

SENATE FILE NO. SF0059

Omnibus water bill-construction.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; providing for
 2 a transfer of funds to water development account II;
 3 authorizing construction of designated water projects;
 4 describing projects; specifying terms and conditions of
 5 funding for projects; providing appropriations; modifying
 6 project descriptions, amounts and terms of appropriations for
 7 specified prior projects; transferring funds from the Buffalo
 8 Bill dam account; creating an account; and providing for an
 9 effective date.

10

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

12

13 **Section 1.** W.S. 99-3-2401 through 99-3-2407 are created
 14 to read:

15

16

ARTICLE 24

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99-3-2402. General authorization.

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(v) "Water development account III" means the account created by W.S. 41-2-124(a)(iii).

(a) The commission shall contract with each sponsor identified in this article for the design, construction and operation of the project in a manner consistent with this article and administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract.

99-3-2403. General conditions for Level III construction projects - new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in

1 this article shall be subject to the following general
2 conditions:

3

4 (i) Each sponsor shall offer security for the
5 project loan as deemed adequate and acceptable to the attorney
6 general;

7

8 (ii) The commission shall establish repayment
9 schedules for project loans in accordance with the conditions
10 prescribed in this section;

11

12 (iii) Each sponsor shall supervise design and
13 construction of the project and submit all requests for
14 payment to the commission for approval;

15

16 (iv) A sponsor shall not make construction funding
17 commitments until after the commission has reviewed and
18 approved construction budgets and construction plans;

19

20 (v) The commission shall make payments directly to
21 the sponsor;

22

1 (vi) The sponsor shall be responsible for
2 operation and maintenance of the project;

3

4 (vii) The sponsor is responsible for all project
5 expenditures in excess of the total project appropriation;

6

7 (viii) If the commission determines that any
8 sponsor has, without good cause, abandoned completion of the
9 project, that sponsor, in addition to being required to repay
10 the loan, shall be obligated to immediately repay the full
11 amount of all grant funds actually expended plus interest as
12 established by the state treasurer in an amount equal to the
13 interest that would have accrued on the expended grant funds
14 in the water development account from the date of expenditure;

15

16 (ix) Principal and interest payments made in
17 repayment of loans shall be deposited in water development
18 account I;

19

20 (x) There shall be no lease, sale, assignment or
21 transfer of ownership of water from the project for purposes
22 other than the designated project purpose without prior
23 written approval of the commission and the state engineer or

1 board of control. If such a transaction is approved, the
2 revenues generated by the lease, sale, assignment or transfer
3 of ownership of water from the project shall be utilized to
4 retire principal on the project loan. After that loan is paid
5 in full, the sponsor shall receive a proportionate share of
6 the revenues generated by the lease, sale, assignment or
7 transfer of ownership of water from the project equal to the
8 percentage of the project cost paid by the project loan and
9 the state of Wyoming shall receive a proportionate share of
10 the revenues generated by the lease, sale, assignment or
11 transfer of ownership of water from the project equal to the
12 percentage of the project cost paid by the project grant;

13

14 (xi) There shall be no lease, sale, assignment or
15 transfer of ownership of any project until the project loan
16 is paid in full, and until prior written approval is obtained
17 from the commission. If these conditions are met, the sponsor
18 shall receive a proportionate share of the revenues generated
19 by the lease, sale, assignment or transfer of ownership of
20 the project equal to the percentage of the project cost paid
21 by the project loan and the state of Wyoming shall receive a
22 proportionate share of the revenues generated by the lease,
23 sale, assignment or transfer of ownership of the project equal

1 to the percentage of the project cost paid by the project
2 grant. Before the sponsor may lease, sell, assign or transfer
3 ownership of the project, the state of Wyoming shall be given
4 a one (1) year first right of refusal option to purchase the
5 sponsor's interest in the project for an amount equal to the
6 principal, interest, maintenance and replacement costs
7 incurred by the sponsor at the date the option is exercised;

8
9 (xii) After the project loan is paid in full, the
10 sponsor may purchase the position of the state of Wyoming, as
11 described in paragraphs (x) and (xi) of this subsection, for
12 the amount of the project grant plus the interest that would
13 have accrued on the grant amount in the water development
14 account from the date the project was substantially completed
15 as defined by the commission. The interest that would have
16 accrued on the grant amount shall be established by the state
17 treasurer;

18
19 (xiii) Any revenues generated by the state from
20 the lease, sale, assignment or transfer of ownership of any
21 project or project water shall be deposited in water
22 development account I.

23

1 **99-3-2404. Level III construction projects - new**
2 **development.**

3

4 (a) Authorization is granted for the Level III new
5 development construction projects identified in this section.

6

7 (b) Project - Buffalo Wells and Transmission 2019:

8

9 (i) Project sponsor: City of Buffalo;

10

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

13

14 (iii) Project description: Design and
15 construction of water supply wells, transmission pipelines
16 and appurtenances necessary to make the project function in
17 the manner intended;

18

19 (iv) Total project budget: One million eight
20 hundred forty-eight thousand dollars (\$1,848,000.00);

21

22 (v) Project grant: The state of Wyoming shall
23 grant to the sponsor from water development account I through

1 the commission for the design, permit procurement, project
2 land procurement, construction engineering and construction
3 of the project an amount not to exceed one million two hundred
4 thirty-eight thousand one hundred sixty dollars
5 (\$1,238,160.00) or sixty-seven percent (67%) of the actual
6 development costs, whichever is less;

7

8 (vi) Appropriation: There is appropriated from
9 water development account I to the commission one million two
10 hundred thirty-eight thousand one hundred sixty dollars
11 (\$1,238,160.00) or as much thereof as is necessary to carry
12 out the purpose of this subsection. Unexpended funds
13 appropriated under this subsection shall revert to water
14 development account I on July 1, 2024;

15

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

19

20 (c) Project - Clearmont Well Connection 2019:

21

22 (i) Project sponsor: Town of Clearmont;

23

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

3

4 (iii) Project description: Design and
5 construction of well improvements, transmission pipeline and
6 appurtenances necessary to make the project function in the
7 manner intended;

8

9 (iv) Total project budget: Four hundred ninety-one
10 thousand dollars (\$491,000.00);

11

12 (v) Project grant: The state of Wyoming shall
13 grant to the sponsor from water development account I through
14 the commission for the design, permit procurement, project
15 land procurement, construction engineering and construction
16 of the project an amount not to exceed three hundred
17 twenty-eight thousand nine hundred seventy dollars
18 (\$328,970.00) or sixty-seven percent (67%) of the actual
19 development costs, whichever is less;

20

21 (vi) Appropriation: There is appropriated from
22 water development account I to the commission three hundred
23 twenty-eight thousand nine hundred seventy dollars

1 (\$328,970.00) or as much thereof as is necessary to carry out
2 the purpose of this subsection. Unexpended funds appropriated
3 under this subsection shall revert to water development
4 account I on July 1, 2024;

5

6 (vii) Special conditions:

7

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

11

12 (B) The sponsor is responsible for acquiring
13 one hundred percent (100%) of the total well purchase price
14 from other sources;

15

16 (C) The commission shall sell and the sponsor
17 shall purchase the well drilled during the level II study for
18 a price not to exceed thirty-three percent (33%) of the well's
19 actual construction costs. The sponsor shall purchase the
20 well with a lump sum payment.

21

22 (d) Project - Etna Storage Tank 2019:

23

1 (i) Project sponsor: Etna Water and Sewer
2 District;

3

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

6

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

10

11 (iv) Total project budget: One million four
12 hundred ninety-five thousand dollars (\$1,495,000.00);

13

14 (v) Project grant: The state of Wyoming shall
15 grant to the sponsor from water development account I through
16 the commission for the design, permit procurement, project
17 land procurement, construction engineering and construction
18 of the project an amount not to exceed one million one
19 thousand six hundred fifty dollars (\$1,001,650.00) or
20 sixty-seven percent (67%) of the actual development costs,
21 whichever is less;

22

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission one million one
3 thousand six hundred fifty dollars (\$1,001,650.00) or as much
4 thereof as is necessary to carry out the purpose of this
5 subsection. Unexpended funds appropriated under this
6 subsection shall revert to water development account I on
7 July 1, 2024;

8
9 (vii) Special conditions: The sponsor is
10 responsible for acquiring thirty-three percent (33%) of the
11 total project budget from other sources.

12

13 (e) Project - GR/RS/SC JPWB Pump Station 2019:

14

15 (i) Project sponsor: Green River-Rock
16 Springs-Sweetwater County Joint Powers Water Board;

17

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

20

21 (iii) Project description: Design and
22 construction of pumping facilities, transmission pipeline and

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

3

4 (iv) Total project budget: Eleven million one
5 hundred ninety thousand dollars (\$11,190,000.00);

6

7 (v) Project grant: The state of Wyoming shall
8 grant to the sponsor from water development account I through
9 the commission for the design, permit procurement, project
10 land procurement, construction engineering and construction
11 of the project an amount not to exceed seven million four
12 hundred ninety-seven thousand three hundred dollars
13 (\$7,497,300.00) or sixty-seven percent (67%) of the actual
14 development costs, whichever is less;

15

16 (vi) Appropriation: There is appropriated from
17 water development account I to the commission seven million
18 four hundred ninety-seven thousand three hundred dollars
19 (\$7,497,300.00) or as much thereof as is necessary to carry
20 out the purpose of this subsection. Unexpended funds
21 appropriated under this subsection shall revert to water
22 development account I on July 1, 2024;

23

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

4

5 (f) Project - Lander Storage Tanks and Pump Station
6 2019:

7

8 (i) Project sponsor: City of Lander;

9

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

12

13 (iii) Project description: Design of storage
14 tanks, transmission pipelines, pumping facilities and
15 appurtenances necessary to make the project function in the
16 manner intended;

17

18 (iv) Total project budget: Three hundred forty
19 thousand dollars (\$340,000.00);

20

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

1 land procurement of the project an amount not to exceed two
2 hundred twenty-seven thousand eight hundred dollars
3 (\$227,800.00) or sixty-seven percent (67%) of the actual
4 development costs, whichever is less;

5

6 (vi) Appropriation: There is appropriated from
7 water development account I to the commission two hundred
8 twenty-seven thousand eight hundred dollars (\$227,800.00) or
9 as much thereof as is necessary to carry out the purpose of
10 this subsection. Unexpended funds appropriated under this
11 subsection shall revert to water development account I on
12 July 1, 2024;

13

14 (vii) Special conditions:

15

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

19

20 (B) The sponsor shall provide to the
21 commission an adequate feasibility study of the proposed
22 project prior to commencing the design phase.

23

1 (g) Project - Northwest Rural Water System Improvements

2 2019:

3

4 (i) Project sponsor: Northwest Rural Water
5 District;

6

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

9

10 (iii) Project description: Design and
11 construction of transmission pipelines, pumping facilities
12 and appurtenances necessary to make the project function in
13 the manner intended;

14

15 (iv) Total project budget: One million five
16 hundred seventy-five thousand dollars (\$1,575,000.00);

17

18 (v) Project grant: The state of Wyoming shall
19 grant to the sponsor from water development account I through
20 the commission for the design, permit procurement, project
21 land procurement, construction engineering and construction
22 of the project an amount not to exceed one million fifty-five
23 thousand two hundred fifty dollars (\$1,055,250.00) or

1 sixty-seven percent (67%) of the actual development costs,
2 whichever is less;

3

4 (vi) Appropriation: There is appropriated from
5 water development account I to the commission one million
6 fifty-five thousand two hundred fifty dollars (\$1,055,250.00)
7 or as much thereof as is necessary to carry out the purpose
8 of this subsection. Unexpended funds appropriated under this
9 subsection shall revert to water development account I on
10 July 1, 2024;

11

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

15

16 (h) Project - Rolling Hills Well No. 7 Connection 2019:

17

18 (i) Project sponsor: Town of Rolling Hills;

19

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

22

1 (iii) Project description: Design and
2 construction of well improvements, transmission pipeline and
3 appurtenances necessary to make the project function in the
4 manner intended;

5

6 (iv) Total project budget: Four hundred eight
7 thousand dollars (\$408,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account I through
11 the commission for the design, permit procurement, project
12 land procurement, construction engineering and construction
13 of the project an amount not to exceed two hundred
14 seventy-three thousand three hundred sixty dollars
15 (\$273,360.00) or sixty-seven percent (67%) of the actual
16 development costs, whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account I to the commission two hundred
20 seventy-three thousand three hundred sixty dollars
21 (\$273,360.00) or as much thereof as is necessary to carry
22 out the purpose of this subsection. Unexpended funds

1 appropriated under this subsection shall revert to water
2 development account I on July 1, 2024;

3

4 (vii) Special conditions:

5

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

9

10 (B) The sponsor is responsible for acquiring
11 one hundred percent (100%) of the total well purchase price
12 from other sources;

13

14 (C) The commission shall sell and the sponsor
15 shall purchase the well drilled during the level II study for
16 a price not to exceed thirty-three percent (33%) of the well's
17 actual construction costs. The sponsor shall purchase the
18 well with a lump sum payment.

19

20 (j) Project - Weather Modification Medicine Bow
21 Mountains 2019-2020:

22

23 (i) Project sponsor: The state of Wyoming;

1

2 (ii) Project purpose: To enhance the winter
3 snowpack in the Medicine Bow, Sierra Madre and Laramie
4 Mountain Ranges;

5

6 (iii) Project description: Conduct an operational
7 winter snowpack augmentation program during the 2019-2020
8 fall, winter and spring seasons;

9

10 (iv) Total project budget: Six hundred thirty-four
11 thousand dollars (\$634,000.00);

12

13 (v) Appropriation: There is appropriated from
14 water development account I to the Wyoming water development
15 office five hundred eighty-nine thousand dollars
16 (\$589,000.00) or as much thereof as is necessary to carry out
17 the purpose of this subsection. Unexpended funds appropriated
18 under this subsection shall revert to water development
19 account I on July 1, 2021;

20

21 (vi) Special conditions:

22

1 (A) The Wyoming water development office
2 shall manage and provide oversight of the program. Five
3 thousand dollars (\$5,000.00) of the total appropriation is
4 allocated for this purpose;

5

6 (B) Prior to commencing project operations,
7 the Wyoming water development office shall acquire funding
8 commitments from Wyoming water users or other interested
9 parties for a minimum of seven percent (7%) of actual project
10 operations costs;

11

12 (C) The Wyoming water development office is
13 authorized to enter into contracts with Colorado
14 organizations to extend aerial weather modification efforts
15 into Colorado provided these organizations pay one hundred
16 percent (100%) of the additional costs associated with
17 operations in Colorado.

18

19 (k) Project - Weather Modification Wind River Mountains
20 2019-2020:

21

22 (i) Project sponsor: The state of Wyoming;

23

1 (ii) Project purpose: To enhance the winter
2 snowpack in the Wind River Mountain Range;

3

4 (iii) Project description: Conduct an operational
5 winter snowpack augmentation program during the 2019-2020
6 fall, winter and spring seasons;

7

8 (iv) Total project budget: Four hundred sixty-five
9 thousand dollars (\$465,000.00);

10

11 (v) Appropriation: There is appropriated from
12 water development account I to the Wyoming water development
13 office two hundred thirty-five thousand dollars (\$235,000.00)
14 or as much thereof as is necessary to carry out the purpose
15 of this subsection. Unexpended funds appropriated under this
16 subsection shall revert to water development account I on
17 July 1, 2021;

18

19 (vi) Special conditions:

20

21 (A) The Wyoming water development office
22 shall manage and provide oversight of the program. Five

1 thousand dollars (\$5,000.00) of the total appropriation is
2 allocated for this purpose;

3

4 (B) The state of Wyoming shall participate at
5 a rate of fifty percent (50%) of actual project operations
6 costs not to exceed two hundred thirty thousand dollars
7 (\$230,000.00);

8

9 (C) Prior to commencing project operations,
10 the Wyoming water development office shall acquire funding
11 commitments from other Colorado River basin water users or
12 other interested parties for fifty percent (50%) of actual
13 project operations costs;

14

15 (D) If the Wyoming water development office
16 is unable to secure adequate funding commitments and the
17 project is cancelled, the Wyoming water development office is
18 authorized to use the appropriated funds to remove weather
19 modification equipment and reclaim project sites.

20

21 **99-3-2405. General conditions for Level III**
22 **construction projects - rehabilitation.**

23

1 (a) Except as otherwise specifically provided, each
2 Level III rehabilitation construction project identified in
3 this article shall be subject to the following general
4 conditions:

5

6 (i) Each sponsor shall offer security for the
7 project loan as deemed adequate and acceptable to the attorney
8 general;

9

10 (ii) The commission shall establish repayment
11 schedules for project loans in accordance with the conditions
12 prescribed in this section;

13

14 (iii) Each sponsor shall supervise design and
15 construction of the project and submit all requests for
16 payment to the commission for approval;

17

18 (iv) Sponsors shall not make construction funding
19 commitments until after the commission has reviewed and
20 approved construction budgets and construction plans;

21

22 (v) The commission shall make payments directly to
23 the sponsor;

1

2 (vi) The sponsor shall be responsible for
3 operation and maintenance of the project;

4

5 (vii) The sponsor is responsible for all project
6 expenditures in excess of the total project appropriation;

7

8 (viii) If the commission determines that any
9 sponsor has, without good cause, abandoned completion of the
10 project, that sponsor, in addition to being required to repay
11 the loan, shall be obligated to immediately repay the full
12 amount of all grant funds actually expended plus interest as
13 established by the state treasurer in an amount equal to the
14 interest that would have accrued on the expended grant funds
15 in the water development account from the date of expenditure;

16

17 (ix) Principal and interest payments made in
18 repayment of loans shall be deposited in water development
19 account II.

20

21 **99-3-2406. Level III construction projects -**
22 **rehabilitation.**

23

1 (a) Authorization is granted for the Level III
2 rehabilitation construction projects identified in this
3 section.

4

5 (b) Project - Austin-Wall Reservoir Rehabilitation
6 2019:

7

8 (i) Project sponsor: Austin-Wall Irrigation
9 District;

10

11 (ii) Project purpose: Agricultural water supply;

12

13 (iii) Project description: Design and
14 construction of the replacement of reservoir outlet works and
15 appurtenances necessary to make the project function in the
16 manner intended;

17

18 (iv) Total project budget: Three hundred
19 seventy-four thousand dollars (\$374,000.00);

20

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

1 land procurement, construction engineering and construction
2 of the project an amount not to exceed two hundred fifty
3 thousand five hundred eighty dollars (\$250,580.00) or
4 sixty-seven percent (67%) of the actual development costs,
5 whichever is less;

6

7 (vi) Project loan: The state of Wyoming shall loan
8 to the sponsor from water development account II through the
9 commission for the design, permit procurement, project land
10 procurement, construction engineering and construction of the
11 project an amount not to exceed one hundred twenty-three
12 thousand four hundred twenty dollars (\$123,420.00) or
13 thirty-three percent (33%) of the actual development costs,
14 whichever is less, for a term of thirty (30) years from the
15 date the commission determines that project benefits accrue
16 to the sponsor, at an annual interest rate of four percent
17 (4%);

18

19 (vii) Appropriation: There is appropriated from
20 water development account II to the commission three hundred
21 seventy-four thousand dollars (\$374,000.00) or as much
22 thereof as is necessary to carry out the purpose of this
23 subsection. Unexpended funds appropriated under this

1 subsection shall revert to water development account II on
2 July 1, 2024;

3

4 (viii) Special conditions: The appropriation of
5 funds for this project is contingent upon the transfer of
6 funds to water development account II as described in section
7 3 of this act.

8

9 (c) Project - Big Horn Canal Wasteway Rehabilitation
10 2019:

11

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

14

15 (ii) Project purpose: Agricultural water supply;

16

17 (iii) Project description: Design and
18 construction of replacement wasteway/check structure and
19 appurtenances necessary to make the project function in the
20 manner intended;

21

22 (iv) Total project budget: Nine hundred sixty
23 thousand dollars (\$960,000.00);

1

2 (v) Project grant: The state of Wyoming shall
3 grant to the sponsor from water development account II through
4 the commission for the design, permit procurement, project
5 land procurement, construction engineering and construction
6 of the project an amount not to exceed six hundred forty-three
7 thousand two hundred dollars (\$643,200.00) or sixty-seven
8 percent (67%) of the actual development costs, whichever is
9 less;

10

11 (vi) Project loan: The state of Wyoming shall loan
12 to the sponsor from water development account II through the
13 commission for the design, permit procurement, project land
14 procurement, construction engineering and construction of the
15 project an amount not to exceed three hundred sixteen thousand
16 eight hundred dollars (\$316,800.00) or thirty-three percent
17 (33%) of the actual development costs, whichever is less, for
18 a term of thirty (30) years from the date the commission
19 determines that project benefits accrue to the sponsor, at an
20 annual interest rate of four percent (4%);

21

22 (vii) Appropriation: There is appropriated from
23 water development account II to the commission nine hundred

1 sixty thousand dollars (\$960,000.00) or as much thereof as is
2 necessary to carry out the purpose of this subsection.
3 Unexpended funds appropriated under this subsection shall
4 revert to water development account II on July 1, 2024.

5

6 (d) Project - Bluff/Upper Bluff System Improvements
7 2019:

8

9 (i) Project sponsor: Bluff/Upper Bluff Irrigation
10 District;

11

12 (ii) Project purpose: Agricultural water supply;

13

14 (iii) Project description: Design and
15 construction of replacement pumps, structure repairs and
16 appurtenances necessary to make the project function in the
17 manner intended;

18

19 (iv) Total project budget: Three hundred sixty-six
20 thousand dollars (\$366,000.00);

21

22 (v) Project grant: The state of Wyoming shall
23 grant to the sponsor from water development account II through

1 the commission for the design, permit procurement, project
2 land procurement, construction engineering and construction
3 of the project an amount not to exceed two hundred forty-five
4 thousand two hundred twenty dollars (\$245,220.00) or
5 sixty-seven percent (67%) of the actual development costs,
6 whichever is less;

7

8 (vi) Project loan: The state of Wyoming shall loan
9 to the sponsor from water development account II through the
10 commission for the design, permit procurement, project land
11 procurement, construction engineering and construction of the
12 project an amount not to exceed forty-five thousand seven
13 hundred eighty dollars (\$45,780.00) or twelve and fifty-one
14 hundredths percent (12.51%) of the actual development costs,
15 whichever is less, for a term of twenty (20) years from the
16 date the commission determines that project benefits accrue
17 to the sponsor, at an annual interest rate of four percent
18 (4%);

19

20 (vii) Appropriation: There is appropriated from
21 water development account II to the commission two hundred
22 ninety-one thousand dollars (\$291,000.00) or as much thereof
23 as is necessary to carry out the purpose of this subsection.

1 Unexpended funds appropriated under this subsection shall
2 revert to water development account II on July 1, 2024;

3

4 (viii) Special conditions: The sponsor is
5 responsible for acquiring twenty and forty-nine hundredths
6 percent (20.49%) of the total project budget from other
7 sources.

