

This document summarizes the Governor's vetoes exercised on 2024 Senate File 0075. Due to insertion of veto explanations, pagination in this document will not match the original enrolled act. See the Governor's veto message for vetoes on the original act.

ORIGINAL SENATE
FILE NO. SF0075

ENGROSSED

ENROLLED ACT NO. 71, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
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AN ACT relating to water development projects; authorizing construction of designated water projects; describing projects; specifying terms and conditions of funding for projects; providing grants; providing appropriations; amending the sponsor's contingency fund; amending amounts and terms of appropriations for specified prior projects; repealing the sunset for the small water projects program; transferring funds from water development account I to water development account II; transferring funds from the general fund to water development accounts I and II; and providing for an effective date.

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

Section 1. W.S. 99-3-2901 through 99-3-2904 are created to read:

ARTICLE 29
2024 CONSTRUCTION PROJECTS

99-3-2901. Definitions.

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

99-3-2902. General authorization.

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

99-3-2903. Level III construction projects - new development.

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(a) Authorization is granted for the Level III new development construction projects identified in this section subject to the general conditions specified in W.S. 99-3-103, provided that W.S. 99-3-103(a)(iii) shall not apply to the projects identified in this section unless required by W.S. 41-2-121.

(b) Project - Big Horn Regional JPB Lucerne Tank and Pump Station 2024:

(i) Project sponsor: Big Horn Regional Joint Powers Board;

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

(iii) Project description: Design and construction of water transmission pipelines, storage tanks, pump stations, structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million six hundred six thousand dollars (\$3,606,000.00);

(v) Project grants:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement and pre-construction engineering of the project an amount not to exceed one hundred forty-three thousand three hundred dollars (\$143,300.00) or fifty percent (50%) of these actual development costs, whichever is less;

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(B) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the construction engineering and construction of the project an amount not to exceed one million six hundred fifty-nine thousand seven hundred dollars (\$1,659,700.00) or fifty percent (50%) of these actual development costs, whichever is less.

(vi) Appropriations:

(A) There is appropriated from water development account I to the commission one hundred forty-three thousand three hundred dollars (\$143,300.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v)(A) of this subsection. Unexpended funds appropriated under this subparagraph shall revert to water development account I on July 1, 2029;

(B) There is appropriated from water development account I to the commission one million six hundred fifty-nine thousand seven hundred dollars (\$1,659,700.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v)(B) of this subsection. Unexpended funds appropriated under this subparagraph shall revert to the general fund on July 1, 2029.

(vii) Special conditions:

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

(B) The appropriation of funds for this project under subparagraph (vi)(B) of this subsection is contingent upon the transfer of funds to water development

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account I as described in section 5 of this act or a transfer from another funding source.

(c) Project - Cloud Seeding: Wind River and Sierra Madre mountain ranges 2025 (ground-based):

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain and Sierra Madre mountain ranges;

(iii) Project description: Conduct a ground-based operational winter snowpack augmentation program during the 2024-2025 season;

(iv) Total project budget: Seven hundred ninety-eight thousand six hundred fifty-one dollars (\$798,651.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office two hundred ninety-eight thousand six hundred fifty-one dollars (\$298,651.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2026;

(vi) Special conditions:

(A) The state of Wyoming shall participate at a rate up to thirty-seven percent (37%) of actual project operational costs not to exceed two hundred

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ninety-eight thousand six hundred fifty-one dollars
(\$298,651.00);

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

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

(d) Project - Skyline ISD Well Connection 2024:

(i) Project sponsor: Skyline Improvement & Service District;

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

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

(iv) Total project budget: Eight hundred ninety-six thousand dollars (\$896,000.00);

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

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construction of the project an amount not to exceed four hundred forty-eight thousand dollars (\$448,000.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred forty-eight thousand dollars (\$448,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2029;

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

(e) Project - Cloud Seeding: Medicine Bow and Sierra Madre mountain ranges 2025 (aerial):

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Medicine Bow and Sierra Madre mountain ranges;

(iii) Project description: Conduct an aerial operational winter snowpack augmentation program during the 2024-2025 season;

