

SENATE FILE NO. SF0094

Omnibus water bill-construction.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; providing
2 for construction of dams and reservoirs; authorizing
3 construction of designated water projects; describing
4 projects; specifying terms and conditions of funding for
5 projects; providing appropriations; providing for a
6 sponsor's inflation fund; modifying project descriptions
7 and terms of appropriations for various specified prior
8 projects; and providing for an effective date.

9
10 *Be It Enacted by the Legislature of the State of Wyoming:*

11
12 [GENERAL PROVISIONS]

13
14 **Section 1. W.S. 99-3-106 is created to read:**

15
16 **99-3-106. General conditions for Level III**
17 **construction projects-dams and reservoirs.**

18
19 (a) Except as otherwise specifically provided, each
20 Level III dam and reservoir construction project identified
21 in this chapter shall be subject to the following general
22 conditions:

23
24 (i) Each sponsor shall offer security for the
25 project loan as deemed adequate and acceptable to the
26 attorney general;

27
28 (ii) The commission shall establish repayment
29 schedules for project loans in accordance with the
30 conditions prescribed in this section;

31
32 (iii) Each sponsor shall establish a sinking
33 fund for repair and maintenance of the project as deemed

1 appropriate by the commission;
2

3 (iv) Each sponsor shall supervise design and
4 construction of the project and submit all requests for
5 payment to the commission for approval;
6

7 (v) A sponsor shall not make construction
8 funding commitments until after the commission has reviewed
9 and approved construction budgets and construction plans;
10

11 (vi) The commission shall make payments directly
12 to the sponsor;
13

14 (vii) The sponsor shall be responsible for
15 operation and maintenance of the project;
16

17 (viii) The sponsor is responsible for all
18 project expenditures in excess of the total project
19 appropriation;
20

21 (ix) If the commission determines that any
22 sponsor has, without good cause, abandoned completion of
23 the project, that sponsor, in addition to being required to
24 repay the loan, shall be obligated to immediately repay the
25 full amount of all grant funds actually expended plus
26 interest as established by the state auditor in an amount
27 equal to the interest that would have accrued on the
28 expended grant funds in the water development account from
29 the date of expenditure;
30

31 (x) Principal and interest payments made in
32 repayment of loans shall be deposited in water development
33 account III;
34

35 (xi) There shall be no lease, sale, assignment
36 or transfer of ownership of water from the project for
37 purposes other than the designated project purpose without
38 prior written approval of the commission and the state
39 engineer or board of control. If such a transaction is
40 approved, the revenues generated by the lease, sale,
41 assignment or transfer of ownership of water from the
42 project shall be utilized to retire principal on the
43 project loan. After that loan is paid in full, the sponsor
44 shall receive a proportionate share of the revenues
45 generated by the lease, sale, assignment or transfer of
46 ownership of water from the project equal to the percentage
47 of the project loan and the state of Wyoming shall receive

1 a proportionate share of the revenues generated by the
2 lease, sale, assignment or transfer of ownership of water
3 from the project equal to the percentage of the project
4 grant;

5
6 (xii) There shall be no lease, sale, assignment
7 or transfer of ownership of any project until the project
8 loan is paid in full, and until prior written approval is
9 obtained from the commission. If these conditions are met,
10 the sponsor shall receive a proportionate share of the
11 revenues generated by the lease, sale, assignment or
12 transfer of ownership of the project equal to the
13 percentage of the project loan and the state of Wyoming
14 shall receive a proportionate share of the revenues
15 generated by the lease, sale, assignment or transfer of
16 ownership of the project equal to the percentage of the
17 project grant. Before the sponsor may lease, sell, assign
18 or transfer ownership of the project, the state of Wyoming
19 shall be given a one (1) year first right of refusal option
20 to purchase the sponsor's interest in the project for an
21 amount equal to the principal, interest, maintenance and
22 replacement costs incurred by the sponsor at the date the
23 option is exercised;

24
25 (xiii) After the project loan is paid in full,
26 the sponsor may purchase the position of the state of
27 Wyoming, as described in paragraphs (xi) and (xii) of this
28 subsection, for the amount of the project grant plus the
29 interest that would have accrued on the grant amount in the
30 water development account from the date the project was
31 substantially completed as defined by the commission. The
32 interest that would have accrued on the grant amount shall
33 be established by the state auditor;

34
35 (xiv) Any revenues generated by the state from
36 the lease, sale, assignment or transfer of ownership of any
37 project or project water shall be deposited in water
38 development account III.

39
40 **Section 2.** W.S. 99-3-101(a) by creating a new
41 paragraph (v) is amended to read:

42
43 **99-3-101. Definitions.**

44
45 (a) As used in this chapter:

46
47 (v) "Water development account III" means the

1 account created by W.S. 41-2-124(a)(iii).

2
3 **Section 3. W.S. 99-3-1101 through 99-3-1105 are**
4 **created to read:**

5
6 ARTICLE 11

7 2006 CONSTRUCTION PROJECTS

8 [AUTHORIZATION FOR 2006 CONSTRUCTION PROJECTS]
9

10 **99-3-1101. Definitions.**

11
12 The definitions in W.S. 99-3-101 apply to this article.
13

14 **99-3-1102. General authorization.**

15
16 The provisions of W.S. 99-3-102 apply to this article.
17

18 **99-3-1103. Level III construction projects - new**
19 **development.**

20
21 (a) Authorization is granted for the Level III new
22 development construction projects identified in this
23 section subject to the general conditions specified in W.S.
24 99-3-103.
25

26 (b) Project - Afton 2006 Well:

27
28 (i) Project sponsor: Town of Afton;
29

30 (ii) Project purpose: Municipal, rural domestic
31 water supply;
32

33 (iii) Project description: Design and
34 construction of transmission pipelines to connect a
35 groundwater supply to the town's system and appurtenances
36 necessary to make the project function in the manner
37 intended;
38

39 (iv) Total project budget: Two hundred fifty
40 thousand dollars (\$250,000.00);
41

42 (v) Project grant: The state of Wyoming shall
43 grant to the sponsor from water development account I
44 through the commission for the design, permit procurement,
45 project land procurement, construction engineering, and
46 construction of the project an amount not to exceed one
47 hundred sixty-seven thousand five hundred dollars

1 (\$167,500.00) or sixty-seven percent (67%) of the actual
2 development costs, whichever is less;

3
4 (vi) Project loan: The state of Wyoming shall
5 loan to the sponsor from water development account I
6 through the commission for the design, permit procurement,
7 construction engineering, project land procurement and
8 construction of the project an amount not to exceed eighty-
9 two thousand five hundred dollars (\$82,500.00) or thirty-
10 three percent (33%) of the actual development costs,
11 whichever is less, for a term of twenty (20) years from the
12 date the commission determines project benefits accrue to
13 the sponsor, at an annual rate of four percent (4%);

14
15 (vii) Appropriation: There is appropriated from
16 water development account I to the commission two hundred
17 fifty thousand dollars (\$250,000.00) or as much thereof as
18 is necessary to carry out the purpose of this subsection.
19 Unexpended funds appropriated under this subsection shall
20 revert to water development account I on July 1, 2010.

21
22 (c) Project - Bear River/Evanston Regional Pipeline
23 Project:

24
25 (i) Project sponsor: Bear River Regional Joint
26 Powers Board;

27
28 (ii) Project purpose: Municipal, rural domestic
29 water supply;

30
31 (iii) Project description: Design and
32 construction of transmission pipelines and appurtenances
33 necessary to make the project function in the manner
34 intended;

35
36 (iv) Total project budget: Five million five
37 hundred twenty-one thousand dollars (\$5,521,000.00);

38
39 (v) Project grant: The state of Wyoming shall
40 grant to the sponsor from water development account I
41 through the commission for the design, permit procurement,
42 project land procurement, construction engineering, and
43 construction of the project an amount not to exceed three
44 million six hundred ninety-nine thousand seventy dollars
45 (\$3,699,070.00) or sixty-seven percent (67%) of the actual
46 development costs, whichever is less;

47

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission three million
3 six hundred ninety-nine thousand seventy dollars
4 (\$3,699,070.00) or as much thereof as is necessary to carry
5 out the purpose of this subsection. Unexpended funds
6 appropriated under this subsection shall revert to water
7 development account I on July 1, 2010; and

8
9 (vii) Special condition: The sponsor is
10 responsible for acquiring thirty-three percent (33%) of the
11 total project budget from other sources.

12
13 (d) Project - Dubois Well No. Eleven Supply:

14
15 (i) Project sponsor: Town of Dubois;

16
17 (ii) Project purpose: Municipal water supply;

18
19 (iii) Project description: Design and
20 construction of transmission pipelines to connect the well
21 that was recently drilled and developed during the Level II
22 study to the town's water system and appurtenances
23 necessary to make the project function in the manner
24 intended;

25
26 (iv) Total project budget: Two hundred five
27 thousand dollars (\$205,000.00);

28
29 (v) Project grant: The state of Wyoming shall
30 grant to the sponsor from water development account I
31 through the commission for the design, permit procurement,
32 project land procurement, construction engineering, and
33 construction of the project an amount not to exceed one
34 hundred thirty-seven thousand three hundred fifty dollars
35 (\$137,350.00) or sixty-seven percent (67%) of the actual
36 development costs, whichever is less;

37
38 (vi) Project loan: The state of Wyoming shall
39 loan to the sponsor from water development account I
40 through the commission for the design, permit procurement,
41 construction engineering, project land procurement and
42 construction of the project an amount not to exceed sixty-
43 seven thousand six hundred fifty dollars (\$67,650.00) or
44 thirty-three percent (33%) of the actual development costs,
45 whichever is less, for a term of twenty (20) years from the
46 date the commission determines project benefits accrue to
47 the sponsor, at an annual rate of four percent (4%);

1
2 (vii) Appropriation: There is appropriated from
3 water development account I to the commission two hundred
4 five thousand dollars (\$205,000.00) or as much thereof as
5 is necessary to carry out the purpose of this subsection.
6 Unexpended funds appropriated under this subsection shall
7 revert to water development account I on July 1, 2010; and
8

