

ORIGINAL SENATE
FILE NO. 0056

ENROLLED ACT NO. 34, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

AN ACT relating to water development projects; providing for construction of dams and reservoirs; authorizing construction of designated water projects; describing projects; specifying terms and conditions of funding for projects; providing appropriations; modifying project descriptions and terms of appropriations for various specified prior projects; and providing for an effective date.

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

Section 1. W.S. 99-3-1301 through 99-3-1304 are created to read:

ARTICLE 13
2008 CONSTRUCTION PROJECTS

99-3-1301. Definitions.

The definitions in W.S. 99-3-101 apply to this article.

99-3-1302. General authorization.

The provisions of W.S. 99-3-102 apply to this article.

99-3-1303. Level III construction projects - new development.

(a) Authorization is granted for the Level III new development construction projects identified in this section subject to the general conditions specified in W.S. 99-3-103.

(b) Project - Cowley Transmission Pipeline:

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- (i) Project sponsor: Town of Cowley;
- (ii) Project purpose: Municipal, rural domestic water supply;
- (iii) Project description: Design and construction of transmission pipelines and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Two million forty thousand dollars (\$2,040,000.00);
- (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million three hundred sixty-six thousand eight hundred dollars (\$1,366,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
- (vi) Appropriation: There is appropriated from water development account I to the commission one million three hundred sixty-six thousand eight hundred dollars (\$1,366,800.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013;
- (vii) Special conditions:
 - (A) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources;

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(B) The sponsor may use an amount not to exceed forty-six thousand nine hundred dollars (\$46,900.00) of the project grant for the design of the transmission pipeline that will connect to the Cowley Transmission Pipeline to serve rural domestic customers or sixty-seven percent (67%) of the actual design costs, whichever is less.

(c) Project - Gillette Fort Union Wells:

(i) Project sponsor: City of Gillette;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of municipal wells and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million nine hundred seventy thousand dollars (\$6,970,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four million six hundred sixty-nine thousand nine hundred dollars (\$4,669,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two

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million three hundred thousand one hundred dollars (\$2,300,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission six million nine hundred seventy thousand dollars (\$6,970,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013.

(d) Project - Glenrock Well:

(i) Project sponsor: Town of Glenrock;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of pump, motor, controls, piping and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred twenty thousand dollars (\$520,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred forty-eight thousand four hundred dollars

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(\$348,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred seventy-one thousand six hundred dollars (\$171,600.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred twenty thousand dollars (\$520,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013;

(viii) Special condition: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(e) Project- Greybull Pipeline and Well Improvements:

(i) Project sponsor: Town of Greybull;

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(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of pipeline and well improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million four hundred seventy thousand dollars (\$1,470,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed nine hundred eighty-four thousand nine hundred dollars (\$984,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred eighty-five thousand one hundred dollars (\$485,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million four hundred seventy thousand dollars (\$1,470,000.00) or as much thereof as is necessary to carry out the purpose of

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this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013.

(f) Project - Laramie Transmission Pipeline:

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design of a transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred eighty thousand dollars (\$880,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement and project land procurement an amount not to exceed five hundred eighty-nine thousand six hundred dollars (\$589,600.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement and project land procurement an amount not to exceed two hundred ninety thousand four hundred dollars (\$290,400.00) or thirty-three percent (33%) of actual costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

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(vii) Appropriation: There is appropriated from water development account I to the commission eight hundred eighty thousand dollars (\$880,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013.

(g) Project - Lovell Transmission Pipelines:

(i) Project sponsor: Town of Lovell;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million nine hundred forty thousand dollars (\$1,940,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million two hundred ninety-nine thousand eight hundred dollars (\$1,299,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred ninety-nine thousand eight hundred dollars (\$1,299,800.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds

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appropriated under this subsection shall revert to water development account I on July 1, 2013;

(vii) Special condition: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

[REHABILITATION CONSTRUCTION PROJECTS]

99-3-1304. Level III construction projects - rehabilitation.

(a) Authorization is granted for the Level III rehabilitation construction projects identified in this section, subject to the general conditions specified in W.S. 99-3-104.

(b) Project - Big Horn Canal Lining:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of improvements to an existing canal and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thousand dollars (\$500,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and

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construction of the project an amount not to exceed three hundred thirty-five thousand dollars (\$335,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred sixty-five thousand dollars (\$165,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission five hundred thousand dollars (\$500,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013.

