

ENROLLED ACT NO. 25, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to water development projects; authorizing a transfer of water as specified; 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; and providing for an effective date.

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

Section 1. W.S. 41-2-1301 and 99-3-1401 through 99-3-1404 are created to read:

ARTICLE 13
TRANSFER OF WATER

41-2-1301. Transfer of water authorized; conditions.

(a) Pursuant to W.S. 41-3-115, the United States Bureau of Reclamation and the Wyoming water development office are hereby authorized to transfer a maximum of thirty-three thousand four hundred ninety-three (33,493) acre feet of storage water per year from the environmental account in the Pathfinder Modification Project within Pathfinder reservoir to the Wyoming-Nebraska state line for the purpose of providing regulatory certainty under the Endangered Species Act for the use of Wyoming water in the Platte River basin.

(b) Pursuant to W.S. 41-3-115, and the Wyoming water development office is hereby authorized to transfer a maximum of nine thousand six hundred (9,600) acre feet of storage water per year from the Wyoming account in the Pathfinder Modification Project within Pathfinder reservoir to the Wyoming-Nebraska state line through annual temporary

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water use agreements with the Platte River Recovery Implementation Program in any year the storage water in the Wyoming account is not needed by the state of Wyoming as a municipal water supply or a replacement water supply to meet the state of Wyoming's obligations in the *Nebraska v. Wyoming* settlement agreement and the Platte River Recovery Implementation Program.

(c) The authorizations granted under subsections (a) and (b) of this section shall terminate if the state of Wyoming withdraws from the Platte River Recovery Implementation Program or any successor programs approved by the governor.

(d) If the director of the Wyoming water development office determines that Wyoming water users are not receiving the regulatory certainty under the endangered species act as provided for in the Platte River recovery implementation program, he shall submit a report to the select water committee outlining the inadequacy of the regulatory certainty.

(e) If the state engineer determines that the transfers authorized under subsections (a) and (b) of this section cause injury to Wyoming water users beyond those identified in the final opinion and recommendations provided to the legislature pursuant to W.S. 41-3-115(q), then the state engineer shall report the injury to the select water committee.

(f) Any revenue generated through the annual temporary water use agreements for storage water from the Wyoming account shall be deposited in the account created by W.S. 41-2-1001(a)(iv).

ARTICLE 14

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2009 CONSTRUCTION PROJECTS

99-3-1401. Definitions.

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

99-3-1402. General authorization.

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

99-3-1403. 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 - Basin Storage Tank:

(i) Project sponsor: Town of Basin;

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

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

(iv) Total project budget: One million six hundred thirty-four thousand dollars (\$1,634,000.00);

(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 one million ninety-four thousand seven hundred eighty dollars (\$1,094,780.00) 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, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred thirty-nine thousand two hundred twenty dollars (\$539,220.00) 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 one million six hundred thirty-four thousand dollars (\$1,634,000.00) 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, 2014.

(c) Project - Casper Paradise Valley Pipeline:

(i) Project sponsor: City of Casper;

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

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

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(iv) Total project budget: One million seven hundred thousand dollars (\$1,700,000.00);

(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 one hundred thirty-nine thousand dollars (\$1,139,000.00) 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 one hundred thirty-nine thousand dollars (\$1,139,000.00) 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, 2014;

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

(d) Project - Dubois Water Supply:

(i) Project sponsor: Town of Dubois;

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

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

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(iv) Total project budget: Two million one hundred thirty thousand dollars (\$2,130,000.00);

(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 four hundred twenty-seven thousand one hundred dollars (\$1,427,100.00) 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, project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred two thousand nine hundred dollars (\$702,900.00) 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 two million one hundred thirty thousand dollars (\$2,130,000.00) 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, 2014.

(e) Project - Hudson Water Supply:

(i) Project sponsor: Town of Hudson;

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

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

(iv) Total project budget: One million five hundred twenty thousand dollars (\$1,520,000.00);

(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 eighteen thousand four hundred dollars (\$1,018,400.00) 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, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred one thousand six hundred dollars (\$501,600.00) 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 one million five hundred twenty thousand dollars (\$1,520,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this

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subsection shall revert to water development account I on July 1, 2014.