9 (viii) Special condition: The sponsor shall
10 purchase the well completed during the Level II study for a
11 price not to exceed thirteen thousand nine hundred ninety-
12 one dollars and fifty-nine cents (\$13,991.59) or thirty-
13 three percent (33%) of the well's actual construction
14 costs, whichever is less. The sponsor may purchase the well
15 with a lump sum payment or with amortized payments for a
16 term of twenty (20) years from the date the commission
17 determines project benefits accrue to the sponsor at an
18 interest rate of four percent (4%).
19

20 (e) Project - Eight Mile/High Plains Well:
21

22 (i) Project sponsor: Eight Mile Improvement and
23 Service District;
24

25 (ii) Project purpose: Rural domestic water
26 supply;
27

28 (iii) Project description: Design and
29 construction of transmission pipelines to connect the well
30 drilled during the Level II study to the district's water
31 system and appurtenances necessary to make the project
32 function in the manner intended;
33

34 (iv) Total project budget: Five hundred fifty-
35 five thousand dollars (\$555,000.00);
36

37 (v) Project grant: The state of Wyoming shall
38 grant to the sponsor from water development account I
39 through the commission for the design, permit procurement,
40 project land procurement, construction engineering, and
41 construction of the project an amount not to exceed three
42 hundred seventy-one thousand eight hundred fifty dollars
43 (\$371,850.00) or sixty-seven percent (67%) of the actual
44 development costs, whichever is less;
45

46 (vi) Appropriation: There is appropriated from
47 water development account I to the commission three hundred

1 seventy-one thousand eight hundred fifty dollars
2 (\$371,850.00) or as much thereof as is necessary to carry
3 out the purpose of this subsection. Unexpended funds
4 appropriated under this subsection shall revert to water
5 development account I on July 1, 2010; and

6
7 (vii) Special conditions:

8
9 (A) The sponsor shall purchase the well
10 drilled during the Level II study for a price not to exceed
11 sixty-two thousand four hundred twenty-eight dollars and
12 seventy-nine cents (\$62,428.79) or thirty-three percent
13 (33%) of the well's actual construction costs, whichever is
14 less. The sponsor may purchase the well with a lump sum
15 payment or with amortized payments for a term of twenty
16 (20) years from the date the commission determines project
17 benefits accrue to the sponsor at an interest rate of four
18 percent (4%);

19
20 (B) The sponsor is responsible for
21 acquiring thirty-three percent (33%) of the total project
22 budget from other sources.

23
24 (f) Project - Glenrock 2006 Water Storage Tank
25 Project:

26
27 (i) Project sponsor: The Town of Glenrock;

28
29 (ii) Project purpose: Municipal water supply;

30
31 (iii) Project description: Design and
32 construction of a new water storage tank, site piping,
33 transmission pipeline and appurtenances necessary to make
34 the project function in the manner intended;

35
36 (iv) Total project budget: Nine hundred fifty
37 thousand five hundred dollars (\$950,500.00);

38
39 (v) Project grant: The state of Wyoming shall
40 grant to the sponsor from water development account I
41 through the commission for the design, permit procurement,
42 project land procurement, construction engineering, and
43 construction of the project an amount not to exceed six
44 hundred thirty-six thousand eight hundred thirty-five
45 dollars (\$636,835.00) or sixty-seven percent (67%) of the
46 actual development costs, whichever is less;

47

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission six hundred
3 thirty-six thousand eight hundred thirty-five dollars
4 (\$636,835.00) or as much thereof as is necessary to carry
5 out the purpose of this subsection. Unexpended funds
6 appropriated under this subsection shall revert to water
7 development account I on July 1, 2010; and

8
9 (vii) Special condition: The sponsor is
10 responsible for acquiring thirty-three percent (33%) of the
11 total project budget from other sources.

12
13 (g) Project - Hyattville Water Supply:

14
15 (i) Project sponsor: Hyattville Improvement and
16 Service District;

17
18 (ii) Project purpose: Rural domestic water
19 supply;

20
21 (iii) Project description: Design and
22 construction of a storage tank and transmission facilities
23 to connect the well completed during the Level II study to
24 the district's water system, and appurtenances necessary to
25 make the project function in the manner intended;

26
27 (iv) Total project budget: Eight hundred
28 thirty-five thousand dollars (\$835,000.00);

29
30 (v) Project grant: The state of Wyoming shall
31 grant to the sponsor from water development account I
32 through the commission for the design, permit procurement,
33 project land procurement, construction engineering, and
34 construction of the project an amount not to exceed five
35 hundred fifty-nine thousand four hundred fifty dollars
36 (\$559,450.00) or sixty-seven percent (67%) of the actual
37 development costs, whichever is less;

38
39 (vi) Project loan: The state of Wyoming shall
40 loan to the sponsor from water development account I
41 through the commission for the design, permit procurement,
42 construction engineering, project land procurement and
43 construction of the project an amount not to exceed two
44 hundred seventy-five thousand five hundred fifty dollars
45 (\$275,550.00) or thirty-three percent (33%) of the actual
46 development costs, whichever is less, for a term of thirty
47 (30) years from the date the commission determines project

1 benefits accrue to the sponsor, at an annual rate of four
2 percent (4%);

3
4 (vii) Appropriation: There is appropriated from
5 water development account I to the commission eight hundred
6 thirty-five thousand dollars (\$835,000.00) or as much
7 thereof as is necessary to carry out the purpose of this
8 subsection. Unexpended funds appropriated under this
9 subsection shall revert to water development account I on
10 July 1, 2010; and

11
12 (viii) Special condition: The sponsor shall
13 purchase the well completed during the Level II study for a
14 price not to exceed one hundred six thousand five hundred
15 sixty dollars (\$106,560.00) or thirty-three percent (33%)
16 of the well's actual construction costs, whichever is less.
17 The sponsor may purchase the well with a lump sum payment
18 or with amortized payments for a term of thirty (30) years
19 from the date the commission determines project benefits
20 accrue to the sponsor at an interest rate of four percent
21 (4%).

22
23 (h) Project - Kaycee Storage and Transmission:

24
25 (i) Project sponsor: Town of Kaycee;

26
27 (ii) Project purpose: Municipal water supply;

28
29 (iii) Project description: Design and
30 construction of transmission pipelines, storage facilities
31 and appurtenances necessary to make the project function in
32 the manner intended;

33
34 (iv) Total project budget: Two million three
35 hundred fifty thousand dollars (\$2,350,000.00);

36
37 (v) Project grant: The state of Wyoming shall
38 grant to the sponsor from water development account I
39 through the commission for the design, permit procurement,
40 construction engineering, project land procurement, and
41 construction of the project an amount not to exceed one
42 million five hundred seventy-four thousand five hundred
43 dollars (\$1,574,500.00) or sixty-seven percent (67%) of the
44 actual development costs, whichever is less;

45
46 (vi) Project loan: The state of Wyoming shall
47 loan to the sponsor from water development account I

1 through the commission for the design, permit procurement,
2 construction engineering, project land procurement and
3 construction of the project an amount not to exceed seven
4 hundred seventy-five thousand five hundred dollars
5 (\$775,500.00) or thirty-three percent (33%) of the actual
6 development costs, whichever is less, for a term of thirty
7 (30) years from the date the commission determines project
8 benefits accrue to the sponsor, at an annual rate of four
9 percent (4%); and

10
11 (vii) Appropriation: There is appropriated from
12 water development account I to the commission two million
13 three hundred fifty thousand dollars (\$2,350,000.00) or as
14 much thereof as is necessary to carry out the purpose of
15 this subsection. Unexpended funds appropriated under this
16 subsection shall revert to water development account I on
17 July 1, 2010.

18
19 (j) Project - Northwest Rural Water Storage II:

20
21 (i) Project sponsor: Northwest Rural Water
22 District;

23
24 (ii) Project purpose: Rural domestic water
25 supply;

26
27 (iii) Project description: Construction of new
28 water storage facilities, transmission pipelines and
29 appurtenances necessary to make the project function in the
30 manner intended;

31
32 (iv) Total project budget: Two million nine
33 hundred sixty thousand dollars (\$2,960,000.00);

34
35 (v) Project grant: The state of Wyoming shall
36 grant to the sponsor from water development account I
37 through the commission for the design, permit procurement,
38 construction engineering, project land procurement, and
39 construction of the project an amount not to exceed one
40 million nine hundred eighty-three thousand two hundred
41 dollars (\$1,983,200.00) or sixty-seven percent (67%) of the
42 actual development costs, whichever is less;

43
44 (vi) Project loan: The state of Wyoming shall
45 loan to the sponsor from water development account I
46 through the commission for the design, permit procurement,
47 construction engineering, project land procurement and

1 construction of the project an amount not to exceed nine
2 hundred seventy-six thousand eight hundred dollars
3 (\$976,800.00) or thirty-three percent (33%) of the actual
4 development costs, whichever is less, for a term of thirty
5 (30) years from the date the commission determines project
6 benefits accrue to the sponsor, at an annual rate of four
7 percent (4%); and

8
9 (vii) Appropriation: There is appropriated from
10 water development account I to the commission two million
11 nine hundred sixty thousand dollars (\$2,960,000.00) or as
12 much thereof as is necessary to carry out the purpose of
13 this subsection. Unexpended funds appropriated under this
14 subsection shall revert to water development account I on
15 July 1, 2010.

16
17 (k) Project - Pine Bluffs Lance, Fox Hills Well:

18
19 (i) Project sponsor: Town of Pine Bluffs;

20
21 (ii) Project purpose: Municipal water supply;

22
23 (iii) Project description: Construction of
24 transmission pipelines necessary to connect the town's well
25 completed during the Level II study to the town's water
26 system and appurtenances necessary to make the project
27 function in the manner intended;

28
29 (iv) Total project budget: Three hundred twenty-
30 five thousand dollars (\$325,000.00);

31
32 (v) Project grant: The state of Wyoming shall
33 grant to the sponsor from water development account I
34 through the commission for the design, permit procurement,
35 project land procurement, construction engineering, and
36 construction of the project an amount not to exceed two
37 hundred seventeen thousand seven hundred fifty dollars
38 (\$217,750.00) or sixty-seven percent (67%) of the actual
39 development costs, whichever is less;

40
41 (vi) Project loan: The state of Wyoming shall
42 loan to the sponsor from water development account I
43 through the commission for the design, permit procurement,
44 construction engineering, project land procurement and
45 construction of the project an amount not to exceed one
46 hundred seven thousand two hundred fifty dollars
47 (\$107,250.00) or thirty-three percent (33%) of the actual

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

5
6 (vii) Appropriation: There is appropriated from
7 water development account I to the commission three hundred
8 twenty-five thousand dollars (\$325,000.00) or as much
9 thereof as is necessary to carry out the purpose of this
10 subsection. Unexpended funds appropriated under this
11 subsection shall revert to water development account I on
12 July 1, 2010; and

13
14 (viii) Special condition: The sponsor shall
15 purchase the well completed during the Level II study for a
16 price not to exceed forty thousand three hundred fifty-nine
17 dollars (\$40,359.00) or thirty-three percent (33%) of the
18 well's actual construction costs, whichever is less. The
19 sponsor may purchase the well with a lump sum payment or
20 with amortized payments for a term of thirty (30) years
21 from the date the commission determines project benefits
22 accrue to the sponsor at an interest rate of four percent
23 (4%).

24
25 (m) Project - Pine Haven Transmission 2006 Project:

26
27 (i) Project sponsor: The Town of Pine Haven;

28
29 (ii) Project purpose: Municipal water supply;

30
31 (iii) Project description: Construction of new
32 water transmission facilities and appurtenances necessary
33 to make the project function in the manner intended;

34
35 (iv) Total project budget: Three hundred forty-
36 eight thousand dollars (\$348,000.00);

37
38 (v) Project grant: The state of Wyoming shall
39 grant to the sponsor from water development account I
40 through the commission for the design, permit procurement,
41 construction engineering, project land procurement, and
42 construction of the project an amount not to exceed two
43 hundred thirty-three thousand one hundred sixty dollars
44 (\$233,160.00) or sixty-seven percent (67%) of the actual
45 development costs, whichever is less;

46
47 (vi) Project loan: The state of Wyoming shall

1 loan to the sponsor from water development account I
2 through the commission for the design, permit procurement,
3 construction engineering, project land procurement and
4 construction of the project an amount not to exceed one
5 hundred fourteen thousand eight hundred forty dollars
6 (\$114,840.00) or thirty-three percent (33%) of the actual
7 development costs, whichever is less, for a term of thirty
8 (30) years from the date the commission determines project
9 benefits accrue to the sponsor, at an annual rate of four
10 percent (4%); and
11

12 (vii) Appropriation: There is appropriated from
13 water development account I to the commission three hundred
14 forty-eight thousand dollars (\$348,000.00) or as much
15 thereof as is necessary to carry out the purpose of this
16 subsection. Unexpended funds appropriated under this
17 subsection shall revert to water development account I on
18 July 1, 2010.
19

20 (n) Project - Squaw Creek Well Field:
21

22 (i) Project sponsor: Squaw Creek Water District;
23

24 (ii) Project purpose: Rural domestic water
25 supply;
26

27 (iii) Project description: To connect the well
28 drilled during the groundwater grant study to the
29 district's water system, and appurtenances necessary for
30 the project to function as intended;
31

32 (iv) Total project budget: Two hundred sixty-
33 five thousand dollars (\$265,000.00);
34

35 (v) Project grant: The state of Wyoming shall
36 grant to the sponsor from water development account I
37 through the commission for the design, permit procurement,
38 construction engineering, and project land procurement of
39 the project an amount not to exceed one hundred seventy-
40 seven thousand five hundred fifty dollars (\$177,550.00) or
41 sixty-seven percent (67%) of the actual development costs,
42 whichever is less;
43

44 (vi) Appropriation: There is appropriated from
45 water development account I to the commission one hundred
46 seventy-seven thousand five hundred fifty dollars
47 (\$177,550.00) or as much thereof as is necessary to carry

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

4
5 (vii) Special conditions:

6
7 (A) The sponsor is responsible for
8 acquiring thirty-three percent (33%) of the total project
9 budget from other sources;

10
11 (B) Funds for construction of the project
12 shall not be released until the Level II well has been
13 successfully drilled and developed.

14
15 (o) Project - Wardwell Water Supply Improvements:

16
17 (i) Project sponsor: Wardwell Water and Sewer
18 District;

19
20 (ii) Project purpose: Municipal and rural
21 domestic water supply;

22
23 (iii) Project description: Design and
24 construction of transmission pipelines, system storage and
25 appurtenances necessary to make the project function in the
26 manner intended;

27
28 (iv) Total project budget: Two million eight
29 hundred sixteen thousand dollars (\$2,816,000.00);

30
31 (v) Project grant: The state of Wyoming shall
32 grant to the sponsor from water development account I
33 through the commission for the design, permit procurement,
34 construction engineering, and project land procurement of
35 the project an amount not to exceed one million eight
36 hundred eighty-six thousand seven hundred twenty dollars
37 (\$1,886,720.00) or sixty-seven percent (67%) of the actual
38 development costs, whichever is less;

39
40 (vi) Appropriation: There is appropriated from
41 water development account I to the commission one million
42 eight hundred eighty-six thousand seven hundred twenty
43 dollars (\$1,886,720.00) or as much thereof as is necessary
44 to carry out the purpose of this subsection. Unexpended
45 funds appropriated under this subsection shall revert to
46 water development account I on July 1, 2010; and
47

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

[REHABILITATION CONSTRUCTION PROJECTS]

99-3-1104. 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 - Alpine Wells Rehabilitation:

(i) Project sponsor: The Town of Alpine;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and installation of new pumps, pipelines and a backup power supply and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thirty-seven thousand dollars (\$537,000.00);

(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 three hundred fifty-nine thousand seven hundred ninety dollars (\$359,790.00) 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 three hundred fifty-nine thousand seven hundred ninety dollars (\$359,790.00) 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; and

(vii) Special condition: The sponsor is responsible for acquiring thirty-three percent (33%) of the

1 total project budget from other sources.

2
3 (c) Project - Big Valley and Crossed Arrows Water
4 Supply:

5
6 (i) Project sponsor: Big Valley and Crossed
7 Arrows Improvement District;

8
9 (ii) Project purpose: Rural, domestic water
10 supply;

11
12 (iii) Project description: Design and
13 installation of transmission pipelines, storage facilities
14 and appurtenances necessary to make the project function in
15 the manner intended;

16
17 (iv) Total project budget: One million one
18 hundred thirteen thousand dollars (\$1,113,000.00);

19
20 (v) Project grant: The state of Wyoming shall
21 grant to the sponsor from water development account II
22 through the commission for the design, permit procurement,
23 project land procurement, construction engineering, and
24 construction of the project an amount not to exceed seven
25 hundred forty-five thousand seven hundred ten dollars
26 (\$745,710.00) or sixty-seven percent (67%) of the actual
27 development costs, whichever is less;

28
29 (vi) Appropriation: There is appropriated from
30 water development account II to the commission seven
31 hundred forty-five thousand seven hundred ten dollars
32 (\$745,710.00) or as much thereof as is necessary to carry
33 out the purpose of this subsection. Unexpended funds
34 appropriated under this subsection shall revert to water
35 development account II on July 1, 2010; and

36
37 (vii) Special conditions:

38
39 (A) The sponsor is responsible for
40 acquiring thirty-three percent (33%) of the total project
41 budget from other sources;

42
43 (B) The sponsor shall enter into a water
44 service contract with the Town of Meeteetse before the
45 project commences.

46
47 (d) Project - Frannie Raw Water Supply:

- 1
2 (i) Project sponsor: Town of Frannie;
3
4 (ii) Project purpose: Municipal raw water
5 supply;
6
7 (iii) Project description: Rehabilitation of the
8 town's irrigation well and appurtenances necessary to make
9 the project function in the manner intended;
10
11 (iv) Total project budget: Six hundred fifty-
12 five thousand dollars (\$655,000.00);
13
14 (v) Project grant: The state of Wyoming shall
15 grant to the sponsor from water development account II
16 through the commission for the design, permit procurement,
17 project land procurement, construction engineering, and
18 construction of the project an amount not to exceed four
19 hundred thirty-eight thousand eight hundred fifty dollars
20 (\$438,850.00) or sixty-seven percent (67%) of the actual
21 development costs, whichever is less;
22
23 (vi) Project loan: The state of Wyoming shall
24 loan to the sponsor from water development account II
25 through the commission for the design, permit procurement,
26 construction engineering, project land procurement and
27 construction of the project an amount not to exceed two
28 hundred sixteen thousand one hundred fifty dollars
29 (\$216,150.00) or thirty-three percent (33%) of the actual
30 development costs, whichever is less, for a term of twenty
31 (20) years from the date the commission determines project
32 benefits accrue to the sponsor, at an annual rate of four
33 percent (4%); and
34
35 (vii) Appropriation: There is appropriated from
36 water development account II to the commission six hundred
37 fifty-five thousand dollars (\$655,000.00) or as much
38 thereof as is necessary to carry out the purpose of this
39 subsection. Unexpended funds appropriated under this
40 subsection shall revert to water development account II on
41 July 1, 2010.
42
43 (e) Project - Hopkins Producers Supply Project:
44
45 (i) Project sponsor: Hopkins Producers
46 Irrigation District;
47

1 (ii) Project purpose: Agriculture water supply;

2

3 (iii) Project description: Design and
4 construction of new gravity flow pipelines to replace open
5 ditch laterals and appurtenances necessary to make the
6 project function in the manner intended;

7

8 (iv) Total project budget: One million fifty
9 thousand dollars (\$1,050,000.00);

10

11 (v) Project grant: The state of Wyoming shall
12 grant to the sponsor from water development account II
13 through the commission for the design, permit procurement,
14 construction engineering, project land procurement and
15 construction of the project an amount not to exceed seven
16 hundred three thousand five hundred dollars (\$703,500.00)
17 or sixty seven percent (67%) of the actual development
18 costs, whichever is less;

19

20 (vi) Appropriation: There is appropriated from
21 water development account II to the commission seven
22 hundred three thousand five hundred dollars (\$703,500.00)
23 or as much thereof as is necessary to carry out the purpose
24 of this subsection. Unexpended funds appropriated under
25 this subsection shall revert to water development account
26 II on July 1, 2010; and

27

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

31

32 (f) Project - Laramie Water Management Project
33 (meters):

34

35 (i) Project sponsor: City of Laramie;

36

37 (ii) Project purpose: Municipal water supply;

38

39 (iii) Project description: The rehabilitation
40 and replacement of water transmission meters and
41 appurtenances necessary to make the project function in the
42 manner intended;

43

44 (iv) Total project budget: One hundred forty-
45 five thousand dollars (\$145,000.00);

46

47 (v) Project grant: The state of Wyoming shall

1 grant to the sponsor from water development account II
2 through the commission for the design, permit procurement,
3 construction engineering, project land procurement and
4 construction of the project an amount not to exceed ninety-
5 seven thousand one hundred fifty dollars (\$97,150.00) or
6 sixty-seven percent (67%) of the actual development costs,
7 whichever is less;

8
9 (vi) Appropriation: There is appropriated from
10 water development account II to the commission ninety-seven
11 thousand one hundred fifty dollars (\$97,150.00) or as much
12 thereof as is necessary to carry out the purpose of this
13 subsection. Unexpended funds appropriated under this
14 subsection shall revert to water development account II on
15 July 1, 2010; and

16
17 (vii) Special condition: The sponsor is
18 responsible for acquiring thirty-three percent (33%) of the
19 total project budget from other sources.

20
21 (g) Project - Midvale Irrigation District
22 Conservation/Automation Project:

23
24 (i) Project sponsor: Midvale Irrigation
25 District;

26
27 (ii) Project purpose: Agriculture water supply;

28
29 (iii) Project description: Design and
30 installation of system monitoring and automation equipment
31 and appurtenances necessary for the project to function in
32 the manner intended;

33
34 (iv) Total project budget: Eight hundred ten
35 thousand dollars (\$810,000.00);

36
37 (v) Project grant: The state of Wyoming shall
38 grant to the sponsor from water development account II
39 through the commission for the purchase of project
40 materials as supported by vendor invoices and approved by
41 the commission an amount not to exceed five hundred forty-
42 two thousand seven hundred dollars (\$542,700.00) or one
43 hundred percent (100%) of the materials cost, whichever is
44 less;

45
46 (vi) Appropriation: There is appropriated from
47 water development account II to the commission five hundred

1 forty-two thousand seven hundred dollars (\$542,700.00) or
2 as much thereof as is necessary to carry out the purpose of
3 this subsection. Unexpended funds appropriated under this
4 subsection shall revert to water development account II on
5 July 1, 2010; and
6

7 (vii) Special condition: The sponsor is
8 responsible for retaining professional engineering services
9 to design the project, compile materials and bidding
10 documents, and monitor construction activities including
11 the installation of project components and the tracking of
12 project expenditures.
13

14 (h) Project - Shoshone Eagle Nest Creek:
15

16 (i) Project sponsor: Shoshone Irrigation
17 District;
18

19 (ii) Project purpose: Agriculture water supply;
20

21 (iii) Project description: To design and
22 construct repairs to the Eagle Nest Creek crossing and
23 replace open ditch laterals with piped laterals and
24 appurtenances necessary to make the project function in the
25 manner intended;
26

27 (iv) Total project budget: One million seven
28 hundred ten thousand dollars (\$1,710,000.00);
29

30 (v) Project grant: The state of Wyoming shall
31 grant to the sponsor from water development account II
32 through the commission for the purchase of project
33 materials as supported by vendor invoices and approved by
34 the commission an amount not to exceed one million one
35 hundred forty-five thousand seven hundred dollars
36 (\$1,145,700.00) or one hundred percent (100%) of the
37 materials cost, whichever is less;
38

39 (vi) Appropriation: There is appropriated from
40 water development account II to the commission one million
41 one hundred forty-five thousand seven hundred dollars
42 (\$1,145,700.00) or as much thereof as is necessary to carry
43 out the purpose of this subsection. Unexpended funds
44 appropriated under this subsection shall revert to water
45 development account II on July 1, 2010; and
46

47 (vii) Special conditions: The sponsor is

1 responsible for retaining professional engineering services
2 to design the project, compile materials bidding documents,
3 and monitor construction activities including the
4 installation of project components and the tracking of
5 project expenditures.

6

7 (j) Project - Thermopolis Storage Replacement and
8 Rehabilitation:

9

10 (i) Project sponsor: The Town of Thermopolis;

11

12 (ii) Project purpose: Municipal water supply;

13

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

20

21 (iv) Total project budget: Seven hundred
22 seventy-five thousand dollars (\$775,000.00);

23

24 (v) Project grant: The state of Wyoming shall
25 grant to the sponsor from water development account II
26 through the commission for the design, permit procurement,
27 construction engineering, project land procurement and
28 construction of the project an amount not to exceed five
29 hundred nineteen thousand two hundred fifty dollars
30 (\$519,250.00) or sixty-seven percent (67%) of the actual
31 development costs, whichever is less;

32

33 (vi) Appropriation: There is appropriated from
34 water development account II to the commission five hundred
35 nineteen thousand two hundred fifty dollars (\$519,250.00)
36 or as much thereof as is necessary to carry out the purpose
37 of this subsection. Unexpended funds appropriated under
38 this subsection shall revert to water development account
39 II on July 1, 2010; and

40

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

44

45 (k) Project - Wamsutter Water Supply Rehabilitation:

46

47 (i) Project sponsor: Town of Wamsutter;

1

2

(ii) Project purpose: Municipal water supply;

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(iii) Project description: Relocation and reconstruction of an existing storage tank, construction of a new pump station, transmission pipeline and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Five hundred seventeen thousand dollars (\$517,000.00);

(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 construction of the project an amount not to exceed two hundred fifty-eight thousand five hundred dollars (\$258,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifty-eight thousand five hundred dollars (\$258,500.00) 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, 2010; and

(vii) Special conditions:

(A) The sponsor is responsible for acquiring fifty percent (50%) of the total project budget from other sources;

(B) The sponsor will receive a seventy thousand dollar (\$70,000.00) credit, which represents the value of an existing steel tank that has been donated to the town, when computing their required funding match.

(m) Project - Wheatland Irrigation District Re-regulation Reservoirs:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agriculture water supply;

1
2 (iii) Project description: To construct re-
3 regulation reservoirs and appurtenances necessary for the
4 project to function in the manner intended;

5
6 (iv) Total project budget: Two hundred twenty-
7 four thousand dollars (\$224,000.00);

8
9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II
11 through the commission for the purchase of project
12 materials and engineering design and construction services
13 as supported by vendor invoices and approved by the
14 commission an amount not to exceed one hundred fifty
15 thousand eighty dollars (\$150,080.00) or one hundred
16 percent (100%) of the materials and engineering design and
17 construction services cost, whichever is less;

18
19 (vi) Appropriation: There is appropriated from
20 water development account II to the commission one hundred
21 fifty thousand eighty dollars (\$150,080.00) or as much
22 thereof as is necessary to carry out the purpose of this
23 subsection. Unexpended funds appropriated under this
24 subsection shall revert to water development account II on
25 July 1, 2010; and

26
27 (vii) Special condition: The sponsor is
28 responsible for acquiring all necessary easements and
29 permits and thirty-three percent (33%) of the total project
30 budget from other sources which shall include all labor and
31 equipment costs associated with completing the project.

32
33 (n) Project - Worland Eastside Transmission Line:

34
35 (i) Project sponsor: The City of Worland;

36
37 (ii) Project purpose: Municipal water supply;

38
39 (iii) Project description: Replacement of a
40 portion of the city's eastside transmission line and
41 appurtenances necessary for the project to function in the
42 manner intended;

43
44 (iv) Total project budget: Three million six
45 hundred fifteen thousand dollars (\$3,615,000.00);

46
47 (v) Project grant: The state of Wyoming shall

1 grant to the sponsor from water development account II
2 through the commission for the design, permit procurement,
3 construction engineering, project land procurement and
4 construction of the project an amount not to exceed one
5 million eight hundred seven thousand five hundred dollars
6 (\$1,807,500.00) or fifty percent (50%) of the actual
7 development costs, whichever is less;

8
9 (vi) Appropriation: There is appropriated from
10 water development account II to the commission one million
11 eight hundred seven thousand five hundred dollars
12 (\$1,807,500.00) or as much thereof as is necessary to carry
13 out the purpose of this subsection. Unexpended funds
14 appropriated under this subsection shall revert to water
15 development account II on July 1, 2010; and

16
17 (vii) Special condition: The sponsor is
18 responsible for acquiring fifty percent (50%) of the total
19 project budget from other sources.

20
21 [DAM AND RESERVOIR CONSTRUCTION PROJECTS]

22
23 **99-3-1105. Level III construction projects - dams and**
24 **reservoirs.**

25
26 (a) The provisions of W.S. 99-3-106 apply to this
27 article.

