

ORIGINAL SENATE
FILE NO. SF0062

ENROLLED ACT NO. 44, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

AN ACT relating to water development projects; authorizing specified level I and level II studies; providing appropriations; requiring reports; providing for reversion of unexpended funds; authorizing unobligated funds to be used to complete other designated projects as specified; providing an appropriation for the office of water programs; extending the Platte River Basin endangered species account and providing an appropriation; and providing for an effective date.

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

[2018-2019 WATER PROGRAM]
[AUTHORIZED LEVEL I AND LEVEL II STUDIES]

Section 1. LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT. The following sums of money are appropriated from water development account I, as created by W.S. 41-2-124(a)(i), to the water development commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not obligated prior to July 1, 2021 shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2020 legislative session:

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[LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Bedford Water Supply Master Plan	Lincoln County	\$100,000
Big Sandy Watershed Study	Fremont, Sublette and Sweetwater Counties	\$275,000
Horse Creek Watershed Study	Albany, Goshen, Laramie and Platte Counties	\$284,000
Lower Laramie River Watershed Study	Albany, Goshen, Laramie and Platte Counties	\$290,000
Middle Big Horn River Watershed Study	Big Horn, Hot Springs, Park and Washakie Counties	\$300,000
Osage Water Master Plan	Weston County	\$190,000
Popo Agie Watershed Study, Phase II	Fremont County	\$235,000
River Basin Planning - GIS Data Model Implementation	Statewide	\$115,000
River Basin Planning - NHDPlus HR and Streamstats - Phase I and II	Statewide	\$240,000
River Basin Planning - Water Supply Index	Statewide	\$170,000
Saratoga Water Master Plan	Carbon	\$175,000
Sheridan Municipal Watershed Wildfire Hazard Mitigation Assessment ¹ .	Johnson and Sheridan Counties	\$165,000
Sheridan Water Master Plan	Sheridan	\$250,000
UW Water Research Program	Statewide	\$285,150
Total appropriation for Section 1		<u>\$3,074,150</u>

Footnote:

1. No funds shall be expended from this appropriation for the wildfire hazard mitigation assessment until the project sponsor demonstrates to the commission that the sponsor has pursued community or county fire protection funding through the state forester for a similar assessment and funding was not available or not sufficient to fund the assessment.

Section 2. LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT. The following sums of money are appropriated

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from water development account I, as created by W.S. 41-2-124(a)(i), to the water development commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated prior to July 1, 2021 shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2020 legislative session:

[LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Fontenelle Dam and Outworks Infrastructure Completion	Lincoln and Sweetwater Counties	\$750,000
Glendo Reservoir Full Utilization Project	Platte County	\$750,000
GR-RS-SC JPWB Pump Station and Transmission	Sweetwater County	\$180,000
Lander Test Well Study	Fremont County	\$2,340,000
Little Snake River Valley Municipal Water Supply	Carbon County	\$135,000
Total appropriation for Section 2		<u>\$4,155,000</u>

Section 3. LEVEL II FEASIBILITY STUDIES - REHABILITATION. The following sums of money are appropriated from water development account II, as created by W.S. 41-2-124(a)(ii), to the water development commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select

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water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated prior to July 1, 2021 shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2020 legislative session:

[LEVEL II FEASIBILITY STUDIES - REHABILITATION]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Big Laramie River Oasis Ditch Diversion Rehabilitation	Albany County	\$95,000
Hanover ID Bighorn Flume Replacement	Washakie County	\$65,000
Silver Lake Dam Rehabilitation	Sublette County	<u>\$250,000</u>
Total appropriation for Section 3		\$410,000

Section 4. LEVEL II FEASIBILITY STUDIES - DAMS AND RESERVOIRS. The following sums of money are appropriated from water development account III, as created by W.S. 41-2-124(a)(iii), to the water development commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated prior to July 1, 2023 shall revert to water development account III. The commission shall submit a report to the legislature on each of the following studies prior to the 2022 legislative session:

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[LEVEL II FEASIBILITY STUDIES - DAMS AND RESERVOIRS]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Cheyenne Municipal Storage Phase I	Laramie County	<u>\$330,000</u>
Total appropriation for Section 4		\$330,000

Section 5. TIME EXTENSION FOR LEVEL II FEASIBILITY STUDIES - DAMS AND RESERVOIRS. In the 2015 Omnibus water bill - planning, 2015 Wyoming Session Laws, Chapter 168, Section 5, the following sums of money were appropriated from water development account III, as created by W.S. 41-2-124(a)(iii), to the water development commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. A three (3) year time extension is granted for those feasibility studies and appropriated funds not obligated prior to July 1, 2021 shall revert to water development account III. The commission shall submit a report to the legislature on each of the following studies prior to the 2020 legislative session:

[LEVEL II FEASIBILITY STUDIES - DAMS AND RESERVOIRS]

<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
Clear Creek Storage	Johnson County	\$700,000
Nowood River Storage-Alkali Cr. Shell Valley Storage-Leavitt Reservoir	Big Horn, Washakie Counties Big Horn County	\$4,000,000 <u>\$4,500,000</u>
Total 2015 appropriation for Section 5		\$9,200,000
Total 2018 appropriation for Section 5		\$0

Section 6. The Wyoming water development commission is authorized to expend funds from water development account I, as created by W.S. 41-2-124(a)(i), to contract with the University of Wyoming in an amount not to exceed one hundred seventy-five thousand dollars (\$175,000.00) to

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fund the office of water programs established under W.S. 41-2-125 from July 1, 2018 to June 30, 2020.

Section 7. PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM - EXTENSION. Three million one hundred thousand dollars (\$3,100,000.00) is appropriated from water development account I, as created by W.S. 41-2-124(a)(i), to the Platte River Basin endangered species account for the Wyoming water development office to fund the state of Wyoming's participation in a thirteen (13) year extension of the first increment of the Platte River Recovery Implementation Program (PRRIP). Any unexpended balance in the Platte River Basin endangered species account shall be invested by the state treasurer and the interest earned shall be credited to the Platte River Basin endangered species account to meet the cost of inflation over the term of the extension of the first increment of PRRIP, scheduled to run from January 1, 2020 to December 31, 2032. Expenditures for the extension under this section shall not be authorized until the state of Wyoming has entered into, and the governor has executed, an extension amendment to the cooperative agreement with the United States Department of the Interior and the states of Nebraska and Colorado. Unexpended funds appropriated under this subsection and those funds appropriated in 2006 Wyoming Session Laws, Chapter 99, Section 6 shall revert to water development account I on July 1, 2034.

Section 8. REVERSIONS - NEW DEVELOPMENT. The following feasibility study, having been suspended by the water development commission, shall be cancelled and all remaining funds appropriated to the commission for the study, shall revert on the effective date of this act to water development account I, as created by W.S. 41-2-124(a)(i):

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[REVERSION - LEVEL II FEASIBILITY STUDIES - NEW
DEVELOPMENT]

<u>PROJECT</u>	<u>LOCATION</u>	<u>REMAINING APPROPRIATION</u>
Lake DeSmet Facilities Acquisition	Johnson County	\$200,000
Total reversions for Section 8		\$200,000

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