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

(v) Appropriation: There is appropriated from water development account I to the Wyoming water

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development office eight hundred twenty-five thousand dollars (\$825,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2026;

(vi) Special conditions:

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

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

(f) Project - Redundancy of water delivery systems:

(i) Project sponsor: Wyoming water development commission;

(ii) Project purpose: Statewide municipal and rural domestic water supply;

(iii) Project description: Adding redundancy of domestic water delivery systems statewide;

(iv) Total project budget: six million dollars (\$6,000,000.00);

(v) Appropriations:

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(A) There is appropriated from water development accounts I, II and III from monies previously obligated for projects that may be recaptured with current unobligated American Rescue Plan Act funds to the commission six million dollars (\$6,000,000.00) or as much thereof as is necessary to carry out the statewide adding of redundancy of water delivery systems ~~**[as specified in paragraph (e)(iii) of this subsection]**~~. Unexpended funds appropriated under this subparagraph shall revert to water development accounts I, II and III on July 1, 2029. **[BRACKETED LANGUAGE SHOWN IN BOLD AND AS STRICKEN WAS VETOED BY GOVERNOR MARCH 20, 2024.]**

99-3-2904. 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 W.S. 99-3-104(a)(iii) shall not apply to the projects identified in this section unless required by W.S. 41-2-121.

(b) Project - Bridger Valley JPB Tank Replacement 2024:

(i) Project sponsor: Bridger Valley Joint Powers Board;

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

(iii) Project description: Design and construction of a water storage tank, structures and

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

(iv) Total project budget: One million four hundred fifty-seven thousand dollars (\$1,457,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred twenty-eight thousand five hundred dollars (\$728,500.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred twenty-eight thousand five hundred dollars (\$728,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2029;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

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(c) Project - Dayton Water System Rehabilitation
2024:

(i) Project sponsor: Town of Dayton;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a diversion structure, pumping facilities, pipelines, structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred thousand dollars (\$400,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two hundred thousand dollars (\$200,000.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred thousand dollars (\$200,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2029;

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

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(d) Project - Deaver ID Laterals 2024:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Three hundred thirty-two thousand dollars (\$332,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and as approved by the commission an amount not to exceed one hundred seventy-two thousand dollars (\$172,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred seventy-two thousand dollars (\$172,000.00) 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, 2029;

(vii) Special conditions:

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(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and as approved by the commission, up to the amount appropriated in this subsection;

(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.

(e) Project - Dry Creek ID Phase V 2024:

(i) Project sponsor: Dry Creek Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: One million five hundred fifty-four thousand dollars (\$1,554,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred seventy-seven thousand dollars (\$777,000.00) or

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fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred seventy-seven thousand dollars (\$777,000.00) 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, 2029;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

(f) Project - Goshen Irrigation District Tunnels 1 and 2 Rehabilitation:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Construction engineering and construction of tunnels, structures and appurtenances necessary to make the project function in the manner intended;

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(iv) Total project budget: Eighty-four million dollars (\$84,000,000.00). The sponsor's project budget is twenty-one million eight hundred ten thousand dollars (\$21,810,000.00) or forty-nine percent (49%) of the total project budget, whichever is less;

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the construction engineering and construction of the project an amount not to exceed twenty-one million eight hundred ten thousand dollars (\$21,810,000.00) or one hundred percent (100%) of these actual development costs within the sponsor's project budget, whichever is less;

(vi) Appropriation: 2022 Wyoming Session Laws, Chapter 74, Section 1(a)(ii), as amended, appropriated twenty-one million eight hundred ten thousand dollars (\$21,810,000.00) to the commission to carry out the purpose of this subsection.