28
29 (b) Project - Pathfinder Modification Project:

30
31 (i) Project sponsor: The State of Wyoming;

32
33 (ii) Project purposes: A municipal water supply,
34 a water supply to meet obligations of the state of Wyoming
35 under the Modified North Platte Decree and enhancement of
36 regulatory certainty under the Endangered Species Act for
37 the use of Wyoming water in the Platte River basin;

38
39 (iii) Project description: Modification and
40 raising of Pathfinder Dam to recover approximately fifty-
41 three thousand four hundred ninety-three (53,493) acre-feet
42 of space that has been lost to sediment accumulation and
43 appurtenances necessary to make the project function in the
44 manner intended;

45
46 (iv) Total project budget: Eight million five
47 hundred thousand dollars (\$8,500,000.00);

1
2 (v) Appropriation: There is appropriated from
3 water development account III to the Wyoming water
4 development office for the permit procurement, construction
5 engineering, and construction of the project an amount not
6 to exceed eight million five hundred thousand dollars
7 (\$8,500,000.00) or as much thereof as is necessary to carry
8 out the purpose of this subsection. Unexpended funds
9 appropriated under this subsection shall revert to water
10 development account III on July 1, 2012; and

11
12 (vi) Special conditions:

13
14 (A) The Wyoming water development office is
15 hereby authorized to contract with the United States Bureau
16 of Reclamation for the construction, operation and
17 maintenance of the project. Items to be included in the
18 contract are, but are not limited to:

19
20 (I) The requirement for the United
21 States Bureau of Reclamation to obtain a partial change of
22 use of its water right for the Pathfinder Reservoir for the
23 fifty-three thousand four hundred ninety-three (53,493)
24 acre-feet of space allocated to the project purposes; and

25
26 (II) The requirement to obtain
27 legislative authority to deliver water to the
28 Wyoming/Nebraska state line for the purpose of enhancing
29 the regulatory certainty under the Endangered Species Act
30 for the use of Wyoming water in the Platte River basin.

31
32 (B) The governor shall approve the contract
33 between the United States Bureau of Reclamation and the
34 Wyoming water development office prior to construction of
35 the project;

36
37 (C) The Pathfinder Modification Project
38 includes mitigation for fishery impacts and implementation
39 of correction measures to address safety of dam concerns at
40 the various federal dams in the North Platte River Basin;

41
42 (D) The accrual of water for the Pathfinder
43 Modification Project shall not be used to trigger a call
44 for priority regulation nor shall it deplete the amount of
45 carry-over storage in the irrigation accounts, when
46 applying the formula for calculating an allocation year.

47

[AMENDMENTS TO PRIOR PROJECTS]

Section 4. [Amendments to the Chugwater Water Supply Project] W.S. 99-3-303(d)(vi) and by creating new paragraphs (viii) through (xi) is amended to read:

99-3-303. Level III construction projects - new development.

(d) Project - Chugwater Water Supply Project:

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred seven thousand eight hundred dollars (\$1,207,800.00) 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, ~~2007~~2010; (Laws 2003, Ch. 69, § 3; 2005, ch. 147, § 3.)

(viii) Supplemental project budget: Two hundred thousand dollars (\$200,000.00);

(ix) 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 thirty-four thousand dollars (\$134,000.00) 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, permit procurement, project land procurement, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional one hundred thirty-four thousand dollars (\$134,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total one million three hundred forty-one thousand eight hundred dollars (\$1,341,800.00), 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, 2010; and

(xi) Special supplemental conditions:

1 (A) The sponsor is responsible for
2 acquiring the remaining thirty-three percent (33%) of the
3 total supplemental project budget from other sources;
4

5 (B) The supplemental appropriation is based
6 upon a different grant percentage than the original
7 appropriation. The original funding described in
8 paragraphs (iv) through (vi) of this subsection shall be
9 expended prior to incurring supplemental funding
10 expenditures.
11

12 **Section 5.** Amendments to the Little Snake River Small
13 Dams and Reservoirs Phase II Project] W.S.
14 99-3-703(f)(vii) and by creating new paragraphs (ix)
15 through (xiii) is amended to read:
16

17 **99-3-703. Level III construction projects - new**
18 **development.**
19

20 (f) Project - Little Snake River Small Dams and
21 Reservoirs Phase II Project:
22

23 (vii) Appropriation: There is appropriated from
24 water development account I to the commission five hundred
25 thousand dollars (\$500,000.00) or as much thereof as is
26 necessary to carry out the purpose of this subsection.
27 Unexpended funds appropriated under this subsection shall
28 revert to water development account I on July 1, ~~2007~~2010;
29

30 (ix) Supplemental project budget: One hundred
31 sixty-seven thousand dollars (\$167,000.00);
32

33 (x) Supplemental project grant: The state of
34 Wyoming shall grant to the sponsor from water development
35 account I through the commission an amount not to exceed
36 one hundred eleven thousand eight hundred ninety dollars
37 (\$111,890.00) or sixty-seven percent (67%) of the
38 additional funds needed to complete the project, whichever
39 is less. Supplemental grant funds may be used for design,
40 construction engineering and construction of the project;
41

42 (xi) Supplemental project loan: The state of
43 Wyoming shall loan to the sponsor from water development
44 account I through the commission an amount not to exceed
45 fifty-five thousand one hundred ten dollars (\$55,110.00) or
46 thirty-three percent (33%) of the additional funds needed
47 to complete the project, whichever is less for a term of

1 twenty-five (25) years from the date the commission
2 determines project benefits accrue to the sponsor, at an
3 annual rate of four percent (4%). Supplemental loan funds
4 may be used for design, construction engineering and
5 construction of the project;

6
7 (xii) Supplemental appropriation: There is
8 appropriated from water development account I to the
9 commission an additional one hundred sixty-seven thousand
10 dollars (\$167,000.00), which when combined with the
11 original appropriation, as described in paragraphs (iv)
12 through (vi) of this subsection, total six hundred sixty-
13 seven thousand dollars (\$667,000.00), or as much thereof as
14 is necessary to carry out the purpose of this subsection.
15 Unexpended funds appropriated under this subsection shall
16 revert to water development account I on July 1, 2010; and

17
18 (xiii) Special supplemental conditions:

19
20 (A) The supplemental appropriation is based
21 upon a different grant and loan ratio than the original
22 appropriation. The original funding described in
23 paragraphs (iv) through (vi) of this subsection shall be
24 expended prior to incurring supplemental funding
25 expenditures;

26
27 (B) The sponsor shall deposit cash or other
28 securities valued at the full amount of the supplemental
29 loan in an escrow account, as deemed appropriate by the
30 attorney general, which names the commission as the
31 beneficiary or recipient in the event of default on the
32 loan. Interest earnings on cash or securities deposited in
33 the escrow account shall remain with the sponsor; and

34
35 (C) Supplemental funding shall be limited
36 to the twelve (12) projects identified and recommended for
37 construction in the Little Snake River Basin Small
38 Reservoir Development Project. The sponsor shall obtain
39 the approval of the commission prior to the construction of
40 any individual facility.

41
42 **Section 6.** [Amendments to the Washakie Rural Water
43 Supply Project] W.S. 99-3-303(k)(iii) through (vi) is
44 amended to read:

45
46 **99-3-303. Level III construction projects - new**
47 **development.**

(k) Project - Washakie Rural Water Supply Project:

(iii) Project description: The project consists of a rural potable water system extending from the Hot Springs County line on the south to the Big Horn County line on the north and encompasses most of the private lands along both banks of the Big Horn River. The project also includes construction of the water transmission and distribution system and appurtenances necessary to provide potable water service to the McNutt ~~Improvement~~ Improvement and Service District. Project components include transmission pipelines, storage facilities, booster pumps, valves, telemetry and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Fourteen million one hundred thousand dollars (\$14,100,000.00)~~ Sixteen million eight hundred ten thousand five hundred dollars (\$16,810,500.00); (Laws 2001, Ch. 2, § 6; 2003, Ch. 69, § 5.)

(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 million four hundred sixty thousand dollars (\$8,460,000.00)~~ eleven million two hundred sixty-three thousand dollars (\$11,263,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less; (Laws 2001, Ch. 2, § 6; 2003, Ch. 69, § 5; 2004, Ch. 118, § 2.)

(vi) Appropriation: There is appropriated from water development account I to the commission ~~eight million four hundred sixty thousand dollars (\$8,460,000.00)~~ eleven million two hundred sixty-three thousand dollars (\$11,263,000.00) 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; (Laws 2001, Ch. 2, § 6; 2003, Ch. 69, § 5; 2004, Ch. 118, § 2.)

Section 7. [Amendments to Small Water Development Projects New Development] W.S. 99-3-703(j)(vii), (viii)(G) and by creating a new subparagraph (H) and 99-3-704(g)(vii), (viii) by creating a new subparagraph (H)

1 are amended to read:

2
3 **99-3-703. Level III construction projects - new**
4 **development.**

5
6 (j) Project - Small Water Development Projects:

7
8 (vii) Definition: "Small project" means a
9 project where estimated construction costs, permit
10 procurement, construction engineering and project land
11 procurement are one hundred thousand dollars (\$100,000.00)
12 or less, and where the maximum financial contribution from
13 the commission is twenty-five thousand dollars (\$25,000.00)
14 or less; (Laws 2004, Ch. 118, § 10.)

15
16 (viii) Special conditions:

17
18 (G) The establishment of criteria and
19 administrative procedures for the development of small
20 projects under this subsection and decisions of the
21 commission relating to the recommendations, prioritization
22 or disqualification of small projects are specifically
23 exempt from the provisions of the Wyoming Administrative
24 Procedure Act including judicial review under W.S. 16-3-114
25 and 16-3-115; and (Laws 2003, Ch. 69, § 11.)

26
27 (H) In addition to the general conditions
28 specified in W.S. 99-3-103 and except as provided in this
29 subsection, each small project shall be subject to the
30 following conditions:

31
32 (I) Establishment of the sinking fund
33 identified in W.S. 99-3-103(a)(iii) shall not be required
34 for small projects;

35
36 (II) New development projects funded
37 by the small water development project program shall not be
38 eligible for subsequent rehabilitation program funding
39 under the small water development projects program;

40
41 (III) If a project otherwise meets the
42 water development commission's small water development
43 projects program criteria, funding for projects shall only
44 occur if the water development commission has conducted a
45 Level I reconnaissance watershed study that identifies the
46 watershed's physical attributes, including existing
47 impairments and development opportunities, and identifies

1 practices and activities that would correct identified
2 physical impairments and if at least one (1) of the
3 following additional conditions is met:

4
5 (1) The proposed project is
6 supported by the Wyoming department of environmental
7 quality and will provide mitigation for an impairment or an
8 impending impairment, to a stream or stream segment
9 pursuant to the Clean Water Act which is supported by
10 verifiable scientific data;

11
12 (2) The proposed project will
13 provide habitat for threatened and endangered species or
14 candidate species listed pursuant to the Endangered Species
15 Act or species of concern identified by the Wyoming game
16 and fish department.

