

HOUSE BILL NO. HB0037

Irrigation districts-power projects.

Sponsored by: Representative(s) Bonner and Krone and
 Senator(s) Bebout and Geis

A BILL

for

1 AN ACT relating to irrigation districts; authorizing
 2 irrigation districts to construct power projects for
 3 electric energy other than hydroelectric; specifying
 4 conditions; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 41-7-701, 41-7-702, 41-7-706,
 9 41-7-708 and 41-7-718 are amended to read:

10

11 **41-7-701. Irrigation districts may undertake power**
 12 **projects.**

13

14 Any irrigation district heretofore organized and existing
 15 under and by virtue of the provisions of chapter 2, Session
 16 Laws of Wyoming, Special Session, 1920, as amended,

1 codified and compiled in W.S. 41-7-101 through 41-7-603, as
2 now amended, is hereby authorized and given the power to
3 provide for the construction, building and development of
4 suitable works and structures, and to purchase, extend,
5 enlarge, operate and maintain constructed works and
6 structures suitable for the operation, maintenance,
7 development and distribution of ~~hydroelectric~~electric
8 energy and power. Any project for development of wind
9 energy shall meet the requirements of W.S. 18-5-501 through
10 18-5-513.

11

12 **41-7-702. Resolution of commissioners.**

13

14 Whenever the commissioners of any duly organized and
15 existing irrigation district, heretofore or hereafter
16 organized under the laws of the state of Wyoming, shall
17 determine by a majority vote thereof that it is and would
18 be beneficial and for the best interest of the landowners
19 and entrymen therein that the development and distribution
20 of ~~hydroelectric~~electric energy and power is feasible,
21 necessary and beneficial or required for the complete and
22 full construction and building of appropriate irrigation
23 works necessary and required or beneficial for the
24 improvement of the water supply for the landowners and

1 entrymen therein, they may adopt and approve an appropriate
2 resolution stating their determination thereof.

3

4 **41-7-706. Notices; contents.**

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6 Such notice shall show the court in which said petition is
7 filed, give a general description of the proposed works,
8 state the time and place fixed by the court when and where
9 the hearing on said petition will be had, and it shall
10 require all persons interested to appear at the time and
11 place therein stated, then and there to show cause if any
12 they have, why said irrigation district should not proceed
13 with plans and specifications for the construction or
14 purchase as need be of the incidental necessary and
15 required works for the development, distribution and sale
16 of ~~hydroelectric~~electric energy and power.

17

18 **41-7-708. Approved project may proceed as incident to**
19 **existing system; disposition of excess energy.**

20

21 After the approval of the court the board of commissioners
22 of said irrigation district shall be authorized to proceed
23 with the construction, acquisition or purchase of all works
24 and equipment required to provide for the generation,

1 distribution and sale of ~~hydroelectric~~electric energy and
2 power as an incident to its existing or proposed water
3 storage and distribution system and that it shall have the
4 power to sell, distribute or otherwise dispose of
5 ~~hydroelectric~~electric energy not necessary for the uses
6 and purposes of the district.

7

8 **41-7-718. Liberal construction; restrictions;**
9 **regulation by public service commission.**

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11 (a) This act shall be construed liberally for the
12 purpose of making it possible for irrigation districts by
13 the development and sale of ~~hydroelectric~~electric energy
14 and power through the construction or purchase of necessary
15 and required properties and works to create sufficient
16 income to make said works in connection with their
17 irrigation works a feasible project, to save, conserve and
18 preserve their full water rights under the laws of Wyoming.

19

20 (b) The generation of electric energy and power under
21 the provisions of this act shall be restricted to the
22 generation of ~~hydroelectric~~electric energy and power for
23 wholesale transmission and sale and such irrigation and
24 public power districts established under the provisions of

1 said act shall be subject to the regulation of the public
2 service commission of Wyoming in the establishment of
3 wholesale rates and transmission facilities, applicable to
4 any other public utility generating electric energy and
5 power for wholesale transmission and sale.

6

7 (c) Any project for development of wind energy shall
8 meet the requirements of W.S. 18-5-501 through 18-5-513.

9

10 **Section 2.** This act is effective July 1, 2012.

11

12

(END)