(g) Project - Hanover ID Bighorn River Flume Replacement 2024:

(i) Project sponsor: Hanover Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

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(iv) Total project budget: Three million dollars (\$3,000,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred thousand dollars (\$1,500,000.00) 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, 2029;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

(h) Project - Kirby Ditch ID Pipeline Phase II 2024:

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(i) Project sponsor: Kirby Ditch Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Three million seven hundred sixty-five thousand dollars (\$3,765,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million eight hundred eighty-two thousand five hundred dollars (\$1,882,500.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million eight hundred eighty-two thousand five hundred dollars (\$1,882,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2029;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

(j) Project - LaPrele Dam Rehabilitation:

(i) Project sponsor: LaPrele Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of a new dam on LaPrele Creek, dam decommissioning, structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred eighteen million dollars (\$118,000,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design and construction of the project an amount not to exceed thirty million dollars (\$30,000,000.00) or one hundred percent (100%) of these actual development costs, whichever is less;

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(vi) Appropriation: 2022 Wyoming Session Laws, Chapter 74, Section 1(a)(iii), as amended, appropriated thirty million dollars (\$30,000,000.00) to the commission to carry out the purpose of this subsection.

(k) Project - Laramie Dowlin Diversion Rehabilitation 2024:

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Two million two hundred seventy-five thousand dollars (\$2,275,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million one hundred thirty-seven thousand five hundred dollars (\$1,137,500.00) or fifty percent (50%) of these actual development costs, whichever is less;

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

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one hundred thirty-seven thousand five hundred dollars (\$1,137,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2029;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

(m) Project - Lovell Bench Lateral 2024:

(i) Project sponsor: Lovell Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Two million eight hundred ninety thousand dollars (\$2,890,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project

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materials as supported by vendor invoices and as approved by the commission an amount not to exceed one million four hundred forty-eight thousand dollars (\$1,448,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million four hundred forty-eight thousand dollars (\$1,448,000.00) 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, 2029;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and as approved by the commission, up to the amount appropriated in this subsection;

(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;

(C) The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 4 of this act or a transfer from another funding source.

(n) Project - Ranchester Transmission Line 2024:

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(i) Project sponsor: Town of Ranchester;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of water transmission pipelines, pump stations, structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million nine hundred thirty thousand dollars (\$4,930,000.00);

(v) Project grants:

(A) The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, and pre-construction engineering of the project an amount not to exceed two hundred sixty-eight thousand six hundred dollars (\$268,600.00) or fifty percent (50%) of these actual development costs, whichever is less;

(B) The state of Wyoming shall grant to the sponsor from water development account II through the commission for the construction engineering and construction of the project an amount not to exceed two million one hundred ninety-six thousand four hundred dollars (\$2,196,400.00) or fifty percent (50%) of these actual development costs, whichever is less.

(vi) Appropriations:

(A) There is appropriated from water development account II to the commission two hundred

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sixty-eight thousand six hundred dollars (\$268,600.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v)(A) of this subsection. Unexpended funds appropriated under this subparagraph shall revert to water development account II on July 1, 2029;

(B) There is appropriated from water development account II to the commission two million one hundred ninety-six thousand four hundred dollars (\$2,196,400.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v)(B) of this subsection. Unexpended funds appropriated under this subparagraph shall revert to the general fund on July 1, 2029.

(vii) Special conditions:

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

(B) The appropriation of funds for this project under subparagraph (vi)(B) of this subsection is contingent upon the transfer of funds to water development account II as described in section 6 of this act or a transfer from another funding source.

(o) Project - Wheatland Tank Replacement 2024:

(i) Project sponsor: Town of Wheatland;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a water storage tank, structures and

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

(iv) Total project budget: Five million three hundred seventy-one thousand dollars (\$5,371,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two million six hundred eighty-five thousand five hundred dollars (\$2,685,500.00) or fifty percent (50%) of these actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million six hundred eighty-five thousand five hundred dollars (\$2,685,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2029;

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

Section 2. W.S. 99-3-1903(g) (vii) and (k) (iii) through (vi) and (viii) by creating a new subparagraph (H), 99-3-2103(b) (vi), 99-3-2205(c) (v) and (e) (iv) through (vii), 99-3-2404(b) (vi), (c) (vi) and (f) (vi), 99-3-2406(b) (vii), (h) (vi), (j) (vii) and (q) (vi), 99-3-2505(a) (iv) and (vii), 99-3-2704(k) (vii) and

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99-3-2803(d)(iii) through (vii) and (e)(iii) through (vii) are amended to read:

99-3-1903. Level III construction projects - new development.

