

SUMMARY of PROCEEDINGS



SELECT WATER COMMITTEE

COMMITTEE MEETING INFORMATION

November 13-14, 2024 | 8:30 AM
Casper College, Student Union/UW-Casper Building, Room UU322
1730 Campus Dr.
Casper, Wyoming

COMMITTEE MEMBERS PRESENT

Senator Cheri Steinmetz, Chairman
Representative Albert Sommers, Vice Chairman
Senator Mike Gierau
Senator John Kolb
Senator Dan Laursen
Representative Barry Crago
Representative J.T. Larson
Representative Chip Neiman
Representative Mike Yin

COMMITTEE MEMBERS NOT PRESENT

Senator Affie Ellis
Senator Larry Hicks
Representative Jon Conrad

LEGISLATIVE SERVICE OFFICE STAFF

David Hopkinson, Staff Attorney
Donna Shippen, Senior Research Analyst
Eve Hamilton, Legislative Editor

OTHERS PRESENT AT MEETING

Please refer to [Appendix 1-02](#) to review the Committee Sign-in Sheet
for a list of other individuals who attended the meeting.

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

EXECUTIVE SUMMARY

The Select Water Committee (Select Committee) met in Casper for two days to continue the Select Committee's interim work. The Select Committee met jointly with the Wyoming Water Development Commission (WWDC) on the first day to receive updates from the Wyoming Water Development Office (WWDO) on water project applications, amendments, and contracts. The Select Committee met on the second day to review and discuss bill drafts on forest health and dam breach order due process.

The Select Committee voted to sponsor 25LSO-0401, Forest health grant program-3, for the 2025 General Session. The Select Committee directed the Legislative Service Office (LSO) to split 25LSO-0402, Breach order due process, into two separate bills for the next meeting.

CALL TO ORDER (WEDNESDAY, NOVEMBER 13, 2024)

Liisa Anselmi-Dalton, Chairman of the WWDC, called the Commission to order at 8:30 AM. Chairman Cheri Steinmetz called the Select Committee to order. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 1-01](#) to review the Committee Meeting Agenda.

Jason Mead, WWDO Director, presented the WWDC and the Select Committee with copies of project updates, contracts and amendments, and other documents for consideration. See [Appendix 1-01](#) for the November 2024 WWDO e-notebook. Director Mead also provided a copy of the WWDO Funding Recommendations for 2025. See [Appendix 5-02](#) for the 2025 Funding Recommendations e-notebook.

The meeting can be viewed on YouTube – Joint WWDC/SWC Meeting, November 13, 2024, ([AM](#) and [PM](#)), and Select Water Committee, November 14, 2024, ([AM](#)).

Minutes from the Joint WWDC/Select Committee meeting can be [found here](#).

CALL TO ORDER (THURSDAY, NOVEMBER 14, 2024)

Chairman Steinmetz called the meeting to order at 8:30 AM.

FOREST HEALTH

Bill Draft: 25LSO-0401 Forest health grant program-3.

David Hopkinson, Staff Attorney, Legislative Service Office (LSO) provided an overview of 2003 General Session Enrolled Joint Resolution No. 3 – Federal Forest Emergency, which declared a state of emergency in the watersheds located on national forests within Wyoming ([Appendix 14-02](#)).

Mr. Hopkinson provided an overview of 25LSO-0401, Forest health grant program-3, which proposes to create a forest health grant program to be administered by the state forester ([Appendix 14-01](#)). The bill was considered by the Joint Agriculture, State and Public Lands & Water Resources Interim Committee during their October meeting but was not sponsored.

Kelly Norris, State Forester, Wyoming State Forestry Division, provided testimony on the bill draft. Ms. Norris stated that the State Forestry Division relies heavily on federal funds, and that the bill draft could leverage federal grants the State currently applies for and allow the division to prioritize Wyoming's needs. She explained that the bill draft would increase the divisions workload and would require additional staff resources which the division could provide a funding amount in a future fiscal note.

Public Comment

Brent Moline, Wyoming Farm Bureau Federation, provided public comment in support of the bill.

Holly Kennedy, Wyoming Association of Conservation Districts, provided public comment in support of the bill.

Committee Directives

Vice Chair Sommers moved to sponsor 25LSO-0401. The motion passed by roll call vote, with Senator Laursen voting no and Senator Ellis, Senator Hicks, and Representative Conrad being excused. The Select Committee adopted amendments to include a sunset date for the grant program and return unexpended funds contributed by non-state entities to the non-state entities.

LAPRELE DAM**Bill Draft: 25LSO-0402 Breach order due process.**

Mr. Hopkinson provided an overview of 25LSO-0402, Breach order due process, which would require the state engineer to hold public meetings, provide notice, and allow for a vote to be taken before issuing an order to breach a dam or diversion ([Appendix 15-01](#)).

Brandon Gebhart, State Engineer, Wyoming State Engineer's Office, provided testimony regarding the draft bill. Mr. Gebhart stated that the bill draft could hinder the issuing of a breach order in an emergency. He stated that if a dam were to burst, the dam owner would be liable for any damage or loss of life. Mr. Gebhart asked that the Select Committee consider adding a section to the amendment that would allow the State Engineer to issue a breach order without public comment in the case of an emergency. Mr. Gebhart also provided a detailed history of the LaPrele Dam, as well as a timeline of events that led to the breach order which he issued on November 1, 2024.

Public Comment

The following people provided testimony on the consequences that the LaPrele Irrigation District would face if the dam was breached.

- Representative Tomi Strock, House District 6;
- Tom Strock, landowner in the LaPrele Irrigation District;
- Heather Jacobson, attorney and shareholder in the LaPrele Irrigation District;
- Leonard Chamberlin, Converse County;
- Shane Cross, shareholder in the LaPrele Irrigation District;
- Don Blackburn, landowner in the LaPrele Irrigation District;
- Colt Rodeman, shareholder in LaPrele Irrigation District;
- Rick Baker, Tim Baker, and Linda Baker, shareholders in the LaPrele Irrigation District;
- Connie Bowen, landowner in the LaPrele Irrigation District.

Shawn Gustafson, Casper engineer and American Council of Engineering Companies Board member, expressed concern with the bill drafts requirements for the State Engineer in the case of an emergency and suggested the issues surrounding water rights be addressed in a separate piece of legislation.

Phil Dziardziel and Casey Darr, LaPrele Irrigation District Board members, provided testimony on the impacts breaching the dam would have on the district. They also provided a timeline of events which lead to the breach order from the State Engineer.

SELECT WATER COMMITTEE SUMMARY of Proceedings

Peter Rauch, Project Manager, RESPEC, provided testimony on the decision to breach the dam, explaining that the consequences of the dam failing far exceeded the risks associated with a breach.

Committee Directives

Vice Chair Sommers moved to split the bill drafts into two separate bill drafts, one dealing with breach orders and the other dealing with water rights. The motion passed by voice vote.

After discussion, the Select Committee tabled 25LSO-0402 until the next meeting.

MEETING ADJOURNMENT

There being no further business, Senator Cheri Steinmetz adjourned the meeting at 1:05 PM

Respectfully submitted,

Committee Meeting Materials Index

SELECT WATER COMMITTEE SUMMARY of Proceedings

Index Number	Agenda Item	Document Description	Document Provider
1-01		Agenda	Legislative Service Office
1-02		Sign-In Sheet	Legislative Service Office
1-03	Joint Water Development Commission/Select Water Committee Meeting-Call to Order	WWDO November E-Notebook	Wyoming Water Development Office
5-01	2025 Funding Recommendations - New Development Program - WWDC	2025 Funding Recommendation E-Notebook	Wyoming Water Development Office
5-02	2025 Funding Recommendations - New Development Program - WWDC	Letter on the City of Buffalo's Request for Additional Funding	Senator Dave Kinskey
14-01	Forest Health	25LSO-0401 v0.2 Forest health grant program-3.	Legislative Service Office
14-02	Forest Health	2003 General Session Enrolled Joint Resolution No. 3 - Federal Forest Emergency	Legislative Service Office
14-03	Forest Health	Increased Water Yield Off National Forest Lands	Senator Larry Hicks
15-01	LaPrele Dam	25LSO-0402 v0.6 Breach orders due process.	Legislative Service Office

SELECT WATER COMMITTEE SUMMARY of Proceedings