

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Omnibus water bill-construction.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; providing for
2 a transfer of funds to water development account II;
3 authorizing construction of designated water projects;
4 describing projects; specifying terms and conditions of
5 funding for projects; providing appropriations; modifying
6 project descriptions, amounts and terms of appropriations for
7 specified prior projects; creating an account; and providing
8 for an effective date.

9

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

11

12 **Section 1.** W.S. 99-3-2401 through 99-3-2407 are created

13 to read:

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ARTICLE 24

2019 CONSTRUCTION PROJECTS

99-3-2401. Definitions.

(a) As used in this article:

(i) "Commission" means the Wyoming water development
commission;

(ii) "Sponsor" means the municipality, conservancy
district, irrigation district, water district, improvement and
service district, water and sewer district, watershed
improvement district, joint powers board, Eastern Shoshone
Indian tribe or Northern Arapaho Indian tribe that will receive
funding for one (1) or more of the projects identified in this
article;

(iii) "Water development account I" means the
account created by W.S. 41-2-124(a)(i);

1 (iv) "Water development account II" means the
2 account created by W.S. 41-2-124(a)(ii);

3

4 (v) "Water development account III" means the
5 account created by W.S. 41-2-124(a)(iii).

6

7 **99-3-2402. General authorization.**

8

9 (a) The commission shall contract with each sponsor
10 identified in this article for the design, construction and
11 operation of the project in a manner consistent with this
12 article and administer the contract on behalf of the state of
13 Wyoming.

14

15 (b) Upon execution of the contract outlined in
16 subsection (a) of this section, the sponsor may design,
17 construct and operate the project in a manner consistent with
18 the terms and conditions outlined in the contract.

19

20 **99-3-2403. General conditions for Level III**
21 **construction projects - new development.**

22

1 (a) Except as otherwise specifically provided, each Level
2 III new development construction project identified in this
3 article shall be subject to the following general conditions:
4

5 (i) Each sponsor shall offer security for the
6 project loan as deemed adequate and acceptable to the attorney
7 general;
8

9 (ii) The commission shall establish repayment
10 schedules for project loans in accordance with the conditions
11 prescribed in this section;
12

13 (iii) Each sponsor shall supervise design and
14 construction of the project and submit all requests for payment
15 to the commission for approval;
16

17 (iv) A sponsor shall not make construction funding
18 commitments until after the commission has reviewed and approved
19 construction budgets and construction plans;
20

21 (v) The commission shall make payments directly to
22 the sponsor;
23

1 (vi) The sponsor shall be responsible for operation
2 and maintenance of the project;

3

4 (vii) The sponsor is responsible for all project
5 expenditures in excess of the total project appropriation;

6

7 (viii) If the commission determines that any sponsor
8 has, without good cause, abandoned completion of the project,
9 that sponsor, in addition to being required to repay the loan,
10 shall be obligated to immediately repay the full amount of all
11 grant funds actually expended plus interest as established by
12 the state treasurer in an amount equal to the interest that
13 would have accrued on the expended grant funds in the water
14 development account from the date of expenditure;

15

16 (ix) Principal and interest payments made in
17 repayment of loans shall be deposited in water development
18 account I;

19

20 (x) There shall be no lease, sale, assignment or
21 transfer of ownership of water from the project for purposes
22 other than the designated project purpose without prior written
23 approval of the commission and the state engineer or board of
24 control. If such a transaction is approved, the revenues

1 generated by the lease, sale, assignment or transfer of
2 ownership of water from the project shall be utilized to retire
3 principal on the project loan. After that loan is paid in full,
4 the sponsor shall receive a proportionate share of the revenues
5 generated by the lease, sale, assignment or transfer of
6 ownership of water from the project equal to the percentage of
7 the project cost paid by the project loan and the state of
8 Wyoming shall receive a proportionate share of the revenues
9 generated by the lease, sale, assignment or transfer of
10 ownership of water from the project equal to the percentage of
11 the project cost paid by the project grant;

12

13 (xi) There shall be no lease, sale, assignment or
14 transfer of ownership of any project until the project loan is
15 paid in full, and until prior written approval is obtained from
16 the commission. If these conditions are met, the sponsor shall
17 receive a proportionate share of the revenues generated by the
18 lease, sale, assignment or transfer of ownership of the project
19 equal to the percentage of the project cost paid by the project
20 loan and the state of Wyoming shall receive a proportionate
21 share of the revenues generated by the lease, sale, assignment
22 or transfer of ownership of the project equal to the percentage
23 of the project cost paid by the project grant. Before the sponsor
24 may lease, sell, assign or transfer ownership of the project,

1 the state of Wyoming shall be given a one (1) year first right
2 of refusal option to purchase the sponsor's interest in the
3 project for an amount equal to the principal, interest,
4 maintenance and replacement costs incurred by the sponsor at the
5 date the option is exercised;

6

7 (xii) After the project loan is paid in full, the
8 sponsor may purchase the position of the state of Wyoming, as
9 described in paragraphs (x) and (xi) of this subsection, for the
10 amount of the project grant plus the interest that would have
11 accrued on the grant amount in the water development account
12 from the date the project was substantially completed as defined
13 by the commission. The interest that would have accrued on the
14 grant amount shall be established by the state treasurer;

15

16 (xiii) Any revenues generated by the state from the
17 lease, sale, assignment or transfer of ownership of any project
18 or project water shall be deposited in water development account
19 I.

20

21 **99-3-2404. Level III construction projects - new**
22 **development.**

23

1 (a) Authorization is granted for the Level III new
2 development construction projects identified in this section.

3
4 (b) Project - Buffalo Wells and Transmission 2019:

5
6 (i) Project sponsor: City of Buffalo;

7
8 (ii) Project purpose: Municipal and rural domestic
9 water supply;

10
11 (iii) Project description: Design and
12 construction of water supply wells, transmission pipelines
13 and appurtenances necessary to make the project function in
14 the manner intended;

15
16 (iv) Total project budget: One million eight
17 hundred forty-eight thousand dollars (\$1,848,000.00);

18
19 (v) Project grant: The state of Wyoming shall
20 grant to the sponsor from water development account I through
21 the commission for the design, permit procurement, project
22 land procurement, construction engineering and construction
23 of the project an amount not to exceed one million two hundred

1 thirty-eight thousand one hundred sixty dollars
2 (\$1,238,160.00) or sixty-seven percent (67%) of the actual
3 development costs, whichever is less;

4

5 (vi) Appropriation: There is appropriated from
6 water development account I to the commission one million two
7 hundred thirty-eight thousand one hundred sixty dollars
8 (\$1,238,160.00) or as much thereof as is necessary to carry
9 out the purpose of this subsection. Unexpended funds
10 appropriated under this subsection shall revert to water
11 development account I on July 1, 2024;

12

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

16

17 (c) Project - Clearmont Well Connection 2019:

18

19 (i) Project sponsor: Town of Clearmont;

20

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

23

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

5

6 (iv) Total project budget: Four hundred ninety-
7 one thousand dollars (\$491,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account I through
11 the commission for the design, permit procurement, project
12 land procurement, construction engineering and construction
13 of the project an amount not to exceed three hundred twenty-
14 eight thousand nine hundred seventy dollars (\$328,970.00) or
15 sixty-seven percent (67%) of the actual development costs,
16 whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account I to the commission three hundred
20 twenty-eight thousand nine hundred seventy dollars
21 (\$328,970.00) or as much thereof as is necessary to carry out
22 the purpose of this subsection. Unexpended funds appropriated

1 under this subsection shall revert to water development
2 account I on July 1, 2024;

3

4 (vii) Special conditions:

5

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

9

10 (B) The sponsor is responsible for acquiring
11 one hundred percent (100%) of the total well purchase price
12 from other sources;

13

14 (C) The commission shall sell and the sponsor
15 shall purchase the well drilled during the level II study for
16 a price not to exceed thirty-three percent (33%) of the well's
17 actual construction costs. The sponsor shall purchase the
18 well with a lump sum payment.