(c) Project - Casper's Rock Creek Dam Rehabilitation:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of dam rehabilitation measures and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: One million two hundred forty-five thousand dollars (\$1,245,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight hundred thirty-four thousand one hundred fifty dollars (\$834,150.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred thirty-four thousand one hundred fifty dollars (\$834,150.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013;

(vii) Special condition: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

(d) Project - Cheyenne's Granite Dam Spillway Improvements:

(i) Project sponsor: City of Cheyenne;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of improvements to the spillway for the Granite Dam and other appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: One million dollars (\$1,000,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed six hundred seventy thousand dollars (\$670,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred seventy thousand dollars (\$670,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013;

(vii) Special condition: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

(e) Project - Gooseberry Rehabilitation:

(i) Project sponsor: Gooseberry Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of irrigation system improvements and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: One million one hundred ninety thousand dollars (\$1,190,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred ninety-seven thousand three hundred dollars (\$797,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred ninety-two thousand seven hundred dollars (\$392,700.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million one hundred ninety thousand dollars (\$1,190,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013.

(f) Project - Heart Mountain Rehabilitation:

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(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred fifty thousand dollars (\$2,350,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed one million five hundred seventy-four thousand five hundred dollars (\$1,574,500.00) or one hundred percent (100%) of the approved material costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred seventy-four thousand five hundred dollars (\$1,574,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

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(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(g) Project - Sidon Rehabilitation:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of delivery ditch improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred five thousand dollars (\$405,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two hundred seventy-one thousand three hundred fifty dollars (\$271,350.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not

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to exceed one hundred thirty-three thousand six hundred fifty dollars (\$133,650.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of eight (8) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred five thousand dollars (\$405,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012.

(h) Project - Taylor Ditch Siphon:

(i) Project sponsor: Taylor Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction to replace an irrigation ditch siphon and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred sixty-seven thousand dollars (\$667,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred forty-six thousand eight hundred

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ninety dollars (\$446,890.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fifty thousand twenty-five dollars (\$50,025.00) or seven and five-tenths percent (7.5%) of actual development costs, whichever is less, for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred ninety-six thousand nine hundred fifteen dollars (\$496,915.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2013;

(viii) Special condition: The sponsor is responsible for acquiring twenty-five and five-tenths percent (25.5%) of the total project budget from other sources.

(j) Project Sponsor's Inflation Fund -
Rehabilitation:

(i) Project sponsor: Any eligible sponsor;

(ii) Project purpose: Variable purpose water supplies;

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(iii) Project description: The establishment of a fund to provide supplemental funding for sponsors' existing Level III rehabilitation construction projects where construction budgets have been rendered insufficient due to inflation and the rapid increase in material cost;

(iv) Total project budget: Five hundred thousand dollars (\$500,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed sixty-seven percent (67%) of the difference between the original project budget and the actual cost of construction;

(vi) Project loan: The state of Wyoming shall loan to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed thirty-three percent (33%) of the difference between the original project budget and the actual cost of construction, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission five hundred thousand dollars (\$500,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013;

(viii) Special condition: The commission is authorized to consider and approve supplemental funding to complete existing water development program Level III construction projects any time during the calendar year.

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[AMENDMENTS TO PRIOR PROJECTS]

Section 2. W.S. 99-3-203(m)(iv) through (vii) and by creating a new paragraph (viii), 99-3-703(f)(iv) through (vii), (ix) through (xii) and (xiii)(C), 99-3-803(c)(vi), (x) and (e)(iv) through (vii), 99-3-804(d)(iv) through (viii), (j)(iv) through (vii) and by creating a new paragraph (viii), 99-3-904(b)(vi), 99-3-1003(h)(vi), 99-3-1004(k)(vi), 99-3-1103(d)(ii), (iv) through (vii), (k)(iv) through (viii) and (o)(iv) through (vi), 99-3-1104(j)(ii) through (vii) and by creating a new paragraph (viii), 99-3-1203(e)(vii), (f)(vii), (j)(iii) through (vii) and (o)(vii), 99-3-1204(c)(iii) through (vii) and (e)(iii) through (vii) are amended to read:

99-3-203. Level III construction projects - new development.

