

ORIGINAL SENATE
FILE NO. 0137

ENROLLED ACT NO. 38, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to water development projects; providing for construction of dams and reservoirs; authorizing construction of designated water projects; describing projects; specifying terms and conditions of funding for projects; providing appropriations; modifying project descriptions and terms of appropriations for various specified prior projects; amending the small water development program as specified; and providing for an effective date.

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

Section 1. W.S. 99-3-1201 through 99-3-1204 are created to read:

ARTICLE 12
2007 CONSTRUCTION PROJECTS

99-3-1201. Definitions.

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

99-3-1202. General authorization.

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

99-3-1003. Level III construction projects - new development.

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

(b) Project - Casper Zone III:

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- (i) Project sponsor: City of Casper;
- (ii) Project purpose: Municipal supply;
- (iii) Project description: Design and construction of transmission pipelines, a booster pump station and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Three million two hundred thousand dollars (\$3,200,000.00);
- (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed two million one hundred forty-four thousand dollars (\$2,144,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
- (vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one million fifty-six thousand dollars (\$1,056,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);
- (vii) Appropriation: There is appropriated from water development account I to the commission three million two hundred thousand dollars (\$3,200,000.00) or as much

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thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012.

(c) Project - Granger Water Storage Project:

(i) Project sponsor: Town of Granger;

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

(iii) Project description: Design and construction of a water storage tank, connecting pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred twenty-nine thousand dollars (\$1,529,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed one million twenty-four thousand four hundred thirty dollars (\$1,024,430.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million twenty-four thousand four hundred thirty dollars (\$1,024,430.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

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

(d) Project - Greybull Valley I.D. Hydroelectric Project:

(i) Project sponsor: Greybull Valley Irrigation District;

(ii) Project purpose: Hydropower;

(iii) Project description: Engineering design of hydroelectric facilities at Lower Sunshine Dam;

(iv) Total project budget: Four hundred seventy-six thousand dollars (\$476,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement of the project an amount not to exceed four hundred seventy-six thousand dollars (\$476,000.00) or one hundred percent (100%) of the actual engineering costs, whichever is less, for a term of fifty (50) years from the date the commission determines that the engineering design has been completed, at an annual rate of four percent (4%);

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred seventy-six thousand dollars (\$476,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012.

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(e) Project - Lander Paleozoic Well:

(i) Project sponsor: City of Lander;

(ii) Project purpose: Municipal water supply;

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

(iv) Total project budget: Seven hundred fifteen thousand dollars (\$715,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed four hundred seventy-nine thousand fifty dollars (\$479,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thirty-five thousand nine hundred fifty dollars (\$235,950.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

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(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred fifteen thousand dollars (\$715,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

(viii) Special condition: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(f) Project - Northern Arapaho Well and Transmission Project:

(i) Project sponsor: Northern Arapaho Tribe;

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

(iii) Project description: Design and construction of transmission pipelines to connect the well drilled during the Level II study to the Northern Arapaho water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million two hundred thousand dollars (\$3,200,000.00);

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(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed two million one hundred forty-four thousand dollars (\$2,144,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one million fifty-six thousand dollars (\$1,056,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million two hundred thousand dollars (\$3,200,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines

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project benefits accrue to the sponsor at an interest rate of four percent (4%);

(B) In the event of a dispute between the contract parties, unexpended funds shall be withheld until the dispute is resolved.

(g) Project - Lusk Well:

(i) Project sponsor: Town of Lusk;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a new well and transmission facilities to connect the well to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifteen thousand dollars (\$415,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed two hundred seventy-eight thousand fifty dollars (\$278,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one

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hundred thirty-six thousand nine hundred fifty dollars (\$136,950.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred fifteen thousand dollars (\$415,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012.

(h) Project - Powell Transmission Pipeline:

(i) Project sponsor: City of Powell;

(ii) Project purpose: Municipal water supply;

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

(iv) Total project budget: Two million five hundred twenty-one thousand dollars (\$2,521,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement, and construction of the project an amount not to exceed one million six hundred eighty-nine thousand seventy dollars

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(\$1,689,070.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million six hundred eighty-nine thousand seventy dollars (\$1,689,070.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

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

(j) Project - Saratoga Well Field Project:

(i) Project sponsor: Saratoga-Carbon County Impact Joint Powers Board;

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

(iii) Project description: Engineering services for well field design, permitting and right-of-way acquisition;

(iv) Total project budget: Four hundred thirty-seven thousand five hundred dollars (\$437,500.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, and project land procurement an amount not to exceed two hundred ninety-three thousand one hundred twenty-five dollars (\$293,125.00) or sixty seven percent (67%) of the

