

**ARIZONA WATER BANKING AUTHORITY**  
**Wednesday, March 12, 2008**

No.	NAME (Please print)	Phone No.
1	Mark Myers	520-881-4912
2	V. Dam	602-248-0482
3	Kate Wilford	602-236-2631
4	Jodi Gould	623-869-2565
5	Brian Henning	623-869-2567
6	Suzanne Ticknor	623-869-2410
7	Bob Sejkora	602-542-7157
8	Tom Maher	702-655-0088
9	Gregg Capps	480-782-3585
10	Gary Gin	602-496-5654
11	Jim Peterson	520-292-2771
12	Wahlean J. Riggs	1520-796-1344
13	John Bodenchuk	520-770-3817
14	Mitch Hawes	623-773-6274
15	RON WORUB	520 682 2516
16	DON GROSS	602-771-8411
17	Chuck Culla	623 869 2665
18	Scott Miller	602-771-8604
19	Michael Block	520-575-8100
20	Dave Crocker	520-887-4192
21	Richard Siegel	602-236-2277
22	Daniel Rul	520-791-2666
23		
24		

**ARIZONA WATER BANKING AUTHORITY**  
**Wednesday, March 12, 2008**

No.	NAME (Please print)	Phone No.
1	Gregg Nelson	771-8414
2	Ghina Yarnoff	9509802078
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**Arizona Water Banking Authority**  
3550 N. Central Avenue, Phoenix, Arizona 85012  
Telephone 602-771-8487  
Fax 602-771-8685  
Web Page: [www.awba.state.az.us](http://www.awba.state.az.us)

**PLEASE POST**

**NOTICE OF PUBLIC MEETING**

Pursuant to A.R.S. § 38-431.02, notice is hereby given that there will be a meeting of the Arizona Water Banking Authority Commission on March 12, 2008 at 10:00 a.m. at the Arizona Department of Water Resources, 3550 North Central Avenue, Phoenix, Arizona 85012, Upper/Middle Verde conference room on the 2<sup>nd</sup> floor. The meeting is open to the general public. A copy of the agenda for the meeting is posted below.

Dated this 11th day of March, 2008

**FINAL AGENDA**

**Arizona Water Banking Authority Commission Meeting**

- I. Welcome/Opening Remarks
- II. Approval of Minutes
  - December 19, 2007 meeting
- III. Water Banking Staff Activities
  - Deliveries
  - Modeling update
  - Update on discussion paper identifying AWBA obligations
  - Preliminary discussions on other Indian Water Rights Settlements
  - Recovery planning update
- IV. Discussion and Potential Action for Chairman to Testify to Legislature on SB 1044
- V. Update on Arizona Water Settlements Act Firming Efforts
- VI. Discussion and Potential Approval of Resolution 2008-1 of the Arizona Water Banking Authority for Creation of a Replacement Account for Mainstream Water Users
- VII. Expenditure of \$8 Million Available from the Arizona-Nevada Shortage-Sharing Agreement
  - Discussion and future direction on options for expenditure of \$8 million
  - Discussion and potential approval of Resolution 2008-2 for expenditure of \$8 million

- VIII. 2008 Plan of Operation
  - Discussion and potential amendment of 2008 Plan of Operation
  - 2006 CAWCD overrun repayment
- IX. Interstate Water Banking
  - Overview of interstate accounting and firming obligation
- X. Future meetings – Tentative conflict
- XI. Call to the Public

**Future Meeting Dates:**

Wednesday, June 18, 2008

Wednesday, September 17, 2008

Wednesday, December 17, 2008 meeting to be tentatively rescheduled – Originally scheduled AWBA meeting of 12/17/08 may conflict with the Colorado River Water Users Association (CRWUA) conference, Las Vegas, NV. New CRWUA dates of 12/15 – 12/17/08 to be confirmed following CRWUA Board meeting on 5/2/08.

All visitors must use the south elevators; please stop at the 2<sup>nd</sup> floor to sign-in and receive a visitor's badge. Badges are to be displayed at all times. Visitors are also required to sign out and return their badges. Thank you for your assistance.

*Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Virginia O'Connell at (602) 771-8491, TDD # (602) 771-8501. Requests should be made as early as possible to allow time to arrange the accommodation.*

**ARIZONA WATER BANKING AUTHORITY  
Draft Minutes<sup>1</sup>**

**December 19, 2007  
Arizona Department of Water Resources**



**AUTHORITY MEMBERS**  
Herbert R. Guenther, Chairman  
Maureen R. George, Vice-Chairman  
Tom Buschatzke, Secretary  
John Mawhinney  
Gayle J. Burns

**EX OFFICIO MEMBERS**  
The Honorable Jake Flake  
The Honorable Lucy Mason

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**Welcome/Opening Remarks**

Chairman Herb Guenther welcomed the attendees. All members of the Authority were present except for Maureen George and *ex-officio* members, Senator Jake Flake and Representative Lucy Mason.

**Approval of Minutes of October 10, 2007 Meeting**

The Authority approved the minutes of the October 10, 2007 meeting.

**Discussion and Potential Approval of Amended ICUA Letter Agreement**

Tim Henley reminded the Authority of discussions at the AWBA meeting in October concerning Central Arizona Water Conservation District's (CAWCD) revised recovery schedule for developing Intentionally Created Unused Apportionment (ICUA) for the Metropolitan Water District of Southern California (Metropolitan). CAWCD had been evaluating opportunities for a credit exchange as an alternative method for creating ICUA to account for the reduction in planned recovery of approximately 6,000 acre-feet. He noted that Metropolitan and CAWCD have since signed an amendment to the Letter Agreement (Amended Agreement) that includes the credit exchange method. The amendment would allow CAWCD to enter into an agreement with a recharge partner that agrees to receive the credits held on behalf of Metropolitan in exchange for water that had been ordered for storage at an underground storage facility (USF) in that year. The water that would have been stored at the USF is instead left on the river for use by Metropolitan as ICUA. The Central Arizona Groundwater Replenishment District (CAGRDR) has agreed to participate in a credit exchange with CAWCD for 2007.

John Mawhinney made a motion to give Chairman Guenther authorization to sign the Amended Agreement. Tom Buschatzke provided the second to that motion. The motion carried. Chairman Guenther signed the Amended Agreement.

Staff thereafter provided an amended recovery schedule for 2007 that identifies the amount of ICUA that will be created utilizing both the recovery and credit exchange methods. Mr. Henley commented that staff would inform the Bureau of Reclamation (Reclamation) of the revised schedule and the Amended Agreement. He pointed out that the amendment should not be an issue because the Storage and Interstate Release Agreement, previously approved by Reclamation, already includes the credit exchange method as an option for creating ICUA. (Letter to Reclamation sent

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<sup>1</sup> Please note that these are not formal minutes but a summary of discussion and action of the meeting. Official minutes are prepared prior to the next Authority meeting and are approved at that meeting.

December 20, 2007).

