

HOUSE BILL NO. HB0093

Omnibus water bill-construction.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; authorizing
2 construction of designated water projects; describing
3 projects; specifying terms and conditions of funding for
4 projects; providing grants; providing appropriations;
5 amending the sponsor's contingency fund; amending amounts
6 and terms of appropriations for specified prior projects;
7 transferring funds from water development account I to
8 water development account II; transferring funds from the
9 general fund to water development account III; clarifying
10 fund limits to the emergency water projects account; and
11 providing for an effective date.

12

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

14

15 **Section 1.** W.S. 99-3-2801 through 99-3-2804 are
16 created to read:

1

2

ARTICLE 28

3

2023 CONSTRUCTION PROJECTS

4

5

99-3-2801. Definitions.

6

7

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

8

9

99-3-2802. General authorization.

10

11

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

12

13

99-3-2803. Level III construction projects - new

14

development.

15

16

(a) Authorization is granted for the Level III new

17

development construction projects identified in this

18

section subject to the general conditions specified in W.S.

19

99-3-103, provided that W.S. 99-3-103(a)(iii) shall not

20

apply to the projects identified in this section unless

21

required by W.S. 41-2-121.

22

23

(b) Project - Cloud Seeding: Medicine Bow and Sierra

24

Madre Mountain Ranges 2024 (aerial):

1

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

3

4 (ii) Project purpose: To enhance the winter
5 snowpack in the Medicine Bow and Sierra Madre Mountain
6 Ranges;

7

8 (iii) Project description: Conduct an aerial
9 operational winter snowpack augmentation program during the
10 2023-2024 season;

11

12 (iv) Total project budget: Eight hundred
13 seventy-five thousand dollars (\$875,000.00);

14

15 (v) Appropriation: There is appropriated from
16 water development account I to the Wyoming water
17 development office eight hundred twenty-five thousand
18 dollars (\$825,000.00) or as much thereof as is necessary to
19 carry out the purpose of this subsection. Unexpended funds
20 appropriated under this subsection shall revert to water
21 development account I on July 1, 2025;

22

23 (vi) Special conditions:

1

2 (A) The Wyoming water development office
3 shall acquire funding commitments from Wyoming water users
4 or other interested parties for operational costs which
5 exceed the project appropriation;

6

7 (B) The Wyoming water development office is
8 authorized to enter into contracts with Colorado
9 organizations to extend aerial weather modification efforts
10 into Colorado provided these organizations pay one hundred
11 percent (100%) of the additional costs associated with
12 operations in Colorado.

13

14 (c) Project - Cloud Seeding: Wind River and Sierra
15 Madre Mountain Ranges 2024 (ground based):

16

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

18

19 (ii) Project purpose: To enhance the winter
20 snowpack in the Wind River Mountain and Sierra Madre
21 Mountain Ranges;

22

1 (iii) Project description: Conduct a
2 ground-based operational winter snowpack augmentation
3 program during the 2023-2024 season;

4

5 (iv) Total project budget: Eight hundred five
6 thousand dollars (\$805,000.00);

7

8 (v) Appropriation: There is appropriated from
9 water development account I to the Wyoming water
10 development office three hundred one thousand dollars
11 (\$301,000.00) 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, 2025;

15

16 (vi) Special conditions:

17

18 (A) The state of Wyoming shall participate
19 in the project described in this subsection at a rate up to
20 thirty-seven percent (37%) of actual project operations
21 costs not to exceed three hundred one thousand dollars
22 (\$301,000.00);

23

1 (B) Prior to commencing project operations,
2 the Wyoming water development office shall acquire funding
3 commitments from other Colorado River basin water users or
4 other interested parties for a minimum of sixty-three
5 percent (63%) of actual project operations costs;

6

7 (C) If the project is cancelled, the
8 Wyoming water development office is authorized to use the
9 appropriated funds to remove weather modification equipment
10 and reclaim project sites.

11

12 (d) Project - Happy Valley Water Transmission and
13 Storage 2023:

14

15 (i) Project sponsor: Happy Valley Water
16 Improvement and Service District;

17

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

20

21 (iii) Project description: Design and
22 pre-construction of water transmission pipelines, storage

1 tanks, structures and appurtenances necessary to make the
2 project function in the manner intended;

3

4 (iv) Total project budget: Four hundred sixty
5 thousand dollars (\$460,000.00);

6

7 (v) Project grant: The state of Wyoming shall
8 grant to the sponsor from water development account I
9 through the commission for the design, permit procurement,
10 project land procurement and pre-construction engineering
11 of the project an amount not to exceed three hundred eight
12 thousand two hundred dollars (\$308,200.00) or sixty-seven
13 percent (67%) of these actual development costs, whichever
14 is less;

15

16 (vi) Appropriation: There is appropriated from
17 water development account I to the commission three hundred
18 eight thousand two hundred dollars (\$308,200.00) or as much
19 thereof as is necessary to carry out the purpose of this
20 subsection. Unexpended funds appropriated under this
21 subsection shall revert to water development account I on
22 July 1, 2028;

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 (e) Project - Sheridan Northeast Transmission Main
6 Extension 2023:

7

8 (i) Project sponsor: City of Sheridan;

9

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

12

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

17

18 (iv) Total project budget: Three hundred
19 eighteen thousand dollars (\$318,000.00);

