

ENROLLED ACT NO. 75, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2003 GENERAL SESSION

AN ACT relating to water development projects; authorizing specified Level I and Level II studies and providing appropriations; requiring reports; providing for reversion of unexpended funds; authorizing unobligated funds to be used to complete other designated project studies under certain conditions; and providing for an effective date.

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

**Section 1.** 2002 Wyoming Session Laws, Chapter 7, Sections 2 through 5 are amended to read:

[AUTHORIZED LEVEL I AND LEVEL II STUDIES]

**Section 2.** LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT. The following sums of money are appropriated from water development account I to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2004, shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2004 legislative session.

[LEVEL I RECONNAISSANCE STUDIES - NEW  
DEVELOPMENT]

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<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Baggs Master Plan	Carbon County	\$ 40,000
<u>Beulah Water Supply</u>	<u>Crook County</u>	<u>40,000</u>
<u>Cokeville Reservoir</u>	<u>Lincoln County</u>	<u>200,000</u>
Green River Groundwater Recharge And Alternate Storage	Sublette County	50,000
<u>Platte-Goshen Regional Master Plan</u>	<u>Goshen &amp; Platte Counties</u>	<u>150,000</u>
Powder River Water Supply	Natrona County	40,000
South Garden Creek Water Supply	Natrona County	100,000
<del>University of Wyoming</del> <u>Statewide</u> <u>Water</u> Research	Statewide	<u>200,000</u> <u>400,000</u>
Total appropriation for Section 2		<u>\$430,000</u> <u>\$1,020,000</u>

**Section 3.** LEVEL I RECONNAISSANCE STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2004, shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2004 legislative session.

[LEVEL I RECONNAISSANCE STUDIES -  
 REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
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Alta Master Plan	Teton County	\$50,000
Hot Springs State Park, Big Springs Study	Hot Springs County	50,000
<u>Kirby Creek Watershed Plan</u>	<u>Hot Springs County</u>	<u>175,000</u>
<u>Kennington Springs Master Plan</u>	<u>Lincoln County</u>	<u>40,000</u>
<u>North Canal - Grover</u>	<u>Lincoln County</u>	<u>60,000</u>
<u>North Platte River Basin Plan</u>	<u>N. Platte Basin Counties</u>	<u>600,000</u>
<u>Owl Creek Master Plan</u>	<u>Hot Springs County</u>	<u>150,000</u>
Ranchester Master Plan	Sheridan County	75,000
Saratoga Master Plan Update	Carbon County	60,000
Tensleep/Hyattville Master Plan	Washakie/Bighorn Co.	75,000
<del>Wagner-Wagoner</del> /Cherokee Irrigation Master Plan	Carbon County	40,000
York/South Side Ditch Master Plan	Sheridan County	60,000
Total appropriation for Section 3		<u>\$410,000</u>
		<u>\$1,435,000</u>

**Section 4.** LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT. The following sums of money are appropriated from water development account I to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2004, shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2004 legislative session.

[LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Bairoil Master Plan	Sweetwater County	\$40,000

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Big Horn Regional Water Supply	Hot Springs, Washakie, Big Horn Counties	675,000
<u>Bridger Valley Reservoir</u>	<u>Uinta County</u>	<u>125,000</u>
Buffalo Tank	Johnson County	50,000
<u>Canyon/Sunset Newcastle Area Water Supply</u>	<u>Weston County</u>	<u>75,000</u>
Cheyenne Hydropower 1.	Laramie County	60,000
Coal Bed Methane Aquifer Storage Retrieval	Campbell County	510,000
Dayton Groundwater	Sheridan County	460,000
Dubois Regional Water Supply	Fremont County	<del>75,000</del> <u>95,000</u>
Greybull Raw Water	Big Horn County	50,000
Greybull Valley ID Hydropower 1.	Park, Big Horn Counties	60,000
Irrigation Hydropower 1.	Park, Big Horn Counties	50,000
Lander Paleozoic Well	Fremont County	<del>40,000</del> <u>580,000</u>
Little Snake River Dams	Carbon County	<del>80,000</del> <u>130,000</u>
Lovell ID Hydropower 1.	Big Horn County	60,000
North Alpine Water Supply 2.	Lincoln County	60,000
Pinedale Hydropower 1.	Sublette County	40,000
Pine Haven Well	Crook County	575,000
<u>Saratoga Groundwater</u>	<u>Carbon County</u>	<u>180,000</u>
Sheridan Hydropower 1.	Sheridan County	50,000
<u>South Garden Creek</u>	<u>Natrona County</u>	<u>100,000</u>
<u>Ten Sleep Water Supply</u>	<u>Washakie County</u>	<u>80,000</u>
Viva Naughton Enlargement	Lincoln County	300,000
Hold Projects*	Statewide	15,000
Total appropriation for Section 4		<u>\$3,250,000</u> <u>\$4,420,000</u>