(g) Project - Laramie North Side Tank:

(vii) Appropriation: There is appropriated from water development account I to the commission eight million five hundred three thousand dollars (\$8,503,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2024~~2025.

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

(iii) Project description: Construction of small dams, windmills, spring development, guzzlers and other water collection, storage and drinking systems, pipelines, etc., to impound, develop and convey water for livestock, wildlife, irrigation, environmental and recreational purposes;

(iv) Total project budget: ~~Seventeen million three hundred twenty-six thousand dollars (\$17,326,000.00)~~
Twenty million three hundred twenty-six thousand dollars (\$20,326,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction

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of the project an amount not to exceed ~~eight million six hundred sixty-three thousand dollars (\$8,663,000.00)~~ ten million one hundred sixty-three thousand dollars (\$10,163,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ~~eight million six hundred sixty-three thousand dollars (\$8,663,000.00)~~ ten million one hundred sixty-three thousand dollars (\$10,163,000.00) 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;

(viii) Special conditions:

(H) Five hundred thousand dollars (\$500,000.00) of the appropriation of funds for this project under paragraph (vi) of this subsection is contingent upon the transfer of funds to water development account I as described in section 5 of this act or transfer from another funding source.

99-3-2103. Level III construction projects - new development.

(b) Project - Arapahoe Water Supply 2016:

(vi) Appropriation: There is appropriated from water development account I to the commission two million two hundred forty-seven thousand eight hundred fifty dollars (\$2,247,850.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended

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funds appropriated under this subsection shall revert to water development account I on July 1, ~~2024~~2026.

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

(c) Project - Middle Piney Reservoir:

(v) Appropriation: There is appropriated from water development account III to the commission for project land procurement, construction engineering and construction of the project fourteen million two hundred twenty-eight thousand dollars (\$14,228,000.00) 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 III on July 1, ~~2024~~2025;

(e) Project - Leavitt Reservoir Expansion:

(iv) Total project budget: ~~Seventy-eight million dollars (\$78,000,000.00)~~Eighty-eight million eight hundred fifty thousand dollars (\$88,850,000.00);

(v) Project Grant: The state of Wyoming shall grant to the sponsor from water development account III through the commission for project land procurement, construction engineering and construction of the project an amount not to exceed ~~seventy-six million two hundred eighty-four thousand dollars (\$76,284,000.00)~~eighty-seven million one hundred thirty-four thousand dollars (\$87,134,000.00) or ~~ninety-seven and eight tenths percent (97.8%)~~ninety-eight and seven hundredths percent (98.07%) of the actual development costs, whichever is less;

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(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account III through the commission for project land procurement, construction engineering and construction of the project an amount not to exceed one million seven hundred sixteen thousand dollars (\$1,716,000.00) or ~~two and two tenths percent (2.2%)~~ one and ninety-three hundredths percent (1.93%) of actual development costs, whichever is less, for a term of fifty (50) years from the date the commission determines that project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vii) Appropriation and authorization: There is appropriated from water development account III to the commission ~~forty-six million dollars (\$46,000,000.00)~~ fifty-six million eight hundred fifty thousand dollars (\$56,850,000.00) 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 III on July 1, ~~2027~~ 2028. There is authorized for expenditure by the commission from the sponsor's contingency fund - account III, created by W.S. 99-3-2505(a), thirty-two million dollars (\$32,000,000.00) to carry out the purpose of this subsection.

99-3-2404. Level III construction projects - new development.

(b) Project - Buffalo Wells and Transmission 2019:

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred thirty-eight thousand one hundred sixty dollars (\$1,238,160.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds

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appropriated under this subsection shall revert to water development account I on July 1, ~~2024~~2026;

(c) Project - Clearmont Well Connection 2019:

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred twenty-eight thousand nine hundred seventy dollars (\$328,970.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2024~~2026;

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

(vi) Appropriation: There is appropriated from water development account I to the commission seven million twenty-eight thousand three hundred dollars (\$7,028,300.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, ~~2024~~2025;

99-3-2406. Level III construction projects - rehabilitation.

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

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

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subsection shall revert to water development account II on July 1, ~~2024~~2026;

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

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred fifty-one thousand dollars (\$351,000.00) 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, ~~2024~~2026;

(j) Project - Interstate Diversion Structure Rehabilitation 2019:

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred twenty thousand dollars (\$420,000.00) 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, ~~2024~~2026.

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

(vi) Appropriation: There is appropriated from water development account II to the commission nine hundred twenty-nine thousand dollars (\$929,000.00) 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, ~~2024~~2025;

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99-3-2505. Sponsor's Contingency Funds.

(a) Project - Sponsor's Contingency Funds - Account III:

(iv) Total project budget: ~~Thirty-five million dollars (\$35,000,000.00)~~ Fifty-five million dollars (\$55,000,000.00);

(vii) Appropriation: There is appropriated from water development account III to the commission ~~thirty-five million dollars (\$35,000,000.00)~~ fifty-five million dollars (\$55,000,000.00) 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 III on July 1, 2030;

99-3-2704. Level III construction projects - rehabilitation.

(k) Project - Owl Creek Irrigation District System Improvements:

(vii) Appropriation: There is appropriated from water development account II to the commission five million forty thousand dollars (\$5,040,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended ~~and unobligated~~ funds appropriated under this subsection shall revert to water development account II on July 1, ~~2027~~ 2028;

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

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

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

(iv) Total project budget: ~~Four hundred sixty thousand dollars (\$460,000.00)~~ Six million one hundred thirty-four thousand nine hundred dollars (\$6,134,900.00);

(v) Project grants:

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

(B) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the construction engineering and construction of the project an amount not to exceed two million eight hundred thirty-seven thousand four hundred fifty dollars (\$2,837,450.00) or fifty percent (50%) of these actual development costs, whichever is less.

(vi) ~~Appropriation~~ Appropriations:

(A) There is appropriated from water development account I to the commission three hundred eight

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thousand two hundred dollars (\$308,200.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v) (A) of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2028;

(B) There is appropriated from water development account I to the commission two million eight hundred thirty-seven thousand four hundred fifty dollars (\$2,837,450.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v) (B) of this subsection. Unexpended funds appropriated under this subsection shall revert to the general fund on July 1, 2028.

(vii) Special conditions:

(A) The sponsor is responsible for acquiring thirty-three percent (33%) of the ~~total project design, permit procurement, project land procurement and pre-construction engineering~~ budget and fifty percent (50%) of the construction engineering and construction budget from other sources;

(B) The appropriation of funds for this project under subparagraph (vi) (B) of this subsection is contingent upon the transfer of funds to water development account I as described in section 5 of this act or a transfer from another funding source.

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

(iii) Project description: Design and ~~pre-construction~~ construction of water transmission

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

(iv) Total project budget: ~~Three hundred eighteen thousand dollars (\$318,000.00)~~ Three million eight hundred twenty-eight thousand dollars (\$3,828,000.00);

(v) Project grants:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement and pre-construction engineering of the project an amount not to exceed two hundred thirteen thousand sixty dollars (\$213,060.00) or sixty-seven percent (67%) of these actual development costs, whichever is less;

(B) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the construction engineering and construction of the project an amount not to exceed one million seven hundred fifty-five thousand dollars (\$1,755,000.00) or fifty percent (50%) of these actual development costs, whichever is less.

(vi) ~~Appropriation~~ Appropriations:

(A) There is appropriated from water development account I to the commission two hundred thirteen thousand sixty dollars (\$213,060.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v) (A) of this subsection. Unexpended funds appropriated under this ~~subsection~~ subparagraph shall revert to water development account I on July 1, 2028;

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(B) There is appropriated from water development account I to the commission one million seven hundred fifty-five thousand dollars (\$1,755,000.00) or as much thereof as is necessary to carry out the purpose of subparagraph (v)(B) of this subsection. Unexpended funds appropriated under this subparagraph shall revert to the general fund on July 1, 2028.