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actual design, permit procurement and land acquisition costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred ninety-three thousand one hundred twenty-five dollars (\$293,125.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

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

(k) Project - Shoshone Well and Transmission Project:

(i) Project sponsor: Eastern Shoshone Tribe;

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

(iii) Project description: Construction of transmission pipelines necessary to connect the well completed during the Level II study to the Shoshone Utilities Organization's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred thousand dollars (\$1,100,000.00);

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

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construction of the project an amount not to exceed seven hundred thirty-seven thousand dollars (\$737,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-seven thousand dollars (\$87,000.00) for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission eight hundred twenty-four thousand dollars (\$824,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

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(B) The sponsor is responsible for acquiring the balance of the total project budget from other sources;

(C) In the event of a dispute between the contract parties, unexpended funds shall be withheld until the dispute is resolved.

(m) Project - Sundance Meadows Water Supply Project:

(i) Project sponsor: Sundance Meadows Water District;

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

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

(iv) Total project budget: Four hundred ninety-five thousand nine hundred fifty dollars (\$495,950.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement, and construction of the project an amount not to exceed three hundred thirty-two thousand two hundred eighty-seven dollars (\$332,287.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred thirty-two thousand two hundred eighty-seven dollars (\$332,287.00) or as much thereof as is necessary to carry

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out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012;

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

(n) Project - Sundance Well Project:

(i) Project sponsor: Town of Sundance;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a new well and transmission facilities to connect the well to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred ninety-five thousand dollars (\$595,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed three hundred ninety-eight thousand six hundred fifty dollars (\$398,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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

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construction of the project an amount not to exceed one hundred ninety-six thousand three hundred fifty dollars (\$196,350.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred ninety-five thousand dollars (\$595,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012.

(o) Project - Alpine Water Supply Project:

(i) Project sponsor: Town of Alpine;

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

(iii) Project description: Drilling a new well and construction of transmission pipelines to the major points of use and to connect the well to the town's water system, and appurtenances necessary for the project to function as intended;

(iv) Total project budget: One million twenty-seven thousand dollars (\$1,027,000.00);

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

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the project an amount not to exceed six hundred eighty-eight thousand ninety dollars (\$688,090.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred eighty-eight thousand ninety dollars (\$688,090.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012; and

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

(p) Project - Glendo Well:

(i) Project sponsor: Town of Glendo;

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

(iii) Project description: Design and construction of transmission pipelines and appurtenances necessary to connect the well drilled during the level II study to the system to make the project function in the manner intended;

(iv) Total project budget: Five hundred ninety thousand dollars (\$590,000.00);

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

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construction engineering, and project land procurement of the project an amount not to exceed three hundred ninety-five thousand three hundred dollars (\$395,300.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred ninety-four thousand seven hundred dollars (\$194,700.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred ninety thousand dollars (\$590,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012; and

(viii) Special condition: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(q) Project - Kirby Municipal Project:

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- (i) Project sponsor: Town of Kirby;
- (ii) Project purpose: Municipal, rural domestic water supply;
- (iii) Project description: Design and construction of transmission facilities and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Six hundred eight thousand dollars (\$608,000.00);
- (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed four hundred seven thousand three hundred sixty dollars (\$407,360.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
- (vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thousand six hundred forty dollars (\$200,640.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);
- (vii) Appropriation: There is appropriated from water development account I to the commission six hundred eight thousand dollars (\$608,000.00) or as much thereof as

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is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012.

(r) Project - Sheridan Northwest/Big Goose Tanks Project:

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction of water storage tanks and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Seven million eight hundred fifty-two thousand dollars (\$7,852,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed five million two hundred sixty thousand eight hundred forty dollars (\$5,260,840.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five million two hundred sixty thousand eight hundred forty dollars (\$5,260,840.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012; and

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

(s) Project - Wheatland Black Mountain II Water Supply Project:

(i) Project sponsor: Town of Wheatland;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Installation of a pump, pump house, transmission and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Three hundred thirty-two thousand dollars (\$332,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred twenty-two thousand four hundred forty dollars (\$222,440.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-two thousand four hundred forty dollars (\$222,440.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2012; and

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

[REHABILITATION CONSTRUCTION PROJECTS]

**9-3-1204. Level III construction projects -
rehabilitation.**

(a) Authorization is granted for the Level III rehabilitation construction projects identified in this section, subject to the general conditions specified in W.S. 99-3-104.

