

HOUSE BILL NO. HB0141

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; requiring reports; providing for reversion
4 of unexpended funds; authorizing unobligated funds to be
5 used to complete other designated project studies under
6 certain conditions; authorizing positions and providing an
7 appropriation; authorizing the expenditure of funds for
8 certain mitigation activities as specified; providing for
9 groundwater studies expenditures; and providing for an
10 effective date.

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

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14 **Section 1.** 2004 Wyoming Session Laws, Chapter 34,
15 Sections 2 through 5 and by creating new sections 7 through
16 9 and by renumbering section 7 as 10 are amended to read:

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18 [AUTHORIZED LEVEL I AND LEVEL II STUDIES]

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20 **Section 2.** LEVEL I RECONNAISSANCE STUDIES - NEW
21 DEVELOPMENT. The following sums of money are appropriated
22 from water development account I to the commission to be
23 expended to conduct the following reconnaissance studies as
24 defined in W.S. 41-2-114. Funds appropriated under this
25 section for a particular project which are in excess of the
26 actual amount necessary to complete the study may, subject
27 to the review of the select water committee, be expended by
28 the commission to complete the reconnaissance study for any
29 other project listed in this section. Appropriated funds
30 not expended prior to July 1, 2006, shall revert to water
31 development account I. The commission shall submit a report
32 to the legislature on each of the following studies prior
33 to the 2006 legislative session.

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[LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
<u>Casper Master Plan Update</u>	<u>Natrona County</u>	<u>200,000</u>
Crook County Reservoirs & Water Management Study	Crook County	\$150,000
<u>Framework Water Plan</u>	<u>Statewide</u>	<u>500,000</u>
<u>Gooseberry I.D. Storage 1.</u>	<u>Washakie County</u>	<u>75,000</u>
<u>Green River, Rock Springs, Sweetwater County Joint Powers Board Master Plan</u>	<u>Sweetwater County</u>	<u>250,000</u>
<u>Heart Mountain I.D. Return Flow Study</u>	<u>Park County</u>	<u>75,000</u>
<u>Hoback Junction Water Supply</u>	<u>Teton County</u>	<u>75,000</u>
<u>Interactive Database</u>	<u>Northeast Wyoming</u>	<u>575,000</u>
Kirby Area Water Supply Study 1.	Washakie County	150,000
<u>Kirby Municipal Master Plan</u>	<u>Washakie County</u>	<u>75,000</u>
<u>Lysite Water Supply</u>	<u>Fremont County</u>	<u>75,000</u>
Statewide Water Research	Statewide	200,000
		<u>400,000</u>
<u>Sweetwater River Watershed Plan</u>	<u>Fremont County</u>	<u>300,000</u>
<u>Water Value Analysis</u>	<u>Green River Basin</u>	<u>150,000</u>
Westside Irrigation NEPA	Washakie County	250,000
		<u>1,450,000</u>
Total appropriation for Section 2		\$750,000
		<u>\$4,500,000</u>

1. The project shall be funded from water development account III only if the legislation to create the account is enacted by the Fifty-Eighth Legislature during the 2005 General Session. If water development account III is not created, then the project shall be funded from water development account I.

Section 3. LEVEL I RECONNAISSANCE STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2006, shall revert to water development account II. The commission shall submit a report to the legislature on each

1 of the following studies prior to the 2006 legislative
2 session.

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4 [LEVEL I RECONNAISSANCE STUDIES -
5 REHABILITATION]
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7 <u>PROJECT</u>	8 <u>LOCATION</u>	9 <u>APPROPRIATION</u>
10 Crowheart/Dinwoody Delivery	Fremont County	150,000
11 <u>Urban/Rural Sprawl Research</u> 12 <u>Project</u>	<u>Statewide</u>	<u>150,000</u>
13 <u>Willwood I.D. Master Plan</u>	<u>Park County</u>	<u>50,000</u>
14 Total appropriation for Section 3		<u>\$150,000</u>
		<u>\$350,000</u>

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16 **Section 4. LEVEL II FEASIBILITY STUDIES - NEW**
17 **DEVELOPMENT.** The following sums of money are appropriated
18 from water development account I to the commission to be
19 expended to conduct the following feasibility studies as
20 defined in W.S. 41-2-114. Funds appropriated under this
21 section for a particular project which are in excess of the
22 actual amount necessary to complete the study may, subject
23 to the review of the select water committee, be expended by
24 the commission to complete the feasibility study for any
25 other project listed in this section. Appropriated funds
26 not expended prior to July 1, 2006, shall revert to water
27 development account I. The commission shall submit a report
28 to the legislature on each of the following studies prior
29 to the 2006 legislative session.