8

9 (e) Project - Cody Canal Rehabilitation 2019:

10

11 (i) Project sponsor: Cody Canal Irrigation
12 District;

13

14 (ii) Project purpose: Agricultural water supply;

15

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

19

20 (iv) Total project budget: Six hundred forty-six
21 thousand six hundred forty-nine dollars (\$646,649.00);

22

1 (v) Project grant: The state of Wyoming shall
2 grant to the sponsor from water development account II through
3 the commission for the purchase of project materials as
4 supported by vendor invoices and as approved by the commission
5 an amount not to exceed three hundred forty-four thousand
6 dollars (\$344,000.00) or one hundred percent (100%) of the
7 approved materials costs, whichever is less;

8
9 (vi) Appropriation: There is appropriated from
10 water development account II to the commission three hundred
11 forty-four thousand dollars (\$344,000.00) or as much thereof
12 as is necessary to carry out the purpose of this subsection.
13 Unexpended funds appropriated under this subsection shall
14 revert to water development account II on July 1, 2024;

15
16 (vii) Special conditions:

17
18 (A) The sponsor is responsible for all
19 project costs with the exception of the purchase of project
20 materials as supported by vendor invoices and as approved by
21 the commission;

22

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

6

7 (f) Project - Deaver Irrigation District Rehabilitation
8 2019:

9

10 (i) Project sponsor: Deaver Irrigation District;

11

12 (ii) Project purpose: Agricultural water supply;

13

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

17

18 (iv) Total project budget: Eight hundred
19 ninety-nine thousand nine hundred twenty-nine dollars
20 (\$899,929.00);

21

22 (v) Project grant: The state of Wyoming shall
23 grant to the sponsor from water development account II through

1 the commission for the purchase of project materials as
2 supported by vendor invoices and as approved by the commission
3 an amount not to exceed four hundred twenty-four thousand
4 dollars (\$424,000.00) or one hundred percent (100%) of the
5 approved materials costs, whichever is less;

6

7 (vi) Appropriation: There is appropriated from
8 water development account II to the commission four hundred
9 twenty-four thousand dollars (\$424,000.00) or as much thereof
10 as is necessary to carry out the purpose of this subsection.
11 Unexpended funds appropriated under this subsection shall
12 revert to water development account II on July 1, 2024;

13

14 (vii) Special conditions:

15

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

20

21 (B) The sponsor is responsible for retaining
22 professional engineering services to design the project,
23 compile materials and bidding documents and monitor

1 construction activities including the installation of project
2 components and the tracking of project expenditures.

3

4 (g) Project - Dry Creek Irrigation District
5 Rehabilitation 2019:

6

7 (i) Project sponsor: Dry Creek Irrigation
8 District;

9

10 (ii) Project purpose: Agricultural water supply;

11

12 (iii) Project description: Design and
13 construction of replacement lateral pipelines and
14 appurtenances necessary to make the project function in the
15 manner intended;

16

17 (iv) Total project budget: One million six hundred
18 twenty-eight thousand dollars (\$1,628,000.00);

19

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

1 of the project an amount not to exceed one million ninety
2 thousand seven hundred sixty dollars (\$1,090,760.00) or
3 sixty-seven percent (67%) of the actual development costs,
4 whichever is less;

5

6 (vi) Project loan: The state of Wyoming shall loan
7 to the sponsor from water development account II through the
8 commission for the design, permit procurement, project land
9 procurement, construction engineering and construction of the
10 project an amount not to exceed five hundred thirty-seven
11 thousand two hundred forty dollars (\$537,240.00) or
12 thirty-three percent (33%) of the actual development costs,
13 whichever is less, for a term of twenty (20) years from the
14 date the commission determines that project benefits accrue
15 to the sponsor, at an annual interest rate of four percent
16 (4%);

17

18 (vii) Appropriation: There is appropriated from
19 water development account II to the commission one million
20 six hundred twenty-eight thousand dollars (\$1,628,000.00) or
21 as much thereof as is necessary to carry out the purpose of
22 this subsection. Unexpended funds appropriated under this

1 subsection shall revert to water development account II on
2 July 1, 2024;

3

4 (viii) Special conditions: The appropriation of
5 funds for this project is contingent upon the transfer of
6 funds to water development account II as described in section
7 3 of this act.

8

9 (h) Project - Eden Valley Irrigation District System
10 Improvements 2019:

11

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

14

15 (ii) Project purpose: Agricultural water supply;

16

17 (iii) Project description: Design and
18 construction of canal lining, sandtrap structure and
19 appurtenances necessary to make the project function in the
20 manner intended;

21

22 (iv) Total project budget: Six hundred fifty
23 thousand dollars (\$650,000.00);

1

2 (v) Project grant: The state of Wyoming shall
3 grant to the sponsor from water development account II through
4 the commission for the design, permit procurement, project
5 land procurement, construction engineering and construction
6 of the project an amount not to exceed three hundred fifty-one
7 thousand dollars (\$351,000.00) or fifty-four percent (54%) of
8 the actual development costs, whichever is less;

9

10 (vi) Appropriation: There is appropriated from
11 water development account II to the commission three hundred
12 fifty-one thousand dollars (\$351,000.00) or as much thereof
13 as is necessary to carry out the purpose of this subsection.
14 Unexpended funds appropriated under this subsection shall
15 revert to water development account II on July 1, 2024;

16

17 (vii) Special conditions:

18

19 (A) The sponsor is responsible for acquiring
20 forty-six percent (46%) of the total project budget from other
21 sources;

22

1 (B) The appropriation of funds for this
2 project is contingent upon the transfer of funds to water
3 development account II as described in section 3 of this act.

4

5 (j) Project - Interstate Diversion Structure
6 Rehabilitation 2019:

7

8 (i) Project sponsor: Interstate Irrigation and
9 Reservoir Irrigation District;

10

11 (ii) Project purpose: Agricultural water supply;

12

13 (iii) Project description: Design and
14 construction of a replacement diversion structure and
15 appurtenances necessary to make the project function in the
16 manner intended;

17

18 (iv) Total project budget: Four hundred twenty
19 thousand dollars (\$420,000.00);

20

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

1 land procurement, construction engineering and construction
2 of the project an amount not to exceed two hundred eighty-one
3 thousand four hundred dollars (\$281,400.00) or sixty-seven
4 percent (67%) of the actual development costs, whichever is
5 less;

6

7 (vi) Project loan: The state of Wyoming shall loan
8 to the sponsor from water development account II through the
9 commission for the design, permit procurement, project land
10 procurement, construction engineering and construction of the
11 project an amount not to exceed one hundred thirty-eight
12 thousand six hundred dollars (\$138,600.00) or thirty-three
13 percent (33%) of the actual development costs, whichever is
14 less, for a term of twenty (20) years from the date the
15 commission determines that project benefits accrue to the
16 sponsor, at an annual interest rate of four percent (4%);

17

18 (vii) Appropriation: There is appropriated from
19 water development account II to the commission four hundred
20 twenty thousand dollars (\$420,000.00) or as much thereof as
21 is necessary to carry out the purpose of this subsection.
22 Unexpended funds appropriated under this subsection shall
23 revert to water development account II on July 1, 2024.