(b) Project - Rawlins Treated Water Tank
Rehabilitation:

(i) Project sponsor: The City of Rawlins;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of water storage tank rehabilitation measures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million five hundred seventy-nine thousand dollars (\$2,579,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed one million seven hundred twenty-seven thousand nine hundred

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thirty dollars (\$1,727,930.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million seven hundred twenty-seven thousand nine hundred thirty dollars (\$1,727,930.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012;

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

(c) Project - Cody Canal Phase I Rehab Project:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design of rehabilitation measures to reconstruct siphons, miscellaneous checks, head gates, drop structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred twenty-five thousand dollars (\$125,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design and permit procurement an amount not to exceed eighty-three thousand seven hundred fifty dollars (\$83,750.00) or sixty-

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seven percent (67%) of the actual engineering design and permit procurement costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design and permit procurement an amount not to exceed forty-one thousand two hundred fifty dollars (\$41,250.00) or thirty-three percent (33%) of actual engineering design and permit procurement costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred twenty-five thousand dollars (\$125,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012.

(d) Project - Deaver Flume II Rehabilitation:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Rehabilitation and re-construction of the Frannie flume and other appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred eighty-eight thousand sixty dollars (\$688,060.00);

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(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed four hundred sixty-one thousand dollars (\$461,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred sixty-one thousand dollars (\$461,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012;

(vii) Special conditions:

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

(B) The sponsor is responsible for hiring a professional engineering consultant to design the project, compile materials, bidding documents, and monitor construction activities.

(e) Project - Heart Mountain Lining Project:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design of rehabilitation measures for the Buck Springs Siphon and

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

(iv) Total project budget: Seventy-eight thousand dollars (\$78,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design and permit procurement an amount not to exceed fifty-two thousand two hundred sixty dollars (\$52,260.00) or sixty seven percent (67%) of the actual engineering design and permit procurement costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design and permit procurement an amount not to exceed twenty-five thousand seven hundred forty dollars (\$25,740.00) or thirty-three percent (33%) of actual engineering design and permit procurement costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission seventy-eight thousand dollars (\$78,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012.

(f) Project - Midvale Canal Rehabilitation:

(i) Project sponsor: Midvale Irrigation District;

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(ii) Project purpose: Agriculture water supply;

(iii) Project description: Professional engineering design services to design rehabilitation measures for canals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred two thousand dollars (\$402,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design and permit procurement an amount not to exceed two hundred sixty-nine thousand three hundred forty dollars (\$269,340.00) or sixty-seven percent (67%) of the actual engineering design and permit procurement costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design and permit procurement an amount not to exceed one hundred thirty-two thousand six hundred sixty dollars (\$132,660.00) or thirty-three percent (33%) of actual engineering design and permit procurement costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred two thousand dollars (\$402,000.00) or as much thereof as is necessary to carry out the purpose of this subsection.

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Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012.

(g) Project - Sheridan/Big Goose Slip Lining Project:

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and installation of a slip liner in the raw water transmission system that delivers water to the Big Goose Water Treatment Plant and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: One million two hundred ninety-four thousand dollars (\$1,294,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed four hundred twenty-seven thousand twenty dollars (\$427,020.00) or thirty-three (33%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred twenty-seven thousand twenty dollars (\$427,020.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2012;

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(vii) Special condition: The sponsor is responsible for acquiring sixty-seven percent (67%) of the total project budget from other sources.

[AMENDMENTS TO PRIOR PROJECTS]

Section 2. W.S. 99-3-703(c)(iv) through (vii) and (e)(vi), 99-3-804(p)(ix) through (xi) and by creating a new paragraph (xiii), 99-3-903(b)(iv) through (vii), (f)(vi), (h)(iv) through (vi), 99-3-904(n)(i) and (vii)(B), 99-3-1003(b)(vii)(B) and by creating a new subparagraph (C), (f)(iv) through (vi), (h)(xi), (j)(v) through (vii), 99-3-1004(m)(vi), 99-3-1104(c)(vi) and (d)(vii) are amended to read:

99-3-703. Level III construction projects - new development.

(c) Big Horn Regional Joint Powers Board Pipeline Project:

(iv) Total project budget: ~~Twenty eight million five hundred fifty thousand dollars (\$28,550,000.00)~~ Thirty-nine million three hundred thirty thousand dollars (\$39,330,000.00); (Laws 2004, Ch. 118, § 8.)

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed ~~nineteen million one hundred twenty eight thousand five hundred dollars (\$19,128,500.00)~~ twenty-six million three hundred fifty-one thousand one hundred dollars (\$26,351,100.00) or sixty-seven percent (67%) of the actual

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development costs, whichever is less; (Laws 2004, Ch. 118, § 8.)

(vi) Appropriation: There is appropriated from water development account I to the commission ~~nineteen million one hundred twenty eight thousand five hundred dollars (\$19,128,500.00)~~ twenty-six million three hundred fifty-one thousand one hundred dollars (\$26,351,100.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2010-2012~~; (Laws 2004, Ch. 118, § 8.)

(vii) Special condition: The sponsor is responsible for acquiring ~~fifty percent (50%)~~ thirty-three percent (33%) of the total project budget from other sources.

(e) Project - Laramie East Side Tank Project:

(vi) Appropriation: There is appropriated from water development account I to the commission four million seven hundred eighty thousand dollars (\$4,780,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2007-2008~~; (Laws 2003, Ch. 69, § 10.)

99-3-804. Level III construction projects - rehabilitation.

(p) Project - Rafter J Rehabilitation Project:

(ix) Supplemental project budget: ~~One hundred fifty thousand dollars (\$150,000.00)~~ Six hundred fifty thousand dollars (\$650,000.00); (Laws 2006, ch. 105, § 13.)

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(x) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed ~~one hundred thousand five hundred dollars (\$100,500.00)~~ four hundred thirty-five thousand five hundred dollars (\$435,500.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project; (Laws 2006, ch. 105, § 13.)

(xi) Supplemental appropriation: There is appropriated from water development account II to the commission an additional ~~one hundred thousand five hundred dollars (\$100,500.00)~~ six hundred thousand five hundred dollars (\$600,500.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total ~~six hundred fifty-two thousand dollars (\$652,000.00)~~ one million one hundred fifty-two thousand dollars (\$1,152,000.00), or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, ~~2010~~ 2012; and (Laws 2006, ch. 105, § 13.)

(xiii) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission an amount not to exceed one hundred sixty-five thousand dollars (\$165,000.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an annual rate of four percent (4%). Supplemental loan funds may be used for

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design, construction engineering and construction of the project.

99-3-903. Level III construction projects - new development.

(b) Project - Bedford Water Tank Project:

(iv) Total project budget: ~~One million dollars (\$1,000,000.00)~~ One million five hundred thousand dollars (\$1,500,000.00);

(v) Project grant:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering, and construction of the project an amount not to exceed five hundred thousand dollars (\$500,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet project cost overruns an amount not to exceed three hundred thirty-five thousand dollars (\$335,000.00) or sixty-seven percent (67%) of the actual overrun costs;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of eight hundred thirty-five thousand dollars (\$835,000.00) which may be expended for the design, permit procurement, construction engineering, project land procurement and construction of the project.

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(vi) Appropriation: There is appropriated from water development account I to the commission ~~five hundred thousand dollars (\$500,000.00)~~ eight hundred thirty-five thousand dollars (\$835,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2008~~ 2012;

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

(f) Project - Grieve and Cottonwood Creek Dams Project:

(vi) Appropriation: There is appropriated from water development account I to the commission two million nine hundred thousand dollars (\$2,900,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on ~~July 1, 2010~~ March 1, 2007; and

(h) Project - Sunset Pipeline Project:

(iv) Total project budget: ~~Four hundred twenty-five thousand dollars (\$425,000.00)~~ Nine hundred thirty-eight thousand six hundred dollars (\$938,600.00);

(v) Project grant:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of

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the project an amount not to exceed two hundred twelve thousand five hundred dollars (\$212,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet project cost overruns an amount not to exceed three hundred forty-four thousand one hundred twelve dollars (\$344,112.00) or sixty-seven percent (67%) of the actual overrun costs;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of five hundred fifty-six thousand six hundred twelve dollars (\$556,612.00) which may be expended for the design, permit procurement, construction engineering, project land procurement and construction of the project.

(vi) Appropriation: There is appropriated from water development account I to the commission ~~two hundred twelve thousand five hundred dollars (\$212,500.00)~~ five hundred fifty-six thousand six hundred twelve dollars (\$556,612.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2008~~ 2012; and

(vii) Special condition: The sponsor is responsible for acquiring ~~fifty percent (50%)~~ the remaining balance of the total project budget from other sources. (Laws 2004, Ch. 118, § 1.)

99-3-904. Level III construction projects - rehabilitation.

