

ORIGINAL SENATE
FILE NO. 0037

ENROLLED ACT NO. 21, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2010 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. 99-3-1501 through 99-3-1504 are created to read:

ARTICLE 15
2010 CONSTRUCTION PROJECTS

99-3-1501. Definitions.

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

99-3-1502. General authorization.

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

99-3-1503. 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 - Arapahoe Water Supply:

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- (i) Project sponsor: Northern Arapaho Tribe;
- (ii) Project purpose: Rural domestic water supply;
- (iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Five hundred seventy-five thousand dollars (\$575,000.00);
- (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 eighty-five thousand two hundred fifty dollars (\$385,250.00) 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 three hundred eighty-five thousand two hundred fifty dollars (\$385,250.00) 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, 2015;
- (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 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 shall purchase the well with a lump sum payment. The sponsor shall make the payment described herein prior to the commencement of the project. The payment shall be deposited by the commission into water development account I.

(c) Project - Buffalo Pipeline:

(i) Project sponsor: Town of Buffalo;

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

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

(iv) Total project budget: One million one hundred eighty-two thousand dollars (\$1,182,000.00);

(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 seven hundred ninety-one thousand nine hundred forty dollars (\$791,940.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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(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 three hundred ninety thousand sixty dollars (\$390,060.00) 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 one hundred eighty-two thousand dollars (\$1,182,000.00) 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, 2015.

(d) Project - Burns Storage Tank:

(i) Project sponsor: Town of Burns;

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

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

(iv) Total project budget: Nine hundred thirty thousand dollars (\$930,000.00);

(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,

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project land procurement, construction engineering and construction of the project an amount not to exceed six hundred twenty-three thousand one hundred dollars (\$623,100.00) 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 three hundred six thousand nine hundred dollars (\$306,900.00) 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 nine hundred thirty thousand dollars (\$930,000.00) 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, 2015.

(e) Project - Casper Zone IV Improvements:

(i) Project sponsor: City of Casper;

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

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

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(iv) Total project budget: Nine hundred ninety thousand dollars (\$990,000.00);

(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 six hundred sixty-three thousand three hundred dollars (\$663,300.00) 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 six hundred sixty-three thousand three hundred dollars (\$663,300.00) 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, 2015;

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

(f) Project - Cook Road Well:

(i) Project sponsor: Cook Road Water District;

(ii) Project purpose: Rural domestic and municipal water supply;

(iii) Project description: Design and construction of a groundwater well, connection of the well to the existing water supply system, transmission pipeline

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and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred ninety thousand dollars (\$1,290,000.00);

(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 eight hundred sixty-four thousand three hundred dollars (\$864,300.00) 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 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 twenty-five thousand seven hundred dollars (\$425,700.00) 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 one million two hundred ninety thousand dollars (\$1,290,000.00) 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, 2015.

(g) Project - Ethete Water Supply:

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- (i) Project sponsor: Northern Arapaho Tribe;
- (ii) Project purpose: Rural domestic and municipal water supply;
- (iii) Project description: Design and construction of a well field, transmission pipeline, pump stations, storage tank improvements and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Four million dollars (\$4,000,000.00);
- (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 million dollars (\$2,000,000.00) or fifty percent (50%) of the actual development costs, whichever is less;
- (vi) Appropriation: There is appropriated from water development account I to the commission two million dollars (\$2,000,000.00) 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, 2015;
- (vii) Special condition: The sponsor is responsible for acquiring fifty percent (50%) of the total project budget from other sources.
- (h) Project - Farview Water Supply:

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- (i) Project sponsor: Farview Water District;
- (ii) Project purpose: Rural domestic water supply;
- (iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: One hundred thousand dollars (\$100,000.00);
- (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 sixty-seven thousand dollars (\$67,000.00) 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 I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirty-three thousand dollars (\$33,000.00) 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 one hundred thousand dollars (\$100,000.00) or as much thereof as is

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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, 2015;

(viii) Special conditions: 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%).