1

2 (k) Project - Lakeview Carter Creek Siphon/Spillway

3 2019:

4

5 (i) Project sponsor: Lakeview Irrigation

6 District;

7

8 (ii) Project purpose: Agricultural water supply;

9

10 (iii) Project description: Design and

11 construction of a siphon/spillway structure and appurtenances

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

13

14 (iv) Total project budget: Three hundred fifty-one

15 thousand dollars (\$351,000.00);

16

17 (v) Project grant: The state of Wyoming shall

18 grant to the sponsor from water development account II through

19 the commission for the design, permit procurement, project

20 land procurement, construction engineering and construction

21 of the project an amount not to exceed two hundred thirty-five

22 thousand one hundred seventy dollars (\$235,170.00) or

1 sixty-seven percent (67%) of the actual development costs,
2 whichever is less;

3

4 (vi) Project loan: The state of Wyoming shall loan
5 to the sponsor from water development account II through the
6 commission for the design, permit procurement, project land
7 procurement, construction engineering and construction of the
8 project an amount not to exceed one hundred fifteen thousand
9 eight hundred thirty dollars (\$115,830.00) or thirty-three
10 percent (33%) of the actual development costs, whichever is
11 less, for a term of twenty (20) years from the date the
12 commission determines that project benefits accrue to the
13 sponsor, at an annual interest rate of four percent (4%);

14

15 (vii) Appropriation: There is appropriated from
16 water development account II to the commission three hundred
17 fifty-one thousand dollars (\$351,000.00) or as much thereof
18 as is necessary to carry out the purpose of this subsection.
19 Unexpended funds appropriated under this subsection shall
20 revert to water development account II on July 1, 2024.

21

22 (m) Project - Lovell Moncur Lateral Rehabilitation
23 2019:

1

2 (i) Project sponsor: Lovell Irrigation District;

3

4 (ii) Project purpose: Agricultural water supply;

5

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

9

10 (iv) Total project budget: Two million six hundred
11 thirty-seven thousand four hundred two dollars
12 (\$2,637,402.00);

13

14 (v) Project grant: The state of Wyoming shall
15 grant to the sponsor from water development account II through
16 the commission for the purchase of project materials as
17 supported by vendor invoices and as approved by the commission
18 an amount not to exceed one million six hundred seventy
19 thousand dollars (\$1,670,000.00) or one hundred percent
20 (100%) of the approved materials costs, whichever is less;

21

22 (vi) Appropriation: There is appropriated from
23 water development account II to the commission one million

1 six hundred seventy thousand dollars (\$1,670,000.00) or as
2 much thereof as is necessary to carry out the purpose of this
3 subsection. Unexpended funds appropriated under this
4 subsection shall revert to water development account II on
5 July 1, 2024;

6

7 (vii) Special conditions:

8

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

13

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

19

20 (n) Project - Midvale Irrigation District
21 Rehabilitation 2019:

22

23 (i) Project sponsor: Midvale Irrigation District;

1

2 (ii) Project purpose: Agricultural water supply;

3

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

7

8 (iv) Total project budget: Eight hundred
9 twenty-six thousand dollars (\$826,000.00);

10

11 (v) Project grant: The state of Wyoming shall
12 grant to the sponsor from water development account II through
13 the commission for the purchase of project materials as
14 supported by vendor invoices and as approved by the commission
15 an amount not to exceed five hundred fifty-nine thousand
16 dollars (\$559,000.00) or one hundred percent (100%) of the
17 approved materials costs, whichever is less;

18

19 (vi) Appropriation: There is appropriated from
20 water development account II to the commission five hundred
21 fifty-nine thousand dollars (\$559,000.00) or as much thereof
22 as is necessary to carry out the purpose of this subsection.

1 Unexpended funds appropriated under this subsection shall
2 revert to water development account II on July 1, 2024;

3

4 (vii) Special conditions:

5

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

10

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

16

17 (o) Project - Shoshone Irrigation District
18 Rehabilitation 2019:

19

20 (i) Project sponsor: Shoshone Irrigation
21 District;

22

23 (ii) Project purpose: Agricultural water supply;

1

2 (iii) Project description: Design and
3 construction of lateral pipelines, structures and
4 appurtenances necessary to make the project function in the
5 manner intended;

6

7 (iv) Total project budget: Four hundred
8 seventy-two thousand dollars (\$472,000.00);

9

10 (v) Project grant: The state of Wyoming shall
11 grant to the sponsor from water development account II through
12 the commission for the purchase of project materials as
13 supported by vendor invoices and as approved by the commission
14 an amount not to exceed one hundred eighty-one thousand
15 dollars (\$181,000.00) or one hundred percent (100%) of the
16 approved materials costs, whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account II to the commission one hundred
20 eighty-one thousand dollars (\$181,000.00) or as much thereof
21 as is necessary to carry out the purpose of this subsection.
22 Unexpended funds appropriated under this subsection shall
23 revert to water development account II on July 1, 2024;

1

2

(vii) Special conditions:

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22

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

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

(p) Project - Wheatland Irrigation District Tunnel Dam Rehabilitation 2019:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agricultural water supply;

1 (iii) Project description: Design for
2 rehabilitation of a diversion dam structure and appurtenances
3 necessary to make the project function in the manner intended;
4

5 (iv) Total project budget: Three hundred
6 eighty-eight thousand dollars (\$388,000.00);
7

8 (v) Project grant: The state of Wyoming shall
9 grant to the sponsor from water development account II through
10 the commission for the design, permit procurement, and
11 project land procurement of the project an amount not to
12 exceed two hundred fifty-nine thousand nine hundred sixty
13 dollars (\$259,960.00) or sixty-seven percent (67%) of the
14 actual development costs, whichever is less;
15

16 (vi) Project loan: The state of Wyoming shall loan
17 to the sponsor from water development account II through the
18 commission for the design, permit procurement, and project
19 land procurement of the project an amount not to exceed one
20 hundred twenty-eight thousand forty dollars (\$128,040.00) or
21 thirty-three percent (33%) of the actual development costs,
22 whichever is less, for a term of fifty (50) years from the
23 date the commission determines that project benefits accrue

1 to the sponsor, at an annual interest rate of four percent
2 (4%);

3

4 (vii) Appropriation: There is appropriated from
5 water development account II to the commission three hundred
6 eighty-eight thousand dollars (\$388,000.00) or as much
7 thereof as is necessary to carry out the purpose of this
8 subsection. Unexpended funds appropriated under this
9 subsection shall revert to water development account II on
10 July 1, 2024.

11

12 (q) Project - Wind River Inter-Tribal Council
13 Rehabilitation 2019:

14

15 (i) Project sponsor: Business council of the
16 Eastern Shoshone Indian Tribe and business council of the
17 Northern Arapaho Indian Tribe;

18

19 (ii) Project purpose: Agricultural water supply;

20

21 (iii) Project description: Design and
22 construction of canal laterals, control structures and

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

3

4 (iv) Total project budget: One million eight
5 hundred fifty-eight thousand dollars (\$1,858,000.00);

6

7 (v) Project grant: The state of Wyoming shall
8 grant to the sponsor from water development account II through
9 the commission for the design, permit procurement, project
10 land procurement, construction engineering and construction
11 of the project an amount not to exceed nine hundred
12 twenty-nine thousand dollars (\$929,000.00) or fifty percent
13 (50%) of the actual development costs, whichever is less;

14

15 (vi) Appropriation: There is appropriated from
16 water development account II to the commission nine hundred
17 twenty-nine thousand dollars (\$929,000.00) or as much thereof
18 as is necessary to carry out the purpose of this subsection.
19 Unexpended funds appropriated under this subsection shall
20 revert to water development account II on July 1, 2024;

21

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

4

5 **99-3-2407. General conditions for Level III**
6 **construction projects - dams and reservoirs.**

7

8 (a) Except as otherwise specifically provided, each
9 Level III dam and reservoir construction project identified
10 in this article shall be subject to the following general
11 conditions:

12

13 (i) Each sponsor shall offer security for the
14 project loan as deemed adequate and acceptable to the attorney
15 general;

16

17 (ii) The commission shall establish repayment
18 schedules for project loans in accordance with the conditions
19 prescribed in this section;

20

21 (iii) Each sponsor shall supervise design and
22 construction of the project and submit all requests for
23 payment to the commission for approval;

1

2 (iv) A sponsor shall not make construction funding
3 commitments until after the commission has reviewed and
4 approved construction budgets and construction plans;

5

6 (v) The commission shall make payments directly to
7 the sponsor;

8

9 (vi) The sponsor shall be responsible for
10 operation and maintenance of the project;

