

HOUSE BILL NO. HB0110

Omnibus water bill-planning.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; authorizing
 2 specified Level I and Level II studies and providing
 3 appropriations; providing definitions; requiring reports;
 4 providing for reversion of unexpended funds; and providing
 5 for an effective date.

6

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

8

9 [2002-2003 WATER PROGRAM]

10 [DEFINITIONS]

11

12 **Section 1.** Definitions.

13

14 (a) As used in this act:

15

16 (i) "Commission" means the Wyoming water
 17 development commission created by W.S. 41-2-117;

1

2 (ii) "Hold project" means a project which has
3 had a previous legislative funding authorization for a
4 study at the same level authorized by this act, but has
5 been placed on hold status as a result of outstanding
6 issues which warrant limiting future expenditures until the
7 issues are resolved. Hold status serves to document
8 commission or sponsor interest in a project subject to
9 resolution of issues;

10

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

13

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

16

17 [AUTHORIZED LEVEL I AND LEVEL II STUDIES]

18

19 **Section 2.** LEVEL I RECONNAISSANCE STUDIES - NEW

20 DEVELOPMENT. The following sums of money are appropriated
21 from water development account I to the commission to be
22 expended to conduct the following reconnaissance studies as
23 defined in W.S. 41-2-114. Funds appropriated under this
24 section for a particular project which are in excess of the

1 actual amount necessary to complete the study may, subject
 2 to the review of the select water committee, be expended by
 3 the commission to complete the reconnaissance study for any
 4 other project listed in this section. Appropriated funds
 5 not expended prior to July 1, 2004, shall revert to water
 6 development account I. The commission shall submit a report
 7 to the legislature on each of the following studies prior
 8 to the 2004 legislative session.

9

10 [LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

11

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Baggs Master Plan	Carbon County	\$ 40,000
Green River Groundwater Recharge And Alternate Storage	Sublette County	50,000
Powder River Water Supply	Natrona County	40,000
South Garden Creek Water Supply	Natrona County	100,000
University of Wyoming Research	Statewide	<u>200,000</u>
Total appropriation for Section 2		\$430,000

21

22 **Section 3.** LEVEL I RECONNAISSANCE STUDIES -

23 REHABILITATION. The following sums of money are
 24 appropriated from water development account II to the
 25 commission to be expended to conduct the following

1 reconnaissance studies as defined in W.S. 41-2-114. Funds
 2 appropriated under this section for a particular project
 3 which are in excess of the actual amount necessary to
 4 complete the study may, subject to the review of the select
 5 water committee, be expended by the commission to complete
 6 the reconnaissance study for any other project listed in
 7 this section. Appropriated funds not expended prior to July
 8 1, 2004, shall revert to water development account II. The
 9 commission shall submit a report to the legislature on each
 10 of the following studies prior to the 2004 legislative
 11 session.

12

13 [LEVEL I RECONNAISSANCE STUDIES -
 14 REHABILITATION]

15

16 <u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
17		
18 Alta Master Plan	Teton County	\$50,000
19 Hot Springs State Park, Big 20 Springs Study	Hot Springs County	50,000
21 Ranchester Master Plan	Sheridan County	75,000
22 Saratoga Master Plan Update	Carbon County	60,000
23 Tensleep/Hyattville Master Plan	Washakie/Bighorn Co.	75,000
24 Wagner Cherokee Irrigation 25 Master Plan	Carbon County	40,000

1	York/South Side Ditch Master Plan	Sheridan County	<u>60,000</u>
2	Total appropriation for Section 3		\$410,000

3
4

5 **Section 4.** LEVEL II FEASIBILITY STUDIES - NEW

6 DEVELOPMENT. The following sums of money are appropriated

7 from water development account I to the commission to be

8 expended to conduct the following feasibility studies as

9 defined in W.S. 41-2-114. Funds appropriated under this

10 section for a particular project which are in excess of the

11 actual amount necessary to complete the study may, subject

12 to the review of the select water committee, be expended by

13 the commission to complete the feasibility study for any

14 other project listed in this section. Appropriated funds

15 not expended prior to July 1, 2004, shall revert to water

16 development account I. The commission shall submit a report

17 to the legislature on each of the following studies prior

18 to the 2004 legislative session.

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20 [LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

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22	<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
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24	Bairoil Master Plan	Sweetwater County	\$40,000
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25	Big Horn Regional Water Supply	Hot Springs, Washakie,	675,000
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1		Big Horn Counties	
2	Buffalo Tank	Johnson County	50,000
3	Cheyenne Hydropower 1.	Laramie County	60,000
4	Coal Bed Methane Aquifer	Campbell County	510,000
5	Storage Retrieval		
6	Dayton Groundwater	Sheridan County	460,000
7	Dubois Regional Water Supply	Fremont County	75,000
8	Greybull Raw Water	Big Horn County	50,000
9	Greybull Valley ID Hydropower 1.	Park, Big Horn Counties	60,000
10	Irrigation Hydropower 1.	Park, Big Horn Counties	50,000
11	Lander Paleozoic Well	Fremont County	40,000
12	Little Snake River Dams	Carbon County	80,000
13	Lovell ID Hydropower 1.	Big Horn County	60,000
14	North Alpine Water Supply 2.	Lincoln County	60,000
15	Pinedale Hydropower 1.	Sublette County	40,000
16	Pine Haven Well	Crook County	575,000
17	Sheridan Hydropower 1.	Sheridan County	50,000
18	Viva Naughton Enlargement	Lincoln County	300,000
19	Hold Projects*	Statewide	<u>15,000</u>
20	Total appropriation for Section 4		\$3,250,000

21

22 1. Hydropower study project sponsors must execute a project
 23 agreement with the commission that stipulates that the cost
 24 of the study shall be repaid, with interest at a rate of
 25 seven and one-quarter percent (7.25%), when power
 26 facilities described in the study are constructed. Interest
 27 shall accrue when construction is completed and power

1 revenues are earned by the sponsor. If the power facilities
2 are not constructed, the sponsor will not be required to
3 pay for the cost of the study.

4

5 2. The sponsor must first acquire ownership of the existing
6 water system before the study can begin.

7

8 *Hold projects include: Blackwillow, Rock Springs East,
9 Bridger Valley and Hawk Springs Water Supply Projects, Crow
10 Creek Groundwater Recharge, Goshen Reregulating Reservoir,
11 Middle Fork Dam, North Cheyenne and Smith's Fork Dam
12 Projects.

13

14 **Section 5. LEVEL II FEASIBILITY STUDIES -**
15 **REHABILITATION.** The following sums of money are
16 appropriated from water development account II to the
17 commission to be expended to conduct the following
18 feasibility studies as defined in W.S. 41-2-114. Funds
19 appropriated under this section for a particular project
20 which are in excess of the actual amount necessary to
21 complete the study may, subject to the review of the select
22 water committee, be expended by the commission to complete
23 the feasibility study for any other project listed in this
24 section. Appropriated funds not expended prior to July 1,

1 2004, shall revert to water development account II. The
 2 commission shall submit a report to the legislature on each
 3 of the following studies prior to the 2004 legislative
 4 session.

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6 [LEVEL II FEASIBILITY STUDIES - REHABILITATION]

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8 <u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
9		
10 Albin Water Supply Rehabilitation	Laramie County	\$160,000
11 Byron Raw Water Supply	Big Horn County	40,000
12 Green River Supply Canal	Sublette County	200,000
13 Hidden Valley Pipeline	Fremont County	100,000
14 Highline Canal	Big Horn County	50,000
15 Lake DeSmet Master Plan and	Johnson, Sheridan,	100,000
16 Reservoir Rehabilitation	Campbell Counties	
17 Plan 1.		
18 LeClair Laterals	Fremont County	50,000
19 Riverton Valley Rehab #II,	Fremont County	40,000
20 Phase II		
21 West Side Canal, Jon's Drop	Carbon County	<u>25,000</u>
22 And Four-mile Flume		
23 Total appropriation for Section 5		\$765,000
24		

25 1. The project sponsor for the Lake DeSmet Master Plan and
 26 Reservoir Rehabilitation Plan shall execute a project

1 agreement with the commission which stipulates that the
2 cost of the study shall be repaid with interest at a rate
3 of seven and one-quarter percent (7.25%). Repayment of the
4 study is only required if the sponsor receives revenue from
5 a multi-year term water sales agreement for purchase of
6 Lake DeSmet water. Interest shall accrue upon execution of
7 a long-term contract. If the sponsor does not enter into a
8 long-term contract, the sponsor shall not be required to
9 pay for the study.

10

11 **Section 6.** Contingent upon the availability of United
12 States Department of Interior, Bureau of Reclamation
13 matching funds, there is appropriated one hundred thousand
14 dollars (\$100,000.00) from water development account I to
15 the Wyoming water development office to meet the state's
16 proportionate share of the contract expense for the
17 conservation staff position for fiscal year 2003 and fiscal
18 year 2004.

19

20 **Section 7.** W.S. 41-2-119 is amended to read:

21

22 **41-2-119. Groundwater studies.**

23

1 (a) The Wyoming water development commission may
2 grant not to exceed ~~three million dollars (\$3,000,000.00)~~
3 four million five hundred thousand dollars (\$4,500,000.00)
4 to incorporated cities and towns, water and sewer districts
5 and improvement and service districts in Wyoming for
6 exploration for and feasibility studies of the use of
7 underground water for municipal and rural domestic
8 purposes, not to exceed ~~two hundred thousand dollars~~
9 ~~(\$200,000.00)~~ four hundred thousand dollars (\$400,000.00)
10 for any one (1) exploration or study. The grants shall be
11 made from revenues from water development account I and
12 those revenues are hereby so appropriated. Any city or
13 town, water and sewer district or service and improvement
14 district receiving a grant pursuant to this section shall
15 provide at least ~~ten percent (10%)~~ twenty-five percent
16 (25%) of the cost of the exploration or study from its own
17 funds. The commission shall adopt rules and regulations
18 governing application procedures for the grants.

19

20 (b) The commission may expend not to exceed ~~one~~
21 ~~million dollars (\$1,000,000.00) from revenues from water~~
22 ~~development account I~~ two million five hundred thousand
23 dollars (\$2,500,000.00) from the funds appropriated under
24 subsection (a) of this section for exploration and for

1 feasibility studies of the use of underground water for
2 municipal and rural domestic purposes subject to the
3 following conditions:

4
5 (i) The exploration or study shall be conducted
6 in conjunction with an incorporated city or town, water and
7 sewer district or service and improvement district in
8 Wyoming under an agreement;

9
10 (ii) Not more than ~~two hundred thousand dollars~~
11 ~~(\$200,000.00)~~ four hundred thousand dollars (\$400,000.00)
12 in state funds shall be expended for any one (1)
13 exploration or study under this subsection;

14
15 (iii) The incorporated city or town, water and
16 sewer district or service and improvement district shall
17 provide at least twenty-five percent (25%) of the cost of
18 the exploration or study from funds other than under this
19 subsection;

20
21 (iv) The incorporated city or town, water and
22 sewer district, or improvement and service district shall
23 apply for participation in this program under procedures

1 established by rules and regulations adopted by the
2 commission.

3

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

8

9

(END)