(f) Project - Laramie County Archer Water Supply:

(i) Project sponsor: Laramie County;

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

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

(iv) Total project budget: Three hundred thousand dollars (\$300,000.00);

(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 one thousand dollars (\$201,000.00) 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 one thousand dollars (\$201,000.00) 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;

(vii) Special conditions:

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

(B) The sponsor shall purchase the wells drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the wells' actual construction costs. The sponsor shall purchase the wells with a lump sum payment.

(g) Project - Mile-Hi Water Supply:

(i) Project sponsor: Mile-Hi Improvement and service district;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One million two hundred sixteen thousand dollars (\$1,216,000.00);

(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 eight hundred fourteen thousand seven hundred twenty dollars (\$814,720.00) 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

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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 thousand six hundred forty dollars (\$200,640.00) or sixteen and one-half percent (16.5%) 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 one million fifteen thousand three hundred sixty dollars (\$1,015,360.00) 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, 2014;

(viii) Special condition: The sponsor is responsible for acquiring sixteen and one-half percent (16.5%) of the total project budget from other sources.

(h) Project - Pine Bluffs Deep Well 2009:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Design and construction of a groundwater well, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred seventy-one thousand dollars (\$871,000.00);

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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 five hundred eighty-three thousand five hundred seventy dollars (\$583,570.00) 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 hundred eighty-three thousand five hundred seventy dollars (\$583,570.00) 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, 2014;

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

(j) Project - Pinedale Pipelines-Phase I:

(i) Project sponsor: Town of Pinedale;

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

(iii) Project description: Design, permit procurement, project land procurement for two (2) transmission pipelines and construction engineering and construction of one (1) transmission pipeline and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: Eleven million six hundred seventy thousand dollars (\$11,670,000.00);

(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 for two (2) transmission pipelines and construction engineering and construction of one (1) transmission pipeline an amount not to exceed five million two hundred ninety-three thousand dollars (\$5,293,000.00) or sixty-seven percent (67%) of the actual 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, project land procurement for two (2) transmission pipelines and construction engineering and construction of one (1) transmission pipeline an amount not to exceed two million six hundred seven thousand dollars (\$2,607,000.00) or thirty-three percent (33%) of the actual 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 seven million nine hundred thousand dollars (\$7,900,000.00) 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, 2014.

(k) Project - Rawlins Reservoir and Pipeline-Phase I:

(i) Project sponsor: City of Rawlins;

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

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

(iv) Total project budget: Sixteen million four hundred fifteen thousand dollars (\$16,415,000.00);

(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 for the project an amount not to exceed nine hundred four thousand five hundred dollars (\$904,500.00) or sixty-seven percent (67%) of the actual 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 and project land procurement for the project an amount not to exceed four hundred forty-five thousand five hundred dollars (\$445,500.00) or thirty-three percent (33%) of the actual 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 one million three hundred fifty thousand dollars (\$1,350,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this

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subsection shall revert to water development account I on July 1, 2014.

(m) Project - Riverton Water Supply:

(i) Project sponsor: City of Riverton;

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

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

(iv) Total project budget: Six million four hundred forty thousand dollars (\$6,440,000.00);

(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 and project land procurement for the project an amount not to exceed four million three hundred fourteen thousand eight hundred dollars (\$4,314,800.00) 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 and project land procurement for the project an amount not to exceed six hundred forty-four thousand dollars (\$644,000.00) or ten percent (10%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project

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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 million nine hundred fifty-eight thousand eight hundred dollars (\$4,958,800.00) 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, 2014;

(viii) Special conditions:

(A) The sponsor is responsible for acquiring twenty-three percent (23%) of the total project budget from other sources;

(B) 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%).