11

12 (vii) The sponsor is responsible for all project
13 expenditures in excess of the total project appropriation;

14

15 (viii) If the commission determines that any
16 sponsor has, without good cause, abandoned completion of the
17 project, that sponsor, in addition to being required to repay
18 the loan, shall be obligated to immediately repay the full
19 amount of all grant funds actually expended plus interest as
20 established by the state treasurer in an amount equal to the
21 interest that would have accrued on the expended grant funds
22 in the water development account from the date of expenditure;

23

1 (ix) Principal and interest payments made in
2 repayment of loans shall be deposited in water development
3 account III;

4
5 (x) There shall be no lease, sale, assignment or
6 transfer of ownership of water from the project for purposes
7 other than the designated project purpose without prior
8 written approval of the commission and the state engineer or
9 board of control. If such a transaction is approved, the
10 revenues generated by the lease, sale, assignment or transfer
11 of ownership of water from the project shall be utilized to
12 retire principal on the project loan. After that loan is paid
13 in full, the sponsor shall receive a proportionate share of
14 the revenues generated by the lease, sale, assignment or
15 transfer of ownership of water from the project equal to the
16 percentage of the project paid by the project loan and the
17 state of Wyoming shall receive a proportionate share of the
18 revenues generated by the lease, sale, assignment or transfer
19 of ownership of water from the project equal to the percentage
20 of the project paid by the project grant;

21
22 (xi) There shall be no lease, sale, assignment or
23 transfer of ownership of any project until the project loan

1 is paid in full, and until prior written approval is obtained
2 from the commission. If these conditions are met, the sponsor
3 shall receive a proportionate share of the revenues generated
4 by the lease, sale, assignment or transfer of ownership of
5 the project equal to the percentage of the project paid by
6 the project loan and the state of Wyoming shall receive a
7 proportionate share of the revenues generated by the lease,
8 sale, assignment or transfer of ownership of the project equal
9 to the percentage of the project paid by the project grant.
10 Before the sponsor may lease, sell, assign or transfer
11 ownership of the project, the state of Wyoming shall be given
12 a one (1) year first right of refusal option to purchase the
13 sponsor's interest in the project for an amount equal to the
14 principal, interest, maintenance and replacement costs
15 incurred by the sponsor at the date the option is exercised;

16

17 (xii) After the project loan is paid in full, the
18 sponsor may purchase the position of the state of Wyoming, as
19 described in paragraphs (x) and (xi) of this subsection, for
20 the amount of the project grant plus the interest that would
21 have accrued on the grant amount in the water development
22 account from the date the project was substantially completed
23 as defined by the commission. The interest that would have

1 accrued on the grant amount shall be established by the state
2 treasurer;

3

4 (xiii) Any funds generated by the state from the
5 lease, sale, assignment or transfer of ownership of any
6 project or project water shall be deposited in water
7 development account III.

8

9 [AMENDMENTS TO PRIOR PROJECTS]

10

11 **Section 2.** W.S. 99-3-1106(a)(iv), (vii), (b)(iv) and
12 (vii), 99-3-1804(d)(iv), (v), by creating a new paragraph
13 (vi) and by amending and renumbering (vi) and (vii) as (vii)
14 and (viii), 99-3-1903(c)(vi) and (k)(iv) through (vi),
15 99-3-1904(f)(vii) and (m)(iv) through (vi), 99-3-2104(c)(iv),
16 (v) and (vii), 99-3-2203(a), (e)(vii)(B), 99-3-2204(a),
17 99-3-2205(a), (c)(iv), (v) and (vi) by creating a new
18 subparagraph (D), 99-3-2303(a), (b)(iv) through (vi) and
19 (vii)(B), 99-3-2304(a), 99-3-2305(a) and 99-99-1001(a) by
20 creating a new paragraph (x) and by creating a new subsection
21 (o) are amended to read:

22

23 **99-3-1106. Sponsor's contingency funds.**

1

2 There are created the following sponsor's contingency funds:

3

4 (a) Project - Sponsor's Contingency Fund - New
5 Development:

6

7 (iv) Total project budget: ~~Two million dollars~~
8 ~~(\$2,000,000.00)~~ Three million dollars (\$3,000,000.00);

9

10 (vii) Appropriation: There is appropriated from
11 water development account I to the commission ~~two million~~
12 ~~dollars (\$2,000,000.00)~~ three million dollars (\$3,000,000.00)
13 or as much thereof as is necessary to carry out the purpose
14 of this subsection. Unexpended funds appropriated under this
15 subsection shall revert to water development account I on
16 July 1, 2025; and

17

18 (b) Project - Sponsor's Contingency
19 Fund-Rehabilitation:

20

21 (iv) Total project budget: ~~One million three~~
22 ~~hundred thousand dollars (\$1,300,000.00)~~ Two million dollars
23 (\$2,000,000.00);

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(vii) Appropriation: There is appropriated from water development account II to the commission ~~one million three hundred thousand dollars (\$1,300,000.00)~~ two million dollars (\$2,000,000.00) 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, 2025; and

99-3-1804. Level III construction projects - rehabilitation.

(d) Project - Eden Valley Farson Lateral Rehabilitation:

(iv) Total project budget: ~~Four million seven hundred thirty two thousand dollars (\$4,732,000.00)~~ Five million three hundred thousand nine hundred thirteen dollars (\$5,300,913.00);

(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

1 land procurement, construction engineering and construction
2 of the project ~~two million three hundred sixty six thousand~~
3 ~~dollars (\$2,366,000.00) or fifty percent (50%)~~ three million
4 seventy-six thousand dollars (\$3,076,000.00) or fifty-eight
5 and four hundredths percent (58.04%) of the actual
6 development costs, whichever is less;

7
8 (vi) Project loan: The state of Wyoming shall loan
9 to the sponsor from water development account II through the
10 commission for the design, permit procurement, project land
11 procurement, construction engineering and construction of the
12 project an amount not to exceed two hundred thousand dollars
13 (\$200,000.00) or three and seventy-seven hundredths percent
14 (3.77%) of the actual development costs, whichever is less,
15 for a term of twenty (20) years from the date the commission
16 determines that project benefits accrue to the sponsor, at an
17 annual interest rate of four percent (4%);

18
19 (vi)(vii) Appropriation: There is appropriated
20 from water development account II to the commission ~~two~~
21 ~~million three hundred sixty six thousand dollars~~
22 ~~(\$2,366,000.00)~~ three million two hundred seventy-six
23 thousand dollars (\$3,276,000.00) or as much thereof as is

1 necessary to carry out the purpose of this subsection.
2 Unexpended funds appropriated under this subsection shall
3 revert to water development account II on July 1, ~~2020~~2021;

4

5 ~~(vii)~~(viii) Special conditions:

6

7 (A) The sponsor is responsible for acquiring
8 ~~fifty percent (50%)~~thirty-eight and nineteen hundredths
9 percent (38.19%) of the project ~~phase I~~ budget from other
10 sources;

11

12 (B) The 2015 appropriation of two million one
13 hundred thirty-two thousand five hundred dollars
14 (\$2,132,500.00) for this project is contingent upon approval
15 from the legislature and the governor of a supplemental budget
16 request in the 2015 legislative session to provide additional
17 funding for water development account II.