### **Discussion and Approval of 2008 Annual Plan of Operation**

Kim Mitchell briefed the Authority on the 2008 Plan of Operation (Plan) noting it had changed substantially since the draft was first presented in October. Preliminary orders for CAP water exceeded available supplies by 225kaf. Based on current CAP policy, the AWBA has available to it any water not requested by another entity within Arizona. In addition, the AWBA shares an equal priority for water for municipal and industrial (M&I) firming with the CAGR. Thus, deliveries for the AWBA and the CAGR were the first to be adjusted. As a result, the AWBA's 2008 initial planned deliveries were reduced from 286kaf to approximately 188kaf, making water availability the significant limiting factor for the 2008 Plan. Ms. Mitchell identified several factors that contributed to the increase in water orders by CAP customers. These included the price of incentive recharge water at a historic low of \$51/af, increased water demand by irrigation districts in response to the commodity markets, increased use of water allocations for M&I subcontracts, and the need for Salt River Project (SRP) to maintain water storage in Roosevelt Lake. Because of the decrease in water availability, the 2008 Plan does not include deliveries for interstate banking. If water becomes available through the year, the Plan could be amended to include these deliveries.

Ms. Mitchell pointed out that for the first time, the Plan includes a component for meeting the State's Indian firming obligations under the Arizona Water Settlements Act (Settlements Act), which is now enforceable. The Plan expends approximately \$1.7 million from the \$13.5 million dedicated for Indian firming to develop credits in the Tucson area. These credits will later be assigned to the Secretary to satisfy the State's obligation to assist the Federal Government in meeting its obligation to firm Tohono O'Odham water. In addition there may be an opportunity to deliver water to the Gila River Indian Community (GRIC) to meet a portion of the Southside Replenishment Bank obligation. This obligation requires that the AWBA enter into an inter-governmental agreement with the GRIC for direct delivery of 15,000 acre-feet. Direct deliveries to the GRIC would also require an amendment to the Plan and would be paid for utilizing withdrawal fees collected in the Pinal AMA.

Ms. Mitchell commented that the Plan also includes 25,000 acre-feet of ICUA for Metropolitan, which will be created utilizing both the recovery and credit exchange methods. Mr. Buschatzke noted the credit exchange method will account for 1kaf of ICUA and inquired as to the total amount of ICUA that could be created using this method if necessary. Chuck Cullom (CAWCD) responded that just over 5kaf of credits could be exchanged, but added that CAWCD was working with the irrigation districts in the Pinal AMA to resolve well capacity issues. Mr. Henley stated he was confident the districts would meet the scheduled recovery for 2008 and noted there was a much greater level of commitment by the districts than there had been when recovery was first initiated in 2007.

Ms. Mitchell reminded the Authority that the Southern Nevada Water Authority will provide \$8 million to the AWBA to assist Arizona in offsetting impacts from shortages pursuant to the Arizona-Nevada Shortage Sharing Agreement. However,

expenditure of these funds was not included in the 2008 Plan.

Ms. Mitchell noted that the revised draft Plan had been presented to the public at the Phoenix, Pinal, and Tucson AMA GUAC meetings and was also posted on the AWBA web page for additional public comment. The AWBA received favorable comments from the GUACs as well as comments regarding water availability. Comments received from the public were incorporated into the Plan where appropriate. Mr. Mawhinney inquired if water availability would continue to be the primary limiting factor for the AWBA. Mr. Henley responded that CAWCD was considering possible changes to its cost structure for excess water, which could make more water available to the AWBA. In addition, there may be opportunities for additional water if orders are remarketed due to unexpected precipitation. Mr. Mawhinney asked how much of the increase in demand for CAP water was attributed to the agricultural sector compared to orders from M&I entities. Brian Henning (CAWCD) responded that the initial orders for CAP water exceeded the available supply by about 225kaf. Of that, SRP's initial order was for 175kaf, which included all categories of water, M&I was 25kaf and was mainly attributed to Tucson Water and its initiative to fully utilize its subcontract water, and 25kaf was for agricultural use.

Mr. Mawhinney made a motion to approve the 2008 Plan. Gayle Burns provided the second to that motion. The motion carried.

#### **Discussion and Approval of CY 2008 Water Delivery Budget**

Ms. Mitchell reviewed estimated revenues, recharge rates, and planned expenditures for the 2008 Water Delivery Budget. The total cost of the Plan is \$6.05 million. Of this amount, just under \$5 million will be paid from revenues held by the AWBA. She noted that all withdrawal fees collected in the Pinal and Tucson AMAs will be expended. However, in the Phoenix AMA, \$150,000 will remain as carryover for 2009. Ms. Mitchell reminded members that the AWBA had expended all remaining *ad valorem* tax revenues held in its account in 2007 and commented that CAWCD had again resolved to retain the *ad valorem* tax revenues and to utilize those funds to offset AWBA costs. For 2008, *ad valorem* tax monies will only be expended in the Pinal AMA. Mr. Buschatzke requested that if additional water were to become available, that it be stored in the Phoenix AMA first in order to expend the remaining withdrawal fees. Mr. Mawhinney asked how additional supplies would typically be allocated. Mr. Henley responded that water would first be stored for intrastate purposes, utilizing withdrawal fees before other funding sources. Any remaining supplies, after all available funding and/or storage capacity had been utilized in an AMA, would then be stored to meet the AWBA's obligation to Nevada. Estimated revenues for the Pinal AMA have already been committed however capacity is still available. Therefore, any additional deliveries to the Pinal AMA, would likely be for interstate purposes. Mr. Mawhinney commented that by using this system, Nevada receives the best rate. Mr. Henley acknowledged that Nevada is provided some opportunity, but pointed out they have the highest cost for storing water. Chairman Guenther questioned why storage costs were higher in Tucson than in Phoenix. Mr. Henley responded that unlike Phoenix, the 2008 Plan does not include storage at groundwater savings facilities (GSF) in Tucson, which would reduce the average per

acre-foot cost due to the cost-share paid by GSF operators.

Mr. Mawhinney made a motion to approve the 2008 Water Delivery Budget. Mr. Buschatzke provided the second to that motion. The motion carried.

### **Water Banking Staff Activities**

Virginia O'Connell reviewed water deliveries and stated that most of the intrastate and interstate deliveries scheduled for 2007 had been met. She noted that an additional 13,000 acre-feet of intrastate deliveries, primarily in the Pinal AMA, were expected by the end of the year.

Ms. Mitchell informed the Authority that in October, the State of Arizona identified a budget shortfall greater than \$600 million. She noted the AWBA had in the past been subject to funding sweeps by the Legislature and that staff would keep apprised of the situation and if necessary, argue the AWBA's need to meet its commitments. Mr. Mawhinney noted that the AWBA's funds were highly vulnerable and recommended a plan be developed for expending the funds even when little to no water is available to the AWBA. Chairman Guenther pointed out that the AWBA, as agent of the State, had already accepted the responsibility to firm Indian supplies, for which the \$13.5 million appropriation had been dedicated. Likewise, the \$23 million annual payments that the AWBA will begin receiving from Nevada in 2009 is money that will be used to insure that the AWBA can meet its contractual obligation to Nevada when CAP water is not available to the AWBA. At this time, the AWBA has met a little over 40 percent of its obligation to Nevada. Mr. Mawhinney commented that he would prefer to utilize AWBA funds as a resource as opposed to spending it because it will take time to spend \$13.5 million if water is not available. He suggested utilizing these funds to establish a loan program for Arizona counties who could, for example, use the money to meet water delivery infrastructure needs. Chairman Guenther commented that an ad hoc group could be established to evaluate expenditure of the AWBA's funds. Mr. Buschatzke requested that staff develop a comprehensive plan that identifies all of the AWBA's obligations and funding sources and that describes how those obligations will be met. Mr. Mawhinney proposed scheduling a work-session to review the comprehensive plan.

Ms. Mitchell informed the Authority that the AWBA had an exhibit on display at the Colorado River Water Users Association (CRWUA) conference held in Las Vegas the previous week. The theme of the exhibit, "Arizona-Living the Vision through Planning, Partnering and Performing", was the same as last year's, however, this year it included a video loop of Director Guenther delivering a message regarding the State's water supply management programs. The exhibit was presented in conjunction with ADWR, CAWCD, the Arizona Municipal Water Users Association, and SRP.

Chuck Cullom (CAWCD) provided a status report on recovery planning efforts. He noted that CAWCD Board members approved the budget in November, which included funding for recovery planning. CAWCD will consequently hire an outside consultant to evaluate recovery options for the Phoenix, Pinal, and Tucson AMAs and the associated costs. In addition, the CAWCD Resource Planning Analyst group



will hire two new employees who will assist with recovery planning efforts. CAWCD staff will begin stakeholder discussions on detailed recovery plans, well capacity, and recovery agreements. Mr. Cullom commented that staff was also working with the three irrigation districts in the Pinal AMA to meet the recovery schedule for 2008, pointing out that the Central Arizona Irrigation and Drainage District (CAIDD) had been taking the lead on recovery in that AMA. He noted that CAWCD was currently in the process of amending its existing recovery well permits to include additional wells located within district boundaries. Mr. Buschatzke inquired if the recovery permit process required an impact analysis. Mr. Cullom responded that it did not because all of the wells were pre-code wells.

### **Update of Arizona Water Settlements Act Firming Efforts**

Mr. Henley noted that the *Agreement between the Secretary and the State of Arizona for the firming of Central Arizona Project Indian Water* had been executed the previous week. This was one of the final documents needed for meeting the requirements of the Settlements Act. The Secretary subsequently signed the documents that complete all the requirements necessary to put the Settlements Act into full force and effect. As a result, the AWBA now has additional responsibilities. One of these is to enter into an inter-governmental agreement with the GRIC for direct delivery of 15kaf, thereby establishing the Southside Replenishment Bank. The AWBA is required to deliver at least 1kaf per year beginning in 2008. To meet this obligation, water deliveries that have been scheduled for storage at the GRIIDD GSF could be re-characterized as direct delivery. This would require an amendment to the 2008 Plan and a reimbursement of the cost-share paid by the GRIIDD. Another requirement under the Settlements Act is to develop a plan to firm 15kaf of CAP water for the GRIC. Staff has had several meetings with consultants who represent the GRIC to discuss various firming options and are consequently drafting a firming proposal. Mr. Henley commented that staff could either meet with Authority members on an individual basis or have an executive session to discuss the firming proposal. It would not be permissible at this time to discuss the draft proposal publicly because negotiations are ongoing. Mr. Henley concluded his discussion by announcing that in addition to finalizing the Settlements Act, the Secretary had also signed the Record of Decision for Colorado River operations at the CRWUA conference the previous week.

### **Interstate Water Banking**

Ms. Mitchell reviewed the third quarter interstate accounting report noting that the AWBA accrued an estimated 513,000 acre-feet of credits, 41 percent of the firming goal, at a cost of approximately \$ 92.5 million. If the 2007 scheduled deliveries are completed as planned, the AWBA will have accrued nearly 530,000 acre-feet of credits by the end of the year, thereby meeting 42 percent of its firming goal. Interest that would have accrued on the \$100 million resource account through November is just under \$11.2 million.

### **Status of Distribution of AWBA Handouts**

Chairman Guenther noted that in response to public comment at the last meeting, staff will provide early access, when possible, to meeting materials by posting them on the AWBA website. Meeting materials, with the exception of certain draft

document under negotiation or attorney-client privileged documents, will be posted as soon as they are available.

**Call to the Public**

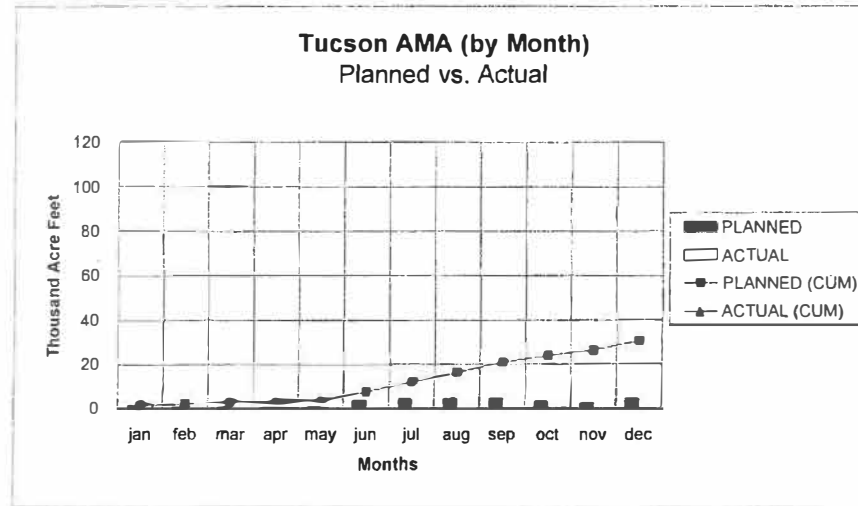
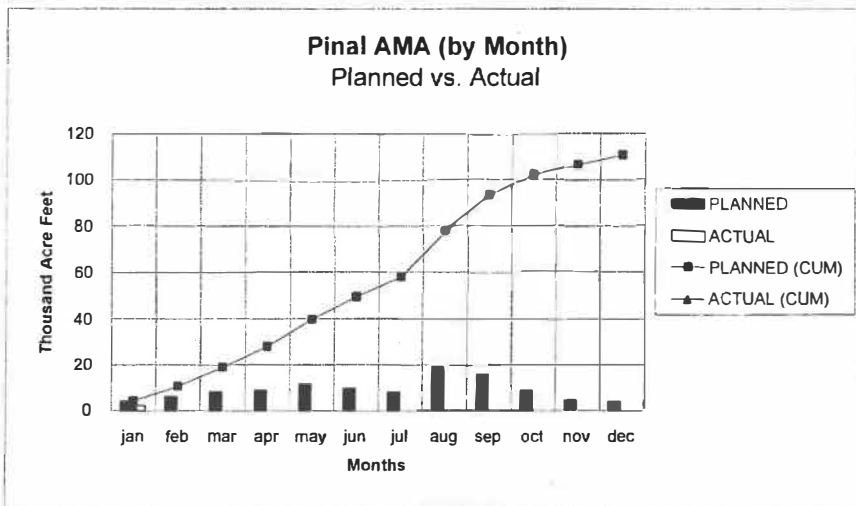
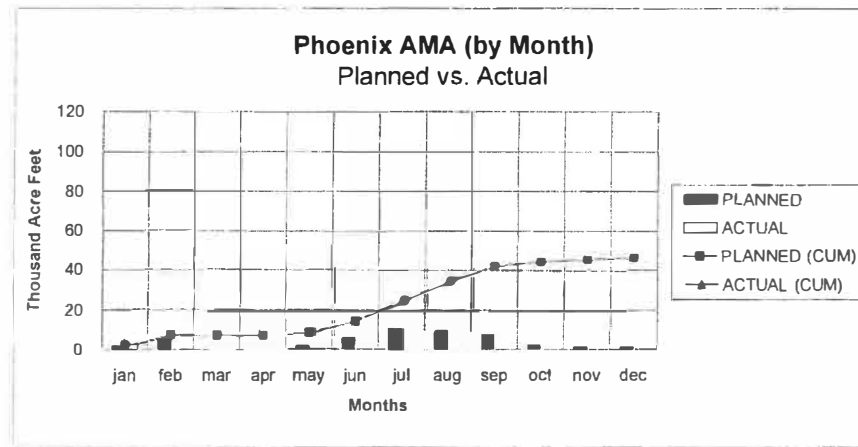
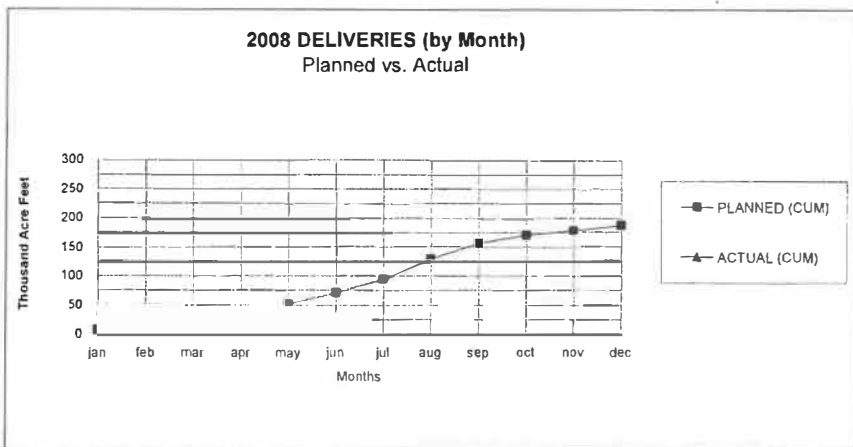
Chairman Guenther announced the meeting dates for 2008 and noted that anyone with a conflict contact staff. The dates are: March 19<sup>th</sup> (rescheduled to March 12<sup>th</sup>), June 18<sup>th</sup>, September 17<sup>th</sup>, and December 17<sup>th</sup>.