20

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

1 project land procurement and pre-construction engineering
2 of the project an amount not to exceed two hundred thirteen
3 thousand sixty dollars (\$213,060.00) or sixty-seven percent
4 (67%) of these actual development costs, whichever is less;

5

6 (vi) Appropriation: There is appropriated from
7 water development account I to the commission two hundred
8 thirteen thousand sixty dollars (\$213,060.00) or as much
9 thereof as is necessary to carry out the purpose of this
10 subsection. Unexpended funds appropriated under this
11 subsection shall revert to water development account I on
12 July 1, 2028;

13

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

17

18 (f) Project - South End Water Users ISD Pipeline
19 2023:

20

21 (i) Project sponsor: South End Water Users
22 Improvement and Service District;

23

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

3

4 (iii) Project description: Design and
5 pre-construction of water transmission pipelines,
6 structures and appurtenances necessary to make the project
7 function in the manner intended;

8

9 (iv) Total project budget: Four hundred
10 fifty-nine thousand four hundred three dollars
11 (\$459,403.00);

12

13 (v) Project grant: The state of Wyoming shall
14 grant to the sponsor from water development account I
15 through the commission for the design, permit procurement,
16 project land procurement and pre-construction engineering
17 of the project an amount not to exceed three hundred seven
18 thousand eight hundred dollars (\$307,800.00) or sixty-seven
19 percent (67%) of these actual development costs, whichever
20 is less;

21

22 (vi) Appropriation: There is appropriated from
23 water development account I to the commission three hundred

1 seven thousand eight hundred dollars (\$307,800.00) or as
2 much thereof as is necessary to carry out the purpose of
3 this subsection. Unexpended funds appropriated under this
4 subsection shall revert to water development account I on
5 July 1, 2028;

6

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

10

11 **99-3-2804. Level III construction projects -**
12 **rehabilitation.**

13

14 (a) Authorization is granted for the Level III
15 rehabilitation construction projects identified in this
16 section subject to the general conditions specified in W.S.
17 99-3-104, provided that W.S. 99-3-104(a)(iii) shall not
18 apply to the projects identified in this section unless
19 required by W.S. 41-2-121.

20

21 (b) Project - CAID Lateral 256 Drop Structure 2023:

22

1 (i) Project sponsor: Casper Alcova Irrigation
2 District;

3

4 (ii) Project purpose: Agricultural water supply;

5

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

10

11 (iv) Total project budget: Seven hundred twelve
12 thousand dollars (\$712,000.00);

13

14 (v) Project grant: The state of Wyoming shall
15 grant to the sponsor from water development account II
16 through the commission for the design, permit procurement,
17 project land procurement, construction engineering and
18 construction of the project an amount not to exceed four
19 hundred seventy-seven thousand forty dollars (\$477,040.00)
20 or sixty-seven percent (67%) of these actual development
21 costs, whichever is less;

22

1 (vi) Appropriation: There is appropriated from
2 water development account II to the commission four hundred
3 seventy-seven thousand forty dollars (\$477,040.00) or as
4 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 II on
7 July 1, 2028;

8

9 (vii) Special Conditions:

10

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

14

15 (B) The appropriation of funds for this
16 project is contingent upon the transfer of funds to water
17 development account II as described in section 3 of this
18 act or the transfer of funds from another funding source.

19

20 (c) Project - Enterprise WID Calvert Lateral 2023:

21

1 (i) Project sponsor: Enterprise Watershed
2 Improvement District;

3

4 (ii) Project purpose: Agricultural water supply;

5

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

10

11 (iv) Total project budget: Eight hundred seventy
12 thousand dollars (\$870,000.00);

13

14 (v) Project grant: The state of Wyoming shall
15 grant to the sponsor from water development account II
16 through the commission for the design, permit procurement,
17 project land procurement, construction engineering and
18 construction of the project an amount not to exceed four
19 hundred seventeen thousand six hundred dollars
20 (\$417,600.00) or forty-eight percent (48%) of these actual
21 development costs, whichever is less;

22

1 (vi) Project loan: The state of Wyoming shall
2 loan to the sponsor from water development account II
3 through the commission for the design, permit procurement,
4 project land procurement, construction engineering and
5 construction of the project an amount not to exceed two
6 hundred eight thousand eight hundred dollars (\$208,800.00)
7 or twenty-four percent (24%) of these actual development
8 costs, whichever is less, for a term of fifty (50) years
9 from the date the commission determines that project
10 benefits accrue to the sponsor, at an annual interest rate
11 of four percent (4%);

12

13 (vii) Appropriation: There is appropriated from
14 water development account II to the commission six hundred
15 twenty-six thousand four hundred dollars (\$626,400.00) or
16 as much thereof as is necessary to carry out the purpose of
17 this subsection. Unexpended funds appropriated under this
18 subsection shall revert to water development account II on
19 July 1, 2028;

20

21 (viii) Special Conditions:

22

1 (A) The sponsor is responsible for
2 acquiring twenty-eight percent (28%) of the total project
3 budget from other sources;

4

5 (B) The appropriation of funds for this
6 project is contingent upon the transfer of funds to water
7 development account II as described in section 3 of this
8 act or the transfer of funds from another funding source.

9

10 (d) Project - Goshen ID 56.0 Pipeline Phase I 2023:

11

12 (i) Project sponsor: Goshen Irrigation District;

13

14 (ii) Project purpose: Agricultural water supply;

15

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

20

21 (iv) Total project budget: Two hundred
22 thirty-six thousand three hundred dollars (\$236,300.00);

1

2 (v) Project grant: The state of Wyoming shall
3 grant to the sponsor from water development account II
4 through the commission for the purchase of project
5 materials as supported by vendor invoices and as approved
6 by the commission an amount not to exceed one hundred
7 forty-nine thousand six hundred dollars (\$149,600.00) or
8 one hundred percent (100%) of the approved materials costs,
9 whichever is less;

10

11 (vi) Appropriation: There is appropriated from
12 water development account II to the commission one hundred
13 forty-nine thousand six hundred dollars (\$149,600.00) or as
14 much thereof as is necessary to carry out the purpose of
15 this subsection. Unexpended funds appropriated under this
16 subsection shall revert to water development account II on
17 July 1, 2028;

18

19 (vii) Special conditions:

20

21 (A) The sponsor is responsible for all
22 project costs with the exception of the purchase of project

1 materials as supported by vendor invoices and as approved
2 by the commission;

3

4 (B) The sponsor is responsible for
5 retaining professional engineering services to design the
6 project, compile materials and bidding documents and
7 monitor construction activities including the installation
8 of project components and the tracking of project
9 expenditures;

10

11 (C) The appropriation of funds for this
12 project is contingent upon the transfer of funds to water
13 development account II as described in section 3 of this
14 act or transfer from another funding source.

15

16 (e) Project - Heart Mountain ID Lateral R4S 2023:

17

18 (i) Project sponsor: Heart Mountain Irrigation
19 District;

20

21 (ii) Project purpose: Agricultural water supply;

22

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

5

6 (iv) Total project budget: Four million six
7 hundred fifty-six thousand dollars (\$4,656,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II
11 through the commission for the design, permit procurement,
12 project land procurement, construction engineering and
13 construction of the project an amount not to exceed one
14 million one hundred sixty-four thousand dollars
15 (\$1,164,000.00) or twenty-five percent (25%) of these
16 actual development costs, whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account II to the commission one million
20 one hundred sixty-four thousand dollars (\$1,164,000.00) 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, 2028;

3

4 (vii) Special Conditions:

5

6 (A) The sponsor is responsible for
7 acquiring seventy-five percent (75%) of the total project
8 budget from other sources;

9

10 (B) The appropriation of funds for this
11 project is contingent upon the transfer of funds to water
12 development account II as described in section 3 of this
13 act or the transfer of funds from another funding source.

14

15 (f) Project - Interstate I&R ID Canal Phase III 2023:

16

17 (i) Project sponsor: Interstate Irrigation and
18 Reservoir Irrigation District;

19

20 (ii) Project purpose: Agricultural water supply;

21

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

5

6 (iv) Total project budget: Five million seven
7 hundred thousand dollars (\$5,700,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II
11 through the commission for the design, permit procurement,
12 project land procurement, construction engineering and
13 construction of the project an amount not to exceed three
14 million two hundred twenty-six thousand two hundred dollars
15 (\$3,226,200.00) or fifty-six and six-tenths percent (56.6%)
16 of these actual development costs, whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account II to the commission three
20 million two hundred twenty-six thousand two hundred dollars
21 (\$3,226,200.00) 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 II on July 1, 2028;

3

4 (vii) Special Conditions:

5

6 (A) The sponsor is responsible for
7 acquiring forty-three and four-tenths percent (43.4%) of
8 the total project budget from other sources;

9

10 (B) The appropriation of funds for this
11 project is contingent upon the transfer of funds to water
12 development account II as described in section 3 of this
13 act or the transfer of funds from another funding source.

14

15 (g) Project - Lakeview ID Rock Creek Siphon 2023:

16

17 (i) Project sponsor: Lakeview Irrigation
18 District;

19

20 (ii) Project purpose: Agricultural water supply;

21

1 (iii) Project description: Design and
2 construction of water control structures and appurtenances
3 necessary to make the project function in the manner
4 intended;

5

6 (iv) Total project budget: Two million nine
7 hundred fifty thousand dollars (\$2,950,000.00);

8

9 (v) Project grant: The state of Wyoming shall
10 grant to the sponsor from water development account II
11 through the commission for the design, permit procurement,
12 project land procurement, construction engineering and
13 construction of the project an amount not to exceed one
14 million four hundred seventy-five thousand dollars
15 (\$1,475,000.00) or fifty percent (50%) of these actual
16 development costs, whichever is less;

17

18 (vi) Appropriation: There is appropriated from
19 water development account II to the commission one million
20 four hundred seventy-five thousand dollars (\$1,475,000.00)
21 or as much thereof as is necessary to carry out the purpose
22 of this subsection. Unexpended funds appropriated under

1 this subsection shall revert to water development account
2 II on July 1, 2028;

3

4 (vii) Special Conditions:

5

6 (A) The sponsor is responsible for
7 acquiring fifty percent (50%) of the total project budget
8 from other sources;

9

10 (B) The appropriation of funds for this
11 project is contingent upon the transfer of funds to water
12 development account II as described in section 3 of this
13 act or the transfer of funds from another funding source.

14

15 (h) Project - Midvale ID Wyoming Canal Phase I 2023:

16

17 (i) Project sponsor: Midvale Irrigation
18 District;

19

20 (ii) Project purpose: Agricultural water supply;

21

1 (iii) Project description: Design and
2 construction of canal lining and appurtenances necessary to
3 make the project function in the manner intended;

4

5 (iv) Total project budget: Four million two
6 hundred fifty thousand dollars (\$4,250,000.00);

7

8 (v) Project grant: The state of Wyoming shall
9 grant to the sponsor from water development account II
10 through the commission for the design, permit procurement,
11 project land procurement, construction engineering and
12 construction of the project an amount not to exceed two
13 million two hundred fifty thousand dollars (\$2,250,000.00)
14 or fifty-three percent (53%) of these actual development
15 costs, whichever is less;

16

17 (vi) Appropriation: There is appropriated from
18 water development account II to the commission two million
19 two hundred fifty thousand dollars (\$2,250,000.00) or as
20 much thereof as is necessary to carry out the purpose of
21 this subsection. Unexpended funds appropriated under this

1 subsection shall revert to water development account II on
2 July 1, 2028;

3

4 (vii) Special Conditions:

5

6 (A) The sponsor is responsible for
7 acquiring forty-seven percent (47%) of the total project
8 budget from other sources;

9

10 (B) The appropriation of funds for this
11 project is contingent upon the transfer of funds to water
12 development account II as described in section 3 of this
13 act or the transfer of funds from another funding source.

14

15 [AMENDMENTS TO PRIOR PROJECTS]

16

17 **Section 2.** W.S. 99-3-1106(a)(iv), (vii), (b)(iv),
18 (vii) and (viii), 99-3-1503(g)(iii) and (vi),
19 99-3-1903(k)(iv) through (vi), 99-3-2003(b)(iv) through
20 (vii), 99-3-2203(b)(vi) and (e)(vi), 99-3-2205(e)(iv)
21 through (vii), 99-3-2303(b)(vi) and (e)(vi),
22 99-3-2304(j)(vi), 99-3-2404(e)(vi) and (f)(iv) through

1 (vi), 99-3-2406(o)(iv) through (vi), 99-3-2503(g)(vi),
 2 99-3-2504(c)(iv) through (vii), by creating a new paragraph
 3 (viii), (m)(iv) through (vi) and (vii) by creating a new
 4 subparagraph (C), 99-3-2603(f)(vi), 99-3-2604(d)(iv)
 5 through (vi) and 99-3-2704(e)(vii) and (g)(iv) through (vi)
 6 are amended to read:

7

8 **99-3-1106. Sponsor's Contingency Funds.**

9

10 (a) Project - Sponsor's Contingency Fund - New
 11 Development:

12

13 (iv) Total project budget: ~~Three million dollars~~
 14 ~~(\$3,000,000.00)~~ Seven million dollars (\$7,000,000.00);

15

16 (vii) Appropriation: There is appropriated from
 17 water development account I to the commission ~~three million~~
 18 ~~dollars (\$3,000,000.00)~~ seven million dollars
 19 (\$7,000,000.00) 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, ~~2025-2027~~; and

23

1 (b) Project - Sponsor's Contingency

2 Fund-Rehabilitation:

3

4 (iv) Total project budget: ~~Four million five~~
5 ~~hundred thousand dollars (\$4,500,000.00)~~ Five million seven
6 hundred thousand dollars (\$5,700,000.00);

7

8 (vii) Appropriation: There is appropriated from
9 water development account II to the commission ~~four million~~
10 ~~five hundred thousand dollars (\$4,500,000.00)~~ five million
11 seven hundred thousand dollars (\$5,700,000.00) or as much
12 thereof as is necessary to carry out the purpose of this
13 subsection. Unexpended funds appropriated under this
14 subsection shall revert to water development account II on
15 July 1, ~~2026~~ 2027; and

16

17 (viii) Special condition:

18

19 (A) The commission is authorized to
20 consider and approve supplemental funding to complete
21 existing water development program Level III construction
22 projects any time during the calendar year.

23

1 (B) The appropriation of additional funds
2 for this project in the amount of one million two hundred
3 thousand dollars (\$1,200,000.00) is contingent upon the
4 transfer of funds to water development account II as
5 described in section 3 of this act or the transfer of funds
6 from another funding source.

7
8 **99-3-1503. Level III construction projects - new**
9 **development.**

10
11 (g) Project - Ethete Water Supply:

12
13 (iii) Project description: Design and
14 construction of a well field, ~~transmission pipeline,~~ pump
15 stations, storage tank improvements and appurtenances
16 necessary to make the project function in the manner
17 intended;

18
19 (vi) Appropriation: There is appropriated from
20 water development account I to the commission two million
21 dollars (\$2,000,000.00) or as much thereof as is necessary
22 to carry out the purpose of this subsection. Unexpended

1 funds appropriated under this subsection shall revert to
2 water development account I on July 1, ~~2023-2025~~;

3

4 **99-3-1903. Level III construction projects - new**
5 **development.**

6

7 (k) Project - Small Water Development Projects -
8 2014:

9

10 (iv) Total project budget: ~~Fifteen million three~~
11 ~~hundred twenty-six thousand dollars (\$15,326,000.00)~~
12 Seventeen million three hundred twenty-six thousand dollars
13 (\$17,326,000.00);

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 ~~seven million six~~
20 ~~hundred sixty-three thousand dollars (\$7,663,000.00)~~ eight
21 million six hundred sixty-three thousand dollars
22 (\$8,663,000.00) or fifty percent (50%) of the actual
23 development costs, whichever is less;

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(vi) Appropriation: There is appropriated from water development account I to the commission ~~seven million six hundred sixty three thousand dollars (\$7,663,000.00)~~ eight million six hundred sixty-three thousand dollars (\$8,663,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. The funds appropriated shall not lapse at the end of any fiscal period but shall carry over until expended or reverted by the legislature to water development account I;

99-3-2003. Level III construction projects - new development.