(vii) Special conditions:

(A) The sponsor is responsible for acquiring thirty-three percent (33%) of the ~~total project design, permit procurement, project land procurement and pre-construction engineering~~ budget and fifty percent (50%) of the construction engineering and construction budget from other sources;

(B) No funds granted for this project under subparagraph (v)(B) of this subsection shall be expended until motions supporting the project have passed by a majority vote of both the Sheridan Board of County Commissioners and the Sheridan Area Water Supply Joint Powers Board.

(C) The appropriation of funds for this project under subparagraph (vi)(B) of this subsection is contingent upon the transfer of funds to water development account I as described in section 5 of this act or a transfer from another funding source.

Section 3. W.S. 99-3-1903(k)(ix) and 99-3-1904(m)(ix) are repealed.

Section 4. The Wyoming water development commission is hereby authorized to transfer seven million dollars

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(\$7,000,000.00) from water development account I created by W.S. 41-2-124(a)(i) to water development account II created by W.S. 41-2-124(a)(ii).

Section 5. Subject to section 7 of this act, the state auditor shall transfer up to six million seven hundred fifty-two thousand one hundred fifty dollars (\$6,752,150.00) from the general fund to water development account I as created by W.S. 41-2-124(a)(i) on or after July 1, 2024.

Section 6. Subject to section 7 of this act, the state auditor shall transfer up to two million one hundred ninety-six thousand four hundred dollars (\$2,196,400.00) from the general fund to water development account II as created by W.S. 41-2-124(a)(ii) on or after July 1, 2024.

Section 7. The general fund appropriations to water development accounts I and II in section 5 and section 6 of this act shall be reduced one (\$1.00) dollar for each one (\$1.00) dollar available in water development accounts I and II respectively from other project funds that are offset by American Rescue Plan Act direct funds in accordance with law. To the extent that contractually obligated project payments may be missed pending the determination of available offset American Rescue Plan Act direct funds, general funds shall be transferred pursuant to sections 5 and 6 of this act.

Section 8. 2022 Wyoming Session Laws, Chapter 74, Section 1(a)(i) through (iii), as amended by 2023 Wyoming Session Laws, Chapter 180, Section 6, is amended to read:

Section 1.

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

(i) Twenty-five million dollars (\$25,000,000.00) to water development account I created by W.S. 41-2-124(a)(i) which shall be further appropriated from water development account I to the Wyoming water development commission for the purpose of acquiring water storage capacity in Fontenelle reservoir. The Wyoming water development office is hereby authorized to negotiate a purchase agreement with the bureau of reclamation to acquire water storage capacity in Fontenelle reservoir. No funds shall be expended from this appropriation to acquire water storage capacity in Fontenelle reservoir until the negotiated purchase agreement is approved by the Wyoming water development commission and the governor; ~~and the state loan and investment board authorizes the purchase of water storage capacity as a water development program construction project;~~

(ii) Twenty-one million eight hundred ten thousand dollars (\$21,810,000.00) to water development account II created by W.S. 41-2-124(a)(ii) which shall be further appropriated from water development account II to the Wyoming water development commission for the Goshen irrigation district tunnels 1 and 2 rehabilitation water development project. ~~No funds shall be expended from this appropriation~~

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~~until the state loan and investment board authorizes the project as a water development program construction project~~ or as much thereof as necessary to carry out the purpose of W.S. 99-3-2904(f). Unexpended funds appropriated under this paragraph shall revert to the legislative stabilization reserve account on July 1, 2032;

(iii) Thirty million dollars (\$30,000,000.00) to water development account II created by W.S. 41-2-124(a)(ii) which shall be further appropriated from water development account II to the Wyoming water development commission for the purpose of the LaPrele dam rehabilitation water development project. ~~No funds shall be expended from this appropriation until the state loan and investment board authorizes the project as a water development program construction project~~ or as much thereof as necessary to carry out the purpose of W.S. 99-3-2904(j). Unexpended funds appropriated under this paragraph shall revert to the legislative stabilization reserve account on July 1, 2032.

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FILE NO. SF0075

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk