

The meeting was held at 1:06 p.m. on Tuesday, May 8, 2012, at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4401, Las Vegas, Nevada.

#### **COMMISSIONERS IN ATTENDANCE**

|                 |                       |
|-----------------|-----------------------|
| Chairman        | George F. Ogilvie III |
| Vice Chairwoman | Marybel Batjer        |
| Commissioner    | J. Brin Gibson        |
| Commissioner    | Duncan R. McCoy       |
| Commissioner    | Berlyn D. Miller      |

#### **COMMISSIONERS NOT IN ATTENDANCE**

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|--------------|-------------|
| Commissioner | Bob Coffin  |
| Commissioner | Tom Collins |

#### **DEPUTY ATTORNEYS GENERAL**

|                                |                      |
|--------------------------------|----------------------|
| Senior Deputy Attorney General | Jennifer T. Crandell |
| Senior Deputy Attorney General | Ann C. Pongracz      |

#### **COMMISSION STAFF IN ATTENDANCE**

|  |                     |
|--|---------------------|
| Executive Director                               | Jayne Harkins, P.E. |
| Deputy Executive Director                        | James D. Salo       |
| Chief of Finance and Administration              | Douglas N. Beatty   |
| Assistant Director of Engineering and Operations | Robert D. Reese     |
| Manager, Energy Services                         | Gail A. Bates       |
| Manager, Hydropower Program                      | Craig N. Pyper      |
| Manager, Natural Resources Group                 | McClain L. Peterson |
| Assistant Hydropower Program Manager             | Lisa M. Ray         |
| Hydropower Program Specialist                    | Michael S. Harris   |
| Natural Resource Analyst                         | Jason Thiriot       |
| Natural Resource Analyst                         | Kimberly E. Maloy   |
| Senior Energy Accountant                         | Gail L. Benton      |
| Energy Accountant                                | Kalora Snyder       |
| Office Manager                                   | Judy K. Atwood      |
| Administrative Assistant III                     | Carol Perone        |
| Administrative Assistant II                      | Becky Miller        |

#### **OTHERS PRESENT; REPRESENTING**

|                              |                     |
|------------------------------|---------------------|
| Consultant                   | Sara A. Price, Esq. |
| Overton Power District No. 5 | Mendes Cooper       |
| Overton Power District No. 5 | Delmar Leatham      |
| Overton Power District No. 5 | Richard Jones       |
| Overton Power District No. 5 | Terry Romero        |
| Self                         | Todd Farlow         |

**COLORADO RIVER COMMISSION  
OF NEVADA  
MEETING OF May 8, 2012**

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OF NEVADA  
MEETING OF May 8, 2012**

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The Colorado River Commission meeting was called to order by Chairman Ogilvie at 1:06 p.m. followed by the pledge of allegiance.

**A. Conformance to Open Meeting Law.**

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

**B. 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 will be taken.)**

Chairman Ogilvie asked if there were any comments or questions from the public. There were none.

**C. *For Possible Action:* Approval of minutes of the April 10, 2012 meeting.**

**Commissioner McCoy moved for approval of the minutes of the April 10, 2012 meeting as written. The motion was seconded by Vice Chairwoman Batjer and approved by a unanimous vote.**

**D. *For Possible Action:* Consideration of and possible action to approve a Letter Agreement Between the Colorado River Commission of Nevada (Commission) and the Western Area Power Administration (Western) to continue work associated with moving certain Commission customer loads into Western's balancing area.**

Gail Bates, Manager of Energy Services, gave a brief summary of the proposed letter agreement and related matters. In September of 2010, the Commission commissioned Western to study the possibility of moving certain Commission customer loads out of NVEnergy's (NVE's) balancing area and into Western's balancing area. A balancing area is a metered electrical boundary within which loads and resources are balanced in order to maintain the inter-connected nature of the transmission system. Every entity inside the balancing area has to either have generation resources that can provide certain services that are called ancillary services, or purchase the ancillary services from the host balancing area. Today, the Commission is in NVE's balancing area and purchases ancillary services from them. The Commission is studying the possibility of moving into Western's balancing area and purchasing ancillary services from them instead of NVE.

In order to effect this transition, certain metering and telecommunications requirements have to be worked out between the affected balancing areas. The Commission has asked Western and NVE to coordinate their efforts to produce a high-level cost estimate and timeline making such a transition occur. The Commission funded NVE with \$25,000.00 and Western with \$32,000.00. They have completed the first phase of the study. The

Commission has presented the results of this study to the affected customers and they have expressed an interest in moving onto the next phase.

The next phase requires a much more detailed and refined level of study. It will include taking those high-level cost estimates and drilling down to the next level in terms of detail. Also, NVE will have to complete a more detailed technical set of studies on their side.

The agreement with Western expired at the end of 2011 and funding has run out. Western has asked the Commission to enter into a new agreement and fund them \$15,000.00 to enter into the next phase of study work. At some point, the Commission will also have an agreement with NVE for their side of the work and that agreement would also come back to the Commission for approval when it's ready. For now, the Commission is requesting approval to enter into the letter agreement with Western and fund them \$15,000.00.

**Commissioner Miller moved for approval of the letter agreement with Western to continue work associated with moving certain Commission customer loads into Western's balancing area. The motion was seconded by Commissioner Gibson and approved by a unanimous vote.**

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| <p><b>E. <i>For Possible Action:</i> Consideration of and possible action to approve a Contract Between the State of Nevada Acting By and Through its Colorado River Commission and Leonard, Street and Deinard, for provision of legal services representing the Commission before the Federal Energy Regulatory Commission and the North American Electric Reliability Corporation; and to authorize the Executive Director to notify Miller, Balis &amp; O'Neil, P.C. that its contract will not be renewed when it expires on June 30, 2012.</b></p> |
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Ann C. Pongracz, Senior Deputy Attorney General, gave a summary of the contract. Federal Energy Regulatory Commission (FERC) is the federal agency that is responsible for regulating interstate electric transmission and wholesale sales and it also regulates the mergers and acquisitions of regulated utility companies. NVE is one of the companies that FERC regulates. For example, if NVE pursues its plans to merge its north and south operations, FERC is the agency that will regulate that merger. FERC is located in Washington, D.C. and, unlike other federal agencies, has no regional offices.

The Commission has been impacted by FERC for many years because the Commission is a customer of NVE in its role as a wholesale provider. FERC regulates the ancillary services, energy and transmission that the Commission purchases from NVE to provide energy services to our customers. FERC regulates the wholesale and interstate activities of NVE. The Public Utility Commission of Nevada (PUCN) regulates NVE's retail energy services. The Commission anticipates that it will need to become involved in FERC proceedings anytime NVE has a rate change or a change in corporate structure such as a rate change affecting its wholesale operations (the transmission and ancillary services the Commission purchases).

In the past, the Commission has had the opportunity to utilize the services of Washington, D.C. counsel such as Craig Silverstein to monitor the continuous activities of FERC in these areas and to work with FERC staff in obtaining the information the Commission needs in order to represent itself properly. When necessary, the Commission has worked with Mr. Silverstein to intervene in FERC proceedings; to utilize his FERC staff contacts to help the Commission minimize any problems that may arise; and to work with FERC staff to facilitate resolution of various tariff problems.

NVE is considering merging its north and south operations and there is a substantial likelihood that this will happen. If this does, the merger will impact the prices that NVE will seek to apply to the Commission, which we will need to pass through to our customer. The Commission has a big concern that one of the impacts of this merger could be a shift of the old Sierra Pacific power costs to the old NVE power costs. The Commission is anticipating NVE will propose to shift costs from northern Nevada customers to southern Nevada customers and the Commission wants to be careful to be on the scene at FERC to make sure that the impact to the our customers is minimized.

North American Electric Reliability Corporation's (NERC's) focus is to insure the reliability of the North American Bulk Power System. The Commission anticipates it will be subject to its very first NERC audit in the near future. This is part of NERC's normal course of business and does not imply the Commission has done anything wrong. The Commission is anticipating and preparing to be audited by NERC's regional arm, the Western Electricity Coordinating Council (WECC). The audit will evaluate whether the Commission has a good compliance plan in place and whether the Commission is properly carrying out its compliance plan. The Commission anticipates it will need the assistance of Washington, D.C. counsel to assist in preparing for and succeeding in the audit process.

The Commission has been questioned on why it requires a Washington, D.C. lawyer as opposed to a local lawyer to assist with FERC and NERC issues. The Attorney General's office is not in a position to maintain the level of specialized expertise that would be required to handle these matters. In addition, the question has come up whether to utilize an outside counsel firm in Washington, D.C. or Nevada. FERC and NERC are only located in Washington, D.C. and, unlike other federal agencies, do not have regional offices. FERC and NERC conduct their business exclusively in Washington, D.C. FERC and NERC do not have a lot of activity at the level or in the federal courts in Nevada. Most of the activity that occurs with FERC and NERC happens at the informal staff level and it's very important to have someone in Washington, D.C. who can walk across the street to their offices, develop the relationships with their staff and informally address any problems that may arise, and make sure that the Commission gets the latest scoop on what these agencies are proposing. Both FERC and NERC's practice is very process heavy and the Commission needs to have someone in Washington to work the process behind the scenes outside the context of the formal hearing process or formal litigation process.

FERC and NERC have the jurisdiction to levy very substantial fines for situations that, to a lay person, might be regarded as a fairly minor form of technical non-compliance. The Commission staff believes it is in the best interest of the state and of our customers to ensure we have representation on the scene in Washington, D.C. to avoid any type of problem that could lead to such fines.

The Commission has had a good working relationship with Mr. Silverstein for many years. He has a very high-level of expertise and is highly knowledgeable in FERC and NERC matters that impact the Commission. He provides a wide range of services from the formal litigation services to working with staff. Mr. Silverstein also put together a training program on the new market manipulation rules and came to Las Vegas to present to staff and he provides the Commission with annual updates on these rules. He has an extensive practice around the country serving small to medium sized public power entities that have problems very similar to the problems that the Commission has with FERC and NERC. He has relationships with FERC and NERC staff that enable the Commission to get the best information and also allow him to serve the Commission very efficiently since he is addressing comparable issues for other clients. Finally, Mr. Silverstein works for and has executed a contract between his new firm and the Southern Nevada Water Authority (SNWA). The Commission and SNWA have a very strong common interest in addressing FERC and NERC issues and use of Mr. Silverstein's services is a cost effective way to ensure that both agencies and customers are protected.

Commissioner McCoy asked how much is budgeted for this kind of coverage with the present contract with Miller, Balis & O'Neil, P.C. and how does it compare to what the Commission be would looking at with moving to the new law firm.

Ms. Harkins stated the hourly rates for Miller, Balis & O'Neil, P.C. for Craig Silverstein as of November 15, 2010 was at \$430.00 per hour. Mr. Silverstein's rate at Leonard Street is \$415.00 per hour. This contract is for 3 years and up to \$200,000.00. When looking at the last 5 years for the work done with Miller, Balis & O'Neil, P.C., Mr. Silverstein's billings were \$76,000.00, which is about \$15,000.00 per year.

Commissioner McCoy asked if this is a not to exceed contract of \$200,000.00.

Ms. Harkins reiterated yes, the contract is not to exceed \$200,000.00.

Commissioner Gibson appreciated the analysis Ms. Pongracz went through as he had some of the same questions. This is a matter of process that when a government agency can spend money in Nevada on Nevada citizens, it should. The former general counsel to FERC is an attorney here in Nevada and came to his mind as someone who could perform these services. Commissioner Gibson appreciated Ms. Pongracz's analysis and thanked her for helping the Commissioners understand why having someone located in Washington, D.C. is so important.

**Vice Chairwoman Batjer moved for approval of the contract between the State of Nevada Acting By and Through its Colorado River Commission and Leonard,**

**Street and Deinard, for provision of legal services representing the Commission before Federal Energy Regulatory Commission and the North American Electric Reliability Corporation; and to authorize the Executive Director to notify Miller, Balis & O'Neil, P.C. that its contract will not be renewed when it expires on June 30, 2012. The motion was seconded by Commissioner Miller and approved by a unanimous vote.**

**F. *For Possible Action:* Consideration of and possible action to approve Contract No. SA-12-02 between Survalent Technology Corporation and the Colorado River Commission of Nevada for Substation Automation System Support Services.**

Robert Reese, Assistant Director of Engineering and Operations, gave a briefing on this contract and stated that he will propose a similar contract for approval at the June Commission meeting. The substation automation system is broken into two key components. There is the business side where all the revenue metering and web-based applications are done for the customers so that they can view their load profiles much like a smart grid. The corporate side, which is the Supervisory Control and Data Acquisition (SCADA) system, is intentionally divided into two systems for security reasons. If you have a web-based application attached to your SCADA system, security can be greatly compromised by people hacking into it. The Commission intentionally separates those two components.