(j) Project - Jackson Storage Tanks:

(i) Project sponsor: Town of Jackson;

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

(iii) Project description: Design and construction of two (2) storage tanks, connections for the tanks to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million dollars (\$4,000,000.00);

(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 million six hundred eighty thousand dollars (\$2,680,000.00)

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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 million three hundred twenty thousand dollars (\$1,320,000.00) 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 four million dollars (\$4,000,000.00) 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, 2015.

(k) Project - Owl Creek Water Supply:

(i) Project sponsor: Owl Creek Rural Water District;

(ii) Project purpose: Rural domestic and municipal water supply;

(iii) Project description: Design and construction of transmission pipelines, pump stations, connection to the Town of Thermopolis's water supply system and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: Four million seven hundred fifty thousand dollars (\$4,750,000.00);

(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 million one hundred eighty-two thousand five hundred dollars (\$3,182,500.00) 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 three million one hundred eighty-two thousand five hundred dollars (\$3,182,500.00) 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, 2015;

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

(m) Project - South Laramie Water Supply:

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Municipal and 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;

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(iv) Total project budget: Three million one hundred thousand dollars (\$3,100,000.00);

(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 million seventy-seven thousand dollars (\$2,077,000.00) 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 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 twenty-three thousand dollars (\$1,023,000.00) 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 three million one hundred thousand dollars (\$3,100,000.00) 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, 2015.

(n) Project - South Thermopolis Water Supply:

(i) Project sponsor: South Thermopolis Water and Sewer Water District;

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(ii) Project purpose: Rural domestic and municipal water supply;

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

(iv) Total project budget: Three million one hundred sixty thousand dollars (\$3,160,000.00);

(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 million one hundred seventeen thousand two hundred dollars (\$2,117,200.00) 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 two million one hundred seventeen thousand two hundred dollars (\$2,117,200.00) 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, 2015;

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

(o) Project - Wamsutter Well 2010:

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- (i) Project sponsor: Town of Wamsutter;
- (ii) Project purpose: Municipal and rural domestic water supply;
- (iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: One million one hundred thirty thousand dollars (\$1,130,000.00);
- (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 seven hundred fifty-seven thousand one hundred dollars (\$757,100.00) 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 seven hundred fifty-seven thousand one hundred dollars (\$757,100.00) 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, 2015.
- (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 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 shall purchase the well with a lump sum payment. The sponsor shall make the payment described herein prior to the commencement of the project. The payment shall be deposited by the commission into water development account I.

[REHABILITATION CONSTRUCTION PROJECTS]

9-3-1504. 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 - Casper Alcova Rehabilitation 2010:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Seven hundred twelve thousand dollars (\$712,000.00);

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(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 four hundred seventy-seven thousand forty dollars (\$477,040.00) 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 four hundred seventy-seven thousand forty dollars (\$477,040.00) 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, 2015;

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

(c) Project - Heart Mountain Rehabilitation 2010:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two million one hundred twenty-two thousand dollars (\$2,122,000.00);

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(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 one hundred eighty thousand dollars (\$1,180,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million one hundred eighty thousand dollars (\$1,180,000.00) 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, 2015;

(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;

(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.

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(d) Project - Little Snake Diversions:

(i) Project sponsor: Savery-Little Snake Conservancy District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Nine hundred ninety thousand dollars (\$990,000.00);

(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 sixty-three thousand three hundred dollars (\$663,300.00) 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 design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred twenty-six thousand seven hundred dollars (\$326,700.00) 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%);

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(vii) Appropriation: There is appropriated from water development account II to the commission nine hundred ninety thousand dollars (\$990,000.00) 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, 2015.

(e) Project - Midvale Rehabilitation 2010:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Four hundred seventy thousand dollars (\$470,000.00);

(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 two hundred sixty-three thousand dollars (\$263,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred sixty-three thousand dollars (\$263,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this

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subsection shall revert to water development account II on July 1, 2015;

(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;

(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.