17
18 **99-3-704. Level III construction projects -**
19 **rehabilitation.**

20
21 (g) Project - Small Water Development Projects:

22
23 (vii) Definition: "Small project" means a
24 project where estimated rehabilitation costs, permit
25 procurement, and project land procurement are one hundred
26 thousand dollars (\$100,000.00) or less, and where the
27 maximum financial contribution from the commission is
28 twenty-five thousand dollars (\$25,000.00) or less; (Laws
29 2004, Ch. 118, § 11.)

30
31 (viii) Special conditions:

32
33 (H) In addition to the general conditions
34 specified in W.S. 99-3-103 and except as provided in this
35 subsection, each small project shall be subject to the
36 following conditions:

37
38 (I) Establishment of the sinking fund
39 identified in W.S. 99-3-103(a)(iii) shall not be required
40 for small projects;

41
42 (II) New development projects funded
43 by the small water development project program shall not be
44 eligible for subsequent rehabilitation program funding
45 under the small water development projects program;
46

1 (III) If a project otherwise meets the
2 water development commission's small water development
3 projects program criteria, funding for projects shall only
4 occur if the water development commission has conducted a
5 Level I reconnaissance watershed study that identifies the
6 watershed's physical attributes, including existing
7 impairments and development opportunities, and identifies
8 practices and activities that would correct identified
9 physical impairments and if at least one (1) of the
10 following additional conditions is met:

11
12 (1) The proposed project is
13 supported by the Wyoming department of environmental
14 quality and will provide mitigation for an impairment or an
15 impending impairment, to a stream or stream segment
16 pursuant to the Clean Water Act which is supported by
17 verifiable scientific data;

18
19 (2) The proposed project will
20 provide habitat for threatened and endangered species or
21 candidate species listed pursuant to the Endangered Species
22 Act or species of concern identified by the Wyoming game
23 and fish department.

24
25 **Section 8.** [Amendments to Buffalo Water Storage Tank
26 Project] W.S. 99-3-803(c)(vi) and by creating new
27 paragraphs (viii) through (xi) is amended to read:
28

29 **99-3-803. Level III construction projects - new**
30 **development.**

31
32 (c) Buffalo Water Storage Tank Project:
33

34 (vi) Appropriation: There is appropriated from
35 water development account I to the commission two million
36 seven hundred two thousand five hundred dollars
37 (\$2,702,500.00) or as much thereof as is necessary to carry
38 out the purpose of this subsection. Unexpended funds
39 appropriated under this subsection shall revert to water
40 development account I on July 1, 2008-2010; ~~and~~ (Laws 2005,
41 ch. 147, § 4.)
42

43 (viii) Supplemental project budget: Eight
44 hundred sixty-one thousand dollars (\$861,000.00);
45

46 (ix) Supplemental project grant: The state of
47 Wyoming shall grant to the sponsor from water development

1 account I through the commission an amount not to exceed
2 five hundred seventy-six thousand eight hundred seventy
3 dollars (\$576,870.00) or sixty-seven percent (67%) of the
4 additional funds needed to complete the project, whichever
5 is less. Supplemental grant funds may be used for design,
6 construction engineering and construction of the project;

7
8 (x) Supplemental appropriation: There is
9 appropriated from water development account I to the
10 commission an additional five hundred seventy-six thousand
11 eight hundred seventy dollars (\$576,870.00), which when
12 combined with the original appropriation, as described in
13 paragraphs (iv) through (vi) of this subsection, total
14 three million two hundred seventy-nine thousand three
15 hundred seventy dollars (\$3,279,370.00), or as much thereof
16 as is necessary to carry out the purpose of this
17 subsection. Unexpended funds appropriated under this
18 subsection shall revert to water development account I on
19 July 1, 2010; and

20
21 (xi) Special supplemental conditions:

22
23 (A) The sponsor is responsible for
24 acquiring the remaining thirty-three percent (33%) of the
25 total supplemental project budget from other sources;

26
27 (B) The supplemental appropriation is based
28 upon a different percentage than the original
29 appropriation. The original funding described in
30 paragraphs (iv) through (vi) of this subsection shall be
31 expended prior to incurring supplemental funding
32 expenditures.

33
34 **Section 9.** [Amendments to Fayette Irrigation Ditch
35 Rehabilitation Project] W.S. 99-3-404(h)(vi) and by
36 creating new paragraphs (viii) through (xii) is amended to
37 read:

38
39 **99-3-404. Level III construction projects -**
40 **rehabilitation.**

41
42 (h) Project - Fayette Irrigation Ditch
43 Rehabilitation:

44
45 (vi) Appropriation: There is appropriated from
46 the water development account II to the commission seventy-
47 five thousand dollars (\$75,000.00) or as much thereof as is

1 necessary to carry out the purpose of this subsection.
2 Unexpended funds appropriated under this subsection shall
3 revert to water development account II on July 1, ~~2005~~
4 2010; ~~and~~ (Laws 2002, Ch. 88, § 8.)

5
6 (viii) Supplemental project budget: One hundred
7 sixty thousand dollars (\$160,000.00);

8
9 (ix) Supplemental project grant: The state of
10 Wyoming shall grant to the sponsor from water development
11 account II through the commission an amount not to exceed
12 one hundred seven thousand two hundred dollars
13 (\$107,200.00) or sixty-seven percent (67%) of the
14 additional funds needed to complete the project, whichever
15 is less. Supplemental grant funds may be used for design,
16 construction engineering and construction of the project;

17
18 (x) Supplemental project loan: The state of
19 Wyoming shall loan to the sponsor from water development
20 account II through the commission an amount not to exceed
21 fifty-two thousand eight hundred dollars (\$52,800.00) or
22 thirty-three percent (33%) of the additional funds needed
23 to complete the project, whichever is less for a term of
24 twenty-five (25) years from the date the commission
25 determines project benefits accrue to the sponsor, at an
26 annual rate of four percent (4%). Supplemental loan funds
27 may be used for design, permit procurement, project land
28 procurement, construction engineering and construction of
29 the project;

30
31 (xi) Supplemental appropriation: There is
32 appropriated from water development account II to the
33 commission an additional one hundred sixty thousand dollars
34 (\$160,000.00), which when combined with the original
35 appropriation, as described in paragraphs (iv) through (vi)
36 of this subsection, total two hundred thirty-five thousand
37 dollars (\$235,000.00), or as much thereof as is necessary
38 to carry out the purpose of this subsection. Unexpended
39 funds appropriated under this subsection shall revert to
40 water development account II on July 1, 2010; and

41
42 (xii) Special supplemental condition: The
43 supplemental appropriation is based upon a different grant
44 and loan ratio than the original appropriation. The
45 original funding described in paragraphs (iv) through (vi)
46 of this subsection shall be expended prior to incurring
47 supplemental funding expenditures.

1
2 **Section 10.** [Amendments to Casper Alcova
3 Rehabilitation Project] W.S. 99-3-904(c)(vi) and by
4 creating new paragraphs (viii) through (xi) is amended to
5 read:

6
7 **99-3-904. Level III construction projects -**
8 **rehabilitation.**

9
10 (c) Project - Casper Alcova Rehabilitation Project:

11
12
13 (vi) Appropriation: There is appropriated from
14 water development account II to the commission eight
15 hundred eighty thousand dollars (\$880,000.00) or as much
16 thereof as is necessary to carry out the purpose of this
17 subsection. Unexpended funds appropriated under this
18 subsection shall revert to water development account II on
19 July 1, 2010; ~~and~~ (Laws 2005, ch. 147, § 12.)

20
21 (viii) Supplemental project budget: Four hundred
22 forty thousand dollars (\$440,000.00);

23
24 (ix) Supplemental project grant: The state of
25 Wyoming shall grant to the sponsor from water development
26 account II through the commission an amount not to exceed
27 two hundred ninety-four thousand eight hundred dollars
28 (\$294,800.00) for the purchase of one hundred percent
29 (100%) of project materials costs as supported by vendor
30 invoices and approved by the commission;

31
32 (x) Supplemental appropriation: There is
33 appropriated from water development account II to the
34 commission an additional two hundred ninety-four thousand
35 eight hundred dollars (\$294,800.00), which when combined
36 with the original appropriation, as described in paragraphs
37 (iv) through (vi) of this subsection, total one million one
38 hundred seventy-four thousand eight hundred dollars
39 (\$1,174,800.00), or as much thereof as is necessary to
40 carry out the purpose of this subsection. Unexpended funds
41 appropriated under this subsection shall revert to water
42 development account II on July 1, 2010; and

43
44 (xi) Special supplemental conditions:

45
46 (A) The sponsor is responsible for
47 acquiring all necessary easements and permits and the

1 remaining thirty-three percent (33%) of the total
2 supplemental project budget from other sources which shall
3 include all labor and equipment costs associated with
4 completing the project;

5
6 (B) The supplemental appropriation is based
7 upon a different grant and loan ratio than the original
8 appropriation. The original funding described in
9 paragraphs (iv) through (vi) of this subsection shall be
10 expended prior to incurring supplemental funding
11 expenditures.

12
13 **Section 11.** [Amendments to Heart Mountain Pipe
14 Conversion Project] W.S. 99-3-904(g) by creating new
15 paragraphs (viii) through (xi) is amended to read:

16
17 **99-3-904. Level III construction projects -**
18 **rehabilitation.**

19
20 (g) Project - Heart Mountain Pipe Conversion Project:

21
22 (viii) Supplemental project budget: One hundred
23 sixty-nine thousand dollars (\$169,000.00);

24
25 (ix) Supplemental project grant: The state of
26 Wyoming shall grant to the sponsor from water development
27 account II through the commission an amount not to exceed
28 one hundred thirteen thousand two hundred thirty dollars
29 (\$113,230.00) for the purchase of one hundred percent
30 (100%) of project material costs as supported by vendor
31 invoices and approved by the commission or sixty-seven
32 percent (67%) of the total supplemental project costs,
33 whichever is less;

34
35 (x) Supplemental appropriation: There is
36 appropriated from water development account II to the
37 commission an additional one hundred thirteen thousand two
38 hundred thirty dollars (\$113,230.00), which when combined
39 with the original appropriation as described in paragraphs
40 (iv) through (vi) of this subsection, total seven hundred
41 fifteen thousand three hundred forty dollars (\$715,340.00),
42 or as much thereof as is necessary to carry out the purpose
43 of this subsection. Unexpended funds appropriated under
44 this subsection shall revert to water development account
45 II on July 1, 2010; and

46
47 (xi) Special supplemental conditions:

1
2 (A) The sponsor is responsible for
3 acquiring all necessary easements and permits and the
4 remaining thirty-three percent (33%) of the total
5 supplemental project budget from other sources which shall
6 include all labor and equipment costs associated with
7 completing the project;

8
9 (B) The supplemental appropriation is based
10 upon a different grant percentage than the original
11 appropriation. The original funding described in
12 paragraphs (iv) through (vi) of this subsection shall be
13 expended prior to incurring supplemental funding
14 expenditures.

15
16 **Section 12.** [Amendments to Hidden Valley Pipelines
17 Project] W.S. 99-3-904(h) by creating new paragraphs
18 (viii) through (xi) is amended to read:

19
20 **99-3-904. Level III construction projects -**
21 **rehabilitation.**

22
23 (h) Project - Hidden Valley Pipelines Project:

24
25 (viii) Supplemental project budget: Two million
26 two hundred thirty-two thousand dollars (\$2,232,000.00);

27
28 (ix) Supplemental project grant: The state of
29 Wyoming shall grant to the sponsor from water development
30 account II through the commission an amount not to exceed
31 one million four hundred ninety-five thousand four hundred
32 forty dollars (\$1,495,440.00) for the purchase of one
33 hundred percent (100%) of project material costs as
34 supported by vendor invoices and approved by the commission
35 or sixty-seven percent (67%) of the total supplemental
36 project costs, whichever is less;

37
38 (x) Supplemental appropriation: There is
39 appropriated from water development account II to the
40 commission an additional one million four hundred ninety-
41 five thousand four hundred forty dollars (\$1,495,440.00),
42 which when combined with funds appropriated as described in
43 paragraphs (iv) through (vi) of this subsection, total two
44 million nine hundred sixty-nine thousand five hundred
45 forty-three dollars (\$2,969,543.00), or as much thereof as
46 is necessary to carry out the purpose of this subsection.
47 Unexpended funds appropriated under this subsection shall

1 revert to water development account II on July 1, 2010; and

2
3 (xi) Special supplemental conditions:

4
5 (A) The sponsor is responsible for
6 acquiring all necessary easements and permits and the
7 remaining thirty-three percent (33%) of the total
8 supplemental project budget from other sources which shall
9 include all labor and equipment costs associated with
10 completing the project;

11
12 (B) The supplemental appropriation is based
13 upon a different grant percentage than the original
14 appropriation. The original funding described in
15 paragraphs (iv) through (vi) of this subsection shall be
16 expended prior to incurring supplemental funding
17 expenditures.

18
19 **Section 13.** [Amendments to Rafter J Rehabilitation
20 Project] W.S. 99-3-804(p)(vii) and by creating new
21 paragraphs (ix) through (xii) is amended to read:

22
23 **99-3-804. Level III construction projects -**
24 **rehabilitation.**

25
26 (p) Project - Rafter J Rehabilitation Project:

27
28 (vii) Appropriation: There is appropriated from
29 water development account II to the commission five hundred
30 fifty-one thousand five hundred dollars (\$551,500.00) or as
31 much thereof as is necessary to carry out the purpose of
32 this subsection. Unexpended funds appropriated under this
33 subsection shall revert to water development account II on
34 July 1, ~~2008-2010~~; ~~and~~ (Laws 2005, ch. 147, § 10.)

35
36 (ix) Supplemental project budget: One hundred
37 fifty thousand dollars (\$150,000.00);

38
39 (x) Supplemental project grant: The state of
40 Wyoming shall grant to the sponsor from water development
41 account II through the commission an amount not to exceed
42 one hundred thousand five hundred dollars (\$100,500.00) or
43 sixty-seven percent (67%) of the additional funds needed to
44 complete the project, whichever is less. Supplemental
45 grant funds may be used for design, construction
46 engineering and construction of the project;

47

1 (xi) Supplemental appropriation: There is
2 appropriated from water development account II to the
3 commission an additional one hundred thousand five hundred
4 dollars (\$100,500.00), which when combined with the
5 original appropriation, as described in paragraphs (iv)
6 through (vi) of this subsection, total six hundred fifty-
7 two thousand dollars (\$652,000.00), or as much thereof as
8 is necessary to carry out the purpose of this subsection.
9 Unexpended funds appropriated under this subsection shall
10 revert to water development account II on July 1, 2010; and

11
12 (xii) Special supplemental conditions:

13
14 (A) The sponsor is responsible for
15 acquiring the remaining thirty-three percent (33%) of the
16 total supplemental project budget from other sources;

17
18 (B) The supplemental appropriation is based
19 upon a different grant percentage than the original
20 appropriation. The original funding described in
21 paragraphs (iv) through (vi) of this subsection shall be
22 expended prior to incurring supplemental funding
23 expenditures.

24
25 **Section 14.** [Amendments to Turnerville Water Supply
26 Project] W.S. 99-3-904(m)(vi) and by creating new
27 paragraphs (viii) through (xi) is amended to read:

28
29 **99-3-904. Level III construction projects -**
30 **rehabilitation.**

31
32 (m) Project - Turnerville Water Supply Project:

33
34 (vi) Appropriation: There is appropriated from
35 water development account II to the commission five hundred
36 eighty-seven thousand seven hundred fifty dollars
37 (\$587,750.00) or as much thereof as is necessary to carry
38 out the purpose of this subsection. Unexpended funds
39 appropriated under this subsection shall revert to water
40 development account II on July 1, ~~2008-2010; and~~

41
42 (viii) Supplemental project budget: Two hundred
43 thirty-three thousand two hundred dollars (\$233,200.00);

44
45 (ix) Supplemental project grant: The state of
46 Wyoming shall grant to the sponsor from water development
47 account II through the commission an amount not to exceed

1 one hundred fifty-six thousand two hundred forty-four
2 dollars (\$156,244.00) or sixty-seven percent (67%) of the
3 additional funds needed to complete the project, whichever
4 is less. Supplemental grant funds may be used for design,
5 construction engineering and construction of the project;
6

7 (x) Supplemental appropriation: There is
8 appropriated from water development account II to the
9 commission an additional one hundred fifty-six thousand two
10 hundred forty-four dollars (\$156,244.00), which when
11 combined with the original appropriation, as described in
12 paragraphs (iv) through (vi) of this subsection, total
13 seven hundred forty-three thousand nine hundred ninety-four
14 dollars (\$743,994.00), or as much thereof as is necessary
15 to carry out the purpose of this subsection. Unexpended
16 funds appropriated under this subsection shall revert to
17 water development account II on July 1, 2010; and
18

19 (xi) Special supplemental conditions:
20

21 (A) The sponsor is responsible for
22 acquiring the remaining thirty-three percent (33%) of the
23 total supplemental project budget from other sources;
24

25 (B) The supplemental appropriation is based
26 upon a different grant percentage than the original
27 appropriation. The original funding described in
28 paragraphs (iv) through (vi) of this subsection shall be
29 expended prior to incurring supplemental funding
30 expenditures.
31

32 **Section 15.** [Amendments to Albin 2005 Well] W.S.
33 99-3-1003(b)(vi), (vii)(B) and by creating new paragraphs
34 (viii) through (xi) is amended to read:
35

36 **99-3-1003. Level III construction projects - new**
37 **development.**
38

39 (b) Project - Albin 2005 Well:
40

41 (vi) Appropriation: There is appropriated from
42 water development account I to the commission one hundred
43 seventy-one thousand dollars (\$171,000.00) or as much
44 thereof as is necessary to carry out the purpose of this
45 subsection. Unexpended funds appropriated under this
46 subsection shall revert to water development account I on
47 July 1, ~~2009-2010~~; ~~and~~

(vii) Special conditions:

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed ~~twenty one thousand nine hundred sixty eight dollars and seventy five cents (\$21,968.75)~~ fourteen thousand five hundred dollars (\$14,500.00) or ~~fifty percent (50%)~~ thirty-three percent (33%) of the 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 twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of ~~six percent (6%)~~ four percent (4%).

