Meeting Attendees

Governance Committee (GC) Table
State of Wyoming
Harry LaBonde – Member

State of Colorado
Don Ament – Member
Suzanne Sellers – Alternate

State of Nebraska
Jim Schneider – Member

U.S. Fish and Wildlife Service (Service)
Mike Thabault – Member

Bureau of Reclamation (BOR)
Gary Campbell – Member

Environmental Entities
John Heaston – Member
Marian Langan – Member
Bill Taddicken – Member
Duane Hovorka – Alternate

Upper Platte Water Users
Dennis Strauch – Member

Colorado Water Users
Alan Berryman – Member

Downstream Water Users
Brian Barels – Member
Don Kraus – Member
Mark Czaplewski – Member
Kent Miller – Member

Welcome & Administrative
Miller said Attachment 6, Appendix D regards Downstream Water Users representation. There are four representatives to cast one vote. When putting together this representation package, there was consideration for the NPPD and CNPPID structures and NRD groundwater management. There is a paragraph in that document that says NRDs will not participate in discussions related to operation of CNPPID and NPPD
facilities. The NRDs have determined that based on that document, the NRDs would be in violation if they participate in the discussion. So, the NRDs support the J2 project but will just listen in on the discussion and will not participate formally.

Ament called the meeting to order at 3:09 p.m. Central time after Kenny walked through introductions. Ament thanked Besson and his team for working so hard on this agreement.

**Executive Session**
Campbell moved to enter Executive Session; Berryman seconded. GC entered Executive Session at 3:12 p.m. Central time.

Schneider moved to end Executive Session; LaBonde seconded. GC ended Executive Session at 4:07 p.m. Central time.

**J2 Regulating Reservoir**
Besson said Kenny has a couple of very minor edits that need addressed. Kenny said there are a couple of references to incorrect exhibits, and there is an incorrect reference to a table in Appendix B. The motion should be to approve the agreement with the necessary grammatical/prooﬁrading edits.

LaBonde moved to approve the Water Service Agreement with CNPPID as presented by Besson including the edits presented by Kenny, and authorize the Nebraska Community Foundation to proceed with the agreement on behalf of the Governance Committee; Schneider seconded.

Kowalski said on behalf of Colorado we are going to support it despite our misgivings because: this project is close to the habitat/species, we need to live up to our water commitments, and the other Water Action Plan projects to not appear as attractive as this project. Kowalski also stated:

Colorado is accepting this agreement in part to be responsive to the request of the Federal agencies and other States and with the understanding that it will enable the FWS to continue to honor their score given to this project of 40,800 acre-feet in average annual reduction to target ﬂow shortages recognizing that the project may be different than the one that the FWS scored. Colorado is also accepting this agreement with the understanding that Central will act in good faith toward the Program under the agreement, and that Nebraska and the FWS will exercise their authorities, as appropriate, to protect the Program's investment and interests in the J-2 water service.

Barels said Nebraska Public Power District as a member of the Downstream Water Users believes that considering Nebraska water law, that the only interpretation of the phrase in the deﬁnition of “Excess Water” “and is available for use by the Reservoir Project” – is that senior downstream appropriations will be considered and provided for in operation of the Reservoir Project.

Kraus said he abstained from voting.

Thabault asked Kowalski about supporting the project as scored or assuming the project will maintain that score even if the project changes. Kowalski said under previous iterations of the agreement, Colorado would have been more comfortable with the agreement understanding it is intended to provide the water and obtain the score provided by the Service. We met resistance from Central so they could retain authority to alter their operations and the Service indicated there are operational changes that might lead to a different
score. Thabault said the Service can honor the score if the project is operated as intended. Kowalski said they are in agreement.

Berryman said Colorado Water Users support the agreement with the same concerns as voiced by the State of Colorado, and they believe this project is extremely important.

Ament asked for a roll call vote. Kenny called the roll:

- Campbell – yes
- Thabault – yes
- Ament – yes
- Schneider – yes
- LaBonde – yes
- Strauch – yes
- Berryman – yes
- Barels – yes
- Heaston – yes
- Taddicken – yes

**J2 Water Service Agreement, as amended, approved unanimously.**

Ament thanked those involved for their hard work and for getting this project to where it is at.

**Closing Business**

Kenny said there are documents that are associated with the J2 project that have been on the stakeholder side of the web site – Olsson feasibility study and RJH conceptual design report. Kenny is seeking permission to post those documents on the public side of the web site. Ament said there was no objection. Barels said through the discussion of the agreement among the Downstream Water Users there may be a GANTT chart schedule for the project being prepared by the EDO. Kenny said the EDO will be working on that and sharing it with the GC.

Meeting adjourned at 4:23 p.m. Central time.

**Summary of Action Items/Decisions from June 2013 GC conference call**

1) Approved the J2 Water Service Agreement, as amended.