(f) Project - Rawlins Atlantic Rim Reservoir:

(i) Project sponsor: City of Rawlins;

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

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

(iv) Total project budget: Four million dollars (\$4,000,000.00);

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(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 million six hundred eighty thousand dollars (\$2,680,000.00) 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 million three hundred twenty thousand dollars (\$1,320,000.00) 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 four million dollars (\$4,000,000.00) 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, 2015.

(g) Project - Willwood Rehabilitation 2010:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million three hundred fifty-two thousand dollars (\$1,352,000.00);

(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 seven hundred forty-six thousand dollars (\$746,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred forty-six thousand dollars (\$746,000.00) 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, 2015;

(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;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor

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construction activities including the installation of project components and the tracking of project expenditures.

[AMENDMENTS TO PRIOR PROJECTS]

Section 2. W.S. 99-1-105, 99-2-303(f)(v)(C), 99-3-703(f)(xiii)(C), (j)(iv) through (vi) and (ix), 99-3-704(g)(iv) through (vi) and (ix), 99-3-804(d)(vii) and (viii) by creating a new subparagraph (C), 99-3-904(n)(vi), 99-3-1103(m)(vii), 99-3-1104(g)(vi), 99-3-1106(a)(vii) and (b)(vii), 99-3-1403(j)(iii) through (vii), (k)(iii) through (vii), (m)(iii) through (vii) and (o)(iii) through (vii), 99-3-1404(b)(iv) through (vii) and 99-99-1001(a) by creating a new paragraph (vii), (g) and by creating a new subsection (k) are amended to read:

(Deer Creek Project)

99-1-105. Project appropriation.

The total project budget is forty-five million dollars (\$45,000,000.00). There is appropriated from that portion of the water development account funded from revenues pursuant to W.S. 39-6-305(g) to the commission ~~thirteen million five hundred thousand dollars (\$13,500,000.00)~~ five million two hundred fifty thousand dollars (\$5,250,000.00) or as much thereof as is necessary to carry out the purposes of this act. Unexpended funds appropriated under this section shall revert to the account established in W.S. 99-99-1001(a)(vii) on July 1, 2010.

99-2-303. Level III construction projects - new development.

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(f) Project - Little Snake River Valley Dam and Reservoir Project:

(v) Appropriation:

(C) Unexpended funds appropriated under this subsection shall revert to ~~water development account I~~ the account established in W.S. 99-99-1001(a)(vi) on July 1, ~~2005-2010~~.

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

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

(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, the Doty Mountain Five Project, Coal Gulch Dam Project and the Grieve Reservoir Project. The sponsor shall obtain the approval of the commission prior to the construction of any individual facility.

(j) Project - Small Water Development Projects:

(iv) Total project budget: ~~Three million five hundred thousand dollars (\$3,500,000.00)~~ Three million nine hundred thousand dollars (\$3,900,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account I through the commission for the design, permit procurement, project

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land procurement, construction engineering and construction of the project an amount not to exceed ~~one million seven hundred fifty thousand dollars (\$1,750,000.00)~~ one million nine hundred fifty thousand dollars (\$1,950,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ~~one million seven hundred fifty thousand dollars (\$1,750,000.00)~~ one million nine hundred fifty thousand dollars (\$1,950,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. The funds appropriated shall not lapse at the end of any fiscal period but shall carry over until expended or reverted by the legislature to water development account I;

(ix) No new project shall be authorized under this subsection on or after ~~April 1, 2010~~ July 1, 2012.

99-3-704. Level III construction projects-rehabilitation

(g) Project - Small Water Development Projects:

(iv) Total project budget: ~~Three million five hundred thousand dollars (\$3,500,000.00)~~ Three million one hundred thousand dollars (\$3,100,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors 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 million seven hundred fifty thousand dollars (\$1,750,000.00)~~ one million five hundred fifty thousand dollars (\$1,550,000.00) or

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fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission ~~one million seven hundred fifty thousand dollars (\$1,750,000.00)~~ one million five hundred fifty thousand dollars (\$1,550,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. The funds appropriated shall not lapse at the end of any fiscal period but shall carry over until expended or reverted by the legislature to water development account II;

(ix) No new project shall be authorized under this subsection on or after ~~April 1, 2010~~ July 1, 2012.