1. Hydropower study project sponsors must execute a project agreement with the commission that stipulates that the cost of the study shall be repaid, with interest at a rate of ~~seven and one quarter percent (7.25%)~~ six percent (6%), when power facilities described in the study are constructed. Interest shall accrue when construction is completed and power revenues are earned by the sponsor. If the power facilities are not constructed, the sponsor will not be required to pay for the cost of the study.

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2. The sponsor must first acquire ownership of the existing water system before the study can begin.

\*Hold projects include: Blackwillow, Rock Springs East, Bridger Valley and Hawk Springs Water Supply Projects, Crow Creek Groundwater Recharge, Goshen Reregulating Reservoir, Middle Fork Dam, North Cheyenne and Smith's Fork Dam Projects.

**Section 5.** LEVEL II FEASIBILITY STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not expended prior to July 1, 2004, shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2004 legislative session.

[LEVEL II FEASIBILITY STUDIES - REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Albin Water Supply Rehabilitation	Laramie County	\$160,000
<u>Alta Groundwater Supply 2.</u>	<u>Teton County</u>	<u>166,000</u>
Byron Raw Water Supply	Big Horn County	40,000
Green River Supply Canal	Sublette County	200,000
<u>Guernsey Hydraulic Study</u>	<u>Platte County</u>	<u>40,000</u>
Hidden Valley Pipeline	Fremont County	100,000
Highline Canal	Big Horn County	50,000
Lake DeSmet Master Plan and Reservoir Rehabilitation	Johnson, Sheridan, Campbell Counties	100,000

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Plan 1.		
<u>Midvale Conservation Program</u>	<u>Fremont County</u>	<u>300,000</u>
<u>Lake Hattie Outlet Works</u>	<u>Albany County</u>	<u>60,000</u>
LeClair Laterals	Fremont County	50,000
<u>Ranchester Master Plan 3.</u>	<u>Sheridan County</u>	<u>80,000</u>
Riverton Valley Rehab #II, Phase II	Fremont County	40,000
<u>Wagoner/Cherokee Master Plan 2.</u>	<u>Carbon County</u>	<u>70,000</u>
West Side Canal, Jon's Drop And Four-mile Flume	Carbon County	<u>25,000</u>
Total appropriation for Section 5		<u>\$765,000</u>
		<u>\$1,481,000</u>

1. The project sponsor for the Lake DeSmet Master Plan and Reservoir Rehabilitation Plan shall execute a project agreement with the commission which stipulates that the cost of the study shall be repaid with interest at a rate of seven and one-quarter percent (7.25%). Repayment of the study is only required if the sponsor receives revenue from a multi-year term water sales agreement for purchase of Lake DeSmet water. Interest shall accrue upon execution of a long-term contract. If the sponsor does not enter into a long-term contract, the sponsor shall not be required to pay for the study.

2. The sponsor shall first form a public entity prior to commencement of the study.

3. The following shall apply to the Ranchester Master Plan:

(a) Use of funds for further study of raw water and treatment plant issues will only be authorized if:

(i) It is shown that the well being drilled west of the town of Dayton cannot meet the short-term and long-term needs of both the towns of Dayton and Ranchester;

(ii) It is shown that it is less expensive for Ranchester to be served via the water treatment plant with the improvements recommended in the Level I Study than the well; or

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(iii) After a concerted effort by both of the towns of Dayton and Ranchester, negotiations relating to joint use of the well prove unsuccessful.

(b) Use of funds for further study of emergency power, water distribution and water storage issues will be authorized regardless of the outcome of subsection (a) of this footnote.

**Section 2.** 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 House.

\_\_\_\_\_  
Chief Clerk