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31 [LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]
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33 <u>PROJECT</u>	34 <u>LOCATION</u>	35 <u>APPROPRIATION</u>
36 Albin Well & Water Supply	Laramie County	\$140,000
37 <u>Alpine Master Plan Update</u>	<u>Lincoln County</u>	<u>75,000</u>
38 Alta Test Well	Teton County	65,000
39 Baggs Water & Raw Water Supply	Carbon County	50,000
40 <u>Big Horn Regional Ground Water</u>	<u>Big Horn, Washakie,</u> <u>Hot Springs Counties</u>	<u>1,500,000</u>
41 <u>Boulter Lake Enlargement 3.</u>	<u>Sublette County</u>	<u>75,000</u>
42 <u>Bridger Valley Reservoir Storage</u> 43 <u>Phase II</u>	<u>Uinta County</u>	<u>100,000</u>
44 <u>Burlington Regional Master Plan</u>	<u>Big Horn County</u>	<u>75,000</u>
45 Canyon Water Supply 2.	Weston County	600,000
46 Cheyenne Belvoir Ranch	Laramie County	350,000
47 <u>Cokeville Reservoir Storage 3.</u>	<u>Lincoln County</u>	<u>150,000</u>
48 <u>Cottonwood Lake Enlargement 3.</u>	<u>Lincoln County</u>	<u>100,000</u>
49 Dubois Water Supply, Phase 2	Fremont County	400,000
50 Eight Mile-High Plains Well, 51 <u>Phase 2</u>	Campbell County	<u>60,000</u> <u>510,000</u>
52 Encampment Sierra Madre Well	Carbon County	250,000

1	Evanston/Bear River Regional	Uinta County	70,000
2	Glenrock Well & Tank	Converse County	600,000
3	Hyattville Water Supply 1.	Big Horn County	600,000
4	<u>Kaycee Well & Storage</u>	<u>Johnson County</u>	<u>650,000</u>
5	<u>Lander Paleozoic Well</u>	<u>Fremont County</u>	<u>425,000</u>
6	<u>Laramie Water Management Study</u>	<u>Albany County</u>	<u>330,000</u>
7	<u>LeClair/Riverton Valley Storage 3.</u>	<u>Fremont County</u>	<u>250,000</u>
8	Northern Arapaho Groundwater	Fremont County	700,000
9	<u>Owl Creek I.D. Storage Supply 3.</u>	<u>Hot Springs County</u>	<u>200,000</u>
10	Pine Bluffs Lance/Fox Well	Laramie County	475,000
11	<u>Rawlins Raw Water Storage 3.</u>	<u>Carbon County</u>	<u>150,000</u>
12	Saratoga Test Well	Carbon County	160,000
13			<u>185,000</u>
14	Ray Lake Enlargement 3.	Fremont County	100,000
15	Shoshone Groundwater Development	Fremont County	850,000
16	<u>Upper Green River Storage 3.</u>	<u>Sublette County</u>	<u>175,000</u>
17	<u>Viva Naughton Enlargement 3.</u>	<u>Lincoln County</u>	<u>300,000</u>
18	Weather Modification Study	Western Wyoming	100,000
19			<u>200,000</u>
20	<u>Weather Modification Study,</u>	<u>Western & South</u>	<u>8,825,000</u>
21	<u>Phase 2, 4.</u>	<u>Central Wyoming</u>	
22	Hold Projects*	Statewide	15,000
23	Total appropriation for Section 4		<u>\$5,585,000</u>
24			<u>\$19,540,000</u>

1. The sponsor shall first form a public entity prior to the commencement of the study.

2. If the project progresses through construction, the Canyon Improvement and Service District shall be required to connect to the Salt Creek Water District System.

3. The project shall be funded from water development account III only if the legislation to create the account is enacted by the Fifty-Eighth Legislature during the 2005 General Session. If water development account III is not created, then the project shall be funded from water development account I.

4. The funds appropriated for this project shall not revert to water development account I until July 1, 2011.

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

Section 5. LEVEL II FEASIBILITY STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II to the

1 commission to be expended to conduct the following
 2 feasibility studies as defined in W.S. 41-2-114. Funds
 3 appropriated under this section for a particular project
 4 which are in excess of the actual amount necessary to
 5 complete the study may, subject to the review of the select
 6 water committee, be expended by the commission to complete
 7 the feasibility study for any other project listed in this
 8 section. Appropriated funds not expended prior to July 1,
 9 2006, shall revert to water development account II. The
 10 commission shall submit a report to the legislature on each
 11 of the following studies prior to the 2006 legislative
 12 session.