Most of the vendors that perform this type of work are designed solely for utilities, including the two firms the Commission has worked with, Survalent and Schweitzer Engineering Laboratories. Schweitzer Engineering Laboratories handles most of the relay protection for the backbone of the system. Survalent does all the interfacing between the communication protocols and Human-Machine Interface's (HMI's) to the SCADA system. The Commission selected these vendors when we designed our system, and did the original Request for Proposals (RFPs). It would not be cost effective for the Commission or our customers to completely change the system design now, rather than doing modifications and updating the system, which is one of the reasons the Commission selected Survalent for the enabling contract that is presented at today's Commission meeting. Survalent has proprietary software/firmware and which only they can support the activity. In the past, the Commission has tried to have one contract to do both of the two components. To make this more efficient, the Commission is breaking it into two separate contracts. Mr. Reese hopes to present the contract with Schweitzer Engineering Laboratories for approval at the Commission's June meeting. The contract on this Commission meeting is with Survalent and they will handle the SCADA side of the HMIs.

One of the benefits with this particular platform is that it will allow the Commission's staff to have the appropriate training in-house over the next couple of years so support can be reduced in these contracts. This will make it more efficient for the Commission and more cost-effective for our customers. In addition, typically, these contracts would



be for five years but the term is being reduced to three years with no extensions. The Commission can go in and renegotiate at that time.

Mr. Reese explained the budgeting on this contract. There are three basic customers and the Commission separates the bill according to the percentage of facilities that the customers own. For example, the SNWA has the biggest portion or percentage of that cost due to the amount of substations that the Commission operates and maintains for SNWA on their behalf. The Basic Industrial customers and also the Clark County Water Reclamation District (CCWRD) have three facilities each so, accordingly, their percentage would be much lower. There are monies available in the annual budget that Mr. Reese has prepared showing the costs for the customers to participate in the SCADA system, which breaks it out percentage-wise for each customer.

**Commissioner McCoy moved for approval of Contract No. SA-12-02 between Survalent Technology Corporation and the Colorado River Commission for Substation Automation System Support Services. The motion was seconded by Vice Chairwoman Batjer and approved by a unanimous vote.**

**G. *For Information Only:* Notification of the Letter Agreement extending term of contract with Electric Resource Strategies, Inc. and the Colorado River Commission of Nevada.**

Ms. Harkins reported the Commission contracted some time ago with Electric Resource Strategies, Inc. for consulting services related to electrical power resources generated and marketed by the federal government. The contract was reviewed and approved at that time and the Commission has spent \$65,000.00 to date of the entire budgeted amount of \$225,000.00. Charlie Reinhold has offered exceptional services for the Commission and is not requesting any hourly rate changes. Section 6 of the agreement provides that changes to the term of the agreement may be approved by the Executive Director provided the payment provisions and limits do not change and that is not happening in this instance. Ms. Harkins plans to execute a letter agreement extending the contract to June 30, 2015.

Chairman Ogilvie thanked Ms. Harkins for her report.

**H. *For Information Only:* Status update on the Colorado River Commission of Nevada's efforts to implement the provisions in the Hoover Power Allocation Act of 2011 (H.R. 470) passed by Congress.**

Craig Pyper, Manager of the Hydropower Program, provided a report on the following:

- Federal Hydropower Allocation
- 2011 Act Summary
- What does this mean to Nevada?
- Challenges to CRC
- CRC's Allocation Process

- Rulemaking to amend CRC NAC
- CRC Hoover Allocation Process
- New Contracts

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

Commissioner Miller asked what's the difference in criteria between the Commission and Western; and if the Commission's criteria are governed by what is in the best interest of the state, what are Western's criteria governed by.

Mr. Pyper responded in Section 5 of the Boulder Canyon Project Act (the Act) states who Western can allocate to: Western cannot allocate to federal entities but can allocate to states, cities and other government agencies. The new Hoover legislation included Federal tribes on the list of entities eligible for allocations from Western.

Ms. Harkins explained there are two types of criteria, eligibility criteria and allocation (or marketing) criteria. Mr. Pyper described the eligibility criteria under Section 5 of the Act. Western is reading it very literally. Section 5 includes municipalities, political subdivisions, public corporations and then some disclaimers. The Commission staff is not sure how Western will interpret this section.

Ms. Harkins felt Commissioner Miller was referring to the second criteria which Western calls the marketing criteria. The Commission would call it allocation criteria but it's the question of what is in the best interest of Nevada. In the process that the Commission went through last time it allocated Hoover power, there was some description of rural entities, residential citizens and economic benefits. Ms. Harkins does not think that Western will go through that process and may look at different types of entities. Western may look at minimum megawatt criteria and the need for the entity to get their own transmission. There may be some other things Western will look at but the Commission is not sure at this time. The Commission could choose to apply allocation/marketing criteria that would be different from Western's criteria. The Commission staff prefers Western to conduct their process first. During the middle of Western's process, the Commission will start its process or start certain portions. Applicants would apply to Western first; the Commission would then know who the applicants are before they apply to the Commission.

Commissioner Miller asked if the Commission anticipates any entities qualified to apply in Nevada may also apply to Western.

Ms. Harkins replied it would be the applicant's choice.

Commissioner Miller asked if the Commission is assuming there will be more applicants than power available.

Ms. Harkins replied it's very likely.

Commissioner Miller said it appears it would be a matter of who best qualifies, at least from the Commission's standpoint, in the State of Nevada. Commissioner Miller wondered how Western will look at this and what criteria will be used after they have determined who is eligible for the allocation.

Ms. Harkins stated Western's criteria are not established yet. Western will seek comments from the public after which the Commission will have the opportunity to comment with what we think the criteria should look like. Western will then take public comments from all entities and determine what their marketing criteria will be.

Mr. Pyper stated the administrative part of this procedure has been done with Parker-Davis and Salt Lake. In the administrative portion, Western did create criteria and identified a pecking order list of the entities. As of now, Western has not developed anything as far along as that for the 2011 Hoover Power Allocation Act allocations. The informal meeting Western has scheduled for June 19, 2012 is just a notification. Ms. Harkins said it's Western's intent to start their process late summer.

Commissioner Miller said it would be much appreciated if Commission staff would keep the Commission members advised as Western moves forward with their criteria.

Vice Chairwoman Batjer stated even though the current contractors will be offered 95% of the existing Hoover power allocations, someone is going to lose even with the 5% reallocated. Vice Chairwoman Batjer asked if the contractors have a good understanding of the process that the Commission has articulated and that they may have to apply to the Commission and Western in order to make up the loss that they may incur due to the 5% reallocation.

Mr. Pyper asked if Vice Chairwoman Batjer was referring to existing customers and she stated yes. Mr. Pyper said existing customers are not eligible to apply.

Vice Chairwoman Batjer stated then the existing customers would not have a chance to make up the loss.

Ms. Harkins reported the federal legislation states that the resource pool of 69 megawatts at Western and 11.51 megawatts at the Commission has to go to new allottees. The understanding of the legislation is that current contractors are not eligible to apply. The benefit to the existing customers is by having legislation in place, the Commission is not going through Western's administrative process which would have been an unknown and the existing customers may not have been allocated any power, particularly if they are a private corporation. Ms. Harkins stated the Commission does not know what Western will put in the terms for our contract and we will be negotiating. If the terms are acceptable, the customers can accept. The Commission is assuming all of our contractors will accept that but they could turn it down. Mr. Pyper reported the Commission has had several meeting with the contractors. None of contractors are happy about the fact that they will lose some power. However, if the Commission could get the Hoover Power Allocation Act through legislation with a contract expiration of more than twenty years, it

was an acceptable loss. Again, the customers were not happy about losing power but in order to get a broader range of support to make it available to not just the Hoover customers, that is one of the things that had to be done.

Commissioner Miller asked if the Commission would be applying the 5% the customers are losing proportionately between all customers.

Mr. Pyper said the customers are retaining the same percentage of their scheduled energy however the amount that is coming to the Commission is being reduced by 5%. The 5% would be coming from what is called Schedule A and B energy. The current customers' percentages will remain the same but the Commission will receive 5% less so the customer will receive 5% less. Ms. Harkins stated it is proportional for each customer.

Commissioner Gibson asked what is the cost of hydropower, especially as it relates to non-fossil fuel direct power.

Mr. Pyper reported market power fluctuates.

Commissioner Gibson asked for an estimate.

Mr. Pyper stated Hoover power is about \$25.00 per megawatt hour, Parker-Davis is a little bit less expensive and Salt Lake is approximately \$35.00 per megawatt hour. The open market right now is fairly inexpensive although the rates are the same as they have been for the last 10 years.

Commissioner Gibson asked how is it compared to traditionally derived power.

Mr. Pyper reported it is a lot cheaper. It is a cost based resource. The Commission participates with Western and Reclamation as to what their costs are and pay their costs off their congressional budget. The Commission does have an actual say in what Western's work plans are and how much we are going to fund.

Commissioner Gibson asked if the Commission anticipates serious demand as a result of the low cost based on what Commissioner Miller asked about anticipation of demand.

Ms. Harkins asked if Commissioner Gibson is referring to the number of applicants and stated the Commission does not have this information. Mr. Pyper reported there have been a lot of questions and interest on Western's side. As far as interest on the Commission side, it has not been great so far.

Commissioner Miller is assuming that the Commission will plan on everyone who is eligible applying.

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| <p><b>I.      <i>For Information Only:</i> Status update on the Lower Colorado River Multi-Species Conservation program; including a review of the first five completed years of the program.</b></p> |
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Jason Thiriot, Natural Resource Analyst, provided a report on the following:

- Colorado River Basin
- Five Environmental Programs
- MSCP Planning Area
- Participants
- ESA Compliance
- List of Accomplishments
- Planting Accomplishments
- Fish Accomplishments
- Cumulative Program Accomplishment
- Big Bend Conservation Area
- Cibola Valley Conservation and Wildlife Area
- Heart Mine Marsh
- Hunters Hole
- Laguna Division Conservation Area
- Conservation Measures for Four Native Fishes
- Birds
- Plants, Bats, Insect
- Reptiles and Rodents
- Issues and Concerns
- More Good Things to Come
- New MSCP Website
- Threatened and Endangered Species

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

Vice Chairwoman Batjer referred to the Laguna Division Conservation Area slides and asked if the photo that shows clearing of trees is tamarisk.

Mr. Thiriot replied yes, mostly tamarisk.

Vice Chairwoman Batjer asked if it is true that it's just about impossible to keep tamarisk from coming back.

Mr. Thiriot stated it is very difficult and sometimes you have to do the thorough clearing process three to four times. It is difficult.

Vice Chairwoman Batjer asked what type of replanting will go in.

Mr. Thiriot reported native plants would go in such as cottonwoods, willows and honey mesquite trees.

**J. *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.***

Kimberly Maloy, Natural Resources Analyst, provided a report on the following:

- Unregulated Inflow into Lake Powell
- What NOT to Expect
- Storage Conditions
- Storage Conditions Comparison
- Precipitation – Colorado River Basin
- Lake Powell End of Month Elevations
- Lake Mead End of Month Elevation Projections
- Colorado River Basin above Lake Powell
- Precipitation Comparison – October 2011 to March 2012
- Precipitation Summary for April 2012
- Snow Conditions as of May 7, 2012
- Record of Precipitation at McCarran International Airport as of April 30, 2012
- Drought Monitor as of May 1, 2012
- U.S. Seasonal Drought Outlook as of May 3, 2012
- Water Use in Southern Nevada/January-March 2012
- Nevada's Consumptive Use of Colorado River Water

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

**K. *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 will be taken.)***

Chairman Ogilvie asked if there were any other comments or questions from the public.

Todd Farlow, 240 North 19<sup>th</sup> Street, Las Vegas, Nevada 89101, had comments. On Agenda Item E, Mr. Farlow said the Commission will be dealing with NVE. Some years ago, he sat through a Public Utility Commission meeting and NVE cannot be trusted. Mr. Farlow stated he hoped Mr. Silverstein is up to par because you cannot trust NVE.

Mr. Farlow also spoke on the presentation just given on the hydrologic conditions. He just came back from Delta, Colorado and what is not in the report is the snow that exists now is a dry snow. There is not much moisture in it. The other item is that on the map it shows for Grand Mesa and says it is less than 50% normal for snow water equivalent but does not state how much less than 50%. Mr. Farlow stated Grand Mesa has had 0% precipitation and there is talk about rationing water in Delta and Montrose. This is

something that should be kept in mind. A lot of this information is projection but Mr. Farlow really believes the numbers are not going to be there at the end of the summer.

Chairman Ogilvie asked if he was correct in commenting that the snowpack report takes into consideration the amount of water content in the snow.

Ms. Harkins stated the projected run-off does take into consideration the snowpack and what the snow water equivalent is, i.e. how wet or dry the snow is and consideration of soil moisture conditions as well.

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| <b>L. Comments and questions from the Commission members.</b> |
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Chairman Ogilvie asked if there were any comments or questions from the Commission members. There were none.

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| <b>M. Selection of the next possible meeting date.</b> |
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The next meeting was tentatively scheduled for 1:00 p.m. on Tuesday, June 12, 2012 at the Grant Sawyer State Office Building in Suite 4401.

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| <b>N. Adjournment.</b> |
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The meeting adjourned at 2:09 p.m.

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Jayne Harkins, P.E., Executive Director

APPROVED:

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George F. Ogilvie III, Chairman