(m) Project - Torrington Water Supply Project:

(iv) Total project budget: ~~Four million five hundred thousand dollars (\$4,500,000.00)~~ Five million one hundred five thousand dollars (\$5,105,000.00);

(v) Project loan: The state of Wyoming may loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~one million eight hundred thousand dollars (\$1,800,000.00)~~ three hundred twenty-nine thousand seven hundred eighty-three dollars (\$329,783.00) or ~~forty percent (40%)~~ six and forty-six hundredths percent (6.46%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to

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the sponsor, at an annual rate of seven and one-quarter percent (7.25%); ~~In lieu of this loan, the sponsor is encouraged to seek application for funding forty percent (40%) of project costs from United States department of agriculture rural development;~~

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~two million seven hundred thousand dollars (\$2,700,000.00)~~ three million sixty-three thousand dollars (\$3,063,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission ~~four million five hundred thousand dollars (\$4,500,000.00)~~ three million three hundred ninety-two thousand seven hundred eighty-three dollars (\$3,392,783.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2007~~ 2008;

(viii) Special condition: The sponsor is responsible for acquiring thirty-three and fifty-four hundredths percent (33.54%) of the total project budget from other sources.

Source notes for subsection (m): (Laws 1998, Ch. 38, 2; 2002, Ch. 88, 3.)

99-3-703. Level III construction projects - new development.

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(f) Project - Little Snake River Small Dams and Reservoirs Phase II Project:

(iv) Total project budget: ~~Five hundred thousand dollars (\$500,000.00)~~ Four hundred sixty-five thousand dollars (\$465,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~two hundred thousand dollars (\$200,000.00)~~ one hundred eighty-six thousand dollars (\$186,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~three hundred thousand dollars (\$300,000.00)~~ two hundred seventy-nine thousand dollars (\$279,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission ~~five hundred thousand dollars (\$500,000.00)~~ four hundred sixty-five thousand dollars (\$465,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~ 2013;

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(ix) Supplemental project budget: ~~One hundred sixty seven thousand dollars (\$167,000.00)~~ Three hundred eighty-seven thousand dollars (\$387,000.00);

(x) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission an amount not to exceed ~~one hundred eleven thousand eight hundred ninety dollars (\$111,890.00)~~ two hundred fifty-nine thousand two hundred ninety dollars (\$259,290.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(xi) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission an amount not to exceed ~~fifty five thousand one hundred ten dollars (\$55,110.00)~~ one hundred twenty-seven thousand seven hundred ten dollars (\$127,710.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%). Supplemental loan funds may be used for design, construction engineering and construction of the project;

(xii) Supplemental appropriation: There is appropriated from water development account I to the commission an additional ~~one hundred sixty seven thousand dollars (\$167,000.00)~~ three hundred eighty-seven thousand dollars (\$387,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total ~~six hundred sixty~~

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~~seven thousand dollars (\$667,000.00)~~ eight hundred fifty-two thousand dollars (\$852,000.00), or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~ 2013; and

(xiii) Special supplemental conditions:

(C) Supplemental funding shall be limited to the twelve (12) projects identified and recommended for construction in the Little Snake River Basin Small Reservoir Development Project, ~~and~~ and the Grieve Reservoir Project. The sponsor shall obtain the approval of the commission prior to the construction of any individual facility.

Source notes for subsection (f): (Laws 2002, Ch. 88, 1; 2006, Ch. 105, 5.)

99-3-803. Level III construction projects - new development.

(c) Buffalo Water Storage Tank Project:

(vi) Appropriation: There is appropriated from water development account I to the commission two million seven hundred two thousand five hundred dollars (\$2,702,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~ 2008;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional five hundred seventy-six thousand

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eight hundred seventy dollars (\$576,870.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total three million two hundred seventy-nine thousand three hundred seventy dollars (\$3,279,370.00), or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010-2008~~; and

(e) Project - Moorcroft Madison Well Water Supply Project:

(iv) Total project budget: ~~Three million seven hundred fifty thousand dollars (\$3,750,000.00)~~ Five million seven hundred seventy thousand dollars (\$5,770,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed ~~two million two hundred fifty thousand dollars (\$2,250,000.00)~~ three million eight hundred sixty-five thousand nine hundred dollars (\$3,865,900.00) or ~~sixty percent (60%)~~ sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ~~two million two hundred fifty thousand dollars (\$2,250,000.00)~~ three million eight hundred sixty-five thousand nine hundred dollars (\$3,865,900.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2008-2011~~; and

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(vii) Special ~~condition~~ conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of not to exceed one hundred twenty-nine thousand thirty-one dollars and forty cents (\$129,031.40) or forty percent (40%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an annual interest rate of six percent (6%). In either event, the well purchase agreement shall be completed prior to commencement of the project; ~~and~~ and

(B) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 2003, Ch. 69, 1.)

