

SUMMARY of PROCEEDINGS



SELECT WATER COMMITTEE

COMMITTEE MEETING INFORMATION

December 19, 2024 | 8:30 AM
Capitol Extension, Room E005
200 W 24th Street
Cheyenne, Wyoming

COMMITTEE MEMBERS PRESENT

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

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 for a one-day meeting in Cheyenne to finish its interim work. The Select Committee reviewed bill drafts and heard testimony on the omnibus planning bill; the omnibus construction bill; State engineer breach orders and water rights. The Select Committee also heard testimony on the Alkali Creek Reservoir Project

The Select Committee voted to sponsor the following bills for the 2025 General Session:

- 25LSO-0451, Omnibus water bill-planning.
- 25LSO-0452, Omnibus water bill-construction, as amended.
- 25LSO-0527, Abandonment of water rights-limitations, as amended.
- 25LSO-0402, Breach orders due process, as amended.

CALL TO ORDER

Senator Cheri Steinmetz called the meeting to order at 12/19/2024 8:30 AM. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 1-01](#) to review the Committee Meeting Agenda.

The meeting can be viewed on YouTube – Select Water Committee Meeting, December 19, 2024 ([AM](#) and [PM](#)).

APPROVAL OF MINUTES

Vice Chair Sommers moved to approve the minutes from November 13-14, 2024, meeting. The motion passed by voice vote.

OMNIBUS WATER BILL: PLANNING

Bill Draft: 25LSO-0451 Omnibus water bill-planning.

Director Jason Mead, Wyoming Water Development Office (WWDO), provided an overview of 25LSO-0451 Omnibus water bill-planning ([Appendix 2-01](#)). The bill draft would authorize specified Level I and Level II studies presented by the WWDO and provide appropriations.

Public Comment

There was no public comment on this topic.

Committee Directives

Senator Gierau moved to sponsor 25LSO-0451. The motion passed unanimously by roll call vote.

OMNIBUS WATER BILL: CONSTRUCTION

Bill Draft: 25LSO-0452 Omnibus water bill-construction

Director Mead presented an overview of 25LSO-0452, Omnibus water bill-construction ([Appendix 4-01](#)). The bill draft would authorize specified construction projects presented by the WWDO and provide appropriations.

Public Comment

Bryan Seppie, GR-RS-SW Joint Powers Board Member, provided comment on the GR-RS-SW Pump Station project and why the appropriation provided in the bill draft is important for the completion of the project.

The following attendees provided testimony on the Alkali Creek Reservoir Project, the history of the area, and the impacts the project would have on the Norwood Watershed Improvement District:

- Timothy Gardiner, Twisted Tippet Ranch
- John Joyce, Nowood Watershed Improvement District
- Asa Mercer, Nowood Watershed Improvement District
- Tom Shirran, Hyattville, WY resident

Committee Directives

Vice Chair Sommers moved to sponsor 25LSO-0452. The motion passed unanimously by roll call vote. The Select Committee adopted amendments to:

- Remove fifty million dollars from the Alkali Creek Reservoir Project and apply it to the LaPrele Dam Project and amend the reversion date of the project funds to 2026
- Provide sixty million dollars to the LaPrele Dam Project, to be offset by the fifty million dollars from Alkali Creek with unexpended funds reverting to water development account III and ensuring federal funds are spent first
- Appropriate twenty million dollars from the legislative stabilization reserve account to the Goshen tunnels project.
- Repeal water redundancy projects
- Allow for the transfer of a well

STATE ENGINEER BREACH ORDERS AND WATER RIGHTS

Bill Draft: 25LSO-0527 Abandonment of water rights-limitations.

David Hopkinson, Staff Attorney, Legislative Service Office, presented an overview of 25LSO-0527, Abandonment of water rights-limitations, which would amend the conditions under which abandonment of water rights applies ([Appendix 6-01](#)).

Brandon Gebhart, State Engineer, Wyoming State Engineer's Office, provided background information on the issues surrounding the abandonment of water rights.

Public Comment

Curtis Meier, State Treasurer, Wyoming State Treasurer's Office, provided comment on the bill draft and the issues surrounding the abandonment of water rights. Mr. Meier also suggested ways in which the LaPrele Dam could be rehabilitated and information on what would be required to begin repairs on the dam.

Representative Tomi Strock, House District 06, expressed concern about the possibility of losing water rights in the LaPrele Irrigation and the negative impacts a breach would have on agriculture in the district.

Rick Baker, LaPrele Irrigation District, expressed concern with the current state of the dam and asked if the State would be willing to take over the liability if the dam were to burst instead of the shareholders in the district.

Chris Brown, Senior Assistant Attorney General Water and Natural Resources Division, Wyoming Attorney General's Office, provided information on how water abandonment happens and suggested amendments for the bill draft.

SELECT WATER COMMITTEE Summary of Proceedings

Committee Directives

Senator Hicks moved to sponsor 25LSO-0527. The motion passed unanimously by roll call vote. The Select Committee adopted the following amendments:

Page 2-line 15 delete "or a portion thereof".

Page 2-line 16 delete entirely and insert "becomes".

Bill Draft: 25LSO-0402 Breach orders due process.

Mr. Hopkinson provided an overview of 25LSO-0402, Breach orders due process, which would require the state engineer to hold public meetings, provide notice, and allow for a vote before executing an emergency order to breach a dam or diversion (**Appendix 6-02**).

Mr. Gebhart provided a timeline of events which led to the decision to breach the LaPrele Dam, expressing the gravity of situation and the need to protect the life and property of those near the dam.

Public Comment

There was no public comment on this topic.

Committee Directives

Senator Hicks moved to sponsor 25LSO-0402. The motion passed by roll call vote, with Senator Ellis, Senator Laursen, Representative Conrad, Representative Yin, and Vice Chair Sommers voting no. The Select Committee adopted the following amendments:

Page 3-lines 4 through 21 Delete entirely.

Page 4 Delete entirely.

Page 5 lines 2 through 15 Delete entirely and insert:

"(i) Determine whether there are alternatives to breaching;

(ii) Hold not less than one (1) public meeting in the area where the breach will occur, that is not a public meeting of an irrigation district, to allow for public comment. This public meeting shall occur, even if it is after the breach order has been issued;

(iii) Notify those affected of liability associated with any damage or unforeseen circumstances associated with breaching issued under an order by the state engineer;

(iv) Contact each water rights holder or landowner with water storage rights providing information on the proposed breach and the upcoming public meeting.".

MEETING ADJOURNMENT

There being no further business, Senator Cheri Steinmetz adjourned the meeting at 4:18 PM.

Respectfully submitted,

Senator Cheri Steinmetz

Committee Meeting Materials Index

Index Number	Agenda Item	Document Description	Document Provider
1-01		Agenda	Legislative Service Office
1-02		Sign-In Sheet	Legislative Service Office
2-01	Omnibus Water Bill: Planning	25LSO-0451 v0.2 Omnibus water bill-planning.	LSO
4-01	Omnibus Water Bill: Construction	25LSO-0452 v0.6 Omnibus water bill-construction.	LSO
6-01	State Engineer Breach Orders and Water Rights	25LSO-0527 v0.4 Abandonment of water rights-limitations.	LSO
6-02	State Engineer Breach Orders and Water Rights	25LSO-0402 v0.10 Breach orders due process.	LSO
6-03	State Engineer Breach Orders and Water Rights	National Dam Safety Program	Wyoming State Engineer's Office