

## HOUSE BILL NO. HB0141

Omnibus water bill-planning.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; authorizing  
2 specified Level I and Level II studies and providing  
3 appropriations; requiring reports; providing for reversion  
4 of unexpended funds; authorizing unobligated funds to be  
5 used to complete other designated project studies under  
6 certain conditions; authorizing positions and providing an  
7 appropriation; authorizing the expenditure of funds for  
8 certain mitigation activities as specified; providing for  
9 groundwater studies expenditures; and providing for an  
10 effective date.

11  
12 *Be It Enacted by the Legislature of the State of Wyoming:*

13  
14 **Section 1.** 2004 Wyoming Session Laws, Chapter 34,  
15 Sections 2 through 5 and by creating new sections 7 through  
16 9 and by renumbering section 7 as 10 are amended to read:

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18 [AUTHORIZED LEVEL I AND LEVEL II STUDIES]

19  
20 **Section 2.** LEVEL I RECONNAISSANCE STUDIES - NEW  
21 DEVELOPMENT. The following sums of money are appropriated  
22 from water development account I to the commission to be  
23 expended to conduct the following reconnaissance studies as  
24 defined in W.S. 41-2-114. Funds appropriated under this  
25 section for a particular project which are in excess of the  
26 actual amount necessary to complete the study may, subject  
27 to the review of the select water committee, be expended by  
28 the commission to complete the reconnaissance study for any  
29 other project listed in this section. Appropriated funds  
30 not expended prior to July 1, 2006, shall revert to water  
31 development account I. The commission shall submit a report  
32 to the legislature on each of the following studies prior  
33 to the 2006 legislative session.

## [LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
<u>Casper Master Plan Update</u>	<u>Natrona County</u>	<u>200,000</u>
Crook County Reservoirs & Water Management Study	Crook County	\$150,000
<u>Framework Water Plan</u>	<u>Statewide</u>	<u>500,000</u>
<u>Gooseberry I.D. Storage 1.</u>	<u>Washakie County</u>	<u>75,000</u>
<u>Green River, Rock Springs, Sweetwater County Joint Powers Board Master Plan</u>	<u>Sweetwater County</u>	<u>250,000</u>
<u>Heart Mountain I.D. Return Flow Study</u>	<u>Park County</u>	<u>75,000</u>
<u>Hoback Junction Water Supply</u>	<u>Teton County</u>	<u>75,000</u>
<u>Interactive Database</u>	<u>Northeast Wyoming</u>	<u>575,000</u>
Kirby Area Water Supply Study 1.	Washakie County	150,000
<u>Kirby Municipal Master Plan</u>	<u>Washakie County</u>	<u>75,000</u>
<u>Lysite Water Supply</u>	<u>Fremont County</u>	<u>75,000</u>
Statewide Water Research	Statewide	<u>200,000</u>
		<u>400,000</u>
<u>Sweetwater River Watershed Plan</u>	<u>Fremont County</u>	<u>300,000</u>
<u>Water Value Analysis</u>	<u>Green River Basin</u>	<u>150,000</u>
Westside Irrigation NEPA	Washakie County	<u>250,000</u>
		<u>1,450,000</u>
Total appropriation for Section 2		<u>\$750,000</u>
		<u>\$4,500,000</u>

1. The project shall be funded from water development account III only if the legislation to create the account is enacted by the Fifty-Eighth Legislature during the 2005 General Session. If water development account III is not created, then the project shall be funded from water development account I.

**Section 3.** LEVEL I RECONNAISSANCE STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2006, shall revert to water development account II. The commission shall submit a report to the legislature on each

of the following studies prior to the 2006 legislative session.

[LEVEL I RECONNAISSANCE STUDIES -  
REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Crowheart/Dinwoody Delivery	Fremont County	150,000
<u>Urban/Rural Sprawl Research Project</u>	<u>Statewide</u>	<u>150,000</u>
<u>Willwood I.D. Master Plan</u>	<u>Park County</u>	<u>50,000</u>
Total appropriation for Section 3		<u>\$150,000</u>
		<u>\$350,000</u>

**Section 4.** LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT. The following sums of money are appropriated from water development account I to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2006, shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2006 legislative session.

[LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Albin Well & Water Supply	Laramie County	\$140,000
<u>Alpine Master Plan Update</u>	<u>Lincoln County</u>	<u>75,000</u>
Alta Test Well	Teton County	65,000
Baggs Water & Raw Water Supply	Carbon County	50,000
<u>Big Horn Regional Ground Water</u>	<u>Big Horn, Washakie, Hot Springs Counties</u>	<u>1,500,000</u>
<u>Boulter Lake Enlargement 3.</u>	<u>Sublette County</u>	<u>75,000</u>
<u>Bridger Valley Reservoir Storage Phase II</u>	<u>Uinta County</u>	<u>100,000</u>
<u>Burlington Regional Master Plan</u>	<u>Big Horn County</u>	<u>75,000</u>
Canyon Water Supply 2.	Weston County	600,000
Cheyenne Belvoir Ranch	Laramie County	350,000
<u>Cokeville Reservoir Storage 3.</u>	<u>Lincoln County</u>	<u>150,000</u>
<u>Cottonwood Lake Enlargement 3.</u>	<u>Lincoln County</u>	<u>100,000</u>
Dubois Water Supply, Phase 2	Fremont County	400,000
Eight Mile-High Plains Well, Phase 2	Campbell County	<u>60,000</u>
		<u>510,000</u>
Encampment Sierra Madre Well	Carbon County	250,000

1	Evanston/Bear River Regional	Uinta County	70,000
2	Glenrock Well & Tank	Converse County	600,000
3	Hyattville Water Supply 1.	Big Horn County	600,000
4	<u>Kaycee Well &amp; Storage</u>	<u>Johnson County</u>	<u>650,000</u>
5	<u>Lander Paleozoic Well</u>	<u>Fremont County</u>	<u>425,000</u>
6	<u>Laramie Water Management Study</u>	<u>Albany County</u>	<u>330,000</u>
7	<u>LeClair/Riverton Valley Storage 3.</u>	<u>Fremont County</u>	<u>250,000</u>
8	Northern Arapaho Groundwater	Fremont County	700,000
9	<u>Owl Creek I.D. Storage Supply 3.</u>	<u>Hot Springs County</u>	<u>200,000</u>
10	Pine Bluffs Lance/Fox Well	Laramie County	475,000
11	<u>Rawlins Raw Water Storage 3.</u>	<u>Carbon County</u>	<u>150,000</u>
12	Saratoga Test Well	Carbon County	<u>160,000</u>
13			<u>185,000</u>
14	Ray Lake Enlargement 3.	Fremont County	100,000
15	Shoshone Groundwater Development	Fremont County	850,000
16	<u>Upper Green River Storage 3.</u>	<u>Sublette County</u>	<u>175,000</u>
17	<u>Viva Naughton Enlargement 3.</u>	<u>Lincoln County</u>	<u>300,000</u>
18	Weather Modification Study	Western Wyoming	<u>100,000</u>
19			<u>200,000</u>
20	<u>Weather Modification Study,</u>	<u>Western &amp; South</u>	<u>8,825,000</u>
21	<u>Phase 2, 4.</u>	<u>Central Wyoming</u>	
22	Hold Projects*	Statewide	15,000
23	Total appropriation for Section 4		<u>\$5,585,000</u>
24			<u>\$19,540,000</u>

1. The sponsor shall first form a public entity prior to the commencement of the study.

2. If the project progresses through construction, the Canyon Improvement and Service District shall be required to connect to the Salt Creek Water District System.

3. The project shall be funded from water development account III only if the legislation to create the account is enacted by the Fifty-Eighth Legislature during the 2005 General Session. If water development account III is not created, then the project shall be funded from water development account I.

4. The funds appropriated for this project shall not revert to water development account I until July 1, 2011.

\*Hold projects include: Blackwillow, Rock Springs East and Bridger Valley Water Supply Projects, Cheyenne Hydropower, Crow Creek Groundwater Recharge, Goshen Reregulating Reservoir, Greybull Valley Hydropower, Middle Fork Dam, North Cheyenne and Smith's Fork Dam Projects.

**Section 5. LEVEL II FEASIBILITY STUDIES -**  
REHABILITATION. The following sums of money are appropriated from water development account II to the

commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2006, shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2006 legislative session.

[LEVEL II FEASIBILITY STUDIES - REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
<u>Big Horn Canal Rehabilitation</u>	<u>Washakie, Big Horn Counties</u>	<u>\$150,000</u>
<u>Big Valley &amp; Crossed Arrow Water Supply</u>	<u>Park County</u>	<u>75,000</u>
<u>Cody Canal I.D. Rehabilitation &amp; Hydro</u>	<u>Park County</u>	<u>250,000</u>
<u>Frannie Well Rehabilitation</u>	<u>Big Horn, Park Counties</u>	<u>65,000</u>
Greybull Wells Rehabilitation	Big Horn County	<del>\$</del> 475,000
Green River Canal PAM Study	Sweetwater County	40,000
Heart Mountain Screens	Park County	100,000
Kennington Springs 1.	Lincoln County	100,000
Lake DeSmet Master Plan-Phase 2	Johnson County	150,000
Mead Creek Ditch 1.	Sheridan County	75,000
<u>Owl Creek I.D. Conservation Study</u>	<u>Hot Springs County</u>	<u>100,000</u>
<u>Riverton Mountain View</u>	<u>Fremont County</u>	<u>300,000</u>
<u>Sheridan/Veterans Center</u>	<u>Sheridan County</u>	<u>75,000</u>
<u>Thermopolis Storage &amp; Raw Water</u>	<u>Hot Springs County</u>	<u>175,000</u>
Worland Wells Flow Test	Washakie County	<del>40,000</del>
		<u>165,000</u>
Midvale Sand Gulch	Fremont County	75,000
Wagoner/Cherokee ID-Phase 2	Carbon County	35,000
Washam Water Supply 2.	Sweetwater County	40,000
<u>Wheatland I.D. Conservation</u>	<u>Platte County</u>	<u>100,000</u>
<u>Worland Area Irrigated Land GIS</u>	<u>Washakie County</u>	<u>200,000</u>
Total appropriation for Section 5		<del>\$1,130,000</del>
		<u>\$2,745,000</u>

1. The project sponsor shall first form a public entity prior to the commencement of the study.

2. If the project advances to a Level III construction phase, one-half (1/2) of the cost of the Level II study shall be repaid to the commission.

Section 7. Dam and reservoir section.

1  
2 (a) There is created within the Wyoming water  
3 development office the dam and reservoir section. The  
4 section shall be limited to the administration of Level I  
5 and Level II study projects and other assignments that  
6 encourage the enlargement of existing dams and reservoirs  
7 or the construction of new dams and reservoirs.

8  
9 (b) Five hundred twenty-six thousand dollars  
10 (\$526,000.00) is appropriated from water development  
11 account I to the Wyoming water development office, and the  
12 office is authorized four (4) full-time positions including  
13 a hydrologist, an operations and maintenance engineer for  
14 state-owned and operated dam and reservoir facilities, a  
15 National Environmental Policy Act analyst and a scientist.

16  
17 (c) Beginning with the 2007-2008 biennium, the  
18 positions and expenses necessary to provide dam and  
19 reservoir and National Environmental Policy Act technical  
20 assistance and to operate the dam and reservoir section  
21 shall be included in the standard budget of the Wyoming  
22 water development office.

23  
24 **Section 8.** Selenium control and conservation  
25 measures. The legislature hereby approves the continuing  
26 expenditure of funds appropriated in the 2003-2004  
27 Pathfinder mitigation activities for construction of  
28 selenium control and conservation measures in the amount as  
29 described in the contract between Casper Alcova irrigation  
30 district, the Wyoming attorney general's office and the  
31 Wyoming water development office executed on March 12,  
32 2004.

33  
34 **Section 9.** Contingent upon the availability of  
35 matching funds from the United States Department of  
36 Interior, Bureau of Reclamation, there is appropriated one  
37 hundred thousand dollars (\$100,000.00) from water  
38 development account I to the Wyoming water development  
39 office to meet the state's proportionate share of the  
40 contract expense for the conservation staff position for  
41 fiscal years 2005 and 2006.

42  
43 **Section ~~7~~-10.** This act is effective immediately upon  
44 completion of all acts necessary for a bill to become law  
45 as provided by Article 4, Section 8 of the Wyoming  
46 Constitution.

**Section 2.** W.S. 41-2-119(a) and (b) (intro) is amended to read:

41-2-119. Groundwater studies.

(a) The Wyoming water development commission may grant not to exceed ~~four million five hundred thousand dollars (\$4,500,000.00)~~ five million five hundred thousand dollars (\$5,500,000.00) to incorporated cities and towns, water and sewer districts and improvement and service districts in Wyoming for exploration for and feasibility studies of the use of underground water for municipal and rural domestic purposes, not to exceed four hundred thousand dollars (\$400,000.00) for any one (1) exploration or study. The grants shall be made from revenues from water development account I and those revenues are hereby so appropriated. Any city or town, water and sewer district or service and improvement district receiving a grant pursuant to this section shall provide at least twenty-five percent (25%) of the cost of the exploration or study from its own funds. The commission shall adopt rules and regulations governing application procedures for the grants.

(b) The commission may expend not to exceed ~~two million five hundred thousand dollars (\$2,500,000.00)~~ three million five hundred thousand dollars (\$3,500,000.00) from the funds appropriated under subsection (a) of this section for exploration and for feasibility studies of the use of underground water for municipal and rural domestic purposes subject to the following conditions:

**Section 3.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)