99-3-804. Level III construction projects rehabilitation.

(d) Project - Byron Raw Water Supply:

(iv) Total project budget: ~~Two million eighty thousand dollars (\$2,080,000.00)~~ Two million three hundred fifty thousand dollars (\$2,350,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, ~~permit procurement,~~ and construction engineering, ~~project land procurement and construction~~ of the project an amount not to exceed ~~six~~

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~~hundred twenty four thousand dollars (\$624,000.00) or thirty percent (30%)~~ four hundred thirty-five thousand dollars (\$435,000.00) or one hundred percent (100%) of the actual ~~development~~ engineering costs, as described in subparagraph (d)(viii)(B), whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of ~~six percent (6%)~~ four percent (4%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for ~~design, permit procurement, construction engineering, project land procurement and construction of the project~~ purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed ~~one million forty thousand dollars (\$1,040,000.00) or fifty percent (50%)~~ one million one hundred twenty-six thousand dollars (\$1,126,000.00) or one hundred percent (100%) of the ~~actual development~~ approved material costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission ~~one million six hundred sixty four thousand dollars (\$1,664,000.00)~~ one million five hundred sixty-one thousand dollars (\$1,561,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2008~~ 2013; and

(viii) Special ~~condition~~ conditions:

(A) The sponsor is responsible for acquiring the balance of the total project budget from other sources~~;~~

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(B) The loan provided in paragraph (v) of this subsection includes one hundred seventy thousand two hundred thirteen dollars and ninety cents (\$170,213.90) to reimburse the commission for funds provided to the sponsor prior to December 31, 2007. With the remaining balance of the loan, the sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents, and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (d): (Laws 2003, Ch. 69, 1; 2004, Ch. 118, 9.)

(j) Project - Highline Canal Rehabilitation Project:

(iv) Total project budget: ~~Five hundred thirty-one thousand dollars (\$531,000.00)~~ One million one hundred seventy-six thousand dollars (\$1,176,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the ~~design, permit procurement, construction engineering, project land procurement and construction of the project~~ development costs paid through December 1, 2007, an amount not to exceed ~~two hundred sixty five thousand five hundred dollars (\$265,500.00)~~ sixty-one thousand dollars (\$61,000.00) or ~~fifty percent (50%)~~ one hundred percent (100%) of the actual development costs paid through December 1, 2007, whichever is less, for a term of ~~thirty (30)~~ ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

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(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the ~~design, permit procurement, construction engineering, project land procurement and construction of the project~~ purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed ~~two hundred sixty five thousand five hundred dollars (\$265,500.00)~~ seven hundred forty-seven thousand fifty dollars (\$747,050.00) or ~~fifty percent (50%)~~ one hundred percent (100%) of the ~~actual development~~ approved material costs, whichever is less; ~~and~~

(vii) Appropriation: There is appropriated from water development account II to the commission ~~five hundred thirty one thousand dollars (\$531,000.00)~~ eight hundred eight thousand fifty dollars (\$808,050.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2008-2012; and~~

(viii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents, and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (j): (Laws 2003, Ch. 69, 1.)

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**99-3-904. Level III construction projects -
rehabilitation.**

(b) Project - Albin Pipelines and Well
Rehabilitation:

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed two hundred fifteen thousand dollars (\$215,000.00) or fifty percent (50%) of the actual development costs, whichever is less; ~~and~~

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifteen thousand dollars (\$215,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2008~~2011; and

Source notes for subsection (b): (Laws 2004, Ch. 118, § 1.)

**99-3-1003. Level III construction projects - new
development.**

(h) Project - Gillette Fort Union Well Field, Phase
I:

(vi) Appropriation: There is appropriated from water development account I to the commission one million dollars (\$1,000,000.00) or as much thereof as is necessary

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to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~2008;

Source notes for subsection (c): (Laws 2005, Ch. 147, 1; 2006, Ch. 105, 17; 2007, Ch. 121, 2.)

99-3-1004. Level III construction projects - rehabilitation.

(k) Project - Stonegate Water Supply Project:

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty thousand dollars (\$130,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2009~~2008;

Source notes for subsection (k): (Laws 2005, Ch. 147, 1.)

99-3-1103. Level III construction projects - new development.

(d) Project - Dubois Well No. Eleven Supply:

(ii) Project purpose: Municipal, rural domestic water supply;

(iv) Total project budget: ~~Two hundred five thousand dollars (\$205,000.00)~~Four hundred fifteen thousand dollars (\$415,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I

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through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed ~~one hundred thirty seven thousand three hundred fifty dollars (\$137,350.00)~~ two hundred seventy-eight thousand fifty dollars (\$278,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed ~~sixty-seven thousand six hundred fifty dollars (\$67,650.00)~~ one hundred thirty-six thousand nine hundred fifty dollars (\$136,950.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission ~~two hundred five thousand dollars (\$205,000.00)~~ four hundred fifteen thousand dollars (\$415,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~ 2011; and

Source notes for subsection (d) :(Laws 2006, Ch. 105, 3.)

(k) Project - Pine Bluffs Lance, Fox Hills Well:

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(iv) Total project budget: ~~Three hundred twenty-five thousand dollars (\$325,000.00)~~ Five hundred forty thousand dollars (\$540,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed ~~two hundred seventeen thousand seven hundred fifty dollars (\$217,750.00)~~ three hundred sixty-one thousand eight hundred dollars (\$361,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed ~~one hundred seven thousand two hundred fifty dollars (\$107,250.00)~~ seventy-three thousand four hundred forty dollars (\$73,440.00) or ~~thirty-three percent (33%)~~ thirteen and six-tenths percent (13.6%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission ~~three hundred twenty-five thousand dollars (\$325,000.00)~~ four hundred thirty-five thousand two hundred forty dollars (\$435,240.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010-2011~~; and

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(viii) Special ~~condition~~ conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price not to exceed forty thousand three hundred fifty-nine dollars (\$40,359.00) or thirty-three percent (33%) of the well's actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%) ~~;-~~

(B) The sponsor is responsible for acquiring nineteen and four-tenths percent (19.4%) of the total project budget from other sources.

Source notes for subsection (k): (Laws 2006, Ch. 105, 3.)

(o) Project - Wardwell Water Supply Improvements:

(iv) Total project budget: ~~Two million eight hundred sixteen thousand dollars (\$2,816,000.00)~~ Six million eight hundred seventy thousand dollars (\$6,870,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, and project land procurement of the project an amount not to exceed ~~one million eight hundred eighty six thousand seven hundred twenty dollars (\$1,886,720.00)~~ four million six hundred two thousand nine hundred dollars (\$4,602,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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(vi) Appropriation: There is appropriated from water development account I to the commission ~~one million eight hundred eighty six thousand seven hundred twenty dollars (\$1,886,720.00)~~ four million six hundred two thousand nine hundred dollars (\$4,602,900.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010~~ 2011; and

Source notes for subsection (o): (Laws 2006, Ch. 105, 3.)

99-3-1104. Level III construction projects - rehabilitation.

(j) Project - Thermopolis Storage Replacement and Rehabilitation:

(ii) Project purpose: Municipal, domestic water supply;

(iii) Project description: Rehabilitation of the town's water storage system, ~~including addition of new storage, the rehabilitation of an existing storage tank, and removing and subsequent storing of another existing tank~~ and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Seven hundred seventy five thousand dollars (\$775,000.00)~~ Two million eight hundred eighty thousand dollars (\$2,880,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and

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construction of the project an amount not to exceed ~~five hundred nineteen thousand two hundred fifty dollars (\$519,250.00)~~ one million nine hundred twenty-nine thousand six hundred dollars (\$1,929,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission ~~five hundred nineteen thousand two hundred fifty dollars (\$519,250.00)~~ two million three hundred twenty-four thousand one hundred sixty dollars (\$2,324,160.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2010~~ 2012; ~~and~~

(vii) Special condition: The sponsor is responsible for acquiring ~~thirty-three percent (33%)~~ nineteen and three-tenths percent (19.3%) of the total project budget from other sources; ~~and~~

(viii) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred ninety-four thousand five hundred sixty dollars (\$394,560.00) or thirteen and seven-tenths percent (13.7%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%).

Source notes for subsection (j): (Laws 2006, Ch. 105, 3.)

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99-3-1203. Level III construction projects - new development.

(e) Project - Lander Paleozoic Well:

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred fifteen thousand dollars (\$715,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2012,~~ 2008.

Source notes for subsection (e):(Laws 2007, Ch. 121, 1.)

(f) Project - Northern Arapaho Well and Transmission Project:

(vii) Appropriation: There is appropriated from water development account I to the commission three million two hundred thousand dollars (\$3,200,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2012,~~ 2008.