(viii) Supplemental project budget: Eighty-four thousand dollars (\$84,000.00);

(ix) 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 fifty-six thousand two hundred eighty dollars (\$56,280.00) 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;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional fifty-six thousand two hundred eighty dollars (\$56,280.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total two hundred twenty-seven thousand two hundred eighty dollars (\$227,280.00), 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; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original

1 appropriation. The original funding described in
2 paragraphs (iv) through (vi) of this subsection shall be
3 expended prior to incurring supplemental funding
4 expenditures.
5

6 **Section 16.** [Amendments to Canyon Water Supply
7 Project] W.S. 99-3-1003(f)(iv) through (vi) and (vii)(A)
8 and (B) is amended to read:
9

10 **99-3-1003. Level III construction projects - new**
11 **development.**
12

13 (f) Project - Canyon Water Supply:
14

15 (iv) Total project budget: ~~One million four~~
16 ~~hundred eighty thousand dollars (\$1,480,000.00)~~ One million
17 five hundred twenty-seven thousand dollars (\$1,527,000.00);
18

19 (v) Project grant: The state of Wyoming shall
20 grant to the sponsor from water development account I
21 through the commission for the design, permit procurement,
22 construction engineering, project land procurement, and
23 construction of the project an amount not to exceed ~~seven~~
24 ~~hundred forty thousand dollars (\$740,000.00)~~ one million
25 twenty-three thousand ninety dollars (\$1,023,090.00) or
26 ~~fifty percent (50%)~~ sixty-seven percent (67%) of the actual
27 development costs, whichever is less;
28

29 (vi) Appropriation: There is appropriated from
30 water development account I to the commission ~~seven hundred~~
31 ~~forty thousand dollars (\$740,000.00)~~ one million twenty-
32 three thousand ninety dollars (\$1,023,090.00) or as much
33 thereof as is necessary to carry out the purpose of this
34 subsection. Unexpended funds appropriated under this
35 subsection shall revert to water development account I on
36 July 1, ~~2009-2010~~; and
37

38 (vii) Special conditions:
39

40 (A) The sponsor is responsible for
41 acquiring ~~fifty percent (50%)~~ thirty-three percent (33%) of
42 the total project budget from other sources;
43

44 (B) The sponsor shall purchase the well
45 completed during the Level II study for a price not to
46 exceed ~~fifty percent (50%)~~ thirty-three percent (33%) of
47 the actual construction costs. The sponsor may purchase the

1 well with a lump sum payment or with amortized payments for
2 a term of thirty (30) years from the date the commission
3 determines project benefits accrue to the sponsor at an
4 interest rate of ~~six percent (6%)~~ four percent (4%);

5
6 **Section 17.** [Amendments to Gillette Fort Union Well
7 Field, Phase I Project] W.S. 99-3-1003(h)(vi) and by
8 creating new paragraphs (viii) through (xii) is amended to
9 read:

10
11 **99-3-1003. Level III construction projects - new**
12 **development.**

13
14 (h) Project - Gillette Fort Union Well Field, Phase
15 I:

16
17 (vi) Appropriation: There is appropriated from
18 water development account I to the commission one million
19 dollars (\$1,000,000.00) or as much thereof as is necessary
20 to carry out the purpose of this subsection. Unexpended
21 funds appropriated under this subsection shall revert to
22 water development account I on July 1, ~~2009-2010~~; ~~and~~

23
24 (viii) Supplemental project budget: Seven
25 million six hundred fifty thousand dollars (\$7,650,000.00);

26
27 (ix) Supplemental project grant: The state of
28 Wyoming shall grant to the sponsor from water development
29 account I through the commission an amount not to exceed
30 five million one hundred twenty-five thousand five hundred
31 dollars (\$5,125,500.00) or sixty-seven percent (67%) of the
32 additional funds needed to complete the project, whichever
33 is less. Supplemental grant funds may be used for design,
34 construction engineering and construction of the project;

35
36 (x) Supplemental project loan: The state of
37 Wyoming shall loan to the sponsor from water development
38 account I through the commission an amount not to exceed
39 two million five hundred twenty-four thousand five hundred
40 dollars (\$2,524,500.00) or thirty-three percent (33%) of
41 the additional funds needed to complete the project,
42 whichever is less for a term of twenty-five (25) years from
43 the date the commission determines project benefits accrue
44 to the sponsor, at an annual rate of four percent (4%).
45 Supplemental loan funds may be used for design, permit
46 procurement, project land procurement, construction
47 engineering and construction of the project;

1
2 (xi) Supplemental appropriation: There is
3 appropriated from water development account I to the
4 commission an additional seven million six hundred fifty
5 thousand dollars (\$7,650,000.00), which when combined with
6 the original appropriation, as described in paragraphs (iv)
7 through (vi) of this subsection, total eight million six
8 hundred fifty thousand dollars (\$8,650,000.00) or as much
9 thereof as is necessary to carry out the purpose of this
10 subsection. Unexpended funds appropriated under this
11 subsection shall revert to water development account I on
12 July 1, 2010; and

13
14 (xii) Special supplemental condition: The
15 supplemental appropriation is based upon a different grant
16 and loan ratio percentage than the original appropriation.
17 The original funding described in paragraphs (iv) through
18 (vi) of this subsection shall be expended prior to
19 incurring supplemental funding expenditures.

20
21 **Section 18.** [Amendments to Gillette Madison Pipeline
22 Joint Bonding] W.S. 99-3-1004(c)(vi) and by creating new
23 paragraphs (viii) through (xi) is amended to read:

24
25 **99-3-1004. Level III construction projects -**
26 **rehabilitation.**

27
28 (c) Project - Gillette Madison Pipeline Joint
29 Bonding:

30
31 (vi) Appropriation: There is appropriated from
32 water development account II to the commission one million
33 two hundred twenty-five thousand dollars (\$1,225,000.00) or
34 as much thereof as is necessary to carry out the purpose of
35 this subsection. Unexpended funds appropriated under this
36 subsection shall revert to water development account II on
37 July 1, ~~2009-2010~~; and

38
39 (viii) Supplemental project budget: Two million
40 five hundred thousand dollars (\$2,500,000.00);

41
42 (ix) Supplemental project grant: The state of
43 Wyoming shall grant to the sponsor from water development
44 account II through the commission an amount not to exceed
45 one million six hundred seventy-five thousand dollars
46 (\$1,675,000.00) or sixty-seven percent (67%) of the
47 additional funds needed to complete the project, whichever

1 is less. Supplemental grant funds may be used for design,
2 construction engineering and construction of the project;
3

4 (x) Supplemental appropriation: There is
5 appropriated from water development account II to the
6 commission an additional one million six hundred seventy-
7 five thousand dollars (\$1,675,000.00), which when combined
8 with the original appropriation, as described in paragraphs
9 (iv) through (vi) of this subsection, total two million
10 nine hundred thousand dollars (\$2,900,000.00) or as much
11 thereof as is necessary to carry out the purpose of this
12 subsection. Unexpended funds appropriated under this
13 subsection shall revert to water development account II on
14 July 1, 2010; and
15

16 (xi) Special supplemental conditions:
17

18 (A) The sponsor is responsible for
19 acquiring the remaining thirty-three percent (33%) of the
20 total supplemental project budget from other sources;
21

22 (B) The supplemental appropriation is based
23 upon a different grant percentage than the original
24 appropriation. The original funding described in
25 paragraphs (iv) through (vi) of this subsection shall be
26 expended prior to incurring supplemental funding
27 expenditures.
28

29 [SPONSOR'S INFLATION FUNDS]
30

31 **Section 19.** There are created the following sponsor's
32 inflations funds:
33

34 (a) Project - Sponsor's Inflation Fund - New
35 Development:
36

37 (i) Project sponsor: Any eligible sponsor;
38

39 (ii) Project purpose: Multiple purpose water
40 use;
41

42 (iii) Project description: The establishment of
43 a fund to provide supplemental funding for sponsors'
44 existing Level III new development construction projects
45 where construction budgets have been rendered insufficient
46 due to inflation and the rapid increase in material cost;
47

1 (iv) Total project budget: Two million dollars
2 (\$2,000,000.00);
3

4 (v) Project grant: The state of Wyoming shall
5 grant to sponsors from water development account I through
6 the commission sufficient supplemental funds which may be
7 used to complete construction of projects up to an amount
8 not to exceed sixty-seven percent (67%) of the difference
9 between the original project budget and the actual cost of
10 construction;
11

12 (vi) Project loan: The state of Wyoming shall
13 loan to sponsors from water development account I through
14 the commission sufficient supplemental funds which may be
15 used to complete construction of projects up to an amount
16 not to exceed thirty-three percent (33%) of the difference
17 between the original project budget and the actual cost of
18 construction, at an annual rate of four percent (4%);
19

20 (vii) Appropriation: There is appropriated from
21 water development account I to the commission two million
22 dollars (\$2,000,000.00) or as much thereof as is necessary
23 to carry out the purpose of this subsection. Unexpended
24 funds appropriated under this subsection shall revert to
25 water development account I on July 1, 2010; and
26

27 (viii) Special condition: The commission is
28 authorized to consider and approve supplemental funding to
29 complete existing water development program Level III
30 construction projects any time during the calendar year.
31

32 (b) Project - Sponsor's Inflation Fund -
33 Rehabilitation:
34

35 (i) Project sponsor: Any eligible sponsor;
36

37 (ii) Project purpose: Variable purpose water
38 supplies;
39

40 (iii) Project description: The establishment of
41 a fund to provide supplemental funding for sponsors'
42 existing Level III rehabilitation construction projects
43 where construction budgets have been rendered insufficient
44 due to inflation and the rapid increase in material cost;
45

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

1
2 (v) Project grant: The state of Wyoming shall
3 grant to sponsors from water development account II through
4 the commission sufficient supplemental funds which may be
5 used to complete construction of projects up to an amount
6 not to exceed sixty-seven percent (67%) of the difference
7 between the original project budget and the actual cost of
8 construction;

9
10 (vi) Project loan: The state of Wyoming shall
11 loan to sponsors from water development account II through
12 the commission sufficient supplemental funds which may be
13 used to complete construction of projects up to an amount
14 not to exceed thirty-three percent (33%) of the difference
15 between the original project budget and the actual cost of
16 construction, at an annual rate of four percent (4%);

17
18 (vii) Appropriation: There is appropriated from
19 water development account II to the commission five hundred
20 thousand dollars (\$500,000.00) or as much thereof as is
21 necessary to carry out the purpose of this subsection.
22 Unexpended funds appropriated under this subsection shall
23 revert to water development account I on July 1, 2010; and

24
25 (viii) Special condition: The commission is
26 authorized to consider and approve supplemental funding to
27 complete existing water development program Level III
28 construction projects any time during the calendar year.

29
30 **Section 20.** This act is effective immediately upon
31 completion of all acts necessary for a bill to become law
32 as provided by Article 4, Section 8 of the Wyoming
33 Constitution.

34
35 (END)