18

19 **99-3-1903. Level III construction projects - new**
20 **development.**

21

22 (c) Project - Casper Zone 3 Improvements:

23

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission three million
3 six hundred eighty-five thousand dollars (\$3,685,000.00) or
4 as much thereof as is necessary to carry out the purpose of
5 this subsection. Unexpended funds appropriated under this
6 subsection shall revert to water development account I on
7 July 1, ~~2019-2020~~;

8

9 (k) Project - Small Water Development Projects - 2014:

10

11 (iv) Total project budget: ~~Five million two~~
12 ~~hundred thousand dollars (\$5,200,000.00)~~ Nine million two
13 hundred thousand dollars (\$9,200,000.00);

14

15 (v) Project grant: The state of Wyoming shall
16 grant to sponsors from water development account I through
17 the commission for the design, permit procurement, project
18 land procurement, construction engineering and construction
19 of the project an amount not to exceed ~~two million six hundred~~
20 ~~thousand dollars (\$2,600,000.00)~~ four million six hundred
21 thousand dollars (\$4,600,000.00) or fifty percent (50%) of
22 the actual development costs, whichever is less;

23

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission ~~two million six~~
3 ~~hundred thousand dollars (\$2,600,000.00)~~ four million six
4 hundred thousand dollars (\$4,600,000.00) or as much thereof
5 as is necessary to carry out the purpose of this subsection.
6 The funds appropriated shall not lapse at the end of any
7 fiscal period but shall carry over until expended or reverted
8 by the legislature to water development account I;

9

10 **99-3-1904. Level III construction projects -**
11 **rehabilitation.**

12

13 (f) Project - Piney & Cruse Canal Piping:

14

15 (vii) Appropriation: There is appropriated from
16 water development account II to the commission eight hundred
17 fifty-five thousand dollars (\$855,000.00) or as much thereof
18 as is necessary to carry out the purpose of this subsection.
19 Unexpended funds appropriated under this subsection shall
20 revert to water development account II on July 1, ~~2019-2022~~.

21

22 (m) Project - Small Water Development Projects - 2014:

23

1 (iv) Total project budget: ~~Two million two hundred~~
2 ~~thousand dollars (\$2,200,000.00)~~ Three million six hundred
3 thousand dollars (\$3,600,000.00);

4
5 (v) Project grant: The state of Wyoming shall
6 grant to sponsors from water development account II through
7 the commission for the design, permit procurement, project
8 land procurement, construction engineering and construction
9 of the project an amount not to exceed ~~one million one hundred~~
10 ~~thousand dollars (\$1,100,000.00)~~ one million eight hundred
11 thousand dollars (\$1,800,000.00) or fifty percent (50%) of
12 the actual development costs, whichever is less;

13
14 (vi) Appropriation: There is appropriated from
15 water development account II to the commission ~~one million~~
16 ~~one hundred thousand dollars (\$1,100,000.00)~~ one million
17 eight hundred thousand dollars (\$1,800,000.00) or as much
18 thereof as is necessary to carry out the purpose of this
19 subsection. The funds appropriated shall not lapse at the end
20 of any fiscal period but shall carry over until expended or
21 reverted by the legislature to water development account II;

22

1 **99-3-2104. Level III construction projects -**
2 **rehabilitation.**

3
4 (c) Project - Cokeville Tri-Diversion Structure:

5
6 (iv) Total project budget: ~~Four hundred thousand~~
7 ~~dollars (\$400,000.00)~~ Six hundred eleven thousand nine
8 hundred forty-five dollars (\$611,945.00);

9
10 (v) Project grant: The state of Wyoming shall
11 grant to the sponsor from water development account II through
12 the commission for the design, permit procurement, project
13 land procurement, construction engineering and construction
14 of the project an amount not to exceed ~~two hundred sixty eight~~
15 ~~thousand dollars (\$268,000.00)~~ three hundred eighty-eight
16 thousand nine hundred thirty-five dollars (\$388,935.00) or
17 sixty-seven percent (67%) of the actual development costs,
18 whichever is less;

19
20 (vii) Appropriation: There is appropriated from
21 water development account II to the commission ~~four hundred~~
22 ~~thousand dollars (\$400,000.00)~~ five hundred twenty thousand
23 nine hundred thirty-five dollars (\$520,935.00) or as much

1 thereof as is necessary to carry out the purpose of this
2 subsection. Unexpended funds appropriated under this
3 subsection shall revert to water development account II on
4 July 1, ~~2021~~2022.

5

6 **99-3-2203. Level III construction projects - new**
7 **development.**

8

9 (a) Authorization is granted for the Level III new
10 development construction projects identified in this section
11 subject to the general conditions specified in W.S. 99-3-103,
12 provided that the general condition related to repair and
13 maintenance sinking funds as described in W.S.
14 99-3-103(a)(iii) shall not apply to these projects.

15

16 (e) Project - Gillette Regional Extensions 2017:

17

18 (vii) Special conditions:

19

20 (B) The sponsor shall authorize water use in
21 Crook County, subject to the following conditions:

22

1 (I) ~~Agree to allow for domestic,~~
2 ~~livestock and miscellaneous water use as provided in this~~
3 ~~subdivision for applicants in Crook County applying for taps~~
4 A total of five (5) municipal use, including stock use, taps
5 will be provided from the existing eight (8) inch ~~transmission~~
6 ~~lines. The eight (8) inch transmission line may be extended~~
7 ~~by Crook County or by water districts in Crook County to allow~~
8 ~~for taps. Not more than two hundred (200) taps shall be~~
9 ~~allowed. Taps shall be installed within one hundred eighty~~
10 ~~(180) days of receipt of a complete application and fees which~~
11 ~~shall not exceed the residential rate for tap fees. Taps shall~~
12 ~~be billed at a rate equal to the local base residential rate~~
13 ~~charged by the regional water system regardless of use or~~
14 ~~location plus the local consumption rate. The maximum~~
15 ~~consumption from any one (1) tap shall not exceed one million~~
16 ~~(1,000,000) gallons per year; and twelve (12) inch diameter~~
17 treated water pipelines located generally in the vicinity of
18 the City of Gillette's Madison Well Field in Crook County on
19 a first come, first served basis;

20

21 (II) ~~Apply for all necessary permits to~~
22 ~~allow for domestic, livestock and miscellaneous use of~~
23 ~~Gillette Madison pipeline water~~ Any additional or existing

1 taps in Crook County- located on the eight (8) and twelve
2 (12) inch diameter treated water pipelines shall be used
3 solely for rural domestic use;

4
5 (III) Existing water service agreements
6 in Crook County shall remain in full force and effect;

7
8 (IV) Any new water service agreement
9 entered into under this subparagraph shall be similar in form
10 to existing individual and wholesale water service agreements
11 previously executed prior to 2018 in Crook and Campbell
12 counties;

13
14 (V) The water rates, connection charges
15 and fees associated with taps provided under this
16 subparagraph shall be identical to similar rates, charges and
17 fees assessed to city of Gillette water customers, in
18 accordance with city ordinances;

19
20 (VI) Any additional or future water
21 districts formed in the immediate vicinity of the City of
22 Gillette's Madison Well Field shall be able to connect to the
23 eight (8) and twelve (12) inch diameter treated water

1 pipelines. The water districts shall be served as a regional,
 2 wholesale water customer. Any new district shall own, operate
 3 and maintain their system downstream of a master meter. The
 4 city shall own the water pipelines and infrastructure from
 5 the eight (8) and twelve (12) inch diameter treated water
 6 pipelines up to and including the master meter within the
 7 control building. The city has no obligation to plan, finance,
 8 develop or construct an additional or future regional
 9 extension project in Crook County; and

10

11 (VII) New water customers from the
 12 existing eight (8) and twelve (12) inch diameter treated water
 13 pipelines shall be limited to forty thousand (40,000) gallons
 14 per month for rural domestic use and eighty thousand (80,000)
 15 gallons per month for municipal use, including stock use,
 16 during the city's high demand months of June, July, August
 17 and September.

18

19 **99-3-2204. Level III construction projects -**
 20 **rehabilitation.**

21

22 (a) Authorization is granted for the Level III
 23 rehabilitation construction projects identified in this

1 section, subject to the general conditions specified in W.S.
2 99-3-104, provided that the general condition related to
3 repair and maintenance sinking funds as described in W.S.
4 99-3-104(a)(iii) shall not apply to these projects.