(n) Project - Shoshone Municipal Pipeline-2009:

(i) Project sponsor: Shoshone Municipal Water Supply Joint Powers Board;

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

(iii) Project description: Design and construction of a transmission pipeline relocation and

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

(iv) Total project budget: Seven million three hundred sixty thousand dollars (\$7,360,000.00);

(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 four hundred twenty-eight thousand eight hundred dollars (\$2,428,800.00) or thirty-three percent (33%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million four hundred twenty-eight thousand eight hundred dollars (\$2,428,800.00) 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, 2014;

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

(o) Project - Star Valley Ranch Water Supply:

(i) Project sponsor: Town of Star Valley Ranch;

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

(iii) Project description: Design and construction of a storage tank, well connection, pipelines

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

(iv) Total project budget: Two million six hundred twenty thousand dollars (\$2,620,000.00);

(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 seven hundred fifty-five thousand four hundred dollars (\$1,755,400.00) 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, project land procurement, construction engineering and construction of the project an amount not to exceed eight hundred sixty-four thousand six hundred dollars (\$864,600.00) 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 two million six hundred twenty thousand dollars (\$2,620,000.00) 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, 2014;

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(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%).

(p) Project - Teton Village Water Supply:

(i) Project sponsor: Teton Village Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Four million eight hundred ninety-five thousand dollars (\$4,895,000.00);

(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 two hundred twenty-three thousand seven hundred fifty dollars (\$1,223,750.00) or twenty-five percent (25%) 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

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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 two hundred twenty-three thousand seven hundred fifty dollars (\$1,223,750.00) or twenty-five percent (25%) 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 two million four hundred forty-seven thousand five hundred dollars (\$2,447,500.00) 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, 2014;

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

(q) Project - Upton Well:

(i) Project sponsor: Town of Upton;

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

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

(iv) Total project budget: Three hundred ninety-five thousand dollars (\$395,000.00);

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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 hundred sixty-four thousand six hundred fifty dollars (\$264,650.00) 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 project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thirty thousand three hundred fifty dollars (\$130,350.00) 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 hundred ninety-five thousand dollars (\$395,000.00) 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, 2014.

(r) Project - Wamsutter Well:

(i) Project sponsor: Town of Wamsutter;

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

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(iii) Project description: Purchase of an existing well, design and construction of a well connection, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred ten thousand dollars (\$810,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the purchase of a well, design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred forty-two thousand seven hundred dollars (\$542,700.00) 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 hundred forty-two thousand seven hundred dollars (\$542,700.00) 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, 2014;

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

[REHABILITATION CONSTRUCTION PROJECTS]

99-3-1404. Level III construction projects - rehabilitation.

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(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 - Big Horn Canal Rehabilitation 2009:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of improvements to an existing headgate and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred forty-five thousand dollars (\$945,000.00);

(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 six hundred thirty-three thousand one hundred fifty dollars (\$633,150.00) 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 II 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 eleven thousand eight hundred fifty dollars (\$311,850.00) or thirty-three percent (33%) of actual

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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 II to the commission nine hundred forty-five thousand dollars (\$945,000.00) 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, 2014.

(c) Project - Casper Alcova Rehabilitation 2009:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred seventy-six thousand dollars (\$276,000.00);

(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 one hundred eighty-four thousand nine hundred twenty dollars (\$184,920.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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(vi) Appropriation: There is appropriated from water development account II to the commission one hundred eighty-four thousand nine hundred twenty dollars (\$184,920.00) 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, 2014;

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

(d) Project - Deaver Rehabilitation 2009:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred eighteen thousand dollars (\$1,218,000.00);

(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 six hundred seventy-three thousand dollars (\$673,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

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(vi) Appropriation: There is appropriated from water development account II to the commission six hundred seventy-three thousand dollars (\$673,000.00) 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, 2014;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(e) Project - Eden Valley Rehabilitation 2009:

(i) Project sponsor: Eden Valley Irrigation and Drainage District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Thirteen million one hundred sixty thousand dollars (\$13,160,000.00);

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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 design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed six million five hundred eighty thousand dollars (\$6,580,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six million five hundred eighty thousand dollars (\$6,580,000.00) 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, 2014;

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

(f) Project - Goshen Rehabilitation 2009:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million two hundred sixteen thousand dollars (\$3,216,000.00);

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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 one million two hundred thousand dollars (\$1,200,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million two hundred thousand dollars (\$1,200,000.00) 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 II on July 1, 2014;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(g) Project - GVID Upper Sunshine Diversion-Phase I:

(i) Project sponsor: Greybull Valley Irrigation District;

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(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of improvements to an existing diversion structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million three hundred fifty-four thousand dollars (\$3,354,000.00);

(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 and project land procurement an amount not to exceed two hundred one thousand dollars (\$201,000.00) or sixty-seven percent (67%) of the actual 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, permit procurement and project land procurement an amount not to exceed ninety-nine thousand dollars (\$99,000.00) or thirty-three percent (33%) of actual 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 three hundred thousand dollars (\$300,000.00) 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, 2014.

(h) Project - Lovell Rehabilitation 2009:

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- (i) Project sponsor: Lovell Irrigation District;
- (ii) Project purpose: Agriculture water supply;
- (iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;
- (iv) Total project budget: Six hundred thirty-four thousand dollars (\$634,000.00);
- (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 thirty-two thousand dollars (\$432,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;
- (vi) Appropriation: There is appropriated from water development account II to the commission four hundred thirty-two thousand dollars (\$432,000.00) 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, 2014;
- (vii) Special conditions:
 - (A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

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(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(j) Project - Riverton Valley Rehabilitation 2009:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred twenty thousand dollars (\$120,000.00);

(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 seventy-nine thousand dollars (\$79,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seventy-nine thousand dollars (\$79,000.00) 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, 2014;

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(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(k) Project - Shoshone Rehabilitation 2009:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred fifty-nine thousand dollars (\$759,000.00);

(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 three hundred thirty-nine thousand dollars (\$339,000.00) or one hundred

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percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred thirty-nine thousand dollars (\$339,000.00) 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, 2014;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(m) Project - Willwood Rehabilitation 2009:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: Four hundred eighty thousand dollars (\$480,000.00);

(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 two hundred eighty-four thousand dollars (\$284,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred eighty-four thousand dollars (\$284,000.00) 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, 2014;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(n) Project - Riverton Valley Pipeline Relocation:

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(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of a pipeline relocation;

(iv) Total project budget: One million three hundred thousand dollars (\$1,300,000.00);

(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 five hundred twenty-five thousand dollars (\$525,000.00) or eighty-seven and one-half percent (87.5%) of the approved materials 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 purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed seventy-five thousand dollars (\$75,000.00) or twelve and one-half percent (12.5%) of the approved material 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 six hundred thousand dollars (\$600,000.00) 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, 2014;

(viii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

[AMENDMENTS TO PRIOR PROJECTS]

Section 2. W.S. 99-3-303(k)(vi), 99-3-504(n)(vi), 99-3-804(m)(vi), 99-3-1004(c)(viii) through (x), (d)(iv) through (vii), (e)(iii) through (vii) and by creating a new paragraph (viii), 99-3-1104(n)(iv) through (vi), 99-3-1105(b)(iii), (vi)(A)(I) and (II), 99-3-1203(n)(iv) through (vii) and (p)(iv) through (viii), 99-3-1204(f)(iii) through (v), (vii) and by creating a new paragraph (viii), 99-3-1303(d)(iii) through (vii) and (f)(iii) through (vii), 99-3-1304(g)(iv), (v), (vii) and by creating a new paragraph (viii) are amended to read:

99-3-303. Level III construction projects - new development.

(k) Project - Washakie Rural Water Supply Project:

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(vi) Appropriation: There is appropriated from water development account I to the commission eleven million two hundred sixty-three thousand dollars (\$11,263,000.00) 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~~2009;

99-3-504. Level III construction projects - rehabilitation.