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(n) Project - Wind River Irrigation Project:

(i) Project sponsor: The Joint Business Council for the Eastern Shoshone and Northern Arapaho Tribes or the Eastern Shoshone Business Council or the Northern Arapaho Business Council;

(vii) Special conditions:

(B) ~~The construction, interpretation and enforcement of the contract described in W.S. 99-3-102 entered into between the state and the sponsor shall be governed by the laws of the state of Wyoming. In the event of a dispute between the contract parties, unexpended funds may shall be withheld until the dispute is resolved. Prior to seeking resolution, disputes may first be submitted to nonbinding arbitration. The courts of the state of Wyoming shall have jurisdiction over the contract between the state and the sponsor. The venue for any action shall reside in the courts of the state of Wyoming.~~ (Laws 2004, Ch. 118, § 1.)

9-3-1003. Level III construction projects - new development.

(b) Project - Albin 2005 Well:

(vii) Special conditions:

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed ~~fourteen thousand five hundred dollars (\$14,500.00)~~ twenty-one thousand nine hundred sixty-eight dollars and seventy-five cents (\$21,968.75) or ~~thirty three percent (33%)~~ fifty percent (50%) of the actual construction costs,

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whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%) ~~;~~ (Laws 2006, ch. 105, § 15.)

(C) The sponsor shall purchase the Albin 04-01 well completed during the Level II study for a price not to exceed two thousand five hundred fourteen dollars and sixty cents (\$2,514.60) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(f) Project - Canyon Water Supply:

(iv) Total project budget: ~~One million five hundred twenty seven thousand dollars (\$1,527,000.00)~~ Two million one hundred seventy-five thousand five hundred twenty-three dollars (\$2,175,523.00); (Laws 2006, ch. 105, § 16.)

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement, and construction of the project an amount not to exceed ~~one million twenty three thousand ninety dollars (\$1,023,090.00)~~ one million four hundred fifty-seven thousand six hundred dollars (\$1,457,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less; (Laws 2006, ch. 105, § 16.)

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(vi) Appropriation: There is appropriated from water development account I to the commission ~~one million twenty three thousand ninety dollars (\$1,023,090.00)~~ one million four hundred fifty-seven thousand six hundred dollars (\$1,457,600.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2010; and (Laws 2006, ch. 105, § 16.)

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

(xi) Supplemental appropriation: There is appropriated from water development account I to the commission an additional seven million six hundred fifty thousand dollars (\$7,650,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total eight million six hundred fifty thousand dollars (\$8,650,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended supplemental funds appropriated under this subsection shall revert to water development account I on ~~July 1, 2010~~ March 1, 2007; and (Laws 2006, ch. 105, § 17.)

(j) Project - North Wright Transmission Line:

(v) Project grant:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for project materials as supported by vendor invoices and approved by the commission an amount not to exceed two hundred sixty-nine thousand dollars

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(\$269,000.00) or one hundred percent (100%) of the actual materials costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet material cost overruns as supported by vendor invoices and approved by the commission an amount not to exceed one hundred sixty-five thousand dollars (\$165,000.00) or one hundred percent (100%) of the actual materials costs, whichever is less;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of four hundred thirty-four thousand dollars (\$434,000.00) which may be expended to meet material cost overruns as supported by vendor invoices and approved by the commission, which constitutes fifty-five and four tenths percent (55.4%) of the estimated development costs.

(vi) Appropriation: There is appropriated from water development account I to the commission ~~two hundred sixty nine thousand dollars (\$269,000.00)~~ four hundred thirty-four thousand dollars (\$434,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2009-2012~~; and

(vii) Special conditions:

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

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**99-3-1004. Level III construction projects -
rehabilitation.**

(m) Project - Taylor Ditch Siphon:

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred seventy thousand dollars (\$270,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on ~~July 1, 2009~~ March 1, 2007; and

**99-3-1104. Level III construction projects -
rehabilitation.**

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

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred forty-five thousand seven hundred ten dollars (\$745,710.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on ~~July 1, 2010~~ March 1, 2007; and

(d) Project - Frannie Raw Water Supply:

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred fifty-five thousand dollars (\$655,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on ~~July 1, 2010~~ March 1, 2007.

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Section 3. [Amendments to Small Water Development Projects New Development] W.S. 99-3-703(j)(ix) and 99-3-704(g)(ix) are amended to read:

99-3-703. Level III construction projects - new development.

(j) Project - Small Water Development Projects:

(ix) No new project shall be authorized under this subsection on or after ~~July 1, 2006~~ April 1, 2010.
(Laws 2006, ch. 105, § 5.)

99-3-704. Level III construction projects - rehabilitation.

(g) Project - Small Water Development Projects:

(ix) No new project shall be authorized under this subsection on or after ~~July 1, 2006~~ April 1, 2010.
(Laws 2006, ch. 105, § 7.)

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk