

ORIGINAL HOUSE
BILL NO. 0145

ENROLLED ACT NO. 54, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to water development projects; authorizing specified Level I and Level II studies and providing appropriations; creating the Platte River recovery implementation program account and providing an appropriation; providing definitions; requiring reports; providing for reversion of unexpended funds; providing an appropriation for the office of water programs; transferring money to water development account III as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

[2006-2007 WATER PROGRAM]

[AUTHORIZED LEVEL I AND LEVEL II STUDIES]

Section 1. LEVEL I RECONNAISSANCE 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 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, 2008, 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 2008 legislative session.

[LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

PROJECT

LOCATION

APPROPRIATION

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Owl Creek Rural Water Supply	Hot Springs County	\$75,000
Statewide Water Research	Statewide	300,000
Wind River Glaciers	Fremont, Sublette Counties	<u>225,000</u>
Total appropriation for Section 1		\$600,000

Section 2. 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, 2008, 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 2008 legislative session.

[LEVEL I RECONNAISSANCE STUDIES - REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Buffalo/Sheridan Area Water Supply/Lake DeSmet Master Plan	Johnson and Sheridan Counties	\$600,000
Cottonwood/Grass Creek Watershed Management Plan	Hot Springs County	300,000
Goshen I.D. Master Plan	Goshen County	225,000
Middle Fork Powder Watershed Management Plan 1.	Johnson County	300,000
Shell Valley Watershed Management Plan	Big Horn County	300,000
South Thermopolis Master Plan	Hot Springs County	100,000

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Star Valley Ranch	Lincoln County	<u>200,000</u>
Master Plan		
Total appropriation for Section 2		\$2,025,000

1. The project applicant and the Wyoming water development commission shall mutually agree upon a scope of services before the project commences.

Section 3. 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, 2008, 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 2008 legislative session.

[LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Glendo Water Supply	Platte County	\$625,000
LaBarge Water Supply	Lincoln County	400,000
Cheyenne/Laramie County Water Service Area	Laramie County	450,000
Sundance Meadows 1.	Converse County	50,000
Alpine Master Plan Update, Phase II	Lincoln County	185,000
Cheyenne Belvoir Ranch, Phase II 2.	Laramie County	450,000
Glenrock Well Phase II	Converse County	550,000
Hudson Water Supply	Fremont County	575,000
Lysite Test Well	Fremont County	545,000
Northern Arapaho	Fremont County	605,000

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Groundwater, Budget Increase		
Saratoga Test Well, Phase II	Carbon County	300,000
Shoshone Groundwater Dev., Budget Increase	Fremont County	600,000
Jon's Drop Hydropower	Carbon County	40,000
Coalbed Methane (CBM) Water Delivery	Powder and North Platte River Basin	500,000
Analysis, Powder River Basin to Platte River Basin 3.		
Hold Projects*	Statewide	<u>15,000</u>
Total appropriation for Section 3		\$5,890,000

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

2. Surface and groundwater interference issues shall be addressed during the study.

3. The water development commission in consultation with the governor's office, the attorney general's office, the state engineer's office, the department of environmental quality and representatives of the oil and gas industry shall compile a scope of services and request for proposal to secure the needed professional engineering services to conduct the study.

*Hold projects include: Blackwillow, Rock Springs East, Bridger Valley Water Supply Projects, Cheyenne Hydropower, Crow Creek Groundwater Recharge, Goshen Re-regulating Reservoir, Greybull Valley Hydropower, Middle Fork Dam and North Cheyenne.

As used in this section, "Hold project" means a project which has had a previous legislative funding authorization for a study at the same level authorized by this act, but

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has been placed on hold status as a result of outstanding issues which warrant limiting future expenditures until the issues are resolved. Hold status serves to document commission or sponsor interest in a project subject to resolution of issues.

Section 4. LEVEL II FEASIBILITY STUDIES - STORAGE. The following sums of money are appropriated from water development account III, as created by W.S. 41-2-124(a)(iii), 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, 2008, shall revert to water development account III. The commission shall submit a report to the legislature on each of the following studies prior to the 2008 legislative session.

[LEVEL II FEASIBILITY STUDIES - STORAGE]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Middle Piney, Phase I	Sublette County	<u>\$200,000</u>
Total appropriation for Section 4		\$200,000

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

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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, 2008, 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 2008 legislative session.

[LEVEL II FEASIBILITY STUDIES - REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Casper Alcova ID GIS	Natrona County	\$200,000
Douglas Groundwater	Converse County	75,000
Shoshone ID Rehab, GIS	Park County	300,000
Washakie Co. Safety	Washakie County	50,000
Crowheart/Dinwoody 1.	Fremont County	200,000
Gooseberry ID	Washakie/Hot Springs	100,000
Conservation, 2006	Counties	
Heart Mountain ID,	Park County	21,000
Budget Increase		
Riverton/Mountain	Fremont County	125,000
View, Budget Increase		
Wheatland ID,	Platte County	<u>300,000</u>
Phase II Conservation		
Total appropriation for Section 5		\$1,371,000

1. An official letter, minutes from a meeting, or resolution of the business council of the Eastern Shoshone tribe or Northern Arapaho tribe or the joint business council of the Eastern Shoshone and Northern Arapaho tribes, which demonstrates support for the project shall be submitted to the Wyoming water development office prior to commencement of the project.

Section 6. PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM. Six million dollars (\$6,000,000.00) is appropriated from water development account I to establish a Platte River Basin endangered species account for the

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Wyoming water development office to fund the state of Wyoming's participation in the Platte River Recovery Implementation Program (PRRIP). Since PRRIP cost estimates are in fiscal year 2005 dollars, any unexpended balance in the Platte River Basin endangered species account shall be invested by the state treasurer and the interest earned shall be credited to the Platte River Basin endangered species account to meet the cost of inflation over the term of the PRRIP. Expenditures from the Platte River Basin endangered species account shall not be authorized until the state of Wyoming has entered into and the governor has executed a cooperative agreement with the United States Department of the Interior and the states of Nebraska and Colorado for the PRRIP. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2021.

Section 7. The Wyoming Water Development Commission is authorized to contract with the University of Wyoming in an amount not to exceed one hundred fifty-six thousand dollars (\$156,000.00) from water development account I to fund the Office of Water Programs established under W.S. 41-2-125 from July 1, 2006 through June 30, 2008.

Section 8. Water Account III: W.S. 41-2-124(e)(i) is amended to read:

41-2-124. Accounts created; unexpended balance.

(e) There is transferred to the water development account III created by paragraph (a)(iii) of this section effective July 1, 2005:

(i) Fifty-four million seventy thousand dollars (\$54,070,000.00) from water development account I reserved for the ~~Level III~~ Green River/Wind River ~~construction~~

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project development fund established in W.S. 99-3-604. The transfer of money into water development account III shall not eliminate recognition of the water storage potential in the Green River/Wind River basins;

Section 9. 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)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk