

SENATE FILE NO. SF0094

Water development-exchange of state lands.

Sponsored by: Senator(s) Meier

A BILL

for

1 AN ACT relating to water development; authorizing the
2 Wyoming Water Development Commission to purchase lands for
3 potential exchange of Indian reservation lands to be used
4 as sites for potential water development projects as
5 specified; requiring analysis and consideration of the
6 potential exchange as specified; and providing for an
7 effective date.

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

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11 **Section 1.** W.S. 41-2-1102 is created to read:

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13 **41-2-1102. Purchase of lands; option to exchange**
14 **lands on reservation.**

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16 (a) The Wyoming water development commission is
17 authorized to purchase in the name of the state of Wyoming

1 lands in this state to be used for the purposes set forth
2 in this section. If the conditions of this section are
3 met, the commission is authorized to exchange the lands for
4 land located within the Wind River Indian Reservation. The
5 lands located within the reservation shall be considered as
6 sites for water development projects approved by the
7 commission as provided by W.S. 41-2-114.

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9 (b) No land shall be purchased or exchanged by the
10 commission unless and until the conditions required by this
11 section are fulfilled. All purchases or exchanges shall be
12 subject to legislative review and approval as provided by
13 W.S. 41-2-123. The provisions of W.S. 41-2-101 through
14 41-2-125 shall be applicable to this section.

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16 (c) No land shall be purchased or exchanged by the
17 commission with any land located within the Wind River
18 Indian Reservation unless and until the following
19 conditions are met:

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21 (i) A complete financial feasibility study is
22 completed by the commission setting forth all relevant
23 fiscal data of the transaction including fair market price
24 and market appraisals of the lands involved;

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2 (ii) Express approval of the exchange of lands
3 located on the Wind River Indian Reservation has been
4 obtained from the secretary of the interior and congress as
5 required by federal law;

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7 (iii) Federal permitting requirements for the
8 construction of any authorized water development project
9 including any reservoirs have been approved by the
10 appropriate federal regulatory agencies;

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12 (iv) A complete analysis of the potential
13 affected water rights on and off the reservation is done;

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15 (v) A complete analysis of the cost of the water
16 development project including any potential user fees to be
17 generated from the project is done.

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19 **Section 2.** This act is effective July 1, 2004.

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(END)