19

20 (d) Project - Etna Storage Tank 2019:

21

22 (i) Project sponsor: Etna Water and Sewer
23 District;

1

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

4

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

8

9 (iv) Total project budget: One million four
10 hundred ninety-five thousand dollars (\$1,495,000.00);

11

12 (v) Project grant: The state of Wyoming shall
13 grant to the sponsor from water development account I through
14 the commission for the design, permit procurement, project
15 land procurement, construction engineering and construction
16 of the project an amount not to exceed one million one
17 thousand six hundred fifty dollars (\$1,001,650.00) or sixty-
18 seven percent (67%) of the actual development costs,
19 whichever is less;

20

21 (vi) Appropriation: There is appropriated from
22 water development account I to the commission one million one
23 thousand six hundred fifty dollars (\$1,001,650.00) or as much

1 thereof as is necessary to carry out the purpose of this
2 subsection. Unexpended funds appropriated under this
3 subsection shall revert to water development account I on
4 July 1, 2024;

5

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

9

10 (e) Project - GR/RS/SC JPWB Pump Station 2019:

11

12 (i) Project sponsor: Green River-Rock Springs-
13 Sweetwater County Joint Powers Water Board;

14

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

17

18 (iii) Project description: Design and
19 construction of pumping facilities, transmission pipeline and
20 appurtenances necessary to make the project function in the
21 manner intended;

22

1 (iv) Total project budget: Eleven million one
2 hundred ninety thousand dollars (\$11,190,000.00);

3

4 (v) Project grant: The state of Wyoming shall
5 grant to the sponsor from water development account I through
6 the commission for the design, permit procurement, project
7 land procurement, construction engineering and construction
8 of the project an amount not to exceed seven million four
9 hundred ninety-seven thousand three hundred dollars
10 (\$7,497,300.00) or sixty-seven percent (67%) of the actual
11 development costs, whichever is less;

12

13 (vi) Appropriation: There is appropriated from
14 water development account I to the commission seven million
15 four hundred ninety-seven thousand three hundred dollars
16 (\$7,497,300.00) or as much thereof as is necessary to carry
17 out the purpose of this subsection. Unexpended funds
18 appropriated under this subsection shall revert to water
19 development account I on July 1, 2024;

20

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

1

2 (f) Project - Lander Storage Tanks and Pump Station

3 2019:

4

5 (i) Project sponsor: City of Lander;

6

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

9

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

14

15 (iv) Total project budget: Three hundred forty
16 thousand dollars (\$340,000.00);

17

18 (v) Project grant: The state of Wyoming shall
19 grant to the sponsor from water development account I through
20 the commission for the design, permit procurement, project
21 land procurement of the project an amount not to exceed two
22 hundred twenty-seven thousand eight hundred dollars

1 (\$227,800.00) or sixty-seven percent (67%) of the actual
2 development costs, whichever is less;

3
4 (vi) Appropriation: There is appropriated from
5 water development account I to the commission two hundred
6 twenty-seven thousand eight hundred dollars (\$227,800.00) or
7 as much thereof as is necessary to carry out the purpose of
8 this subsection. Unexpended funds appropriated under this
9 subsection shall revert to water development account I on
10 July 1, 2024;

11
12 (vii) Special conditions:

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

17
18 (B) The sponsor shall provide to the
19 commission an adequate feasibility study of the proposed
20 project prior to commencing the design phase.

21
22 (g) Project - Northwest Rural Water System Improvements
23 2019:

1

2 (i) Project sponsor: Northwest Rural Water
3 District;

4

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

7

8 (iii) Project description: Design and
9 construction of transmission pipelines, pumping facilities
10 and appurtenances necessary to make the project function in
11 the manner intended;

12

13 (iv) Total project budget: One million five
14 hundred seventy-five thousand dollars (\$1,575,000.00);

15

16 (v) Project grant: The state of Wyoming shall
17 grant to the sponsor from water development account I through
18 the commission for the design, permit procurement, project
19 land procurement, construction engineering and construction
20 of the project an amount not to exceed one million fifty-five
21 thousand two hundred fifty dollars (\$1,055,250.00) or sixty-
22 seven percent (67%) of the actual development costs,
23 whichever is less;

1

2 (vi) Appropriation: There is appropriated from
3 water development account I to the commission one million
4 fifty-five thousand two hundred fifty dollars (\$1,055,250.00)
5 or as much thereof as is necessary to carry out the purpose
6 of this subsection. Unexpended funds appropriated under this
7 subsection shall revert to water development account I on
8 July 1, 2024;

9

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

13

14 (h) Project - Rolling Hills Well No. 7 Connection 2019:

15

16 (i) Project sponsor: Town of Rolling Hills;

17

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

20

21 (iii) Project description: Design and
22 construction of well improvements, transmission pipeline and

1 appurtenances necessary to make the project function in the
2 manner intended;

3

4 (iv) Total project budget: Four hundred eight
5 thousand dollars (\$408,000.00);

6

7 (v) Project grant: The state of Wyoming shall
8 grant to the sponsor from water development account I through
9 the commission for the design, permit procurement, project
10 land procurement, construction engineering and construction
11 of the project an amount not to exceed two hundred seventy-
12 three thousand three hundred sixty dollars (\$273,360.00) or
13 sixty-seven percent (67%) of the actual development costs,
14 whichever is less;

15

16 (vi) Appropriation: There is appropriated from
17 water development account I to the commission two hundred
18 seventy-three thousand three hundred sixty dollars
19 (\$273,360.00) or as much thereof as is necessary to carry
20 out the purpose of this subsection. Unexpended funds
21 appropriated under this subsection shall revert to water
22 development account I on July 1, 2024;

23

1 (vii) Special conditions:

2

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

6

7 (B) The sponsor is responsible for acquiring
8 one hundred percent (100%) of the total well purchase price
9 from other sources;

10

11 (C) The commission shall sell and the sponsor
12 shall purchase the well drilled during the level II study for
13 a price not to exceed thirty-three percent (33%) of the well's
14 actual construction costs. The sponsor shall purchase the
15 well with a lump sum payment.

16

17 (j) Project - Weather Modification Medicine Bow
18 Mountains 2019-2020:

19

20 (i) Project sponsor: The state of Wyoming;

21

1 (ii) Project purpose: To enhance the winter
2 snowpack in the Medicine Bow, Sierra Madre and Laramie
3 Mountain Ranges;

4

5 (iii) Project description: Conduct an operational
6 winter snowpack augmentation program during the 2019-2020
7 fall, winter and spring seasons;

8

9 (iv) Total project budget: Six hundred thirty-four
10 thousand dollars (\$634,000.00);

11

12 (v) Appropriation: There is appropriated from
13 water development account I to the Wyoming water development
14 office five hundred eighty-nine thousand dollars
15 (\$589,000.00) or as much thereof as is necessary to carry out
16 the purpose of this subsection. Unexpended funds appropriated
17 under this subsection shall revert to water development
18 account I on July 1, 2021;

19

20 (vi) Special conditions:

21

22 (A) The Wyoming water development office
23 shall manage and provide oversight of the program. Five

1 thousand dollars (\$5,000.00) of the total appropriation is
2 allocated for this purpose;

3

4 (B) Prior to commencing project operations,
5 the Wyoming water development office shall acquire funding
6 commitments from Wyoming water users or other interested
7 parties for a minimum of seven percent (7%) of actual project
8 operations costs;

9

10 (C) The Wyoming water development office is
11 authorized to enter into contracts with Colorado
12 organizations to extend aerial weather modification efforts
13 into Colorado provided these organizations pay one hundred
14 percent (100%) of the additional costs associated with
15 operations in Colorado.