(n) Project - Riverton Raw Water Supply Rehabilitation Project:

(vi) Appropriation: There is appropriated from water development account II to the commission one million eighty-six thousand five hundred dollars (\$1,086,500.00) 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~~2009;

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

(m) Project - LeClair Laterals Rehabilitation Project:

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred sixty-five thousand dollars (\$565,000.00) 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, ~~2008~~2012; and

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

(c) Project - Gillette Madison Pipeline Joint
Bonding:

(viii) Supplemental project budget: ~~Two million
five hundred thousand dollars (\$2,500,000.00)~~ Five million
seven hundred fifty thousand dollars (\$5,750,000.00);

(ix) 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 million six hundred seventy-five thousand dollars
(\$1,675,000.00)~~ three million eight hundred fifty-two
thousand five hundred dollars (\$3,852,500.00) 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;

(x) Supplemental appropriation: There is
appropriated from water development account II to the
commission an additional ~~one million six hundred seventy-
five thousand dollars (\$1,675,000.00)~~ three million eight
hundred fifty-two thousand five hundred dollars
(\$3,852,500.00), which when combined with the original
appropriation, as described in paragraphs (iv) through (vi)
of this subsection, total ~~two million nine hundred thousand
dollars (\$2,900,000.00)~~ five million seventy-seven thousand
five hundred dollars (\$5,077,500.00) 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~~
2014; and

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(d) Project - Green River Supply Canal Rehabilitation:

(iv) Total project budget: ~~Two hundred thousand dollars (\$200,000.00)~~ Three hundred fifty thousand dollars (\$350,000.00);

(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 ~~one hundred thousand dollars (\$100,000.00)~~ two hundred thirty-four thousand five hundred dollars (\$234,500.00) or ~~fifty percent (50%)~~ 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 II 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 thousand dollars (\$100,000.00)~~ one hundred fifteen thousand five hundred dollars (\$115,500.00) or ~~fifty percent (50%)~~ thirty-three percent (33%) of the 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 ~~six percent (6%)~~ four percent (4%); and

(vii) Appropriation: There is appropriated from water development account II to the commission ~~two hundred thousand dollars (\$200,000.00)~~ three hundred fifty thousand dollars (\$350,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds

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appropriated under this subsection shall revert to water development account II on July 1, ~~2009-2013~~.

Source notes for subsection (d): (Laws 2005, Ch. 147, § 1.)

(e) Project - Lake DeSmet Rehabilitation:

(iii) Project description: To repair and replace outlet gates at the north dam, fabricate and install a top grate on the tunnel outlet shaft, install piezometers in the north dam, install riprap and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~One hundred sixty-five thousand dollars (\$165,000.00)~~ One million four hundred thirty thousand dollars (\$1,430,000.00);

(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 ~~eighty-two thousand five hundred dollars (\$82,500.00)~~ nine hundred fifty-eight thousand one hundred dollars (\$958,100.00) or ~~fifty percent (50%)~~ 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 II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed ~~eighty-two thousand five hundred dollars (\$82,500.00)~~ four hundred seventy-one thousand nine hundred dollars (\$471,900.00) or

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~~fifty percent (50%)~~ thirty-three percent (33%) of the 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 ~~six percent (6%)~~ four percent (4%); and

(vii) Appropriation: There is appropriated from water development account II to the commission ~~one hundred sixty-five thousand dollars (\$165,000.00)~~ one million four hundred thirty thousand dollars (\$1,430,000.00) 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.~~ 2013;

(viii) Special conditions:

(A) If the sponsor enters into any agreement for the lease, sale, assignment or transfer of ownership of water from Lake DeSmet Dam and Reservoir for uses other than municipal, environmental, recreation or fish and wildlife uses, or any agreement for the lease, sale, assignment or transfer of ownership for all or part of Lake DeSmet Dam and Reservoir, the revenues from any such lease, sale, assignment or transfer of ownership shall be used for the following purposes in order of the following priorities:

(I) Operation, maintenance and replacement costs as needed by the sponsor for Lake DeSmet Dam and Reservoir as approved by the commission;

(II) A reserve account totaling one hundred thousand dollars (\$100,000.00) to be earmarked for extraordinary operation, maintenance and replacement costs as needed by the sponsor for Lake DeSmet Dam and Reservoir;

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(III) Retirement of any outstanding principal on the project loan;

(IV) Reimbursement to the commission for the project grant; and

(V) After the project loan has been retired and the project grant has been reimbursed, any remaining revenues shall be the property of the sponsor.

