

The meeting was held at 10:00 a.m. on Tuesday, January 8, 2008, at the Grant Sawyer State Office Building, 555 East Washington Avenue, Suite 4401, Las Vegas, Nevada.

### **COMMISSIONERS IN ATTENDANCE**

|               |                       |
|---------------|-----------------------|
| Chairman      | Jay D. Bingham        |
| Vice Chairman | Ace I. Robison        |
| Commissioner  | Andrea Anderson       |
| Commissioner  | Marybel Batjer        |
| Commissioner  | Chip Maxfield         |
| Commissioner  | George F. Ogilvie III |
| Commissioner  | Lois Tarkanian        |

### **DEPUTY ATTORNEYS GENERAL**

|                                |                 |
|--------------------------------|-----------------|
| Senior Deputy Attorney General | Ann C. Pongracz |
|--------------------------------|-----------------|

### **COMMISSION STAFF IN ATTENDANCE**

|   |                   |
|---|-------------------|
| Executive Director                                | George M. Caan    |
| Chief, Finance and Administration                 | Douglas N. Beatty |
| Assistant Director for Engineering and Operations | Robert Reese      |
| Hydropower Program Manager                        | Craig Pyper       |
| Assistant Hydropower Manager                      | Jason Thiriot     |
| Natural Resource Analyst                          | McClain Peterson  |
| Natural Resource Analyst                          | Nicole Everett    |
| Natural Resource Technician                       | Anthony Miller    |
| Senior Energy Accountant                          | Gail Benton       |
| Office Manager                                    | Judy Atwood       |
| Administrative Assistant III                      | Janet Nuszbaum    |
| Administrative Assistant II                       | Donna Banks       |

### **OTHERS PRESENT; REPRESENTING**

|                                 |                     |
|---------------------------------|---------------------|
| American Pacific Corporation    | Jack Stonehocker    |
| City of Boulder City            | Ned Shamo           |
| Overton Power District No. 5    | Delmar Leatham      |
| Overton Power District No. 5    | Mendis Cooper       |
| Piercy, Bowler, Taylor & Kern   | Richard Bowler      |
| Southern Nevada Water Authority | Sandra Reed-Bottino |
| State of Nevada Purchasing      | Lyn Callison        |

**COLORADO RIVER COMMISSION  
OF NEVADA  
MEETING OF JANUARY 8, 2008**

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The Colorado River Commission meeting was called to order by Chairman Bingham at 10:03 a.m.

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

Executive Director George Caan confirmed that the meeting was in compliance with the Open Meeting Law.

The Pledge of Allegiance was then recited.

**B. Approval of minutes of the November 13 and December 6, 2007 meetings.**

**Commissioner Anderson moved for approval of the minutes. The motion was seconded by Commissioner Robison and was approved by a unanimous vote of those present. Commissioner Batjer was not present for the vote.**

**C. Selection of Vice Chairman.**

NRS 538.111 provides that “at the first meeting of the commission in each calendar year, the commission shall select the vice chairman for the ensuing calendar year.”

**Commissioner Maxfield nominated Commissioner Robison to the position of Vice Chairman. The motion was seconded by Commissioner Ogilvie and was approved by a unanimous vote of those present. Commissioner Batjer was not present for the vote.**

**D. Consideration of and possible action to approve a supplemental electric power supply services contract between the Colorado River Commission and Overton Power District No. 5.**

Mr. Caan stated that the Commission historically has entered into contracts and agreements with the Commission’s industrial customers and the City of Boulder City to meet their energy supply deficiencies through purchases of supplemental power. Overton Power District now wishes to enter into a similar contract with the Commission.

The contract, which is now before the Commission for approval, provides for the purchase of electric power from any source necessary, to supplement the hydroelectric power resources available to Overton Power District. The Commission will tailor these purchases of supplemental power to meet the customer’s electrical load requirements.

**Commissioner Tarkanian moved for approval. The motion was seconded by Commissioner Robison and was approved by a unanimous vote of those present. Commissioner Batjer was not present for the vote.**

**E. Consideration of and possible action to approve the “Amendment #6 to the Contract Between the State of Nevada Acting By and Through its Colorado River Commission and Miller, Balis & O’Neil, P.C.”, to extend the term of the contract, raise the maximum aggregate costs of services, adjust the hourly rates, and require Miller Balis to provide annual updates of its rates schedule for approval by the Commission’s Executive Director.**

Mr. Caan stated that Miller Balis represents the Commission before the Federal Energy Regulatory Commission (FERC), and that this firm has done an exemplary job. This amendment will extend the term of the contract, raise the maximum cost of services, and adjust the hourly rates.

Miller Balis represents the Commission before FERC with issues related to agreements between the Colorado River Commission of Nevada and Nevada Power Company. Mr. Caan noted that Miller Balis also represents the Southern Nevada Water Authority.

**Commissioner Anderson moved for approval. The motion was seconded by Commissioner Robison and was approved by a unanimous vote.**

**F. Presentation of Colorado River Commission Annual Financial Report for Year ended June 30, 2007.**

Richard Bowler, the Commission’s external auditor, reported that the audit of the financial statements of the Colorado River Commission of Nevada for the year ended June 30, 2007, was complete. The audit did not produce any comments or findings that need to be reported to the Commission. Mr. Bowler said he would be happy to answer any questions. There were none.

**Commissioner Robison moved for approval. The motion was seconded by Commissioner Batjer and was approved by a unanimous vote.**

**G. Update on Nevada’s Colorado River water consumption, the status of discussions regarding shortage criteria, and other developments on the Colorado River.**

Mr. Caan said that Natural Resource Analysts McClain Peterson and Nicole Everett would provide the updates on the issues regarding the Colorado River.

Mr. Peterson provided a report on the following:

- Storage Conditions on Lake Mead and Lake Powell
- Unregulated Inflow into Lake Powell
- Precipitation in the Colorado River Basin
- Drought conditions in the West
- Water use in Southern Nevada
- 2006 Decree Accounting Report

Ms. Everett provided a report on the following:

- Temperature Averages
- Precipitation Averages
- Precipitation Outlook

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

Mr. Caan provided a brief history on the steps that have been taken over the past 12 years to reduce uncertainty, utilize river resources more efficiently, and protect endangered species including:

- Adoption of surplus criteria in the late 1990's
- Establishment of an operating plan for normal river conditions
- Approval of shortage conditions in the recently signed Record of Decision
- Implementations of the Upper Basin Recovery Program, Glen Canyon Adaptive Management Program, and the Lower Colorado Multi-Species Program.

Mr. Caan stated that although not all the issues concerning the Colorado River and the Seven States have been solved, it can provide a model for other river systems.

**H. Comments and questions from the public and discussion. (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 Bingham asked if there any questions or comments from the public. There were none.

**I. Comments and questions from the Commission members.**

Chairman Bingham asked if there any questions or comments from the commissioners. There were none.

**J. Selection of the next possible meeting date.**

The next meeting is tentatively scheduled for Tuesday, February 12, 2008, at 10:00 a.m. at the Grant Sawyer Building.

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| <b>K. Adjournment.</b> |
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The meeting adjourned at 10:51 a.m.

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George M. Caan, Executive Director

APPROVED:

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Jay D. Bingham, Chairman