16

17 (k) Project - Weather Modification Wind River Mountains
18 2019-2020:

19

20 (i) Project sponsor: The state of Wyoming;

21

22 (ii) Project purpose: To enhance the winter
23 snowpack in the Wind River Mountain Range;

1

2 (iii) Project description: Conduct an operational
3 winter snowpack augmentation program during the 2019-2020
4 fall, winter and spring seasons;

5

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

8

9 (v) Appropriation: There is appropriated from
10 water development account I to the Wyoming water development
11 office two hundred thirty-five thousand dollars (\$235,000.00)
12 or as much thereof as is necessary to carry out the purpose
13 of this subsection. Unexpended funds appropriated under this
14 subsection shall revert to water development account I on
15 July 1, 2021;

16

17 (vi) Special conditions:

18

19 (A) The Wyoming water development office
20 shall manage and provide oversight of the program. Five
21 thousand dollars (\$5,000.00) of the total appropriation is
22 allocated for this purpose;

23

1 (B) The state of Wyoming shall participate at
2 a rate of fifty percent (50%) of actual project operations
3 costs not to exceed two hundred thirty thousand dollars
4 (\$230,000.00);

5
6 (C) Prior to commencing project operations,
7 the Wyoming water development office shall acquire funding
8 commitments from other Colorado River basin water users or
9 other interested parties for fifty percent (50%) of actual
10 project operations costs;

11
12 (D) If the Wyoming water development office
13 is unable to secure adequate funding commitments and the
14 project is cancelled, the Wyoming water development office is
15 authorized to use the appropriated funds to remove weather
16 modification equipment and reclaim project sites.

17
18 **99-3-2405. General conditions for Level III**
19 **construction projects - rehabilitation.**

20
21 (a) Except as otherwise specifically provided, each Level
22 III rehabilitation construction project identified in this
23 article shall be subject to the following general conditions:

1

2 (i) Each sponsor shall offer security for the
3 project loan as deemed adequate and acceptable to the attorney
4 general;

5

6 (ii) The commission shall establish repayment
7 schedules for project loans in accordance with the conditions
8 prescribed in this section;

9

10 (iii) Each sponsor shall supervise design and
11 construction of the project and submit all requests for payment
12 to the commission for approval;

13

14 (iv) Sponsors shall not make construction funding
15 commitments until after the commission has reviewed and approved
16 construction budgets and construction plans;

17

18 (v) The commission shall make payments directly to
19 the sponsor;

20

21 (vi) The sponsor shall be responsible for operation
22 and maintenance of the project;

23

1 (vii) The sponsor is responsible for all project
2 expenditures in excess of the total project appropriation;

3
4 (viii) If the commission determines that any sponsor
5 has, without good cause, abandoned completion of the project,
6 that sponsor, in addition to being required to repay the loan,
7 shall be obligated to immediately repay the full amount of all
8 grant funds actually expended plus interest as established by
9 the state treasurer in an amount equal to the interest that
10 would have accrued on the expended grant funds in the water
11 development account from the date of expenditure;

12
13 (ix) Principal and interest payments made in
14 repayment of loans shall be deposited in water development
15 account II.

16
17 **99-3-2406. Level III construction projects -**
18 **rehabilitation.**

19
20 (a) Authorization is granted for the Level III
21 rehabilitation construction projects identified in this
22 section.

23

1 (b) Project - Austin-Wall Reservoir Rehabilitation

2 2019:

3

4 (i) Project sponsor: Austin-Wall Irrigation
5 District;

6

7 (ii) Project purpose: Agricultural water supply;

8

9 (iii) Project description: Design and
10 construction of the replacement of reservoir outlet works and
11 appurtenances necessary to make the project function in the
12 manner intended;

13

14 (iv) Total project budget: Three hundred seventy-
15 four thousand dollars (\$374,000.00);

16

17 (v) Project grant: The state of Wyoming shall
18 grant to the sponsor from water development account II through
19 the commission for the design, permit procurement, project
20 land procurement, construction engineering and construction
21 of the project an amount not to exceed two hundred fifty
22 thousand five hundred eighty dollars (\$250,580.00) or sixty-

1 seven percent (67%) of the actual development costs,
2 whichever is less;

3

4 (vi) Project loan: The state of Wyoming shall loan
5 to the sponsor from water development account II through the
6 commission for the design, permit procurement, project land
7 procurement, construction engineering and construction of the
8 project an amount not to exceed one hundred twenty-three
9 thousand four hundred twenty dollars (\$123,420.00) or thirty-
10 three percent (33%) of the actual development costs,
11 whichever is less, for a term of thirty (30) years from the
12 date the commission determines that project benefits accrue
13 to the sponsor, at an annual interest rate of four percent
14 (4%);

15

16 (vii) Appropriation: There is appropriated from
17 water development account II to the commission three hundred
18 seventy-four thousand dollars (\$374,000.00) or as much
19 thereof as is necessary to carry out the purpose of this
20 subsection. Unexpended funds appropriated under this
21 subsection shall revert to water development account II on
22 July 1, 2024;

1

2 (viii) Special conditions: The appropriation of
3 funds for this project is contingent upon the transfer of
4 funds to water development account II as described in section
5 3 of this act.

6

7 (c) Project - Big Horn Canal Wasteway Rehabilitation
8 2019:

9

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

12

13 (ii) Project purpose: Agricultural water supply;

14

15 (iii) Project description: Design and
16 construction of replacement wasteway/check structure and
17 appurtenances necessary to make the project function in the
18 manner intended;

19

20 (iv) Total project budget: Nine hundred sixty
21 thousand dollars (\$960,000.00);

22

1 (v) Project grant: The state of Wyoming shall
2 grant to the sponsor from water development account II through
3 the commission for the design, permit procurement, project
4 land procurement, construction engineering and construction
5 of the project an amount not to exceed six hundred forty-
6 three thousand two hundred dollars (\$643,200.00) or sixty-
7 seven percent (67%) of the actual development costs,
8 whichever is less;

9

10 (vi) Project loan: The state of Wyoming shall loan
11 to the sponsor from water development account II through the
12 commission for the design, permit procurement, project land
13 procurement, construction engineering and construction of the
14 project an amount not to exceed three hundred sixteen thousand
15 eight hundred dollars (\$316,800.00) or thirty-three percent
16 (33%) of the actual development costs, whichever is less, for
17 a term of thirty (30) years from the date the commission
18 determines that project benefits accrue to the sponsor, at an
19 annual interest rate of four percent (4%);

20

21 (vii) Appropriation: There is appropriated from
22 water development account II to the commission nine hundred

1 sixty thousand dollars (\$960,000.00) or as much thereof as is
2 necessary to carry out the purpose of this subsection.
3 Unexpended funds appropriated under this subsection shall
4 revert to water development account II on July 1, 2024.

5

6 (d) Project - Bluff/Upper Bluff System Improvements
7 2019:

8

9 (i) Project sponsor: Bluff/Upper Bluff Irrigation
10 District;

11

12 (ii) Project purpose: Agricultural water supply;

13

14 (iii) Project description: Design and
15 construction of replacement pumps, structure repairs and
16 appurtenances necessary to make the project function in the
17 manner intended;

18

19 (iv) Total project budget: Three hundred sixty-
20 six thousand dollars (\$366,000.00);

21

22 (v) Project grant: The state of Wyoming shall
23 grant to the sponsor from water development account II through

1 the commission for the design, permit procurement, project
2 land procurement, construction engineering and construction
3 of the project an amount not to exceed two hundred forty-five
4 thousand two hundred twenty dollars (\$245,220.00) or sixty-
5 seven percent (67%) of the actual development costs,
6 whichever is less;

7

8 (vi) Project loan: The state of Wyoming shall loan
9 to the sponsor from water development account II through the
10 commission for the design, permit procurement, project land
11 procurement, construction engineering and construction of the
12 project an amount not to exceed forty-five thousand seven
13 hundred eighty dollars (\$45,780.00) or twelve and fifty-one
14 hundredths percent (12.51%) of the actual development costs,
15 whichever is less, for a term of twenty (20) years from the
16 date the commission determines that project benefits accrue
17 to the sponsor, at an annual interest rate of four percent
18 (4%);

19

20 (vii) Appropriation: There is appropriated from
21 water development account II to the commission two hundred
22 ninety-one thousand dollars (\$291,000.00) or as much thereof

1 as is 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, 2024;

4

5 (viii) Special conditions: The sponsor is
6 responsible for acquiring twenty and forty-nine hundredths
7 percent (20.49%) of the total project budget from other
8 sources.

9

10 (e) Project - Cody Canal Rehabilitation 2019:

11

12 (i) Project sponsor: Cody Canal Irrigation
13 District;

14

15 (ii) Project purpose: Agricultural water supply;

16

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

20

21 (iv) Total project budget: Six hundred forty-six
22 thousand six hundred forty-nine dollars (\$646,649.00);

23

1 (v) Project grant: The state of Wyoming shall
2 grant to the sponsor from water development account II through
3 the commission for the purchase of project materials as
4 supported by vendor invoices and as approved by the commission
5 an amount not to exceed three hundred forty-four thousand
6 dollars (\$344,000.00) or one hundred percent (100%) of the
7 approved materials costs, whichever is less;

8

9 (vi) Appropriation: There is appropriated from
10 water development account II to the commission three hundred
11 forty-four thousand dollars (\$344,000.00) or as much thereof
12 as is necessary to carry out the purpose of this subsection.
13 Unexpended funds appropriated under this subsection shall
14 revert to water development account II on July 1, 2024;

15

16 (vii) Special conditions:

17

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

22

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

6

7 (f) Project - Deaver Irrigation District Rehabilitation
8 2019:

9

10 (i) Project sponsor: Deaver Irrigation District;

11

12 (ii) Project purpose: Agricultural water supply;

13

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

17

18 (iv) Total project budget: Eight hundred ninety-
19 nine thousand nine hundred twenty-nine dollars (\$899,929.00);

20

21 (v) Project grant: The state of Wyoming shall
22 grant to the sponsor from water development account II through
23 the commission for the purchase of project materials as

1 supported by vendor invoices and as approved by the commission
2 an amount not to exceed four hundred twenty-four thousand
3 dollars (\$424,000.00) or one hundred percent (100%) of the
4 approved materials costs, whichever is less;

5

6 (vi) Appropriation: There is appropriated from
7 water development account II to the commission four hundred
8 twenty-four thousand dollars (\$424,000.00) or as much thereof
9 as is necessary to carry out the purpose of this subsection.
10 Unexpended funds appropriated under this subsection shall
11 revert to water development account II on July 1, 2024;

12

13 (vii) Special conditions:

14

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

19

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

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

3

4 (g) Project - Dry Creek Irrigation District
5 Rehabilitation 2019:

6

7 (i) Project sponsor: Dry Creek Irrigation
8 District;

9

10 (ii) Project purpose: Agricultural water supply;

11

12 (iii) Project description: Design and
13 construction of replacement lateral pipelines and
14 appurtenances necessary to make the project function in the
15 manner intended;

16

17 (iv) Total project budget: One million six hundred
18 twenty-eight thousand dollars (\$1,628,000.00);

19

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

1 of the project an amount not to exceed one million ninety
2 thousand seven hundred sixty dollars (\$1,090,760.00) or
3 sixty-seven percent (67%) of the actual development costs,
4 whichever is less;

5

6 (vi) Project loan: The state of Wyoming shall loan
7 to the sponsor from water development account II through the
8 commission for the design, permit procurement, project land
9 procurement, construction engineering and construction of the
10 project an amount not to exceed five hundred thirty-seven
11 thousand two hundred forty dollars (\$537,240.00) or thirty-
12 three percent (33%) of the actual development costs,
13 whichever is less, for a term of twenty (20) years from the
14 date the commission determines that project benefits accrue
15 to the sponsor, at an annual interest rate of four percent
16 (4%);

17

18 (vii) Appropriation: There is appropriated from
19 water development account II to the commission one million
20 six hundred twenty-eight thousand dollars (\$1,628,000.00) or
21 as much thereof as is necessary to carry out the purpose of
22 this subsection. Unexpended funds appropriated under this

1 subsection shall revert to water development account II on
2 July 1, 2024;

3

4 (viii) Special conditions: The appropriation of
5 funds for this project is contingent upon the transfer of
6 funds to water development account II as described in section
7 3 of this act.

8

9 (h) Project - Eden Valley Irrigation District System
10 Improvements 2019:

11

12 (i) Project sponsor: Eden Valley Irrigation and
13 Drainage District;

14

15 (ii) Project purpose: Agricultural water supply;

16

17 (iii) Project description: Design and
18 construction of canal lining, sandtrap structure and
19 appurtenances necessary to make the project function in the
20 manner intended;

21

22 (iv) Total project budget: Six hundred fifty
23 thousand dollars (\$650,000.00);

1

2 (v) Project grant: The state of Wyoming shall
3 grant to the sponsor from water development account II through
4 the commission for the design, permit procurement, project
5 land procurement, construction engineering and construction
6 of the project an amount not to exceed three hundred fifty-
7 one thousand dollars (\$351,000.00) or fifty-four percent
8 (54%) of the actual development costs, whichever is less;

9

10 (vi) Appropriation: There is appropriated from
11 water development account II to the commission three hundred
12 fifty-one thousand dollars (\$351,000.00) or as much thereof
13 as is necessary to carry out the purpose of this subsection.
14 Unexpended funds appropriated under this subsection shall
15 revert to water development account II on July 1, 2024;

16

17 (vii) Special conditions:

18

19 (A) The sponsor is responsible for acquiring
20 forty-six percent (46%) of the total project budget from other
21 sources;

22

1 (B) The appropriation of funds for this
2 project is contingent upon the transfer of funds to water
3 development account II as described in section 3 of this act.

4

5 (j) Project - Interstate Diversion Structure
6 Rehabilitation 2019:

7

8 (i) Project sponsor: Interstate Irrigation and
9 Reservoir Irrigation District;

10

11 (ii) Project purpose: Agricultural water supply;

12

13 (iii) Project description: Design and
14 construction of a replacement diversion structure and
15 appurtenances necessary to make the project function in the
16 manner intended;

17

18 (iv) Total project budget: Four hundred twenty
19 thousand dollars (\$420,000.00);

20

21 (v) Project grant: The state of Wyoming shall
22 grant to the sponsor from water development account II through
23 the commission for the design, permit procurement, project

1 land procurement, construction engineering and construction
2 of the project an amount not to exceed two hundred eighty-
3 one thousand four hundred dollars (\$281,400.00) or sixty-
4 seven percent (67%) of the actual development costs,
5 whichever is less;

6

7 (vi) Project loan: The state of Wyoming shall loan
8 to the sponsor from water development account II through the
9 commission for the design, permit procurement, project land
10 procurement, construction engineering and construction of the
11 project an amount not to exceed one hundred thirty-eight
12 thousand six hundred dollars (\$138,600.00) or thirty-three
13 percent (33%) of the actual development costs, whichever is
14 less, for a term of twenty (20) years from the date the
15 commission determines that project benefits accrue to the
16 sponsor, at an annual interest rate of four percent (4%);

17

18 (vii) Appropriation: There is appropriated from
19 water development account II to the commission four hundred
20 twenty thousand dollars (\$420,000.00) or as much thereof as
21 is necessary to carry out the purpose of this subsection.

1 Unexpended funds appropriated under this subsection shall
2 revert to water development account II on July 1, 2024.

3

4 (k) Project - Lakeview Carter Creek Siphon/Spillway
5 2019:

6

7 (i) Project sponsor: Lakeview Irrigation
8 District;

9

10 (ii) Project purpose: Agricultural water supply;

11

12 (iii) Project description: Design and
13 construction of a siphon/spillway structure and appurtenances
14 necessary to make the project function in the manner intended;

15

16 (iv) Total project budget: Three hundred fifty-
17 one thousand dollars (\$351,000.00);

18

19 (v) Project grant: The state of Wyoming shall
20 grant to the sponsor from water development account II through
21 the commission for the design, permit procurement, project
22 land procurement, construction engineering and construction
23 of the project an amount not to exceed two hundred thirty-

1 five thousand one hundred seventy dollars (\$235,170.00) or
2 sixty-seven percent (67%) of the actual development costs,
3 whichever is less;

4

5 (vi) Project loan: The state of Wyoming shall loan
6 to the sponsor from water development account II through the
7 commission for the design, permit procurement, project land
8 procurement, construction engineering and construction of the
9 project an amount not to exceed one hundred fifteen thousand
10 eight hundred thirty dollars (\$115,830.00) or thirty-three
11 percent (33%) of the actual development costs, whichever is
12 less, for a term of twenty (20) years from the date the
13 commission determines that project benefits accrue to the
14 sponsor, at an annual interest rate of four percent (4%);

15

16 (vii) Appropriation: There is appropriated from
17 water development account II to the commission three hundred
18 fifty-one thousand dollars (\$351,000.00) or as much thereof
19 as is necessary to carry out the purpose of this subsection.
20 Unexpended funds appropriated under this subsection shall
21 revert to water development account II on July 1, 2024.

22

1 (m) Project - Lovell Moncur Lateral Rehabilitation

2 2019:

3

4 (i) Project sponsor: Lovell Irrigation District;

5

6 (ii) Project purpose: Agricultural water supply;

7

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

11

12 (iv) Total project budget: two million six hundred
13 thirty-seven thousand four hundred two dollars
14 (\$2,637,402.00);

15

16 (v) Project grant: The state of Wyoming shall
17 grant to the sponsor from water development account II through
18 the commission for the purchase of project materials as
19 supported by vendor invoices and as approved by the commission
20 an amount not to exceed one million six hundred seventy
21 thousand dollars (\$1,670,000.00) or one hundred percent
22 (100%) of the approved materials costs, whichever is less;

23

1 (vi) Appropriation: There is appropriated from
2 water development account II to the commission one million
3 six hundred seventy thousand dollars (\$1,670,000.00) or as
4 much thereof as is necessary to carry out the purpose of this
5 subsection. Unexpended funds appropriated under this
6 subsection shall revert to water development account II on
7 July 1, 2024;

8

9 (vii) Special conditions:

10

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

15

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

21

22 (n) Project - Midvale Irrigation District
23 Rehabilitation 2019:

1

2 (i) Project sponsor: Midvale Irrigation District;

3

4 (ii) Project purpose: Agricultural water supply;

5

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

9

10 (iv) Total project budget: Eight hundred twenty-
11 six thousand dollars (\$826,000.00);

12

13 (v) Project grant: The state of Wyoming shall
14 grant to the sponsor from water development account II through
15 the commission for the purchase of project materials as
16 supported by vendor invoices and as approved by the commission
17 an amount not to exceed five hundred fifty-nine thousand
18 dollars (\$559,000.00) or one hundred percent (100%) of the
19 approved materials costs, whichever is less;

20

21 (vi) Appropriation: There is appropriated from
22 water development account II to the commission five hundred
23 fifty-nine thousand dollars (\$559,000.00) or as much thereof

1 as is 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, 2024;

4

5 (vii) Special conditions:

6

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

11

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

17

18 (o) Project - Shoshone Irrigation District
19 Rehabilitation 2019:

20

21 (i) Project sponsor: Shoshone Irrigation
22 District;

23

1 (ii) Project purpose: Agricultural water supply;

2

3 (iii) Project description: Design and
4 construction of lateral pipelines, structures and
5 appurtenances necessary to make the project function in the
6 manner intended;

7

8 (iv) Total project budget: Four hundred seventy-
9 two thousand dollars (\$472,000.00);

10

11 (v) Project grant: The state of Wyoming shall
12 grant to the sponsor from water development account II through
13 the commission for the purchase of project materials as
14 supported by vendor invoices and as approved by the commission
15 an amount not to exceed one hundred eighty-one thousand
16 dollars (\$181,000.00) or one hundred percent (100%) of the
17 approved materials costs, whichever is less;

18

19 (vi) Appropriation: There is appropriated from
20 water development account II to the commission one hundred
21 eighty-one thousand dollars (\$181,000.00) or as much thereof
22 as is necessary to carry out the purpose of this subsection.

1 Unexpended funds appropriated under this subsection shall
2 revert to water development account II on July 1, 2024;

3

4 (vii) Special conditions:

5

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

10

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

16

17 (p) Project - Wheatland Irrigation District Tunnel Dam
18 Rehabilitation 2019:

19

20 (i) Project sponsor: Wheatland Irrigation
21 District;

22

23 (ii) Project purpose: Agricultural water supply;

1

2 (iii) Project description: Design for
3 rehabilitation of a diversion dam structure and appurtenances
4 necessary to make the project function in the manner intended;

5

6 (iv) Total project budget: Three hundred eighty-
7 eight thousand dollars (\$388,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II through
11 the commission for the design, permit procurement, and
12 project land procurement of the project an amount not to
13 exceed two hundred fifty-nine thousand nine hundred sixty
14 dollars (\$259,960.00) or sixty-seven percent (67%) of the
15 actual development costs, whichever is less;

16

17 (vi) Project loan: The state of Wyoming shall loan
18 to the sponsor from water development account II through the
19 commission for the design, permit procurement, and project
20 land procurement of the project an amount not to exceed one
21 hundred twenty-eight thousand forty dollars (\$128,040.00) or
22 thirty-three percent (33%) of the actual development costs,

1 whichever is less, for a term of fifty (50) years from the
2 date the commission determines that project benefits accrue
3 to the sponsor, at an annual interest rate of four percent
4 (4%);

5

6 (vii) Appropriation: There is appropriated from
7 water development account II to the commission three hundred
8 eighty-eight thousand dollars (\$388,000.00) 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 II on
12 July 1, 2024.

13

14 (q) Project - Wind River Inter-Tribal Council
15 Rehabilitation 2019:

16

17 (i) Project sponsor: Eastern Shoshone Indian Tribe
18 and Northern Arapaho Indian Tribe;

19

20 (ii) Project purpose: Agricultural water supply;

21

1 (iii) Project description: Design and
2 construction of canal laterals, control structures and
3 appurtenances necessary to make the project function in the
4 manner intended;

5

6 (iv) Total project budget: One million eight
7 hundred fifty-eight thousand dollars (\$1,858,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II through
11 the commission for the design, permit procurement, project
12 land procurement, construction engineering and construction
13 of the project an amount not to exceed nine hundred twenty-
14 nine thousand dollars (\$929,000.00) or fifty percent (50%) of
15 the actual development costs, whichever is less;

16

17 (vi) Appropriation: There is appropriated from
18 water development account II to the commission nine hundred
19 twenty-nine thousand dollars (\$929,000.00) or as much thereof
20 as is necessary to carry out the purpose of this subsection.
21 Unexpended funds appropriated under this subsection shall
22 revert to water development account II on July 1, 2024;

1

2 (vii) Special conditions: The sponsor is
3 responsible for acquiring fifty percent (50%) of the total
4 project budget from other sources.