5

6 **99-3-2205. Level III construction projects - dams and**
7 **reservoirs.**

8

9 (a) Authorization is granted for the Level III dams and
10 reservoirs construction projects identified in this section
11 subject to the general conditions specified in W.S. 99-3-106,
12 provided that the general condition related to repair and
13 maintenance sinking funds as described in W.S.
14 99-3-106(a)(iii) shall not apply to these projects.

15

16 (c) Project - Middle Piney Reservoir:

17

18 (iv) Total project budget: ~~Twelve million one~~
19 ~~hundred sixty eight thousand dollars (\$12,168,000.00)~~
20 Fourteen million two hundred twenty-eight thousand dollars
21 (\$14,228,000.00);

22

1 (v) Appropriation: There is appropriated from
2 water development account III to the commission for project
3 land procurement, construction engineering and construction
4 of the project ~~twelve million one hundred sixty eight~~
5 ~~thousand dollars (\$12,168,000.00)~~ fourteen million two
6 hundred twenty-eight thousand dollars (\$14,228,000.00) or as
7 much thereof as is necessary to carry out the purpose of this
8 subsection. Unexpended funds appropriated under this
9 subsection shall revert to water development account III on
10 July 1, 2022;

11

12 (vi) Special conditions:

13

14 (D) Upon approval by the commission, five
15 hundred thousand dollars (\$500,000.00) from this
16 appropriation shall be deposited in the Middle Piney
17 reservoir account created by W.S. 99-99-1001(a)(x).

18

19 **99-3-2303. Level III construction projects - new**
20 **development.**

21

22 (a) Authorization is granted for the Level III new
23 development construction projects identified in this section

1 subject to the general conditions specified in W.S. 99-3-103,
2 provided that the general condition related to repair and
3 maintenance sinking funds as described in W.S.
4 99-3-103(a)(iii) shall not apply to these projects.

5

6 (b) Project - Gillette Regional Extensions Phase
7 IV-2018:

8

9 (iv) Total project budget: ~~Two million seven~~
10 ~~hundred thousand dollars (\$2,700,000.00)~~ Two million two
11 hundred fifty-seven thousand dollars (\$2,257,000.00);

12

13 (v) Project grant: The state of Wyoming shall
14 grant to the sponsor from water development account I through
15 the commission for the design, permit procurement, project
16 land procurement, construction engineering and construction
17 of the project an amount not to exceed ~~one million eight~~
18 ~~hundred nine thousand dollars (\$1,809,000.00)~~ one million
19 five hundred twelve thousand one hundred ninety dollars
20 (\$1,512,190.00) or sixty-seven percent (67%) of the actual
21 development costs, whichever is less;

22

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission ~~one million~~
3 ~~eight hundred nine thousand dollars (\$1,809,000.00)~~ one
4 million five hundred twelve thousand one hundred ninety
5 dollars (\$1,512,190.00) or as much thereof as is necessary to
6 carry out the purpose of this subsection. Unexpended funds
7 appropriated under this subsection shall revert to water
8 development account I on July 1, 2023;

9

10 (vii) Special conditions:

11

12 (B) The sponsor shall authorize water use in
13 Crook County, subject to the following conditions:

14

15 (I) ~~Agree to allow for domestic,~~
16 ~~livestock and miscellaneous water use as provided in this~~
17 ~~subdivision for applicants in Crook County applying for taps~~
18 A total of five (5) municipal use, including stock use, taps
19 will be provided from the existing eight (8) inch ~~transmission~~
20 ~~lines. The eight (8) inch transmission line may be extended~~
21 ~~by Crook County or by water districts in Crook County to allow~~
22 ~~for taps. Not more than two hundred (200) taps shall be~~
23 ~~allowed. Taps shall be installed within one hundred eighty~~

1 ~~(180) days of receipt of a complete application and fees which~~
2 ~~shall not exceed the residential rate for tap fees. Taps shall~~
3 ~~be billed at a rate equal to the local base residential rate~~
4 ~~charged by the regional water system regardless of use or~~
5 ~~location plus the local consumption rate. The maximum~~
6 ~~consumption from any one (1) tap shall not exceed one million~~
7 ~~(1,000,000) gallons per year; and twelve (12) inch diameter~~
8 ~~treated water pipelines located generally in the vicinity of~~
9 ~~the City of Gillette's Madison Well Field in Crook County on~~
10 ~~a first come, first served basis;~~

11

12 (II) ~~Apply for all necessary permits to~~
13 ~~allow for domestic, livestock and miscellaneous use of~~
14 ~~Gillette Madison pipeline water~~ Any additional or existing
15 taps in Crook County. located on the eight (8) and twelve
16 (12) inch diameter treated water pipelines shall be used
17 solely for rural domestic use;

18

19 (III) Existing water service agreements
20 in Crook County shall remain in full force and effect;

21

22 (IV) Any new water service agreement
23 entered into under this subparagraph shall be similar in form

1 to existing individual and wholesale water service agreements
2 previously executed prior to 2018 in Crook and Campbell
3 counties;

4
5 (V) The water rates, connection charges
6 and fees associated with taps provided under this
7 subparagraph shall be identical to similar rates, charges and
8 fees assessed to city of Gillette water customers, in
9 accordance with city ordinances;

10
11 (VI) Any additional or future water
12 districts formed in the immediate vicinity of the City of
13 Gillette's Madison Well Field shall be able to connect to the
14 eight (8) and twelve (12) inch diameter treated water
15 pipelines. The water districts shall be served as a regional,
16 wholesale water customer. Any new district shall own, operate
17 and maintain their system downstream of a master meter. The
18 city shall own the water pipelines and infrastructure from
19 the eight (8) and twelve (12) inch diameter treated water
20 pipelines up to and including the master meter within the
21 control building. The city has no obligation to plan, finance,
22 develop or construct an additional or future regional
23 extension project in Crook County; and

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22

(VII) New water customers from the existing eight (8) and twelve (12) inch diameter treated water pipelines shall be limited to forty thousand (40,000) gallons per month for rural domestic use and eighty thousand (80,000) gallons per month for municipal use, including stock use, during the city's high demand months of June, July, August and September.

99-3-2304. 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, provided that the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-104(a)(iii) shall not apply to these projects.

99-3-2305. Level III construction projects - dams and reservoirs.

1 (a) Authorization is granted for the Level III dams and
2 reservoirs construction projects identified in this section
3 subject to the general conditions specified in W.S. 99-3-106,
4 provided that the general condition related to repair and
5 maintenance sinking funds as described in W.S.
6 99-3-106(a)(iii) is deleted.

7

8 **99-99-1001. Creation; use of funds; interest.**

9

10 (a) The following accounts are created:

11

12 (x) Middle Piney reservoir account.

13

14 (o) All revenues received by the state from the lease,
15 sale, assignment or transfer of ownership of power or water
16 resulting from the state's interest in the Middle Piney
17 reservoir and dam, and associated facilities as provided in
18 W.S. 99-3-2205(c), shall be deposited in the account created
19 by paragraph (a)(x) of this section. The Wyoming water
20 development commission shall administer the account and use
21 any monies in the account to meet the operation, maintenance
22 and replacement obligations of the state related to the Middle
23 Piney reservoir and dam, and associated facilities.

1

2

[TRANSFER OF FUNDS]

3

4 **Section 3.** Pursuant to W.S. 99-99-1001(c), the Wyoming
5 water development commission has reviewed the Buffalo Bill
6 dam account and determined there to be five million five
7 hundred thousand dollars (\$5,500,000.00) in funds in excess
8 of that amount needed to meet obligations of the Buffalo Bill
9 dam account as specified in W.S. 99-99-1001(e). The Wyoming
10 water commission is hereby authorized to transfer five
11 million five hundred thousand dollars (\$5,500,000.00) from
12 the Buffalo Bill dam account created by W.S.
13 99-99-1001(a)(ii) to water development account II created by
14 W.S. 41-2-124(a)(ii).

15

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

19

20

(END)