reporting by maintaining complete reconciliations of material account balances and all supporting documents including calculations, schedules, and other items that tie to the final ACFR amounts. When this change happened there were some extreme difficulties in implementation because of the brand-new system and professional expertise was limited. Quite a bit training was invested however there were still implementation issues.

Ms. Ford's services were obtained to address implementation issues and to build a compatible template. It was the simplest adaptation to the ongoing situation. Mr. Beatty, his team, and Mr. Witkoski have certainly managed any third-party funds extremely well. Vice Chairwoman Kelley reiterated what Mr. Beatty said about being able to participate in a successful completion of the ACFR without any significant auditor involvement in this recent audit, it is amazing based on the challenging history.

Vice Chairwoman Kelley added that Ms. Ford has been very generous with her billing time because there is a real commitment to the execution of CaseWare. After many years, the system does what it is meant to do.

Chairwoman Premsrirut expressed her gratitude, thanked Vice Chairwoman Kelley along with the Financial and Audit Subcommittee (Subcommittee) members Chairwoman Kelley, Vice Chairwoman Kirkpatrick, and Commissioner Stewart for their commitment and time spent in the Committee stating that it is not every day that the proverbial wheel must be reinvented.

Chairwoman Premsrirut thanked Ms. Ford for staying on to persevere through this challenging obstacle and to do so at such an efficient rate, while also thanking Staff for their commitment expressing appreciation to all of them on behalf of herself and the Commission for their time and diligence. It has shown tremendous improvement in progress and is always a positive reflection on the Commission at large.

Vice Chairwoman Kelley moved for approval of Amendment No. 1, to increase the contract by \$10,000 to a not-to-exceed amount of \$58,500, between Lato & Petrova CPAs, LTD (dba Lato, Petrova & Pearson CPAs) and the Colorado River Commission of Nevada for accounting services to assist with the year-end closing and preparation of the Annual Comprehensive Financial Report. The motion was seconded by Commissioner Stewart and approved by unanimous vote.

<p>P. <i>For Information Only:</i> Update on pending legal matters, including Federal Energy Regulatory Commission or Public Utilities Commission of Nevada filings.</p>

Special Counsel Attorney General, David Newton stated that there are two items that have current outstanding litigation.

Save the Colorado v. Dept. Of the Interior (LTemp):

The briefing has been completed. Nevada and the other intervenors are awaiting instructions from the court as to what the next step is going to be. There was some commentary made by the judge at one point about a year ago that he was not very familiar with this area of the law, therefore expectations are that it will not move quickly.

Navajo Nation v. Dept. Of the Interior:

The federal government filed the intervention on this matter, asking that the states matters be put aside. There is one matter that deals specifically with the federal government, and that is whether or not there is a fiduciary duty that runs between the federal government and the Navajo Nation regarding water right. If that is found to be the case, then the states' matters and the other interveners matters would go forward. If that is found not to be the case, at least based on the federal government's arguments than the rest of the case is moot. The parties are waiting for further instructions from the court. The court could ask for briefings or simply deny or accept. The request is up to the court as to how it will be handled.

Chairwoman Premsrirut thanked Special Counsel Attorney General, David Newton and asked if there were any questions or comments regarding the legal matters that were explained.

Commissioner Puliz asked if Staff is preparing for a lot more action of the seven Colorado River states and he stated that this could get ugly in the next couple years.

Special Counsel Attorney General, David Newton replied that yes, the Intervener states, Commission's attorney, and Staff are preparing. There are on-going conversations with Executive Director, Eric Witkoski and Senior Assistant Director, Sara Price probably two or three times a week at least. Preparation is complicated as one can imagine and/or anticipate to the best of our ability.

Chairwoman Premsrirut thanked Mr. Newton and asked if there were any additional questions or comments. There were none.

Q. For Information Only: Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, the drought contingency plan, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.

Environmental Program Manager, Dr. Warren Turkett and Senior Assistant Director Sara Price presented.

A copy of the report is attached and made part of the minutes. (See Attachment A).

- Precipitation and Temperature
- Unregulated Inflow, Current and Projected Reservoir Status
- Water Use In Southern Nevada
- Historical and Forecast of Hydropower Generation at Hoover
- Summary

Vice Chairwoman Kelley asked Dr. Turkett about the 62% and up of the projected unregulated inflow to Lake Powell for Water Year 2022 had a significant change over the last couple of months.