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

(d) Project - Byron Raw Water Supply:

(vii) Appropriation: There is appropriated from water development account II to the commission 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, ~~2013~~ 2010; and

(viii) Special conditions:

(C) Notwithstanding the other provisions of this subsection to the contrary, since the sponsor has abandoned the project, the sponsor shall be obligated to pay the funds disbursed by the commission for project purposes in the amount of one hundred seventy thousand two

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hundred fourteen dollars (\$170,214.00). The sponsor shall make the payment described herein not later than July 1, 2010. The payment shall be deposited by the commission into water development account II.

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

(n) Project - Wind River Irrigation Project:

(vi) Appropriation: There is appropriated from water development account II to the commission three million five hundred thousand dollars (\$3,500,000.00) 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, ~~2010~~2015; and

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

(m) Project - Pine Haven Transmission 2006 Project:

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred forty-eight thousand dollars (\$348,000.00) 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~~2012.

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

(g) Project - Midvale Irrigation District Conservation/Automation Project:

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(vi) Appropriation: There is appropriated from water development account II to the commission five hundred forty-two thousand seven hundred dollars (\$542,700.00) 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

99-3-1106. Sponsor's inflation funds.

There are created the following sponsor's inflations funds:

(a) Project - Sponsor's Inflation Fund - New Development:

(vii) Appropriation: There is appropriated from water development account I to the commission two million dollars (\$2,000,000.00) 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

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

(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~~II on July 1, ~~2010~~2013; and

99-3-1403. Level III construction projects-new development.

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(j) Project - Pinedale Pipelines-Phase I:

(iii) Project description: Design, permit procurement, project land procurement, ~~for two (2) transmission pipelines and~~ construction engineering and construction of ~~one (1) two (2) transmission pipeline pipelines~~ and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Eleven million six hundred seventy thousand dollars (\$11,670,000.00)~~ Eleven million four hundred seventy thousand dollars (\$11,470,000.00);

(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, ~~for two (2) transmission pipelines and~~ construction engineering and construction of ~~one (1) transmission pipeline~~ the project an amount not to exceed ~~five million two hundred ninety three thousand dollars (\$5,293,000.00)~~ seven million six hundred eighty-four thousand nine hundred dollars (\$7,684,900.00) 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, project land procurement, ~~for two (2) transmission pipelines and~~ construction engineering and construction of ~~one (1) transmission pipeline~~ the project an amount not to exceed ~~two million six hundred seven thousand dollars (\$2,607,000.00)~~ three million seven hundred eighty-five thousand one hundred dollars (\$3,785,100.00) or thirty-

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three percent (33%) of the 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%);

(vii) Appropriation: There is appropriated from water development account I to the commission ~~seven million nine hundred thousand dollars (\$7,900,000.00)~~ eleven million four hundred seventy thousand dollars (\$11,470,000.00) 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, 2014.

(k) Project - Rawlins Reservoir and Atlantic Rim Pipeline Phase I:

(iii) Project description: Design and construction of a ~~reservoir and transmission pipelines~~ pipeline, pump station, outlet works improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Sixteen million four hundred fifteen thousand dollars (\$16,415,000.00)~~ Three million nine hundred thousand dollars (\$3,900,000.00);

(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 for the project an amount not to exceed ~~nine hundred four thousand five hundred dollars (\$904,500.00)~~ two million six hundred thirteen thousand dollars (\$2,613,000.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

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(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,~~ construction engineering and construction for the project an amount not to exceed ~~four hundred forty five thousand five hundred dollars (\$445,500.00)~~ one million two hundred eighty-seven thousand dollars (\$1,287,000.00) or thirty-three percent (33%) of the 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%);

(vii) Appropriation: There is appropriated from water development account I to the commission ~~one million three hundred fifty thousand dollars (\$1,350,000.00)~~ three million nine hundred thousand dollars (\$3,900,000.00) 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, 2014.