Additional questions and comments made by the public are included in the above discussion.

The meeting concluded at 11:10 a.m.

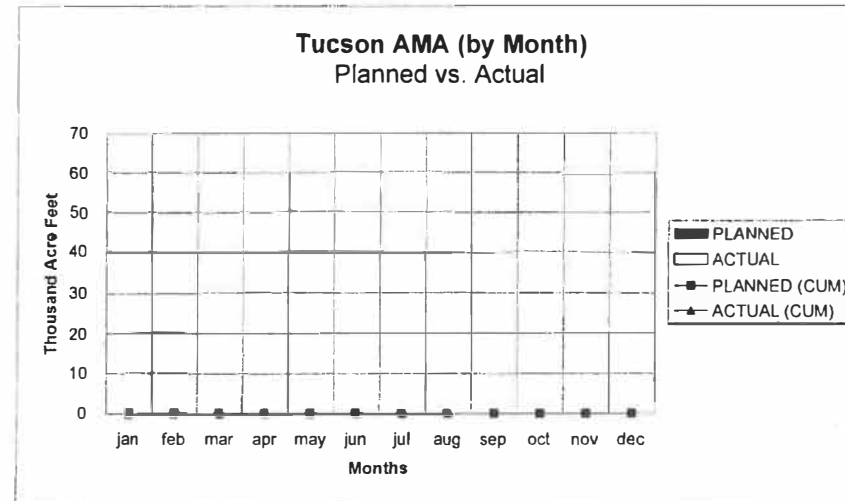
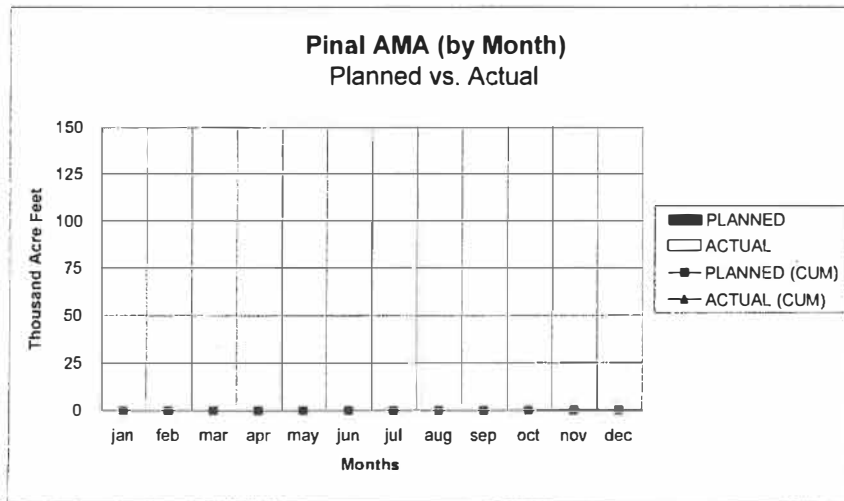
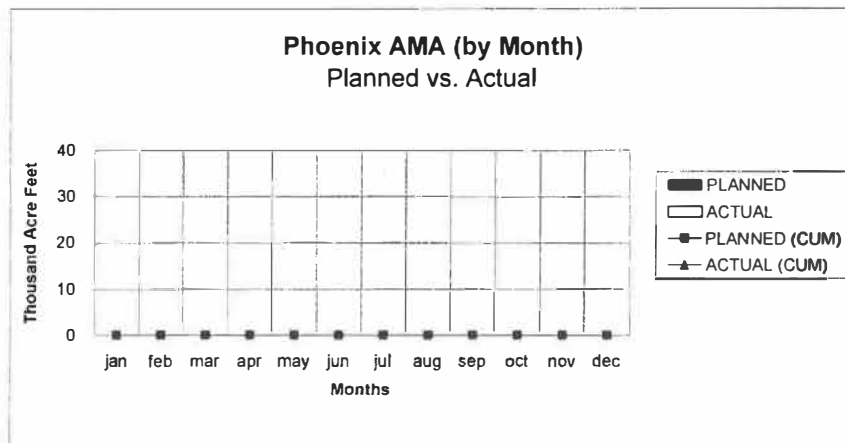
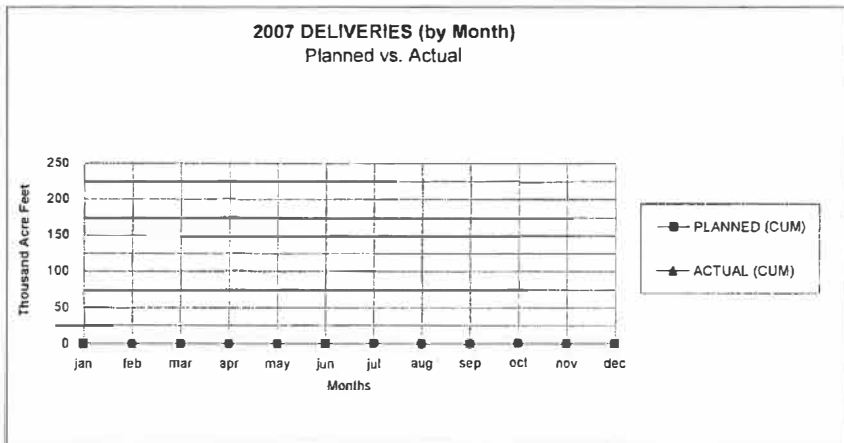
## 2008 Plan of Operation

### INTRASTATE



# 2008 Plan of Operation

## INTERSTATE



Actual deliveries updated Plan of Operation	26-Feb-08 1-Jan-08	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec	total
<b>Phoenix AMA</b>														
<b>Intrastate</b>														
GRUSP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGUA FRIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HIEROGLYPHIC MTNS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TONOPAH DESERT	2,958	0	0	0	0	0	0	0	0	0	0	0	0	2,958
	1,892	5,058	0	0	0	0	0	0	0	0	0	0	0	6,950
CHCID	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	50	50	50	50	0	0	0	200
NMIDD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
QCID	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	1,343	2,285	2,285	1,142	1,142	8,197
SRP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GRIIDD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	1,402	5,711	10,475	8,365	5,373	0	0	0	0	31,326
Subtotal	2,958	0	0	0	0	0	0	0	0	0	0	0	0	2,958
Total to date	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958
Projected total to date	1,892	6,950	6,950	6,950	6,950	8,352	14,113	24,638	34,396	42,104	44,389	45,531	46,673	46,673
<b>Interstate</b>														
GRUSP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGUA FRIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HIEROGLYPHIC MTNS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TONOPAH DESERT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHCID	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NMIDD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
QCID	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SRP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TID	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total to date	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Projected total to date	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Combined</b>														
Subtotal	2,958	0	0	0	0	0	0	0	0	0	0	0	0	2,958
Total to date	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958	2,958
Projected total to date	1,892	6,950	6,950	6,950	6,950	8,352	14,113	24,638	34,396	42,104	44,389	45,531	46,673	46,673

Actual deliveries updated  
Plan of Operation

26-Feb-08  
1-Jan-08

		jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec	total
<b>Pinal AMA</b>														
<b>Intrastate</b>	CAIDD	0	0	0	0	0	0	0	0	0	0	0	0	0
		2,000	2,000	1,000	1,500	2,000	5,500	5,500	5,500	3,000	2,000	1,000	1,000	32,000
	MSIDD	1,530	0	0	0	0	0	0	0	0	0	0	0	1,530
		1,530	1,530	2,070	2,580	4,100	3,100	0	5,200	6,060	3,550	1,560	720	32,000
	HIDD	704	0	0	0	0	0	0	0	0	0	0	0	704
		840	2,730	5,380	5,017	651	1,217	2,750	8,935	6,842	3,146	2,201	2,291	42,000
	GRIIDD	184	0	0	0	0	0	0	0	0	0	0	0	184
		0	0	0	0	5,000	0	0	0	0	0	0	0	5,000
	Subtotal	2,418	0	0	0	0	0	0	0	0	0	0	0	2,418
	Total to date	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418
	Projected total to date	4,370	10,630	19,080	28,177	34,928	44,745	52,995	72,630	88,532	97,228	101,989	106,000	111,000
<b>Interstate</b>	CAIDD	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	MSIDD	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	HIDD	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total to date	0	0	0	0	0	0	0	0	0	0	0	0	0
	Projected total to date	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Combined</b>														
	Subtotal	2,418	0	0	0	0	0	0	0	0	0	0	0	2,418
	Total to date	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418	2,418
	Projected total to date	4,370	10,630	19,080	28,177	34,928	44,745	52,995	72,630	88,532	97,228	101,989	106,000	111,000
<b>Tucson AMA</b>														
<b>Intrastate</b>	AVRA VALLEY	772	0	0	0	0	0	0	0	0	0	0	0	772
		700	700	700	350	500	700	700	700	700	300	300	650	7,000
	CAVSARP	1,175	0	0	0	0	0	0	0	0	0	0	0	1,175
		0	0	0	0	0	0	0	0	0	0	0	0	0
	PIMA MINE	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	LOWER SANTA CRUZ	551	0	0	0	0	0	0	0	0	0	0	0	551
		870	0	0	0	0	2,930	3,800	3,800	3,800	2,700	1,900	3,800	23,600
	KAI-RED ROCK	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	2,498	0	0	0	0	0	0	0	0	0	0	0	2,498
	Total to date	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498
	Projected total to date	1,570	2,270	2,970	3,320	3,820	7,450	11,950	16,450	20,950	23,950	26,150	30,600	30,600
<b>Interstate</b>	AVRA VALLEY	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	CAVSARP	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	PIMA MINE	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	LOWER SANTA CRUZ	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	KAI-RED ROCK	0	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total to date	0	0	0	0	0	0	0	0	0	0	0	0	0
	Projected total to date	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Combined</b>														
	Subtotal	2,498	0	0	0	0	0	0	0	0	0	0	0	2,498
	Total to date	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498	2,498
	Projected total to date	1,570	2,270	2,970	3,320	3,820	7,450	11,950	16,450	20,950	23,950	26,150	30,600	30,600
<b>TOTAL</b>														
	Total to date	7,874	0	0	0	0	0	0	0	0	0	0	0	7,874
	Projected total to date	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874	7,874
	Projected total to date	7,832	19,850	29,000	38,447	47,100	66,308	89,583	123,476	151,586	165,567	173,670	183,273	188,273

**CENTRAL ARIZONA PROJECT  
ANNUAL RECOVERY REPORT  
Calendar Year 2008**

**Recovery for Metropolitan Water District of Southern California<sup>1</sup>**

<b>MONTH</b>	<b>2008 RECOVERY (af)</b>
January	720
February	894
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
<b>TOTAL TO DATE</b>	<b>1,614</b>
<b>2008 TARGET</b>	<b>25,000</b>

<sup>1</sup> Recovery pursuant to 1992 Demonstration Agreement Between CAWCD and MWD, as amended, and the 2006 MWD, CAWCD, and AWBA Letter Agreement, as amended.

**Summary of 2008 Arizona Water Banking Authority  
and Indian Firming Update**  
(In 1,000s Acre-feet)

	<b>CAP Municipal and Industrial Users <sup>1</sup></b>	<b>Indian Settlement Firming <sup>2</sup></b>	<b>Priority 4 Mainstem Municipal and Industrial Users <sup>1</sup></b>
<b>Current Estimate</b>			
	2,658	549	420
<b>No Action Alternative</b>			
<b>CAP and Priority 4 Mainstem Users Share Shortages on a Proportional Basis</b>	2,301	445	370
<b>CAP and Priority 4 Mainstem Users Share Shortages Per 2006 Agreement</b>	2,353	441	245
<b>Basin States to 2026</b>			
<b>CAP and Priority 4 Mainstem Users Share Shortages on a Proportional Basis</b>	2,263	406	355
<b>CAP and Priority 4 Mainstem Users Share Shortages Per 2006 Agreement</b>	2,305	402	226

<sup>1</sup> Values shown are through 2097, except for "Current Estimate".



COMMITTEE ON NATURAL RESOURCES AND RURAL AFFAIRS

SENATE AMENDMENTS TO S.B. 1044

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 45-811.01, Arizona Revised Statutes, is amended to  
3 read:

4 45-811.01. Underground storage facility permit

5 A. A person may apply to the director for a constructed underground  
6 storage facility permit or a managed underground storage facility permit and  
7 may operate an underground storage facility only pursuant to a permit.

8 B. A person applying to the director for a managed underground storage  
9 facility permit may request to have the facility designated as a facility  
10 that could add value to a national park, national monument or state park if  
11 that park or monument includes any portion of a natural channel of a stream  
12 or adjacent floodplain that would benefit from the facility.

13 C. The director may issue a permit to operate an underground storage  
14 facility if the director determines that all of the following apply:

15 1. The applicant has the technical and financial capability to  
16 construct and operate the facility.

17 2. Storage of the maximum amount of water that could be in storage at  
18 any one time at the facility is hydrologically feasible.

19 3. Storage at the facility will not cause unreasonable harm to land or  
20 other water users within the maximum area of impact of the maximum amount of  
21 water that could be in storage at any one time at the underground storage  
22 facility over the duration of the permit. FOR LAND OR OTHER WATER USERS THAT  
23 WERE IN OPERATION AT THE TIME THE PERMIT WAS ISSUED, UNREASONABLE HARM  
24 INCLUDES ANY ECONOMIC LOSSES THAT ARE A RESULT OF HIGHER WATER LEVELS THAN  
25 WERE PRESENT AT THE TIME THE PERMIT WAS ISSUED.

26 4. The applicant has agreed in writing to obtain any required  
27 floodplain use permit from the county flood control district before beginning  
28 any construction activities.



1 shall inform the person of the date, time and place of the hearing and the  
2 consequences of failure to appear.

3 B. If the director finds that a person is constructing a storage  
4 facility or storing water in violation of this chapter, the director may  
5 issue a temporary order for the person to cease and desist the construction  
6 or storage pending final action by the director pursuant to subsection ~~C~~ E  
7 of this section. ~~The order shall include written notice to the person of the~~  
8 ~~date, time and place where the person may appear at an administrative hearing~~  
9 ~~before the department to show cause why the temporary order should be~~  
10 ~~vacated. The hearing shall be held within fifteen days of the date of the~~  
11 ~~order unless the person consents to a longer period.~~

12 C. IF THE DIRECTOR FINDS AFTER ISSUANCE OF AN UNDERGROUND WATER STORAGE  
13 FACILITY PERMIT THAT A HYDROLOGIC REPORT SUBMITTED FOR THE PERMIT IS FLAWED  
14 OR SCIENTIFICALLY INACCURATE, AND THAT CONSTRUCTION OR STORAGE UNDER THE  
15 PERMIT THEREFORE VIOLATES THIS CHAPTER, THE DIRECTOR MAY ISSUE A TEMPORARY  
16 ORDER FOR THE PERSON TO CEASE AND DESIST CONSTRUCTION OR STORAGE PENDING  
17 FINAL ACTION BY THE DIRECTOR PURSUANT TO SUBSECTION E OF THIS SECTION.

18 D. AN ORDER ISSUED PURSUANT TO SUBSECTION B OR C OF THIS SECTION SHALL  
19 INCLUDE WRITTEN NOTICE TO THE PERSON OF THE DATE, TIME AND PLACE WHERE THE  
20 PERSON MAY APPEAR AT AN ADMINISTRATIVE HEARING BEFORE THE DEPARTMENT TO SHOW  
21 CAUSE WHY THE TEMPORARY ORDER SHOULD BE VACATED. THE HEARING SHALL BE HELD  
22 WITHIN FIFTEEN DAYS OF THE ORDER UNLESS THE PERSON CONSENTS TO A LONGER  
23 PERIOD.

24 ~~C~~ E. The decision and order of the director under subsections A, ~~and~~  
25 B AND C of this section may be in a form that the director determines to be  
26 reasonable and appropriate and may include a determination of violation, a  
27 cease and desist order, the recommendation of a civil penalty and an order  
28 directing that positive steps be taken to abate or ameliorate any harm or  
29 damage arising from the violation. THE DECISION AND ORDER OF THE DIRECTOR  
30 UNDER SUBSECTION C OF THIS SECTION MAY ALSO INCLUDE SUSPENSION OR REVOCATION  
31 OF A PERMIT GRANTED PURSUANT TO SECTION 45-811.01. The person affected may  
32 seek judicial review of the final decision of the director as provided in

Senate Amendments to S.B. 1044

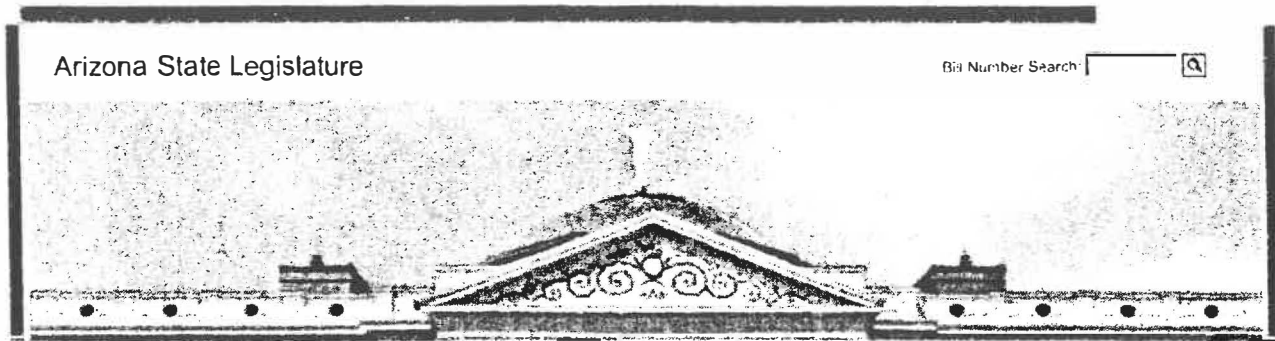
1 section 45-114, subsection B in the superior court in the county in which the  
2 violation is alleged to have occurred.

3 ~~Ø~~ F. If the person continues the violation after the director has  
4 issued a final decision and order pursuant to subsection ~~Ø~~- E of this section  
5 or a temporary order pursuant to subsection B OR C of this section, the  
6 director may apply for a temporary restraining order or preliminary or  
7 permanent injunction from the superior court pursuant to the rules of civil  
8 procedure. Filing for injunctive relief does not preclude other forms of  
9 relief or enforcement against the violator.

10 ~~E~~ G. Section 45-114, subsections A and B govern administrative  
11 proceedings, rehearing or review and judicial review of final decisions of  
12 the director under this section."

13 Amend title to conform

2/27/08  
5:40 PM  
S: JT



Forty-eighth Legislature - Second Regular Session

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## ARIZONA STATE SENATE

### RESEARCH STAFF

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LEGISLATIVE RESEARCH ANALYST  
NATURAL RESOURCES AND RURAL  
AFFAIRS COMMITTEE  
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TO: MEMBERS OF THE SENATE  
NATURAL RESOURCES AND  
RURAL AFFAIRS COMMITTEE

DATE: February 25, 2008

SUBJECT: Strike everything amendment to S.B. 1044,  
relating to water; recharge permits

#### Purpose

Authorizes the Director of the Department of Water Resources (Director) to issue a temporary cease and desist order, and suspend or revoke a permit if the Director finds that the hydrology report for an underground water storage facility or groundwater savings facility is flawed.

#### Background

A person must apply to the Arizona Department of Water Resources (ADWR) for a permit to store, save, replenish or recover water from underground storage. An *underground storage facility* (USF) is a constructed or managed (utilizes the natural channel of a stream to store water underground) storage facility that physically recharges and stores water underground. Water in a USF can be recovered within the same calendar year or can be stored long-term, in exchange for storage credits. A *groundwater savings facility* (GSF) is a facility, usually a farm, within an active management area or an irrigation non-expansion area where groundwater withdrawals are eliminated or reduced by recipients who use in lieu water on a gallon-for-gallon substitute basis for groundwater that would otherwise have been pumped. In lieu water is generally Central Arizona Project water, sold to a farmer by a municipal water provider at a lower price than the cost of pumping groundwater. In exchange, the municipal provider is granted credits.

The Director may issue a permit to operate an USF if the applicant has the technical and financial capability to construct and operate the facility; storage of the maximum amount of water is hydrologically feasible; storage at the facility will not cause unreasonable harm to land or other water users within the maximum area of impact over the duration of the permit; the applicant has agreed in writing to obtain any floodplain use permit before beginning construction activities; and the Director of the Arizona Department of Environmental Quality has determined that the facility is not in a location that will cause the migration of a contaminant plume or poor quality groundwater area.

Currently, if the Director finds that a person is violating or has violated a permit, rule or order the Director may issue a decision and order that is reasonable and appropriate, which may include a determination of violation, a cease and desist order, the recommendation of a civil penalty and an order directing that positive steps be taken to abate or ameliorate any harm or damage arising from a violation. The person affected may seek judicial review of any such order.

There is no anticipated fiscal impact to the state General Fund as a result of this legislation.

#### Provisions

1. Authorizes the Director to issue a temporary cease and desist order if the Director finds that a hydrology report submitted for a USF or a GSF is flawed or scientifically inaccurate pending final action by the Director.
2. Requires written notice of a temporary cease and desist order to the person indicating the time and place of an administrative hearing before ADWR, and requires the hearing to be held within 15 days of the order, unless the person consents to a longer time.
3. Authorizes the Director to suspend or revoke a permit in addition to other options if a hydrology report is flawed or scientifically inaccurate.
4. Becomes effective on the general effective date.

MG/ac

**RESOLUTION 2008-1**  
*of the*  
**Arizona Water Banking Authority**

**WHEREAS**, the Arizona Water Banking Authority (“Authority”) is required to reserve a reasonable number of credits accrued with general fund appropriations for the benefit of fourth priority municipal and industrial users of Colorado River water in the State of Arizona that are outside the Central Arizona Water Conservation District service area (mainstream water users);

**WHEREAS**, the Authority is required to collect reimbursement for the cost of replacing credits that are distributed for that purpose and is required to replace those credits;

**WHEREAS**, on January 21, 1998, the Authority adopted a motion identifying 420,000 acre-feet as the reasonable number of long-term storage credits (“credits”) to be developed and set aside for the benefit of mainstream water users;

**WHEREAS**, on March 20, 2002, the Authority adopted Resolution 2002-1, which provided, in part, that the first priority of the use of credits accrued with general fund appropriations shall be to develop and set aside a reasonable number of credits as determined by the Authority’s commission for the benefit of mainstream water users;

**WHEREAS**, on February 4, 2005, the Authority and the Mohave County Water Authority (“MCWA”) entered into an Agreement To Firm Future Supplies (“Firming Agreement”) under which the Authority has agreed to transfer credits to MCWA during times of shortage and MCWA agreed to reimburse the Authority for any credits that have been transferred to MCWA;

**WHEREAS**, a Director's Shortage-Sharing Workgroup ("Shortage-Sharing Workgroup") was established to develop a strategy for implementing future Colorado River shortages in the lower basin, and for allocating shortages between the Central Arizona Project ("CAP") and equivalent priority mainstream water users;

**WHEREAS**, the Shortage-Sharing Workgroup made the recommendation that the Authority create a revolving fund and that, as Authority credits are used and replaced, the new credits will be placed in the revolving fund and will be earmarked for the entity that paid to have the credits replaced and that the new credits would be available only for the purpose that the original credits were used;

**WHEREAS**, the MCWA agreed to the methodology for sharing Colorado River shortage allocations described in the Shortage-Sharing Workgroup Recommendation dated October 24, 2006.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the Authority, as follows:

1. That the Authority will establish a separate replacement account that utilizes funds provided to the Authority from the reimbursement of credits transferred to mainstream water users and will use the funds in that account to replace those credits;
2. That those credits would be available to the entity that paid to replace the original credits under the same conditions as identified in A.R.S. § 45-2457(B)(2)(a);
3. That the Authority will keep a record of the entities that have reimbursed those credits and the amount of credits that have been replaced;



4. That the Authority has not foreclosed the opportunity for any mainstream water users to contract with the AWBA for firming.

**IN WITNESS WHEREOF**, the Chairman of the Authority approves this Resolution by affixing his signature below on this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

---

Herbert R. Guenther, Chairman  
Arizona Water Banking Authority

Attest:

---

Thomas Buschatzke, Secretary  
Arizona Water Banking Authority

## **Discussion Paper for the Expenditure of \$8 Million Available from the Arizona-Nevada Shortage-Sharing Agreement**

As part of the Basin States proposal Arizona and Nevada agreed on how the reduction caused by the shortage criteria identified in the proposal would be shared between their states. Nevada's interpretation of the Basin Project Act for sharing shortage was that their state had minimal exposure to shortages. Arizona's interpretation was that Nevada would suffer 7.4 percent of the reduction apportioned to the two states when a shortage was declared. Arizona and Nevada ultimately agreed that Nevada's share of the shortage would be 4 percent. Four percent has historically been the percentage the United States Bureau of Reclamation (Reclamation) has used to model shortage operations. Nevada also agreed to provide \$8 million to help mitigate any impact that might be caused to Arizona's water users for accepting this reduced share.

The \$8 million is available to the Arizona Water Banking Authority (AWBA). The AWBA has the responsibility to determine how the \$8 million will be spent to help mitigate impacts to Arizona's water users caused by the Arizona/Nevada Shortage-Sharing Agreement.

The following are potential options for mitigating impacts:

- Option 1. The AWBA would use the \$8 million to purchase and store water and accrue long-term storage credits (credits). The AWBA would maintain a record of credits earned with the \$8 million. These credits would then be used to mitigate impacts caused by the Arizona/Nevada Shortage-Sharing Agreement during the Interim Period (2008-2025). Upon a shortage declaration by the Secretary of the Interior, any Post-1968 domestic contract holder along the Colorado River or any Central Arizona Project (CAP) Municipal and Industrial (M&I) subcontract holder could petition the AWBA for the use of these credits. The petitioner would have to demonstrate that water deliveries under their contract or subcontract were impacted and to what extent they were impacted by the shortage declaration. Upon verification of the impact, the AWBA would assign the appropriate amount of credits to the petitioner with no requirement of replacement. The AWBA would not be responsible for the recovery of the assigned credits. At the end of the Interim Period any credits remaining that were earned with the \$8 million would be available for AWBA purposes.
- Option 2. The AWBA would recognize and identify that certain users will be impacted before other users and use the credits to assist those users. An example of entities that would be impacted first are Post-1968 Colorado River domestic users and the AWBA in its obligation to firm Indian settlement water using excess CAP water. The

AWBA would identify and establish sub-accounts for these users under its long-term storage account in order to reserve credits for these entities. Upon a shortage declaration by the Secretary of the Interior, those users could request credits from the AWBA to mitigate impacts caused by the Shortage-Sharing Agreement. Upon such a request the AWBA would assign the appropriate amount of credits to the requester with no requirement of replacement. The AWBA would not be responsible for the recovery of the assigned credits. At the end of the Interim Period the sub-accounts would be closed and any credits remaining in those sub-accounts would be available for AWBA purposes.

Option 3. Option 3 is a variation of Option 2, where the AWBA would distribute 75% of the credits developed with the \$8 million to the users that would be impacted first, while the remaining 25% of the credits would be kept in reserve for other users that might be impacted later in the Interim Period. As in Option 2, any credits remaining at the end of the Interim Period would be available for AWBA purposes.

Option 4. The AWBA will set aside the \$8 million at the Arizona State Treasurers Office and use it in the future to financially support entities that are impacted by assisting in the recovery of credits during declared shortages. For example, assistance could be provided through the payment of replacement costs by the AWBA for General Fund credits that have been used by on-river M&I users, or as part of a comprehensive deal to firm Indian settlement water. At the end of the Interim Period any funds remaining would be used to purchase credits.

**Water Storage Comparison Table for Additional Water Supplies Available to the AWBA in 2008**

77,000 Acre-feet				
Storage at:		Cost/AF	Total Cost	
	USF (Phoenix)	\$59	\$4,543,000	
	(Tucson)	\$65	\$4,971,890	
	GSF	\$20	\$1,540,000	
Interstate	USF (Phoenix)	\$240	\$18,480,000	
	(Tucson)	\$241	\$18,557,000	
	GSF	\$191	\$14,707,000	
Funding Source		Est. Funds Available <sup>1</sup>	Est. Deliveries <sup>2</sup> (Acre-foot)	
Withdrawal Fees			USF	GSF
	Phoenix AMA	\$150,000	2,542	7,500
	Tucson AMA	0	0	0
	Pinal AMA	0	n/a	0
Four Cent Tax				
	Phoenix AMA	\$67,100,000	1,137,288	0
	Tucson AMA	\$5,725,000	88,077	0
	Pinal AMA	\$0	n/a	0
Shortage Agreement				
	Phoenix AMA	\$8,000,000	135,593	0
	Tucson AMA		123,077	0
	Pinal AMA		n/a	400,000
Interstate Banking				
Nevada	Phoenix AMA	\$14,096,225	58,734	0
	Tucson AMA		58,491	0
	Pinal AMA		n/a	73,802

<sup>1</sup>Funding that has not been committed under the AWBA 2008 Plan of Operation.

<sup>2</sup> Compares the amount of deliveries that could be made in each AMA for each facility type based on funding; does not consider facility capacity available.

Potential Storage Capacity Available by AMA:

Phoenix at least 77 kaf  
Pinal 30-40 kaf  
Tucson 10 kaf

### Long-term Storage Credits Accrued on Behalf of Nevada

	Year	Credits <sup>1</sup> Earned	Cumulative Credits	Percent of Goal Achieved	Cost of Storage	Received <sup>2</sup> from SNWA	Funds Available
				(1,250,000 AF)			
<b>Actual</b>	2002	61,098	61,098	5%	\$ 8,617,393	\$ 5,000,000	\$ -
	2003	50,000	111,098	9%	\$ -	\$ 3,723,945	\$ 106,552 <sup>3</sup>
	2004	14,162	125,260	10%	\$ 2,899,647	\$ 1,330,000	\$ -
	2005	111,805	237,065	19%	\$ 25,723,366	\$ 100,000,000	\$ 72,813,539 <sup>4</sup>
	2006	175,569	412,634	33%	\$ 35,386,306	\$ -	\$ 37,427,233
<b>Estimated</b>	2007						
	1 <sup>st</sup> Quarter	14,847	427,481	34%	\$ 2,937,376	\$ -	\$ 34,489,857
	2 <sup>nd</sup> Quarter	23,102	450,583	36%	\$ 4,570,744	\$ -	\$ 29,919,113
	3 <sup>rd</sup> Quarter	62,001	512,584	41%	\$ 12,345,008	\$ -	\$ 17,574,105
	4 <sup>th</sup> Quarter	15,391	527,975	42%	\$ 3,477,880	\$ -	\$ 14,096,225
	Sub-total	115,341			\$ 23,331,008		
<b>Total</b>			<b>527,975</b>		<b>\$ 95,957,720</b>	<b>\$ 110,053,945</b>	<b>\$ 14,096,225</b>

<sup>1</sup> 2003 credits transferred from CAWCD pursuant to Amended Agreement for Interstate Water Banking. Credits for 2007 are estimated.

<sup>2</sup> In 2009, SNWA will begin making ten annual payments of \$23,000,000.

<sup>3</sup> Includes expenditure of \$3,617,393 from monies collected in 2003 as part of 2002 reconciliation.

<sup>4</sup> Includes expenditure of \$1,463,095 from monies collected in 2005 as part of 2004 reconciliation.

**Arizona State Treasurer's Office  
Calculation of Interest Earnings for  
Arizona Water Banking Authority  
Reinvestment Method  
For Period of June 27, 2005 thru January 31, 2008**

Month	Invested Amount	Pool 3 Monthly Yield	Days in Month	Days in Year	Earnings for Period
June 2005	26,000,000.00	3.1172%	4	365	8,881.88
July 2005	26,008,881.88	3.2014%	31	365	70,718.08
August 2005	26,079,599.96	3.4005%	31	365	75,320.39
September 2005	26,154,920.35	3.5475%	30	365	76,261.30
October 2005	26,231,181.65	3.6669%	18	365	47,434.74
October 2005	100,231,181.65	3.6669%	13	365	130,903.85
November 2005	100,409,520.24	3.8494%	30	365	317,684.72
December 2005	100,727,204.96	3.9975%	31	365	341,982.66
January 2006	101,069,187.62	4.1374%	31	365	355,152.69
February 2006	101,424,340.31	4.4543%	28	365	346,566.69
March 2006	101,770,907.00	4.3770%	31	365	378,328.47
April 2006	102,149,235.47	4.5526%	30	365	382,228.45
May 2006	102,531,463.92	4.6378%	31	365	403,866.66
June 2006	102,935,330.58	4.8013%	30	365	406,211.02
July 2006	103,341,541.60	4.9615%	31	365	435,468.52
August 2006	103,777,010.11	5.0202%	31	365	442,477.31
September 2006	104,219,487.42	5.0989%	30	365	436,771.02
October 2006	104,656,258.44	5.0423%	31	365	448,190.57
November 2006	105,104,449.01	5.1630%	30	365	446,017.21
December 2006	105,550,466.22	5.1279%	31	365	459,693.68
January 2007	106,010,159.90	5.1560%	31	365	464,225.75
February 2007	106,474,385.65	5.3508%	28	365	437,047.89
March 2007	106,911,433.54	5.1622%	31	365	468,735.46
April 2007	107,380,169.00	5.2452%	30	365	462,929.15
May 2007	107,843,098.15	5.1578%	31	365	472,417.18
June 2007	108,315,515.33	5.2323%	30	365	465,813.10
July 2007	108,781,328.43	5.1575%	31	365	476,499.47
August 2007	109,257,827.90	5.1863%	31	365	481,259.18
September 2007	109,739,087.08	5.2974%	30	365	477,806.99
October 2007	110,216,894.07	5.1597%	31	365	482,993.68
November 2007	110,699,887.75	5.0624%	30	365	460,608.59
December 2007	111,160,496.34	4.8656%	31	365	459,362.68
January 2008	111,619,859.02	4.7045%	31	365	445,988.61
<b>Total Earnings</b>					<b>12,065,847.63</b>

On June 27, 2005, Water Banking Authority received monies in the amount of \$26,000,000.00. (See Doc. # D05W0810). On October 19, 2005, they received \$74,000,000.00 (See Doc. #D06W0214). AWBA wants to know the earnings from the day the money was received to the current date had it been invested with the State Treasurer.