Dr. Warren Turkett, Natural Resource Analyst replied stating that unfortunately he did not have reports for those months available at the moment but stated that over the last few months more precipitation increased anywhere from 2 to 3%. It is helpful, but it has not really moved the needle a whole lot as far as the total runoff. It is important to note that getting that precipitation helped the soil moisture. At this time of year and in the previous years there has been really warm conditions with no precipitation leaving Southern Nevada in a really bad spot as far as runoff this year. Dr. Turkett stated that hopefully next year, with good precipitation will result in at least near average runoff which would be very helpful.

Vice Chairwoman Kelley requested a briefing after the August 16, 2022, on the Bureau of Reclamation's decision and its application.

Dr. Turkett agreed to provide an updated report per Vice Chairwoman Kelley's request.

Senior Assistant Director, Sara Price stated that there is a lot of activity on the Colorado river. She stated there has been a tremendous number of meetings regarding the current issues of drought and response actions. Back in mid-June, the Bureau of Reclamation Commissioner Camille Touton testified before Congress that the basin needed an additional 2-to-4,000,000-million-acre feet of reductions. To just be clear, that is on top of everything else the states are already doing, including shortage requirements under the Interim Guidelines, contribution requirements under the Drought Contingency Plan, and new, additional contributions under the "500 Plus Plan," which was to come up with another million-acre feet of reductions over the next two years.

That 2-to-4,000,000-million-acre feet of reduction is obviously a very stark number. You have probably seen news reports every which way on this issue. Commissioner Touton directed the basin states to come up with a plan to address the need for those huge reductions within 60 days before the announcement of the August 24 month study. The deadline is a week away. The situation is very trying and very stressful and unfortunately, at this time, at this time there is not a lot to report. The Commission received a letter from the Upper Basin to Commissioner Touton which outlines a number of conservation efforts the Upper Basin is willing to do, but it does not include any new water reductions. Arizona and California in the Lower Basin are working hard with the federal government to try and determine whether they can come together and agree on how to come up with those reductions.

Not surprisingly, there is a lot of tension in the Basin. Here in Nevada, our allocation/water use is not significant enough to make an impact. A recent news report stated that whatever Nevada can contribute is like couch change, a drop in the bucket. Nevertheless, the Southern Nevada Water Authority (SNWA) receives a tremendous amount of credit for really working hard and robustly to reduce our southern Nevada water use. While recognizing some of the Colorado River Commission of Nevada Commissioners are on the SNWA Board of Directors understand that, but for those who may not be as clear, the water use in our urban area really comes from three sources: outdoor irrigation, septic tanks, and evaporative cooling systems. These three sources are where southern Nevada loses most of its water. The outdoor irrigation is lost and unable to qualify for return flow. The evaporative coolers are a really big source of water use. That is another targeted area. Septic tanks is another area of concern. The water authority is working hard to connect those who are not yet connected to the Southern Nevada Water System.

SNWA's water conservation efforts are quite aggressive. There is a nonfunctional turf bill which requires the removal of all nonfunctional turf by 2026. There are new requirements that would prohibit decorative grass. There are new requirements on pool sizes reduced to 600 square feet, limits on outdoor fountains, and artificial lakes. This includes the Las Vegas Strip.

Even though some consider southern Nevada a drop in the bucket or couch change, we have a role, a very serious and significant role. Southern Nevada must do everything possible to reduce our water use in our urban areas which is successfully being done. We are committed to doing more of that. We will continue to wrestle with the other Basin States to come up with a plan and if not, we will wait anxiously to see what the federal government will be willing to do.

Chairwoman Premsrirut thanked Ms. Price and stated that she requested from Staff to have sort of a two-pronged report on this Agenda Item given the status of the hydrology and river operations and hoped that this is not too redundant for our Commission members who serve on the Southern Nevada Water Authority. Chairwoman Premsrirut expressed a concern for continuing to educate one another on the current situation and staying informed on conservation matters while not necessarily on the ground floor doing the work that SNWA and John Entsminger are doing.

Chairwoman also stated she was fortunate enough to speak on a panel for University of Denver Water Law Review Symposium conducted by her alma mater. The Members on that panel looked to southern Nevada as a role model in conservation. Chairwoman Premsrirut added while the efforts may not seem large in the overall contribution of our contemporaries who have such greater allocations than us, our efforts are not unnoticed, and we are leading by example.

Commissioner Jones echoed that sentiment. He stated that we have been the leader for a long time on these conservation measures and Councilman Stewart, Commissioner Kirkpatrick and himself have been through these discussions over the last year, in particular in adopting these aggressive and sometimes painful conservation measures.

Commissioner Jones commented that he had a homeowner crying in his office right before this meeting because she cannot build her house because of our sewer restrictions. These are painful, but as a result of our efforts here, other jurisdictions are taking notice. Many of us have pointed at St George as the model for how not to do things, and as you have seen in the last two weeks St George, Utah and Washington County of Utah as a whole has adopted many of the same conservation measures as we have adopted. Same thing for Phoenix, Arizona, and State of Colorado communities. Therefore, it is working concluded Commissioner Jones.

Ms. Price, agreed southern Nevada tends to be very collaborative as it is beneficial in reaching our goals.

Vice Chairwoman Kelley asked about the delineation between well water rights and those who are on the system. Regarding fountains, she knows Bellagio uses greywater and would like to know how all that plays out and is addressed. She is certain that that has been a continuous conversation at the Southern Nevada Water Authority level. Vice Chairwoman Kelley stated that she is unfamiliar with this topic. Therefore, depending on what is appropriate, she requested staff to help educate her in a quick memo, something that can be explained and just included in a future Agenda Item. This would help educate

the public as well. She would be greatly appreciative. Vice Chairwoman Kelley also echoed both the Chairwoman and Commissioner Jones's comments about the terrific job that SNWA and its participating partners are doing.

Ms. Price responded stating a good starting place is to look at the SNWA's resource plan, which is updated regularly on www.snwa.com. The Executive Summary has the current planning environment, supply and demand, plans for uncertainty, adaptive management, and current priorities along with other pertinent and useful information. The Commission also provides a link to that resource plan on its website, public access is available at <http://www.crc.nv.gov/index.php>. At the March 8, 2022 Commission Meeting, Colby Pellegrino, Deputy General Manager of Resources of SNWA provided a presentation on the current water resource plan. From that time to today more aggressive actions are taking place within SNWA and member agencies.

Vice Chairwoman Kelley stated should she have any questions she will address them after reading the information provided at this meeting.

Chairwoman Premsrirut thanked Dr. Turkett and Ms. Price for taking the time in this Agenda Item to share the status of the Hydrology and river operations.

Commissioner Stewart followed up on Commissioner Jones' comment to provide further context. Right now, about 112 gallons per day per person is used in the valley. The goal is for 86 gallons per day per person in the next 5-6 years. This is the kind of conservation efforts and regulations that is going to take place over the next few years. Commissioner Jones and Commissioner Stewart agreed that although painful these aggressive conservations are necessary.

Chairwoman Premsrirut thanked Commissioner Stewart and Commissioners and asked if there were any final comments or questions on this informational Agenda Item. There were none.

R. 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 may be taken.)
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Chairwoman Premsrirut asked if there were any comments from any member of the public present in the Chambers or any member of the public participating remotely that wish to address the Commission. There were none.

S. Comments and questions from the Commission members.

Vice Chairwoman Kelley proposed a few comments:

1. Vice Chairwoman Kelly is interested in understanding more of the unique projection, hydropower generation, and how that affects our contracts with our

customers stating it would be helpful either in future meetings or personal briefing if appropriate.

2. Vice Chairwoman Kelley stated for the record that Staff received an audit communication letter from Moss Adams dated July 18, 2022. During the planning of the audit Moss Adams identified several significant risks, of which Vice Chairwoman Kelley asked for a response to those risks from Mr. Beatty. Vice Chairwoman Kelly would like Mr. Beatty to share his response with the Commissioners.
3. Vice Chairwoman Kelley wanted to go over the June 14, 2022, Minutes, on page 6, the last paragraph where it says Vice Chairman Kelly thanked Commissioner Kirkpatrick for her questions and encouraged Mr. Beatty to meet with Commissioner Kirkpatrick and heed her suggestions. Vice Chairwoman Kelley stated that she meant for Staff just to address Commissioner Kirkpatrick's suggestions.

Chairwoman Premsrirut informed Vice Chairwoman Kelley that all Items should be addressed.

Chairwoman Premsrirut stated for comment number one, Dr. Turkett could footnote the Hydropower and what levels impact our specific outstanding contracts and obligations in his presentations moving forward.

Chairwoman Premsrirut stated for comment number two, Mr. Beatty can address that today or place on the Agenda for the next Commission meeting.

Chairwoman Premsrirut stated for comment number three, changes will be made to the approved June 14, 2022, Minutes and resubmitted for approval at the next Commission meeting.

Mr. Witkoski stated Mr. Beatty could explain today why the letter received from Moss Adams is standard although it seems ominous.

Mr. Beatty stated the letter received from Moss Adams outlined their methodology and their areas of focus in the current audit. Generally, there is an entrance conference with discussion on what the auditors will focus on, some of their efforts, and what they think are the significant risks that need to be addressed. Moss Adams did not choose to do an entrance conference because essentially things have not changed. Therefore, they are going to address the same areas that they did in the past.

When using the term significant risk, the auditors are looking at areas that need to be addressed in terms of documentation and particular backup. These evidentiary matters

the auditors will have to document their paperwork. The auditors underlying paperwork will support those areas of concern or the tested controls actually reviewed.

The auditors walk through things rather than doing analytical paperwork. Some areas of Commission operations can be completed through analytical work and comparisons can be made to previous years. It looks okay, so the auditors do not need to focus on that. But the particular areas as mentioned in the letter require the auditors to obtain evidentiary information, or actually do walkthroughs. For example, IT security and user access controls require the auditors to do walkthroughs to identify any significant risks. The other areas were power sales revenue, year-end legal requirements journal entry and pension and other-post employment benefits that require significant backup.

Part of the auditor communication letter is for Moss Adams' peer review process. Someone will come in, look at these audits, look at the work papers, and be able to see that Moss Adams did obtain or see the evidence to support their conclusion. When you do analytical processes to document your audit it is not nearly as thorough.

Chairwoman Premsrirut thanked Mr. Beatty for the clarification and asked for further understanding. The significant risks are not necessarily black marks on the Commission's proverbial report card. They are highlighted areas so that the auditors can pay more attention and gather evidence to support conclusions.

Mr. Douglas Beatty stated that, that is exactly correct. In actuality the audit communication letter sent by Moss Adams did not require any response from the Commission. The auditors are just stating where they are going to be doing their testing.

Chairwoman Premsrirut thanked Mr. Beatty, for providing that assurance and thanked Commissioner Kelley for prompting further clarification to alleviate any concerns that may have arisen from Moss Adams communication letter.

T. Selection of the next possible meeting date.
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The next meeting is tentatively scheduled for 1:30 p.m. on Tuesday, October 11, 2022, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155.

U. Adjournment.

The meeting was adjourned at 3:00 p.m.

 11/08/2022
Eric Witkoski, Executive Director

APPROVED:



Puoy K. Premsrut, Chairwoman

Colorado River Commission of Nevada

Hydrology and Water Use Update

Warren Turkett

August 9, 2022

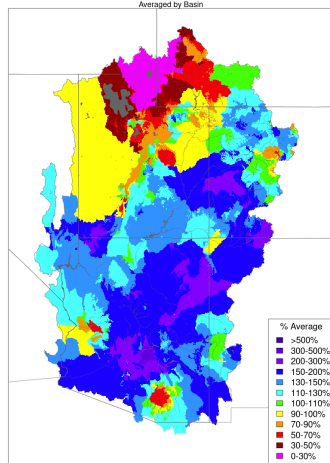


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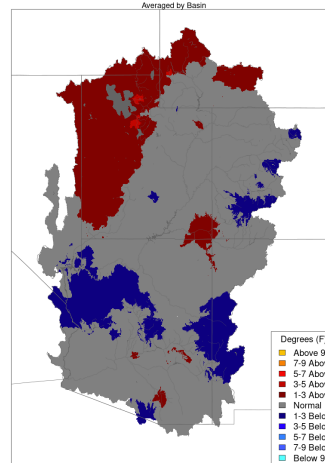
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Precipitation and Temperature

Monthly Precipitation - July 2022
Averaged by Basin



Max Temp - Monthly Deviation - July 2022
Averaged by Basin

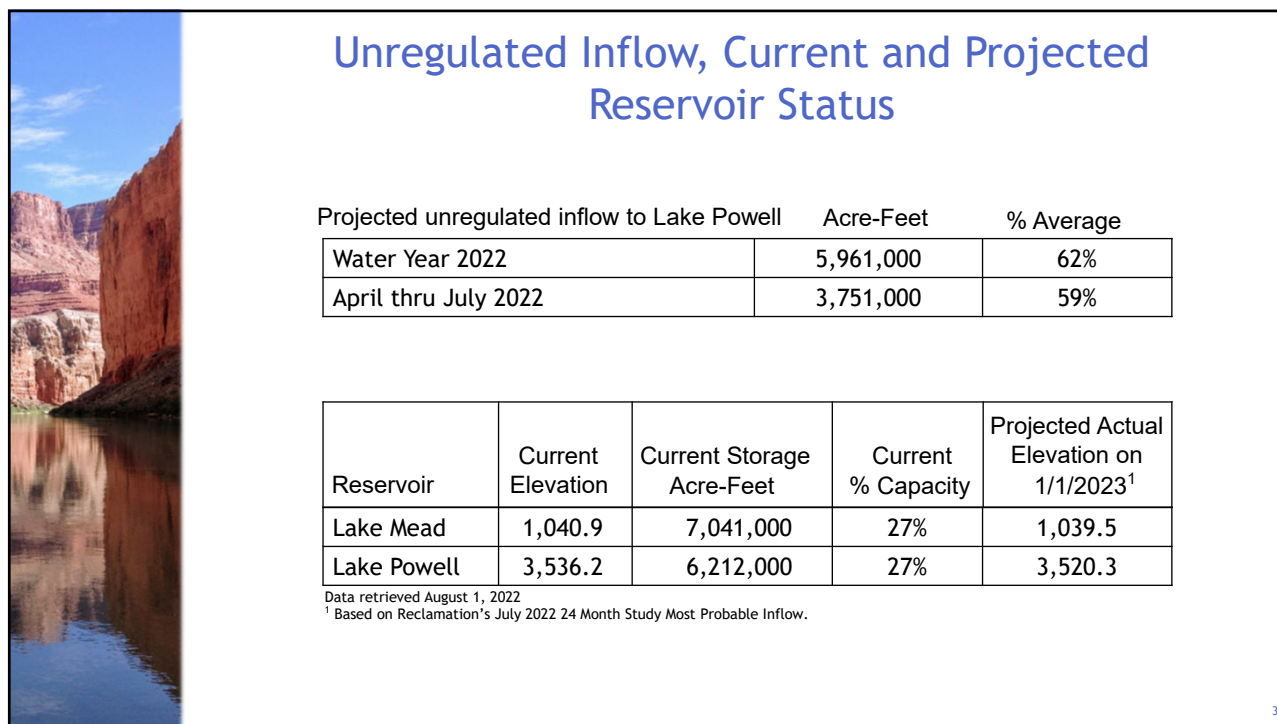


Lake Powell %Average Precipitation Water Year 2022

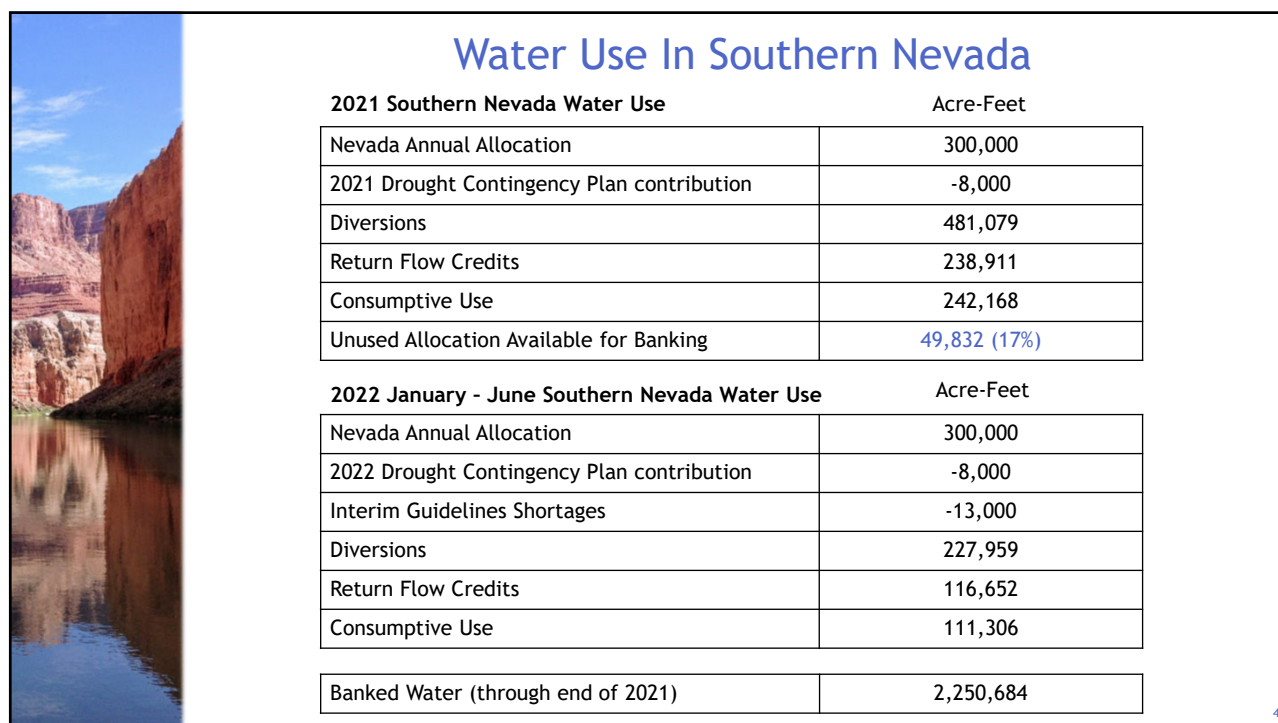
Area	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Water Year
UC-Powell	127	45	206	51	62	84	68	76	146	136	97

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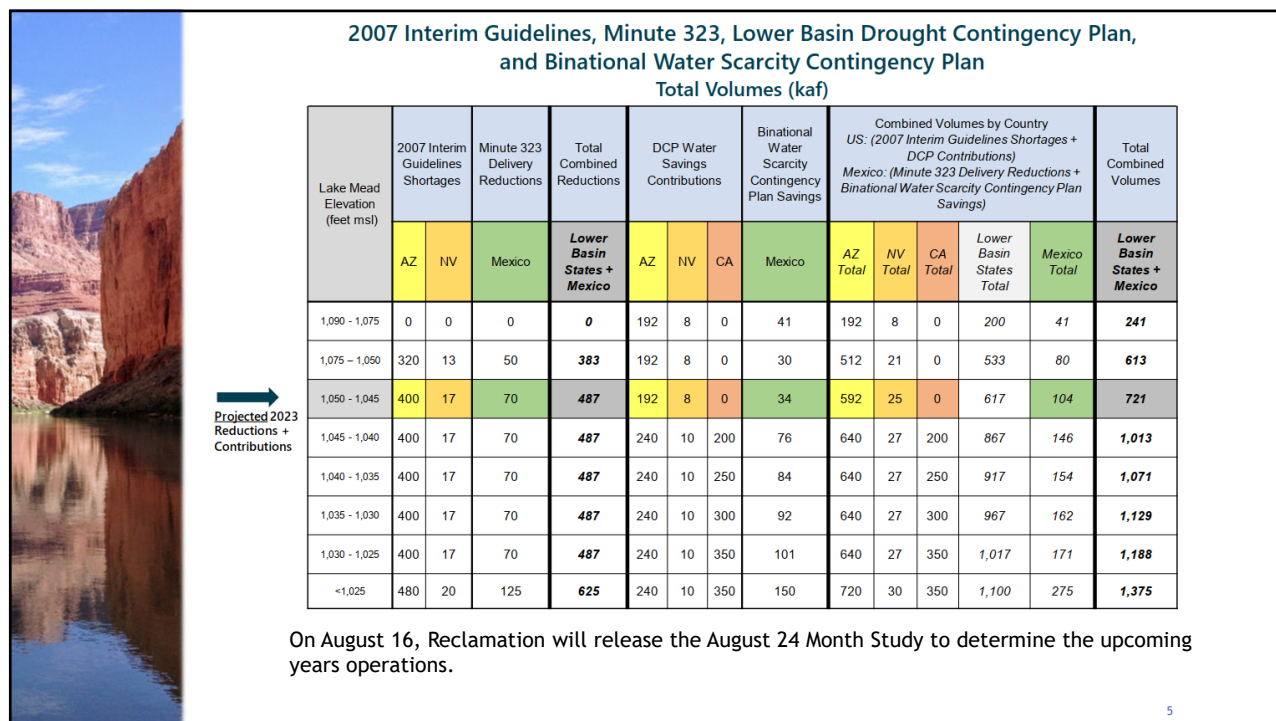
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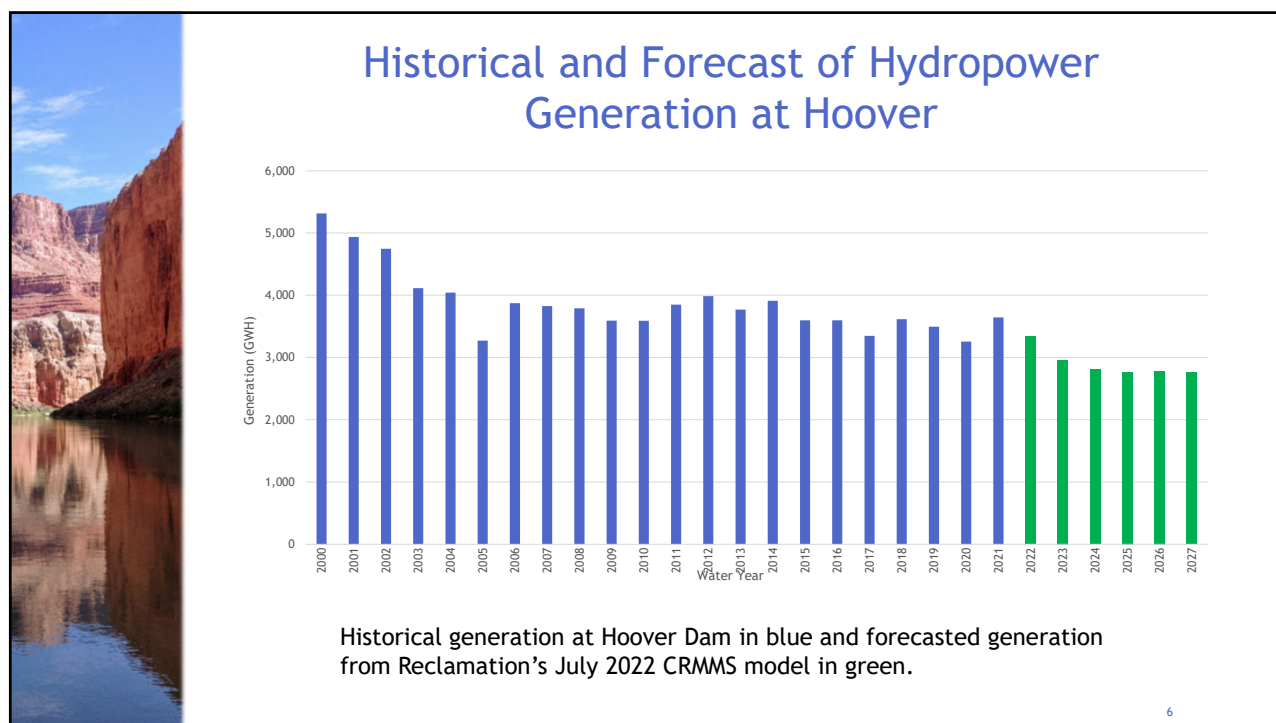
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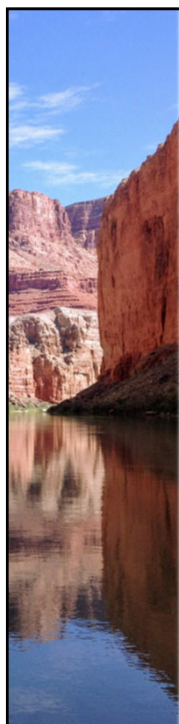
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Summary

Lake Powell

- Water Year 2022¹ has received 97% of average precipitation in the Upper Basin.
- Upper Basin snowpack peaked at 88% of the seasonal median.
- Unregulated inflow for water year 2022 is forecasted to be 62% of average.

Lake Mead

- On August 16, Reclamation will announce the operations for the upcoming year.
- There are significant ongoing negotiations occurring to meet the Commissioner's requested emergency plan to reduce water use.

Nevada Water Supply

- Southern Nevada has about 9 years of water supply banked. ²
- **In 2021, Southern Nevada used 57,832 af less than our annual allocation.**

Storage	Elevation (f)	% Capacity	Change since last year
Lake Mead	1,040.9	27%	-26.9 ft
Lake Powell	3,536.2	27%	-17.6 ft

Data retrieved August 1, 2022.

¹ Water year is defined as October through September.

² Based on 2021 consumptive use and storage volumes through 2021.

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