(B) Revenues received by the state from any such lease, sale, assignment or transfer of ownership shall be deposited into water development account II.

Source notes for subsection (e): (Laws 2005, Ch. 147, § 1.)

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

(n) Project - Worland Eastside Transmission Line:

(iv) Total project budget: ~~Three million six hundred fifteen thousand dollars (\$3,615,000.00)~~ Five million three hundred thousand dollars (\$5,300,000.00);

(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 ~~one million eight hundred seven thousand five hundred dollars (\$1,807,500.00)~~ two million six hundred fifty thousand dollars (\$2,650,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

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(vi) Appropriation: There is appropriated from water development account II to the commission ~~one million eight hundred seven thousand five hundred dollars (\$1,807,500.00)~~ two million six hundred fifty thousand dollars (\$2,650,000.00) 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~~ 2014; and

99-3-1105. Level III construction projects - dams and reservoirs.

(b) Project - Pathfinder Modification Project:

(iii) Project description: Modification ~~and raising of the spillway~~ of Pathfinder Dam to recover approximately fifty-three thousand four hundred ninety-three (53,493) acre-feet of space that has been lost to sediment accumulation and appurtenances necessary to make the project function in the manner intended;

(vi) Special conditions:

(A) The Wyoming water development office is hereby authorized to contract with the United States Bureau of Reclamation for the construction, operation and maintenance of the project. Items to be included in the contract are, but are not limited to:

(I) The ~~requirement for the United States Bureau of Reclamation to obtain a~~ partial change of use ~~of~~ obtained by the United States Bureau of Reclamation on its water right for the Pathfinder Reservoir for the fifty-three thousand four hundred ninety-three (53,493) acre-feet of space allocated to the project purposes; and

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(II) The ~~requirement to obtain~~ legislative authority to deliver water to the Wyoming/Nebraska state line for the purpose of enhancing the regulatory certainty under the Endangered Species Act for the use of Wyoming water in the Platte River basin provided in W.S. 41-2-1301.

99-3-1203. Level III construction projects - new development.

(n) Project - Sundance Well Project:

(iv) Total project budget: ~~Five hundred ninety-five thousand dollars (\$595,000.00)~~ Six hundred eighty-five thousand dollars (\$685,000.00);

(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)~~ four hundred fifty-eight thousand nine hundred fifty dollars (\$458,950.00) 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-six thousand three hundred fifty dollars (\$196,350.00)~~ two hundred twenty-six thousand fifty dollars (\$226,050.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty

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(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)~~ six hundred eighty-five thousand dollars (\$685,000.00) 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, ~~2012-2014~~.

Source notes for subsection (n): (Laws 2007, Ch. 121, § 1.)

(p) Project - Glendo Well:

(iv) Total project budget: ~~Five hundred ninety thousand dollars (\$590,000.00)~~ Nine hundred eighty thousand dollars (\$980,000.00);

(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 the project an amount not to exceed ~~three hundred ninety five thousand three hundred dollars (\$395,300.00)~~ six hundred fifty-six thousand six hundred dollars (\$656,600.00) 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-four thousand seven hundred dollars (\$194,700.00)~~ one hundred twenty-three thousand four hundred dollars (\$123,400.00) or ~~thirty-three percent (33%)~~ twelve and six-tenths percent (12.6%) 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)~~ seven hundred eighty thousand dollars (\$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, ~~2012~~ 2013; and

(viii) Special ~~condition~~ conditions:

(A) The sponsor is responsible for acquiring twenty and four-tenths percent (20.4%) of the total project budget from other sources;

(B) 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%).

Source notes for subsection (p): (Laws 2007, Ch. 121, § 1.)

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**99-3-1204. Level III construction projects
rehabilitation.**

(f) Project - Midvale Canal Rehabilitation:

(iii) Project description: ~~Professional engineering design services to~~ Design and construction of 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)~~ Four hundred thousand dollars (\$400,000.00);

(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~~ purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed ~~two hundred sixty nine thousand three hundred forty dollars (\$269,340.00)~~ two hundred thirty thousand dollars (\$230,000.00) or ~~sixty seven percent (67%) of the actual engineering design and permit procurement~~ one hundred percent (100%) of the approved materials costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission ~~four hundred two thousand dollars (\$402,000.00)~~ two hundred thirty thousand dollars (\$230,000.00) 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-~~ 2013;

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(viii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2007, Ch. 121, § 1.)

99-3-1303. Level III construction projects - new development.

(d) Project - Glenrock Well:

(iii) Project description: Design and construction of pump, motor, controls, piping, control building and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: ~~Five hundred twenty thousand dollars (\$520,000.00)~~ Seven hundred thousand dollars (\$700,000.00);

(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 ~~three hundred forty-eight thousand four hundred dollars (\$348,400.00)~~ four hundred sixty-nine thousand dollars (\$469,000.00) 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, project land procurement, construction engineering and construction of the project an amount not to exceed ~~one hundred seventy-one thousand six hundred dollars (\$171,600.00)~~ two hundred thirty-one thousand dollars (\$231,000.00) 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 ~~five hundred twenty thousand dollars (\$520,000.00)~~ seven hundred thousand dollars (\$700,000.00) 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, 2013;

(f) Project - Laramie Transmission Pipeline:

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

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(iv) Total project budget: ~~Eight hundred eighty thousand dollars (\$880,000.00)~~ Seven million seven hundred thirty thousand dollars (\$7,730,000.00);

(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, ~~and project land procurement,~~ construction engineering and construction an amount not to exceed ~~five hundred eighty-nine thousand six hundred dollars (\$589,600.00)~~ five million one hundred seventy-nine thousand one hundred dollars (\$5,179,100.00) or sixty-seven percent (67%) of the actual 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, ~~and project land procurement,~~ construction engineering and construction an amount not to exceed ~~two hundred ninety thousand four hundred dollars (\$290,400.00)~~ two million five hundred fifty thousand nine hundred dollars (\$2,550,900.00) or thirty-three percent (33%) of actual 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 ~~eight hundred eighty thousand dollars (\$880,000.00)~~ seven million seven hundred thirty thousand dollars (\$7,730,000.00) 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, ~~2013~~ 2014.

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Source notes for subsection (f): (Laws 2008, Ch. 75, § 1.)

**99-3-1304. Level III construction projects -
rehabilitation.**

(g) Project - Sidon Rehabilitation:

(iv) Total project budget: ~~Four hundred five thousand dollars (\$405,000.00)~~ Five hundred fifty thousand dollars (\$550,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the ~~engineering design, permit procurement, project land procurement, construction engineering and construction of the project~~ purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed ~~two hundred seventy one thousand three hundred fifty dollars (\$271,350.00)~~ two hundred ninety-five thousand dollars (\$295,000.00) or ~~sixty seven percent (67%) of the actual development~~ one hundred percent (100%) of the approved materials costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission ~~four hundred five thousand dollars (\$405,000.00)~~ two hundred ninety-five thousand dollars (\$295,000.00) 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.~~ 2013;

(viii) Special conditions:

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(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (g): (Laws 2008, Ch. 75, § 1.)

Section 3. W.S. 99-3-1204(f)(vi), 99-3-1304(g)(vi) and 2002 Wyoming Session Laws, Chapter 7, Section 5, Footnote 1 are repealed.

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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