



March 17, 2023

The Honorable Secretary of State, Chuck Gray
Secretary of State's Office
Herschler Building East,
122 W. 25th Street, Suites 100
Cheyenne, Wyoming 82002

RE: Line-item veto on SF0096/SEA No. 0097 Omnibus Water Planning and Administration

Dear Secretary Gray,

To begin, I would like to thank the Wyoming Water Development Commission, the Water Development Office (WWDO), the Legislature's Select Water Committee, irrigation districts and project sponsors statewide who put in an immense amount of work to analyze and recommend the water development projects included in this bill. The Omnibus Water Planning and Construction bills have been a consistent example of how to responsibly utilize Wyoming's resources to invest in the state's water infrastructure. This year is no exception.

Included in my State of the State address and supplemental budget recommendations were requests for additional resources to be directed to the Colorado River basin to better position Wyoming amidst the ongoing drought conditions. The Legislature responded solidly with additional positions and appropriations focused on this critical matter. That being said, 83 percent of Wyoming's land area is drained by other river systems. Aging infrastructure and water conservation concerns exist everywhere and have caught the attention of the federal government.

The position included in Section 9 of this bill is specific to coordinating programs to attract federal funding explicitly for Wyoming's portion of the Colorado River basin. This raises a separation of powers issue as the Legislature's purpose can be achieved without directing the WWDO to only concentrate on one area of the state. While the Colorado River basin will be the major priority for this position, other basins face important issues and share some very similar opportunities. I do not want to tie the hands of the WWDO and exclude funding and project opportunities applicable to the rest of the state.

Again, I am grateful for all of the work that goes into the creation of the omnibus water bills. It is a year-long process which takes thousands of man-hours to craft and bring to this point. I am also appreciative of the Legislature's responsiveness and readiness to devote resources to Wyoming's

water development needs and specifically to the Colorado River basin. Water will always be our most valuable resource and we will continue to manage it for our current and future generations.

Sincerely,



Mark Gordon
Governor

MG:rm:kh

cc: The Honorable Albert Sommers, Speaker of the House
The Honorable Ogden Driskill, President of the Senate
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 97, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2023 GENERAL SESSION

[LEVEL II FEASIBILITY STUDIES - DAMS AND
RESERVOIRS]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Clear Creek Storage	Johnson County	\$700,000
Nowood River Storage - Alkali Cr.	Big Horn, Washakie Counties	\$4,000,000 <u>\$4,420,000</u>
Shell Valley Storage - Leavitt Reservoir	Big Horn County	<u>\$4,500,000</u>
Total 2015 appropriation for Section 5		\$9,200,000
Total 2018 appropriation for Section 5		\$0
Total 2021 appropriation for Section 5		\$0
<u>Total 2023 appropriation for Section 5</u>		<u>\$420,000</u>

Section 8. The state auditor shall transfer five hundred thousand dollars (\$500,000.00) from the general fund to water development account I as created by W.S. 41-2-124(a)(i).

Section 9.

(a) The water development office is authorized one (1) full-time employee for an ~~upper Colorado river basin~~ project coordinator. There is appropriated one hundred twenty-five thousand dollars (\$125,000.00) from water development account I as created by W.S. 41-2-124(a)(i) to the water development office for purposes of funding the position created by this section for the period beginning July 1, 2023 and ending June 30, 2024. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2024 shall revert as provided by law. It is the intent of the legislature that this appropriation and this full-time employee be included in the standard budget for the water development office for the immediately succeeding fiscal biennium.