Source notes for subsection (f):(Laws 2007, Ch. 121, 1.)

(j) Project - Saratoga Well Field Project:

(iii) Project description: ~~Engineering services for well field design, permitting and right of way acquisition~~ Design and construction of a well-field and pipelines and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: ~~Four hundred thirty seven thousand five hundred dollars (\$437,500.00)~~ Six million nine hundred fifty thousand dollars (\$6,950,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, ~~and project land procurement,~~ construction engineering and construction of the project an amount not to exceed ~~two hundred ninety three thousand one hundred twenty five dollars (\$293,125.00)~~ four million six hundred fifty-six thousand five hundred dollars (\$4,656,500.00) or sixty-seven percent (67%) of the actual ~~design, permit procurement and land acquisition~~ development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ~~two hundred ninety three thousand one hundred twenty five dollars (\$293,125.00)~~ four million six hundred fifty-six thousand five hundred dollars (\$4,656,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

(vii) Special ~~condition~~ conditions:

(A) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources; ~~and~~

(B) The sponsor shall purchase the wells drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the wells' actual construction costs. The sponsor may purchase the wells with

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a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (j): (Laws 2007, Ch. 121, 1.)

(o) Project - Alpine Water Supply Project:

(vii) Special ~~condition~~ conditions:

(A) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources; and

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (o): (Laws 2007, Ch. 121, 1.)

99-3-1204. Level III construction projects rehabilitation.

(c) Project - Cody Canal ~~Phase I~~ Rehab Project:

(iii) Project description: Design and construction of rehabilitation measures to reconstruct siphons, miscellaneous checks, head gates, drop structures and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: ~~One hundred twenty-five thousand dollars (\$125,000.00)~~ One million three hundred seventy-five thousand dollars (\$1,375,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, ~~and permit procurement,~~ project land procurement, construction engineering and construction of the project an amount not to exceed ~~eighty three thousand seven hundred fifty dollars (\$83,750.00)~~ nine hundred twenty-one thousand two hundred fifty dollars (\$921,250.00) or sixty-seven percent (67%) of the actual ~~engineering design and permit procurement development costs,~~ whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, ~~and permit procurement,~~ project land procurement, construction engineering and construction of the project an amount not to exceed ~~forty one thousand two hundred fifty dollars (\$41,250.00)~~ four hundred fifty-three thousand seven hundred fifty dollars (\$453,750.00) or thirty-three percent (33%) of actual ~~engineering design and permit procurement development~~ costs, whichever is less, for a term of ~~twenty (20)~~ thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission ~~one hundred twenty five thousand dollars (\$125,000.00)~~ one million three hundred seventy-five thousand dollars (\$1,375,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under

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this subsection shall revert to water development account II on July 1, 2012.

Source notes for subsection (c): (Laws 2007, Ch. 121, 1.)

(e) Project - Heart Mountain Lining Project:

(iii) Project description: Design and construction of rehabilitation measures for the Buck Springs Siphon and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Seventy-eight thousand dollars (\$78,000.00)~~ Nine hundred seventy-eight thousand dollars (\$978,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, and permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~fifty-two thousand two hundred sixty dollars (\$52,260.00)~~ six hundred fifty-five thousand two hundred sixty dollars (\$655,260.00) or sixty-seven percent (67%) of the actual ~~engineering design and permit procurement development~~ costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, and permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ~~twenty-five thousand seven hundred forty dollars (\$25,740.00)~~ three hundred twenty-two thousand seven hundred forty dollars (\$322,740.00) or thirty-three percent (33%) of actual ~~engineering design and permit procurement~~

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development costs, whichever is less, for a term of ~~thirty~~
~~(30)~~ ten (10) years from the date the commission determines
project benefits accrue to the sponsor, at an annual rate
of four percent (4%);

(vii) Appropriation: There is appropriated from
water development account II to the commission ~~seventy-~~
~~eight thousand dollars (\$78,000.00)~~ nine hundred seventy-
eight thousand dollars (\$978,000.00) or as much thereof as
is necessary to carry out the purpose of this subsection.
Unexpended funds appropriated under this subsection shall
revert to water development account II on July 1, 2012.

Source notes for subsection (e): (Laws 2007, Ch. 121, 1.)

Section 4. W.S. 99-3-1203(e) (viii) and (f) (viii) is
repealed.

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Section 5. 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 Senate.

Chief Clerk