(b) Project - Arapahoe Pipeline and Tank:

(iv) Total project budget: ~~Two million eight hundred seventy six thousand dollars (\$2,876,000.00)~~ Five million five hundred thousand dollars (\$5,500,000.00);

(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,

1 project land procurement, construction engineering and
2 construction of the project an amount not to exceed ~~one~~
3 ~~million nine hundred twenty six thousand nine hundred~~
4 ~~twenty dollars (\$1,926,920.00)~~ two million four hundred
5 twenty thousand dollars (\$2,420,000.00) or ~~sixty seven~~
6 ~~percent (67%)~~ forty-four percent (44%) of the actual
7 development costs, whichever is less;

8
9 (vi) Appropriation: There is appropriated from
10 water development account I to the commission ~~one million~~
11 ~~nine hundred twenty six thousand nine hundred twenty~~
12 ~~dollars (\$1,926,920.00)~~ two million four hundred twenty
13 thousand dollars (\$2,420,000.00) or as much thereof as is
14 necessary to carry out the purpose of this subsection.
15 Unexpended funds appropriated under this subsection shall
16 revert to water development account I on July 1, ~~2023-2025~~;

17
18 (vii) Special conditions: The sponsor is
19 responsible for acquiring ~~thirty three percent (33%)~~
20 fifty-six percent (56%) of the total project budget from
21 other sources.

22

1 **99-3-2203. Level III construction projects - new**
2 **development.**

3
4 (b) Project - Broken Wheel Ranch Water Supply 2017:

5
6 (vi) Appropriation: There is appropriated from
7 water development account I to the commission six hundred
8 thirteen thousand fifty dollars (\$613,050.00) or as much
9 thereof as is necessary to carry out the purpose of this
10 subsection. Unexpended funds appropriated under this
11 subsection shall revert to water development account I on
12 July 1, ~~2023~~2025;

13
14 (e) Project - Gillette Regional Extensions 2017:

15
16 (vi) Appropriation: There is appropriated from
17 water development account I to the commission two million
18 seven hundred fifty-three thousand seven hundred dollars
19 (\$2,753,700.00) 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~~2025;

23

1 **99-3-2205. Level III construction projects - dams and**
2 **reservoirs.**

3
4 (e) Project - Leavitt Reservoir Expansion:

5
6 (iv) Total project budget: ~~Forty six million~~
7 ~~dollars (\$46,000,000.00)~~ Seventy-eight million dollars
8 (\$78,000,000.00);

9
10 (v) Project Grant: The state of Wyoming shall
11 grant to the sponsor from water development account III
12 through the commission for project land procurement,
13 construction engineering and construction of the project an
14 amount not to exceed ~~forty four million three hundred~~
15 ~~nineteen thousand dollars (\$44,319,000.00)~~ seventy-six
16 million two hundred eighty-four thousand dollars
17 (\$76,284,000.00) or ~~ninety six and three tenths percent~~
18 ~~(96.3%)~~ ninety-seven and eight-tenths percent (97.8%) of
19 the actual development costs, whichever is less;

20
21 (vi) Project loan: The state of Wyoming shall
22 loan to the sponsor from water development account III
23 through the commission for project land procurement,

1 construction engineering and construction of the project an
2 amount not to exceed ~~one million six hundred eighty one~~
3 ~~thousand dollars (\$1,681,000.00)~~ one million seven hundred
4 sixteen thousand dollars (\$1,716,000.00) or ~~three and seven~~
5 ~~tenths percent (3.7%)~~ two and two-tenths percent (2.2%) of
6 actual development costs, whichever is less, for a term of
7 fifty (50) years from the date the commission determines
8 that project benefits accrue to the sponsor, at an annual
9 interest rate of four percent (4%);

10
11 (vii) Appropriation and authorization: There is
12 appropriated from water development account III to the
13 commission forty-six million dollars (\$46,000,000.00) or as
14 much thereof as is necessary to carry out the purpose of
15 this subsection. Unexpended funds appropriated under this
16 subsection shall revert to water development account III on
17 July 1, ~~2025-2027~~. There is authorized for expenditure by
18 the commission from the sponsor's contingency fund -
19 account III, created by W.S. 99-3-2505(a), thirty-two
20 million dollars (\$32,000,000.00) to carry out the purpose
21 of this subsection.

22

1 **99-3-2303. Level III construction projects - new**
2 **development.**

3

4 (b) Project - Gillette Regional Extensions Phase
5 IV-2018:

6

7 (vi) Appropriation: There is appropriated from
8 water development account I to the commission one million
9 five hundred twelve thousand one hundred ninety dollars
10 (\$1,512,190.00) or as much thereof as is necessary to carry
11 out the purpose of this subsection. Unexpended funds
12 appropriated under this subsection shall revert to water
13 development account I on July 1, ~~2023~~2025;

14

15 (e) Project - Melody Ranch Water System Improvements
16 2018:

17

18 (vi) Appropriation: There is appropriated from
19 water development account I to the commission nine hundred
20 forty-four thousand seven hundred dollars (\$944,700.00) 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 I on
2 July 1, ~~2023~~2026;

3

4 **99-3-2304. Level III construction projects -**
5 **rehabilitation.**

6

7 (j) Project - Riverton Valley Irrigation District
8 Rehabilitation 2018:

9

10 (vi) Appropriation: There is appropriated from
11 water development account II to the commission five hundred
12 forty-two thousand five hundred dollars (\$542,500.00) or as
13 much thereof as is necessary to carry out the purpose of
14 this subsection. Unexpended funds appropriated under this
15 subsection shall revert to water development account II on
16 July 1, ~~2023~~2025;

17

18 **99-3-2404. Level III construction projects - new**
19 **development.**

20

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

22

1 (vi) Appropriation: There is appropriated from
2 water development account I to the commission seven million
3 four hundred ninety-seven thousand three hundred dollars
4 (\$7,497,300.00) or as much thereof as is necessary to carry
5 out the purpose of this subsection. Unexpended funds
6 appropriated under this subsection shall revert to water
7 development account I on July 1, ~~2024-2026~~;

8

9 (f) Project - Lander Storage Tanks and Pump Station
10 2019:

11

12 (iv) Total project budget: ~~Five million four~~
13 ~~hundred fifty thousand dollars (\$5,450,000.00)~~ Ten million
14 four hundred ninety thousand dollars (\$10,490,000.00);

15

16 (v) Project grant: The state of Wyoming shall
17 grant to the sponsor from water development account I
18 through the commission for the design, permit procurement,
19 project land procurement, construction engineering and
20 construction of the project an amount not to exceed ~~three~~
21 ~~million six hundred fifty-one thousand five hundred dollars~~
22 ~~(\$3,651,500.00)~~ seven million twenty-eight thousand three

1 hundred dollars (\$7,028,300.00) or sixty-seven percent
2 (67%) of the actual development costs, whichever is less;

3
4 (vi) Appropriation: There is appropriated from
5 water development account I to the commission ~~three million~~
6 ~~six hundred fifty one thousand five hundred dollars~~
7 ~~(\$3,651,500.00)~~ seven million twenty-eight thousand three
8 hundred dollars (\$7,028,300.00) or as much thereof as is
9 necessary to carry out the purpose of this subsection.
10 Unexpended funds appropriated under this subsection shall
11 revert to water development account I on July 1, 2024;

12
13 **99-3-2406. Level III construction projects -**
14 **rehabilitation.**

15
16 (o) Project - Shoshone Irrigation District
17 Rehabilitation 2019:

18
19 (iv) Total project budget: ~~Four hundred~~
20 ~~seventy two thousand dollars (\$472,000.00)~~ Five hundred
21 ninety-seven thousand dollars (\$597,000.000);

22

1 (v) Project grant: The state of Wyoming shall
2 grant to the sponsor from water development account II
3 through the commission for the purchase of project
4 materials as supported by vendor invoices and as approved
5 by the commission an amount not to exceed ~~one hundred~~
6 ~~eighty-one thousand dollars (\$181,000.00)~~ two hundred
7 eighty-two thousand dollars (\$282,000.00) or one hundred
8 percent (100%) of the approved materials costs, whichever
9 is less;

10

11 (vi) Appropriation: There is appropriated from
12 water development account II to the commission ~~one hundred~~
13 ~~eighty-one thousand dollars (\$181,000.00)~~ two hundred
14 eighty-two thousand dollars (\$282,000.00) or as much
15 thereof as is necessary to carry out the purpose of this
16 subsection. Unexpended funds appropriated under this
17 subsection shall revert to water development account II on
18 July 1, 2024;

19

20 **99-3-2503. Level III construction projects - new**
21 **development.**

22

23 (g) Project - Glenrock Transmission Pipeline 2020:

1

2 (vi) Appropriation: There is appropriated from
3 water development account I to the commission nine hundred
4 fifty-eight thousand one hundred dollars (\$958,100.00) or
5 as much thereof as is necessary to carry out the purpose of
6 this subsection. Unexpended funds appropriated under this
7 subsection shall revert to water development account I on
8 July 1, ~~2025-2027~~;

9

10 **99-3-2504. Level III Construction Projects -**
11 **rehabilitation.**

12

13 (c) Project - Cottonwood Irrigation District
14 Transmission Pipeline 2020:

15

16 (iv) Total project budget: ~~One million five~~
17 ~~hundred forty thousand dollars (\$1,540,000.00)~~ Three
18 million one hundred eleven thousand dollars
19 (\$3,111,000.00);

20

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

1 project land procurement, construction engineering and
2 construction of the project an amount not to exceed ~~one~~
3 ~~million thirty one thousand eight hundred dollars~~
4 ~~(\$1,031,800.00)~~ one million seven hundred eleven thousand
5 fifty dollars (\$1,711,050.00) or ~~sixty-seven percent (67%)~~
6 fifty-five percent (55%) of the actual development costs,
7 whichever is less;

8
9 (vi) Project loan: The state of Wyoming shall
10 loan to the sponsor from water development account II
11 through the commission for the design, permit procurement,
12 project land procurement, construction engineering and
13 construction of the project an amount not to exceed ~~five~~
14 ~~hundred eight thousand two hundred dollars (\$508,200.00)~~
15 eight hundred eight thousand eight hundred sixty dollars
16 (\$808,860.00) or ~~thirty-three percent (33%)~~ twenty-six
17 percent (26%) of the actual development costs, whichever is
18 less, for a term of forty (40) years from the date the
19 commission determines that project benefits accrue to the
20 sponsor, at an annual interest rate of four percent (4%);

21
22 (vii) Appropriation: There is appropriated from
23 water development account II to the commission ~~one million~~

1 ~~five hundred forty thousand dollars (\$1,540,000.00)~~ two
2 million five hundred nineteen thousand nine hundred ten
3 dollars (\$2,519,910.00) or as much thereof as is necessary
4 to carry out the purpose of this subsection. Unexpended
5 funds appropriated under this subsection shall revert to
6 water development account II on July 1, 2025.

7

8 (viii) Special conditions: The sponsor is
9 responsible for acquiring nineteen percent (19%) of the
10 total project budget from other sources.

11

12 (m) Project - Sidon Irrigation District Sidon Canal
13 2020:

14

15 (iv) Total project budget: ~~One million seven~~
16 ~~hundred fifty three thousand eight hundred fifty seven~~
17 ~~dollars (\$1,753,857.00)~~ Two million five hundred fifty-four
18 thousand dollars (\$2,554,000.00);

19

20 (v) Project grant: The state of Wyoming shall
21 grant to the sponsor from water development account II
22 through the commission for the purchase of project
23 materials as supported by vendor invoices and as approved

1 by the commission an amount not to exceed ~~one million sixty~~
2 ~~thousand dollars (\$1,060,000.00)~~ one million seven hundred
3 eleven thousand dollars (\$1,711,000.00) or one hundred
4 percent (100%) of the approved materials costs, whichever
5 is less;

6
7 (vi) Appropriation: There is appropriated from
8 water development account II to the commission ~~one million~~
9 ~~sixty thousand dollars (\$1,060,000.00)~~ one million seven
10 hundred eleven thousand dollars (\$1,711,000.00) or as much
11 thereof as is necessary to carry out the purpose of this
12 subsection. Unexpended funds appropriated under this
13 subsection shall revert to water development account II on
14 July 1, 2025;

15
16 (vii) Special conditions:

17
18 (C) The appropriation of additional funds
19 for this project in the amount of six hundred fifty-one
20 thousand dollars (\$651,000.00) is contingent upon the
21 transfer of funds to water development account II as
22 described in section 3 of this act or the transfer of funds
23 from another funding source.

1

2 **99-3-2603. Level III construction projects - new**
3 **development.**

4

5 (f) Project - Torrington Well Connection 2021:

6

7 (vi) Appropriation: There is appropriated from
8 water development account I to the commission three hundred
9 eighty-nine thousand two hundred seventy dollars
10 (\$389,270.00) or as much thereof as is necessary to carry
11 out the purpose of this subsection. Unexpended funds
12 appropriated under this subsection shall revert to water
13 development account I on July 1, ~~2026~~2027;

14

15 **99-3-2604. Level III construction projects -**
16 **rehabilitation.**

17

18 (d) Project - Shoshone Irrigation District
19 Improvements 2021:

20

21 (iv) Total project budget: ~~Four hundred~~
22 ~~seventy seven thousand five hundred dollars (\$477,500.00)~~
23 Five hundred eighty-five thousand dollars (\$585,000.00);

1

2 (v) Project grant: The state of Wyoming shall
3 grant to the sponsor from water development account II
4 through the commission for the purchase of project
5 materials as supported by vendor invoices and as approved
6 by the commission an amount not to exceed ~~two hundred forty~~
7 ~~thousand dollars (\$240,000.00)~~ three hundred twenty-nine
8 thousand dollars (\$329,000.00) or one hundred percent
9 (100%) of the approved materials costs, whichever is less;

10

11 (vi) Appropriation: There is appropriated from
12 water development account II to the commission ~~two hundred~~
13 ~~forty thousand dollars (\$240,000.00)~~ three hundred
14 twenty-nine thousand dollars (\$329,000.00) or as much
15 thereof as is necessary to carry out the purpose of this
16 subsection. Unexpended funds appropriated under this
17 subsection shall revert to water development account II on
18 July 1, 2026;

19

20 **99-3-2704. Level III construction projects -**
21 **rehabilitation.**

22

1 (e) Project - Dry Creek Irrigation District Pipeline
2 Replacement 2022:

3

4 (vii) Appropriation: There is appropriated from
5 water development account II to the commission one million
6 eight hundred fifty thousand dollars (\$1,850,000.00) or as
7 much thereof as is necessary to carry out the purpose of
8 this subsection. Unexpended and unobligated funds
9 appropriated under this subsection shall revert to water
10 development account II on July 1, ~~2027~~2028;

11

12 (g) Project - Goshen ID Tunnel Rehabilitation 2022:

13

14 (iv) Total project budget: ~~Two million three~~
15 ~~hundred fifty thousand dollars (\$2,350,000.00)~~ Four million
16 seven hundred ninety-five thousand nine hundred twenty
17 dollars (\$4,795,920.00). The sponsor's project budget is
18 ~~one million one hundred fifty one thousand five hundred~~
19 ~~dollars (\$1,151,500.00)~~ two million three hundred fifty
20 thousand dollars (\$2,350,000.00) or forty-nine percent
21 (49%) of the total project budget, whichever is less;

22

1 (v) Project grant: The state of Wyoming shall
2 grant to the sponsor from water development account II
3 through the commission for the engineering analysis,
4 design, permit procurement, project land procurement, and
5 pre-construction engineering of the project an amount not
6 to exceed ~~seven hundred seventy one thousand five hundred~~
7 ~~five dollars (\$771,505.00)~~ one million five hundred
8 seventy-four thousand five hundred dollars (\$1,574,500.00)
9 or sixty-seven percent (67%) of these actual development
10 costs within the sponsor's project budget, whichever is
11 less;

12
13 (vi) Project loan: The state of Wyoming shall
14 loan to the sponsor from water development account II
15 through the commission for the engineering analysis,
16 design, permit procurement, project land procurement and
17 pre-construction engineering of the project an amount not
18 to exceed ~~three hundred seventy nine thousand nine hundred~~
19 ~~ninety five dollars (\$379,995.00)~~ seven hundred
20 seventy-five thousand five hundred dollars (\$775,500.00) or
21 thirty-three percent (33%) of these actual development
22 costs within the sponsor's project budget, whichever is
23 less, for a term of twenty (20) years from the date the

1 commission determines that project benefits accrue to the
2 sponsor or the commission determines the project is not
3 likely to proceed to construction, at an annual interest
4 rate of four percent (4%);

5

6 [Transfer of Funds]

7

8 **Section 3.** The Wyoming water development commission
9 is hereby authorized to transfer eleven million two hundred
10 thousand dollars (\$11,200,000.00) from water development
11 account I created by W.S. 41-2-124(a)(i) to water
12 development account II created by W.S. 41-2-124(a)(ii).

13

14 **Section 4.** There is appropriated fifty million
15 dollars (\$50,000,000.00) from the general fund to water
16 development account III, created by W.S. 41-2-124(a)(iii).

17

18 **Section 5.** W.S. 41-2-124(h) is amended to read:

19

20 **41-2-124. Accounts created; unexpended balance.**

21

22 (h) The commission shall adopt rules providing for
23 eligibility determination, procedures and criteria for the

1 application and award of funds from the emergency water
2 projects account. The total amount awarded under this
3 subsection for each emergency project shall not exceed
4 three million dollars (\$3,000,000.00) per fiscal biennium.
5 The maximum grant amount awarded for each emergency project
6 shall not exceed seventy-five percent (75%) of the total
7 emergency project costs, the remaining twenty-five percent
8 (25%) may be funded by the commission in the form of a
9 loan. The term of a loan shall not exceed fifty (50) years
10 and interest shall provide a reasonable return and shall
11 not be less than four percent (4%). The commission shall
12 include the total amount of all emergency water project
13 grant or loan funds provided under this subsection and
14 subtract that total from the maximum allowable grant under
15 W.S. 41-2-121(a)(ii)(E)(I) for a subsequent water
16 development project involving the same entity and project
17 components. All emergency water projects account funds
18 awarded under this subsection shall be approved by the
19 state loan and investment board after review and
20 recommendation by the water development commission prior to
21 the release of funds.

22

1 **Section 6.** 2022 Wyoming Session Laws, Chapter 74,
2 Section 1(a)(i) through (iii) is amended to read:

3

4 **Section 1.**

5

6 (a) The following sums of money are
7 appropriated from the legislative stabilization
8 reserve account to the following accounts for the
9 purposes specified. The governor is authorized to
10 direct up to:

11

12 (i) Twenty-five million dollars
13 (\$25,000,000.00) to water development account I
14 created by W.S. 41-2-124(a)(i) for the purpose of
15 acquiring water storage capacity in Fontenelle
16 reservoir. The Wyoming water development office
17 is hereby authorized to negotiate a purchase
18 agreement with the bureau of reclamation to
19 acquire water storage capacity in Fontenelle
20 reservoir. No funds shall be expended from this
21 appropriation until the negotiated purchase
22 agreement is approved by the Wyoming water
23 development commission and the governor and the

1 ~~legislature~~ state loan and investment board
2 authorizes the purchase of water storage capacity
3 as a water development program construction
4 project;

5
6 (ii) Twenty-one million eight hundred
7 ten thousand dollars (\$21,810,000.00) to water
8 development account II created by W.S.
9 41-2-124(a)(ii) for the Goshen irrigation
10 district tunnels 1 and 2 rehabilitation water
11 development project. No funds shall be expended
12 from this appropriation until the ~~legislature~~
13 state loan and investment board authorizes the
14 project as a water development program
15 construction project;

16
17 (iii) Thirty million dollars
18 (\$30,000,000.00) to water development account II
19 created by W.S. 41-2-124(a)(ii) for the purpose
20 of the LaPrele dam rehabilitation water
21 development project. No funds shall be expended
22 from this appropriation until the ~~legislature~~
23 state loan and investment board authorizes the

1 project as a water development program
2 construction project.

3

4 **Section 7.** W.S. 99-3-2604(d)(vii)(C) and
5 99-3-2704(e)(viii), (g)(vii) and (ix) are repealed.

6

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

11

12

(END)