(m) Project - Riverton Water Supply:

(iii) Project description: Design and construction of a storage tank, transmission pipelines, pump stations, well connection and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Six million four hundred forty thousand dollars (\$6,440,000.00)~~ Nine million two hundred thousand dollars (\$9,200,000.00);

(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, ~~and~~ project land procurement, construction engineering and construction for the project an amount not to exceed ~~four million three hundred fourteen thousand eight hundred dollars (\$4,314,800.00)~~ six million one hundred sixty-four thousand dollars (\$6,164,000.00) 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 I through the commission for the design, permit procurement, ~~and~~ project land procurement, construction engineering and construction for the project an amount not to exceed ~~six hundred forty four thousand dollars (\$644,000.00)~~ nine hundred twenty thousand dollars (\$920,000.00) or ten percent (10%) 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 ~~four million nine hundred fifty eight thousand eight hundred dollars (\$4,958,800.00)~~ seven million eighty-four thousand dollars (\$7,084,000.00) 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, 2014;

(o) Project - Star Valley Ranch Water Supply:

(iii) Project description: Design and construction of a storage tank, well, well ~~connection~~ connections, pipelines, pump stations, spring development, purchase of a storage tank and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: ~~Two million six hundred twenty thousand dollars (\$2,620,000.00)~~ Four million nine hundred ninety-five thousand dollars (\$4,995,000.00);

(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 seven hundred fifty five thousand four hundred dollars (\$1,755,400.00)~~ three million three hundred forty-six thousand six hundred fifty dollars (\$3,346,650.00) 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 ~~eight hundred sixty four thousand six hundred dollars (\$864,600.00)~~ one million six hundred forty-eight thousand three hundred fifty dollars (\$1,648,350.00) 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 ~~two million six hundred twenty thousand dollars (\$2,620,000.00)~~ four million nine hundred ninety-five thousand dollars (\$4,995,000.00) 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, 2014;

99-3-1404. Level III construction projects - rehabilitation.

(b) Project - Big Horn Canal Rehabilitation 2009:

(iv) Total project budget: ~~Nine hundred forty five thousand dollars (\$945,000.00)~~ One million one hundred eighty thousand dollars (\$1,180,000.00);

(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 thirty three thousand one hundred fifty dollars (\$633,150.00)~~ seven hundred ninety thousand six hundred dollars (\$790,600.00) 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 ~~three hundred eleven thousand eight hundred fifty dollars (\$311,850.00)~~ three hundred eighty-nine thousand four hundred dollars (\$389,400.00) 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%);

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(vii) Appropriation: There is appropriated from water development account II to the commission ~~nine hundred forty five thousand dollars (\$945,000.00)~~ one million one hundred eighty thousand dollars (\$1,180,000.00) 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, 2014.

99-99-1001. Creation; use of funds; interest.

(a) The following accounts are created:

(vii) Pathfinder modification account.

(g) Revenues received by the state from the lease, sale, assignment or transfer of water from projects funded by the Wyoming water development program or from the lease, sale, assignment or transfer of projects, or any portions thereof, funded by the Wyoming water development program shall be deposited into the account created by paragraph (a)(iv) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet the contract obligations of the state relative to said leases, sales, assignments or transfers. The account balance shall at no time exceed ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00).

(k) All revenues received by the state from the lease, sale, assignment or transfer of ownership of water resulting from the state's interest in the Pathfinder modification project shall be deposited in the account created by paragraph (a)(vii) of this section. The Wyoming water development commission shall use any monies in the account to meet the operation, maintenance, replacement and

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mitigation obligations of the state related to the Pathfinder modification project. Two million two hundred fifty thousand dollars (\$2,250,000.00) from the appropriation from water development account II provided in the 2000 Wyoming Session Laws, Chapter 36, Section 6 is hereby transferred to the account created by paragraph (a)(vii) of this section.

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)

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