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 14 [LEVEL II FEASIBILITY STUDIES - REHABILITATION]

15 PROJECT	16 LOCATION	17 APPROPRIATION
18 <u>Big Horn Canal Rehabilitation</u>	19 <u>Washakie, Big Horn Counties</u>	20 <u>\$150,000</u>
21 <u>Big Valley & Crossed Arrow Water</u>	22 <u>Park County</u>	23 <u>75,000</u>
24 <u>Supply</u>		
25 <u>Cody Canal I.D. Rehabilitation</u>	26 <u>Park County</u>	27 <u>250,000</u>
28 <u>& Hydro</u>		
29 <u>Frannie Well Rehabilitation</u>	30 <u>Big Horn, Park Counties</u>	31 <u>65,000</u>
32 Greybull Wells Rehabilitation	33 Big Horn County	34 \$475,000
35 Green River Canal PAM Study	36 Sweetwater County	37 40,000
38 Heart Mountain Screens	39 Park County	40 100,000
41 Kennington Springs 1.	42 Lincoln County	43 100,000
44 Lake DeSmet Master Plan-Phase 2	45 Johnson County	46 150,000
47 Mead Creek Ditch 1.	48 Sheridan County	49 75,000
50 <u>Owl Creek I.D. Conservation Study</u>	51 <u>Hot Springs County</u>	52 <u>100,000</u>
53 <u>Riverton Mountain View</u>	54 <u>Fremont County</u>	55 <u>300,000</u>
56 <u>Sheridan/Veterans Center</u>	57 <u>Sheridan County</u>	58 <u>75,000</u>
59 <u>Thermopolis Storage & Raw Water</u>	60 <u>Hot Springs County</u>	61 <u>175,000</u>
62 Worland Wells Flow Test	63 Washakie County	64 <u>40,000</u>
65		66 <u>165,000</u>
67 Midvale Sand Gulch	68 Fremont County	69 75,000
70 Wagoner/Cherokee ID-Phase 2	71 Carbon County	72 35,000
73 Washam Water Supply 2.	74 Sweetwater County	75 40,000
76 <u>Wheatland I.D. Conservation</u>	77 <u>Platte County</u>	78 <u>100,000</u>
79 <u>Worland Area Irrigated Land GIS</u>	80 <u>Washakie County</u>	81 <u>200,000</u>
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83 Total appropriation for Section 5		84 <u>\$1,130,000</u>
85		86 <u>\$2,745,000</u>

87 1. The project sponsor shall first form a public entity
 88 prior to the commencement of the study.

89 2. If the project advances to a Level III construction
 90 phase, one-half (1/2) of the cost of the Level II study
 91 shall be repaid to the commission.

92 Section 7. Dam and reservoir section.

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2 (a) There is created within the Wyoming water
3 development office the dam and reservoir section. The
4 section shall be limited to the administration of Level I
5 and Level II study projects and other assignments that
6 encourage the enlargement of existing dams and reservoirs
7 or the construction of new dams and reservoirs.

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9 (b) Five hundred twenty-six thousand dollars
10 (\$526,000.00) is appropriated from water development
11 account I to the Wyoming water development office, and the
12 office is authorized four (4) full-time positions including
13 a hydrologist, an operations and maintenance engineer for
14 state-owned and operated dam and reservoir facilities, a
15 National Environmental Policy Act analyst and a scientist.

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17 (c) Beginning with the 2007-2008 biennium, the
18 positions and expenses necessary to provide dam and
19 reservoir and National Environmental Policy Act technical
20 assistance and to operate the dam and reservoir section
21 shall be included in the standard budget of the Wyoming
22 water development office.

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24 **Section 8.** Selenium control and conservation
25 measures. The legislature hereby approves the continuing
26 expenditure of funds appropriated in the 2003-2004
27 Pathfinder mitigation activities for construction of
28 selenium control and conservation measures in the amount as
29 described in the contract between Casper Alcova irrigation
30 district, the Wyoming attorney general's office and the
31 Wyoming water development office executed on March 12,
32 2004.

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34 **Section 9.** Contingent upon the availability of
35 matching funds from the United States Department of
36 Interior, Bureau of Reclamation, there is appropriated one
37 hundred thousand dollars (\$100,000.00) from water
38 development account I to the Wyoming water development
39 office to meet the state's proportionate share of the
40 contract expense for the conservation staff position for
41 fiscal years 2005 and 2006.

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43 **Section 7-10.** This act is effective immediately upon
44 completion of all acts necessary for a bill to become law
45 as provided by Article 4, Section 8 of the Wyoming
46 Constitution.

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