

HOUSE BILL NO. HB0007

Water development projects.

Sponsored by: Joint Agriculture, State and Public Lands and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to water development projects; providing
2 for the development of new water sources of supply;
3 providing for watercourse restoration; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 41-2-112(a), (b)(v), by creating a
9 new paragraph (vii) and by renumbering (vii) as (viii) and
10 41-2-122 by creating a new subsection (d) are amended to
11 read:

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13 **41-2-112. Wyoming water development program.**

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15 (a) The Wyoming water development program is
16 established to foster, promote and encourage the optimal

1 development of the state's human, industrial, mineral,
2 agricultural, water and recreational resources. The
3 program shall provide, through the commission, procedures
4 and policies for the planning, selection, financing,
5 construction, acquisition and operation of projects and
6 facilities for the conservation, storage, distribution and
7 use of water, necessary in the public interest to develop
8 and preserve Wyoming's water and related land resources.
9 The program shall encourage development of new water
10 sources of supply and water facilities for irrigation, for
11 reduction of flood damage, for abatement of pollution, for
12 preservation and development of fish and wildlife resources
13 and for protection and improvement of public lands and
14 shall help make available the waters of this state for all
15 beneficial uses, including but not limited to municipal,
16 domestic, agricultural, industrial, instream flows,
17 hydroelectric power and recreational purposes, conservation
18 of land resources and protection of the health, safety and
19 general welfare of the people of the state of Wyoming.

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21 (b) In developing financing recommendations under the
22 Wyoming water development program, the commission shall:

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1 (v) Consider all funds, assets and revenue
2 sources of all project beneficiaries and recommend
3 financing plans which will reimburse expenditures of state
4 funds, except as such expenditures may be allocated to a
5 state benefit, including development of a new water source
6 of supply and enhancement of fish and wildlife habitat or
7 recreation;

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9 (vii) Consider the development of a new water
10 source of supply to benefit the state of Wyoming;

11
12 ~~(vii)~~ (viii) Consider any other factors necessary
13 to develop comprehensive financing recommendations.

14
15 **41-2-122. Protection and rights of landowner;**
16 **watercourse restoration.**

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18 (d) The commission shall, upon application by a
19 sponsoring entity regarding land that will be flooded by
20 the development of a new water source of supply, restore
21 the natural carrying capacity of the channel when a new
22 water source of supply enters a watercourse with
23 intermittent or ephemeral natural flow and exceeds the
24 carrying capacity of a reach. The commission shall not

1 require a Level I reconnaissance study or spend more than
2 ten percent (10%) of the cost of the watercourse
3 restoration project on planning. Restoration of the
4 natural carrying capacity of the channel in the reach shall
5 be deemed to mitigate any damages and disruption of the
6 landowner's operations resulting from development of the
7 new water source of supply.

8

9 **Section 2.** This act is effective immediately upon
10 completion of all acts necessary for a bill to become law
11 as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14

(END)