

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

SENATE FILE NO. \_\_\_\_\_

Water development projects.

Sponsored by: SDRAFT

A BILL

for

1 AN ACT relating to water development projects; providing  
2 for the development of new water sources of supply;  
3 providing for watercourse restoration; and providing for an  
4 effective date.

5

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

7

8 **Section 1.** W.S. 41-2-112(a), (b)(v), by creating a  
9 new paragraph (vii) and by renumbering paragraph (vii) as  
10 (viii) and 41-2-122 by creating new subsection (d) are  
11 amended to read:

12

13 **41-2-112. Wyoming water development program.**

14

1           (a) The Wyoming water development program is  
2 established to foster, promote and encourage the optimal  
3 development of the state's human, industrial, mineral,  
4 agricultural, water and recreational resources. The  
5 program shall provide, through the commission, procedures  
6 and policies for the planning, selection, financing,  
7 construction, acquisition and operation of projects and  
8 facilities for the conservation, storage, distribution and  
9 use of water, necessary in the public interest to develop  
10 and preserve Wyoming's water and related land resources.  
11 The program shall encourage development of new water  
12 sources of supply and water facilities for irrigation, for  
13 reduction of flood damage, for abatement of pollution, for  
14 preservation and development of fish and wildlife resources  
15 and for protection and improvement of public lands and  
16 shall help make available the waters of this state for all  
17 beneficial uses, including but not limited to municipal,  
18 domestic, agricultural, industrial, instream flows,  
19 hydroelectric power and recreational purposes, conservation  
20 of land resources and protection of the health, safety and  
21 general welfare of the people of the state of Wyoming.

22

1 (b) In developing financing recommendations under the  
2 Wyoming water development program, the commission shall:

3  
4 (v) Consider all funds, assets and revenue  
5 sources of all project beneficiaries and recommend  
6 financing plans which will reimburse expenditures of state  
7 funds, except as such expenditures may be allocated to a  
8 state benefit, including development of a new water source  
9 of supply and enhancement of fish and wildlife habitat or  
10 recreation;

11  
12 (vii) Consider the development of a new water  
13 source of supply to benefit the state of Wyoming;

14  
15 ~~(vii)~~ (viii) Consider any other factors necessary  
16 to develop comprehensive financing recommendations.

17  
18 **41-2-122. Protection and rights of landowner;**  
19 **watercourse restoration.**

20  
21 (d) The commission shall, upon application by a  
22 sponsoring entity regarding land that will be flooded by  
23 the development of a new water source of supply, restore

1 the natural carrying capacity of the channel when a new  
2 water source of supply enters a watercourse with  
3 intermittent or ephemeral natural flow and exceeds the  
4 carrying capacity of a reach. The commission shall not  
5 require a Level I reconnaissance study or spend more than  
6 ten percent (10%) of the cost of the watercourse  
7 restoration project on planning. Restoration of the  
8 natural carrying capacity of the channel in the reach shall  
9 be deemed to mitigate any damages and disruption of the  
10 landowner's operations resulting from development of the  
11 new water source of supply.

12

13       **Section 2.** This act is effective immediately upon  
14 completion of all acts necessary for a bill to become law  
15 as provided by Article 4, Section 8 of the Wyoming  
16 Constitution.

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18

(END)