5

6 **99-3-2407. General conditions for Level III**
7 **construction projects - dams and reservoirs.**

8

9 (a) Except as otherwise specifically provided, each Level
10 III dam and reservoir construction project identified in this
11 article shall be subject to the following general conditions:

12

13 (i) Each sponsor shall offer security for the
14 project loan as deemed adequate and acceptable to the attorney
15 general;

16

17 (ii) The commission shall establish repayment
18 schedules for project loans in accordance with the conditions
19 prescribed in this section;

20

21 (iii) Each sponsor shall supervise design and
22 construction of the project and submit all requests for payment
23 to the commission for approval;

1

2 (iv) A sponsor shall not make construction funding
3 commitments until after the commission has reviewed and approved
4 construction budgets and construction plans;

5

6 (v) The commission shall make payments directly to
7 the sponsor;

8

9 (vi) The sponsor shall be responsible for operation
10 and maintenance of the project;

11

12 (vii) The sponsor is responsible for all project
13 expenditures in excess of the total project appropriation;

14

15 (viii) If the commission determines that any sponsor
16 has, without good cause, abandoned completion of the project,
17 that sponsor, in addition to being required to repay the loan,
18 shall be obligated to immediately repay the full amount of all
19 grant funds actually expended plus interest as established by
20 the state treasurer in an amount equal to the interest that
21 would have accrued on the expended grant funds in the water
22 development account from the date of expenditure;

23

1 (ix) Principal and interest payments made in
2 repayment of loans shall be deposited in water development
3 account III;

4
5 (x) There shall be no lease, sale, assignment or
6 transfer of ownership of water from the project for purposes
7 other than the designated project purpose without prior written
8 approval of the commission and the state engineer or board of
9 control. If such a transaction is approved, the revenues
10 generated by the lease, sale, assignment or transfer of
11 ownership of water from the project shall be utilized to retire
12 principal on the project loan. After that loan is paid in full,
13 the sponsor shall receive a proportionate share of the revenues
14 generated by the lease, sale, assignment or transfer of
15 ownership of water from the project equal to the percentage of
16 the project paid by the project loan and the state of Wyoming
17 shall receive a proportionate share of the revenues generated
18 by the lease, sale, assignment or transfer of ownership of water
19 from the project equal to the percentage of the project paid by
20 the project grant;

21
22 (xi) There shall be no lease, sale, assignment or
23 transfer of ownership of any project until the project loan is
24 paid in full, and until prior written approval is obtained from

1 the commission. If these conditions are met, the sponsor shall
2 receive a proportionate share of the revenues generated by the
3 lease, sale, assignment or transfer of ownership of the project
4 equal to the percentage of the project paid by the project loan
5 and the state of Wyoming shall receive a proportionate share of
6 the revenues generated by the lease, sale, assignment or
7 transfer of ownership of the project equal to the percentage of
8 the project paid by the project grant. Before the sponsor may
9 lease, sell, assign or transfer ownership of the project, the
10 state of Wyoming shall be given a one (1) year first right of
11 refusal option to purchase the sponsor's interest in the project
12 for an amount equal to the principal, interest, maintenance and
13 replacement costs incurred by the sponsor at the date the option
14 is exercised;

15

16 (xii) After the project loan is paid in full, the
17 sponsor may purchase the position of the state of Wyoming, as
18 described in paragraphs (x) and (xi) of this subsection, for the
19 amount of the project grant plus the interest that would have
20 accrued on the grant amount in the water development account
21 from the date the project was substantially completed as defined
22 by the commission. The interest that would have accrued on the
23 grant amount shall be established by the state treasurer;

24

1 (xiii) Any funds generated by the state from the
2 lease, sale, assignment or transfer of ownership of any project
3 or project water shall be deposited in water development account
4 III.

5

6 [AMENDMENTS TO PRIOR PROJECTS]

7

8 **Section 2.** W.S. 99-3-1106(a)(iv) and (vii), (b)(iv) and
9 (vii), 99-3-1804(d)(iv), (v), by creating a new paragraph
10 (vi) and by renumbering (vi) and (vii) as (vii) and (viii),
11 99-3-1903(c)(vi) and (k)(iv) through (vi), 99-3-1904(f)(vii)
12 and (m)(iv) through (vi), 99-3-2104(c)(iv), (v) and (vii),
13 99-3-2203(a), (e)(vii)(B), 99-3-2204(a), 99-3-2205(a),
14 (c)(iv), (v) and (vi) by creating a new subparagraph (D),
15 99-3-2303(a), (b)(iv) through (vi) and (vii)(B),
16 99-3-2304(a), 99-3-2305(a) and 99-99-1001(a) by creating a
17 new paragraph (x) and by creating a new subsection (o) are
18 amended to read:

19

20 **99-3-1106. Sponsor's contingency funds.**

21

22 There are created the following sponsor's contingency funds:

23

1 (a) Project - Sponsor's Contingency Fund - New
2 Development:

3
4 (iv) Total project budget: ~~Two million dollars~~
5 ~~(\$2,000,000.00)~~ Three million dollars (\$3,000,000.00);

6
7 (vii) Appropriation: There is appropriated from
8 water development account I to the commission ~~two million~~
9 ~~dollars (\$2,000,000.00)~~ three million dollars (\$3,000,000.00)
10 or as much thereof as is necessary to carry out the purpose
11 of this subsection. Unexpended funds appropriated under this
12 subsection shall revert to water development account I on
13 July 1, 2025; and

14
15 (b) Project - Sponsor's Contingency
16 Fund-Rehabilitation:

17
18 (iv) Total project budget: ~~One million three~~
19 ~~hundred thousand dollars (\$1,300,000.00)~~ Two million dollars
20 (\$2,000,000.00);

21
22 (vii) Appropriation: There is appropriated from
23 water development account II to the commission ~~one million~~

1 ~~three hundred thousand dollars (\$1,300,000.00)~~ two million
 2 dollars (\$2,000,000.00) or as much thereof as is necessary to
 3 carry out the purpose of this subsection. Unexpended funds
 4 appropriated under this subsection shall revert to water
 5 development account II on July 1, 2025; and

6

7 **99-3-1804. Level III construction projects -**
 8 **rehabilitation.**

9

10 (d) Project - Eden Valley Farson Lateral
 11 Rehabilitation:

12

13 (iv) Total project budget: ~~Four million seven~~
 14 ~~hundred thirty two thousand dollars (\$4,732,000.00)~~ Five
 15 million three hundred thousand nine hundred thirteen dollars
 16 (\$5,300,913.00);

17

18 (v) Project grant: The state of Wyoming shall
 19 grant to the sponsor from water development account II through
 20 the commission for the design, permit procurement, project
 21 land procurement, construction engineering and construction
 22 of the project ~~two million three hundred sixty six thousand~~
 23 ~~dollars (\$2,366,000.00) or fifty percent (50%)~~ three million

1 seventy-six thousand five hundred dollars (\$3,076,500.00) or
2 fifty-eight and four hundredths percent (58.04%) of the
3 actual development costs, whichever is less;

4
5 (vi) Project loan: The state of Wyoming shall loan
6 to the sponsor from water development account II through the
7 commission for the design, permit procurement, project land
8 procurement, construction engineering and construction of the
9 project an amount not to exceed two hundred thousand dollars
10 (\$200,000.00) or three and seventy-seven hundredths percent
11 (3.77%) of the actual development costs, whichever is less,
12 for a term of twenty (20) years from the date the commission
13 determines that project benefits accrue to the sponsor, at an
14 annual interest rate of four percent (4%);

15
16 ~~(vi)~~(vii) Appropriation: There is appropriated
17 from water development account II to the commission ~~two~~
18 ~~million three hundred sixty six thousand dollars~~
19 ~~(\$2,366,000.00)~~ three million two hundred seventy-six
20 thousand five hundred dollars (\$3,276,500.00) or as much
21 thereof as is necessary to carry out the purpose of this
22 subsection. Unexpended funds appropriated under this

1 subsection shall revert to water development account II on
2 July 1, ~~2020-2021~~;

3

4 ~~(vii)~~(viii) Special conditions:

5

6 (A) The sponsor is responsible for acquiring
7 ~~fifty percent (50%)~~ thirty-eight and nineteen hundredths
8 percent (38.19%) of the project ~~phase I~~ budget from other
9 sources;

10

11 (B) The 2015 appropriation of two million one
12 hundred thirty-two thousand five hundred dollars
13 (\$2,132,500.00) for this project is contingent upon approval
14 from the legislature and the governor of a supplemental budget
15 request in the 2015 legislative session to provide additional
16 funding for water development account II.

17

18 **99-3-1903. Level III construction projects - new**
19 **development.**

20

21 (c) Project - Casper Zone 3 Improvements:

22

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission three million
3 six hundred eighty-five thousand dollars (\$3,685,000.00) or
4 as much thereof as is necessary to carry out the purpose of
5 this subsection. Unexpended funds appropriated under this
6 subsection shall revert to water development account I on
7 July 1, ~~2019-2020~~;

8

9 (k) Project - Small Water Development Projects - 2014:

10

11 (iv) Total project budget: ~~Five million two~~
12 ~~hundred thousand dollars (\$5,200,000.00)~~ Nine million two
13 hundred thousand dollars (\$9,200,000.00);

14

15 (v) Project grant: The state of Wyoming shall
16 grant to sponsors from water development account I through
17 the commission for the design, permit procurement, project
18 land procurement, construction engineering and construction
19 of the project an amount not to exceed ~~two million six hundred~~
20 ~~thousand dollars (\$2,600,000.00)~~ four million six hundred
21 thousand dollars (\$4,600,000.00) or fifty percent (50%) of
22 the actual development costs, whichever is less;

23

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission ~~two million six~~
3 ~~hundred thousand dollars (\$2,600,000.00)~~ four million six
4 hundred thousand dollars (\$4,600,000.00) or as much thereof
5 as is necessary to carry out the purpose of this subsection.
6 The funds appropriated shall not lapse at the end of any
7 fiscal period but shall carry over until expended or reverted
8 by the legislature to water development account I;

9

10 **99-3-1904. Level III construction projects -**
11 **rehabilitation.**

12

13 (f) Project - Piney & Cruse Canal Piping:

14

15 (vii) Appropriation: There is appropriated from
16 water development account II to the commission eight hundred
17 fifty-five thousand dollars (\$855,000.00) or as much thereof
18 as is necessary to carry out the purpose of this subsection.
19 Unexpended funds appropriated under this subsection shall
20 revert to water development account II on July 1, ~~2019-2022~~.

21

22 (m) Project - Small Water Development Projects - 2014:

23

1 (iv) Total project budget: ~~Two million two hundred~~
2 ~~thousand dollars (\$2,200,000.00)~~ Three million six hundred
3 thousand dollars (\$3,600,000.00);

4
5 (v) Project grant: The state of Wyoming shall
6 grant to sponsors from water development account II through
7 the commission for the design, permit procurement, project
8 land procurement, construction engineering and construction
9 of the project an amount not to exceed ~~one million one hundred~~
10 ~~thousand dollars (\$1,100,000.00)~~ one million eight hundred
11 thousand dollars (\$1,800,000.00) or fifty percent (50%) of
12 the actual development costs, whichever is less;

13
14 (vi) Appropriation: There is appropriated from
15 water development account II to the commission ~~one million~~
16 ~~one hundred thousand dollars (\$1,100,000.00)~~ one million
17 eight hundred thousand dollars (\$1,800,000.00) or as much
18 thereof as is necessary to carry out the purpose of this
19 subsection. The funds appropriated shall not lapse at the end
20 of any fiscal period but shall carry over until expended or
21 reverted by the legislature to water development account II;

22

1 **99-3-2104. Level III construction projects -**
2 **rehabilitation.**

3
4 (c) Project - Cokeville Tri-Diversion Structure:

5
6 (iv) Total project budget: ~~Four hundred thousand~~
7 ~~dollars (\$400,000.00)~~ Six hundred eleven thousand nine
8 hundred forty-five dollars (\$611,945.00);

9
10 (v) Project grant: The state of Wyoming shall
11 grant to the sponsor from water development account II through
12 the commission for the design, permit procurement, project
13 land procurement, construction engineering and construction
14 of the project an amount not to exceed ~~two hundred sixty eight~~
15 ~~thousand dollars (\$268,000.00)~~ three hundred eighty-eight
16 thousand nine hundred thirty-five dollars (\$388,935.00) or
17 sixty-seven percent (67%) of the actual development costs,
18 whichever is less;

19
20 (vii) Appropriation: There is appropriated from
21 water development account II to the commission ~~four hundred~~
22 ~~thousand dollars (\$400,000.00)~~ five hundred twenty thousand
23 nine hundred thirty-five dollars (\$520,935.00) or as much

1 thereof as is necessary to carry out the purpose of this
2 subsection. Unexpended funds appropriated under this
3 subsection shall revert to water development account II on
4 July 1, ~~2021~~2022.

5

6 **99-3-2203. Level III construction projects - new**
7 **development.**

8

9 (a) Authorization is granted for the Level III new
10 development construction projects identified in this section
11 subject to the general conditions specified in W.S. 99-3-103,
12 provided that the general condition related to repair and
13 maintenance sinking funds as described in W.S.
14 99-3-103(a)(iii) shall not apply to these projects.

15

16 (e) Project - Gillette Regional Extensions 2017:

17

18 (vii) Special conditions:

19

20 (B) The sponsor shall authorize water use in
21 Crook County, subject to the following conditions:

22

1 (I) ~~Agree to allow for domestic,~~
2 ~~livestock and miscellaneous water use as provided in this~~
3 ~~subdivision for applicants in Crook County applying for taps~~
4 A total of five (5) municipal use, including stock use, taps
5 will be provided from the existing eight (8) inch ~~transmission~~
6 ~~lines. The eight (8) inch transmission line may be extended~~
7 ~~by Crook County or by water districts in Crook County to allow~~
8 ~~for taps. Not more than two hundred (200) taps shall be~~
9 ~~allowed. Taps shall be installed within one hundred eighty~~
10 ~~(180) days of receipt of a complete application and fees which~~
11 ~~shall not exceed the residential rate for tap fees. Taps shall~~
12 ~~be billed at a rate equal to the local base residential rate~~
13 ~~charged by the regional water system regardless of use or~~
14 ~~location plus the local consumption rate. The maximum~~
15 ~~consumption from any one (1) tap shall not exceed one million~~
16 ~~(1,000,000) gallons per year; and~~ twelve (12) inch diameter
17 treated water pipelines located generally in the vicinity of
18 the City of Gillette's Madison Well Field in Crook County on
19 a first come, first served basis;

20
21 (II) ~~Apply for all necessary permits to~~
22 ~~allow for domestic, livestock and miscellaneous use of~~
23 ~~Gillette Madison pipeline water~~ Any additional or existing

1 taps in Crook County located on the eight (8) and twelve (12)
2 inch diameter treated water pipelines shall be used solely
3 for rural domestic use;

4
5 (III) Existing water service agreements
6 in Crook County shall remain in full force and effect;

7 (IV) Any new water service agreement
8 entered into under this subparagraph shall be similar in form
9 to existing individual and wholesale water service agreements
10 previously executed in Crook and Campbell counties;

11 (V) The water rates, connection charges
12 and fees associated with taps provided under this subparagraph
13 shall be identical to similar rates, charges and fees assessed
14 to city of Gillette water customers, in accordance with city
15 ordinances;

16 (VI) Any additional or future water
17 districts formed in the immediate vicinity of the City of
18 Gillette's Madison Well Field shall be able to connect to the
19 eight (8) and twelve (12) inch diameter treated water pipelines.
20 The water districts shall be served as a regional, wholesale
21 water customer. Any new district shall own, operate and maintain

1 their system downstream of a master meter. The city shall own
 2 the water pipelines and infrastructure from the eight (8) and
 3 twelve (12) inch diameter treated water pipelines up to and
 4 including the master meter within the control building. The city
 5 has no obligation to plan, finance, develop or construct an
 6 additional or future regional extension project in Crook County;
 7 and

8 (VII) New water customers from the
 9 existing eight (8) and twelve (12) inch diameter treated water
 10 pipelines shall be limited to forty thousand (40,000) gallons
 11 per month for rural domestic use and eighty thousand (80,000)
 12 gallons per month for municipal use, including stock use, during
 13 the city's high demand months of June, July, August and
 14 September.

15

16 **99-3-2204. Level III construction projects -**
 17 **rehabilitation.**

18

19 (a) Authorization is granted for the Level III
 20 rehabilitation construction projects identified in this
 21 section, subject to the general conditions specified in W.S.
 22 99-3-104, provided that the general condition related to

1 repair and maintenance sinking funds as described in W.S.
2 99-3-104(a)(iii) shall not apply to these projects.

3

4 **99-3-2205. Level III construction projects - dams and**
5 **reservoirs.**

6

7 (a) Authorization is granted for the Level III dams and
8 reservoirs construction projects identified in this section
9 subject to the general conditions specified in W.S. 99-3-106,
10 provided that the general condition related to repair and
11 maintenance sinking funds as described in W.S.
12 99-3-106(a)(iii) shall not apply to these projects.

13

14 (c) Project - Middle Piney Reservoir:

15

16 (iv) Total project budget: ~~Twelve million one~~
17 ~~hundred sixty eight thousand dollars (\$12,168,000.00)~~
18 Fourteen million two hundred twenty-eight thousand dollars
19 (\$14,228,000.00);

20

21 (v) Appropriation: There is appropriated from
22 water development account III to the commission for project
23 land procurement, construction engineering and construction

1 of the project ~~twelve million one hundred sixty eight~~
2 ~~thousand dollars (\$12,168,000.00)~~ fourteen million two
3 hundred twenty-eight thousand dollars (\$14,228,000.00) or as
4 much thereof as is necessary to carry out the purpose of this
5 subsection. Unexpended funds appropriated under this
6 subsection shall revert to water development account III on
7 July 1, 2022;

8

9 (vi) Special conditions:

10

11 (D) Upon approval by the commission, five
12 hundred thousand dollars (\$500,000.00) from this
13 appropriation shall be deposited in the Middle Piney
14 reservoir account created by W.S. 99-99-1001(a)(x).

15

16 **99-3-2303. Level III construction projects - new**
17 **development.**

18

19 (a) Authorization is granted for the Level III new
20 development construction projects identified in this section
21 subject to the general conditions specified in W.S. 99-3-103,
22 provided that the general condition related to repair and

1 maintenance sinking funds as described in W.S.
2 99-3-103(a)(iii) shall not apply to these projects.

3

4 (b) Project - Gillette Regional Extensions Phase
5 IV-2018:

6

7 (iv) Total project budget: ~~Two million seven~~
8 ~~hundred thousand dollars (\$2,700,000.00)~~ Two million two
9 hundred fifty-seven thousand dollars (\$2,257,000.00);

10

11 (v) Project grant: The state of Wyoming shall
12 grant to the sponsor from water development account I through
13 the commission for the design, permit procurement, project
14 land procurement, construction engineering and construction
15 of the project an amount not to exceed ~~one million eight~~
16 ~~hundred nine thousand dollars (\$1,809,000.00)~~ one million
17 five hundred twelve thousand one hundred ninety dollars
18 (\$1,512,190.00) or sixty-seven percent (67%) of the actual
19 development costs, whichever is less;

20

21 (vi) Appropriation: There is appropriated from
22 water development account I to the commission ~~one million~~
23 ~~eight hundred nine thousand dollars (\$1,809,000.00)~~ one

1 million five hundred twelve thousand one hundred ninety
2 dollars (\$1,512,190.00) or as much thereof as is necessary to
3 carry out the purpose of this subsection. Unexpended funds
4 appropriated under this subsection shall revert to water
5 development account I on July 1, 2023;

6
7 (vii) Special conditions:

8
9 (B) The sponsor shall authorize water use in
10 Crook County, subject to the following conditions:

11
12 (I) ~~Agree to allow for domestic,~~
13 ~~livestock and miscellaneous water use as provided in this~~
14 ~~subdivision for applicants in Crook County applying for taps~~
15 A total of five (5) municipal use, including stock use, taps
16 will be provided from the existing eight (8) inch ~~transmission~~
17 ~~lines. The eight (8) inch transmission line may be extended~~
18 ~~by Crook County or by water districts in Crook County to allow~~
19 ~~for taps. Not more than two hundred (200) taps shall be~~
20 ~~allowed. Taps shall be installed within one hundred eighty~~
21 ~~(180) days of receipt of a complete application and fees which~~
22 ~~shall not exceed the residential rate for tap fees. Taps shall~~
23 ~~be billed at a rate equal to the local base residential rate~~

1 ~~charged by the regional water system regardless of use or~~
2 ~~location plus the local consumption rate. The maximum~~
3 ~~consumption from any one (1) tap shall not exceed one million~~
4 ~~(1,000,000) gallons per year; and~~ twelve (12) inch diameter
5 treated water pipelines located generally in the vicinity of
6 the City of Gillette's Madison Well Field in Crook County on
7 a first come, first served basis;

8
9 (II) ~~Apply for all necessary permits to~~
10 ~~allow for domestic, livestock and miscellaneous use of~~
11 ~~Gillette Madison pipeline water~~ Any additional or existing
12 taps in Crook County located on the eight (8) and twelve (12)
13 inch diameter treated water pipelines shall be used solely
14 for rural domestic use;

15
16 (III) Existing water service agreements
17 in Crook County shall remain in full force and effect;

18 (IV) Any new water service agreement
19 entered into under this subparagraph shall be similar in form
20 to existing individual and wholesale water service agreements
21 previously executed in Crook and Campbell counties;

1 (V) The water rates, connection charges
2 and fees associated with taps provided under this subparagraph
3 shall be identical to similar rates, charges and fees assessed
4 to city of Gillette water customers, in accordance with city
5 ordinances;

6 (VI) Any additional or future water
7 districts formed in the immediate vicinity of the City of
8 Gillette's Madison Well Field shall be able to connect to the
9 eight (8) and twelve (12) inch diameter treated water pipelines.
10 The water districts shall be served as a regional, wholesale
11 water customer. Any new district shall own, operate and maintain
12 their system downstream of a master meter. The city shall own
13 the water pipelines and infrastructure from the eight (8) and
14 twelve (12) inch diameter treated water pipelines up to and
15 including the master meter within the control building. The city
16 has no obligation to plan, finance, develop or construct an
17 additional or future regional extension project in Crook County;
18 and

19 (VII) New water customers from the
20 existing eight (8) and twelve (12) inch diameter treated water
21 pipelines shall be limited to forty thousand (40,000) gallons
22 per month for rural domestic use and eighty thousand (80,000)

1 gallons per month for municipal use, including stock use, during
2 the city's high demand months of June, July, August and
3 September.

4

5 **99-3-2304. Level III construction projects -**
6 **rehabilitation.**

7

8 (a) Authorization is granted for the Level III
9 rehabilitation construction projects identified in this
10 section, subject to the general conditions specified in W.S.
11 99-3-104, provided that the general condition related to
12 repair and maintenance sinking funds as described in W.S.
13 99-3-104(a)(iii) shall not apply to these projects.

14

15 **99-3-2305. Level III construction projects - dams and**
16 **reservoirs.**

17

18 (a) Authorization is granted for the Level III dams and
19 reservoirs construction projects identified in this section
20 subject to the general conditions specified in W.S. 99-3-106,
21 provided that the general condition related to repair and
22 maintenance sinking funds as described in W.S.
23 99-3-106(a)(iii) is deleted.

1

2

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

3

4

(a) The following accounts are created:

5

6

(x) Middle Piney reservoir account.

7

8

9

(o) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water

10

resulting from the state's interest in the Middle Piney

11

reservoir and dam, and associated facilities as provided in

12

W.S. 99-3-2205(c), shall be deposited in the account created

13

by paragraph (a)(x) of this section. The Wyoming water

14

development commission shall administer the account and use

15

any monies in the account to meet the operation, maintenance

16

and replacement obligations of the state related to the Middle

17

Piney reservoir and dam, and associated facilities.

18

19

[Transfer of Funds]

20

21

Section 3. Pursuant to W.S. 99-99-1001(c), the Wyoming

22

water development commission has reviewed the Buffalo Bill dam

23

account and determined there to be five million five hundred

1 thousand dollars (\$5,500,000.00) in funds in excess of that
2 amount needed to meet obligations of the Buffalo Bill dam account
3 as specified in W.S. 99-99-1001(e). The Wyoming water commission
4 is hereby authorized to transfer five million five hundred
5 thousand dollars (\$5,500,000.00) from the Buffalo Bill dam
6 account created by W.S. 99-99-1001(a)(ii) to water development
7 account II created by W.S. 41-2-124(a)(ii).

8

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

12

13

14

(END)